

The City of Canada Bay Council plan of action in response to recommendations made in *Investigation into the conduct of the local member for Drummoyne (Operation Witney)*

PART A: The City of Canada Bay Council's (CCBC) response to corruption prevention recommendations

Firstly please indicate the response to be taken for each recommendation made.

Recommendation 11:

That CCBC adopts a policy regulating interactions between councillors and staff. The policy should cover councillor representations to staff arising from lobbying activities and the attendance of councillors at proponent meetings with staff.

Please indicate the response the public authority will take in its plan of action:

- Implement the recommendation as described in the report
- Implement the intent of the recommendation in an alternative way
- Partially implement the recommendation
- Not implement the recommendation

If the action CCBC intends is other than "implement the recommendation as described in the report", please state the proposed action to be undertaken in the space provided below.

Please explain why the above action is action is proposed rather than the ICAC's published recommendation.

Recommendation 12:

That CCBC continues to provide conflict of interest training to councillors, at least on a biennial basis. The training should cover situations where councillors are lobbied by those with whom they have a relationship or association and the circumstances where this would give rise to a conflict of interest.

Please indicate the response the public authority will take in its plan of action:

- Implement the recommendation as described in the report
- Implement the intent of the recommendation in an alternative way
- Partially implement the recommendation
- Not implement the recommendation

If the action CCBC intends is other than “implement the recommendation as described in the report”, please state the proposed action to be undertaken in the space provided below.

Please explain why the above action is action is proposed rather than the ICAC’s published recommendation.

Recommendation 15:

That CCBC continues to offer planning training to councillors during each term on their obligations under the *Environmental Planning and Assessment Act 1979*, particularly regarding the consideration of planning proposals.

Please indicate the response the public authority will take in its plan of action:

- Implement the recommendation as described in the report
- Implement the intent of the recommendation in an alternative way
- Partially implement the recommendation
- Not implement the recommendation

If the action CCBC intends is other than “implement the recommendation as described in the report”, please state the proposed action to be undertaken in the space provided below.

Please explain why the above action is action is proposed rather than the ICAC’s published recommendation.

PART B: The City of Canada Bay Council's plan of action

In this section, please provide details of the City of Canada Bay Council's plan of action in relation to the recommendations and/or proposed actions described above.

The scope and scale of recommendations made in investigation reports varies considerably, and the Commission recognises a single template may not suit every agency or investigation. In view of this, the City of Canada Bay Council is invited to develop a format that is appropriate for the proposed plan of action and subsequent report(s).

The Commission asks that the plan of action and subsequent proposed report formats are developed in consultation with the ICAC's corruption prevention representative named in the cover letter. The ICAC corruption prevention representative will advise if the plan or report format has the Commission's endorsement.

However if the City of Canada Bay Council prefers to adhere to an established format, the following may be used as a guide.

Plan of action

Recommendation 11:

That CCBC adopts a policy regulating interactions between councillors and staff. The policy should cover councillor representations to staff arising from lobbying activities and the attendance of councillors at proponent meetings with staff.

A Councillor and Staff Interaction Policy, based on the recently published OLG Model, is being developed. It is intended that provisions be included that preclude:

- Mayor and councillor representation (including those resulting from lobbying activities) to staff who are not authorised to receive such representations, without approval of the General Manager or Director.
- Attendance of Mayor and councillors at proponent meetings with staff without approval of the General Manager or Director. Such approval is to be subject to any conditions specified by the General Manager or Director.

Director Corporate Services and Strategy to:

- Present ICAC's recommendation 11 to a Councillor Workshop for information and informing of the proposed development of a new Councillor and Staff Interaction Policy, with provisions included in the policy in response to the recommendation highlighted. This occurred on Tuesday 30 August 2022.
- Draft the Councillor and Staff Interaction Policy.
- Present the draft Councillor and Staff Interaction Policy to a Councillor Workshop to affirm the provisions included in response to the recommendation.
- Submit the draft Councillor and Staff Interaction Policy to Council for formal consideration and adoption.
- Following adoption of the Policy, advise staff of the contents of the Policy and the respective responsibilities of the General Manager, Directors, all other staff, and Councillors.
- Imbed training on the Policy into future Councillor Induction programs.

Completion of these actions is to be no later than 31 December 2022.

Recommendation 12:

That CCBC continues to provide conflict of interest training to councillors, at least on a biennial basis. The training should cover situations where councillors are lobbied by those with whom they have a relationship or association and the circumstances where this would give rise to a conflict of interest.

Conflict of Interest Training was conducted in January 2022 at the commencement of the new term of Council following the Local Government Election. The next training is to be arranged by the Director Corporate Services and Strategy for late 2023/early 2024 with the issue of councillors being lobbied by those with whom they have a relationship or association, and the circumstances where this would give rise to a conflict of interest to be specifically addressed.

This issue is to be imbedded into all subsequent biennial Code of Conduct Training.

Recommendation 15:

That CCBC continues to offer planning training to councillors during each term on their obligations under the *Environmental Planning and Assessment Act 1979*, particularly regarding the consideration of planning proposals.

Training on the obligations of councillors under the *Environmental Planning and Assessment Act 1979*, particularly regarding the consideration of planning proposals, has been arranged by the Director Corporate Services and Strategy, with all Councillors to attend. The training has been arranged through the Planning Institute of Australia and was conducted by Emeritus Professor Peter Phibbs over Tuesday 23rd and Wednesday 24th August 2022.

Such training is to be repeated at the commencement of each new Council term as a component of the Councillor induction program.