



WARRINGAH
COUNCIL

ATTACHMENT BOOKLET

ORDINARY COUNCIL MEETING

TUESDAY 24 NOVEMBER 2015



TABLE OF CONTENTS

Item No	Subject	
1.1	MONTHLY FUNDS MANAGEMENT REPORT OCTOBER 2015	
	Attachment 1: Application of Funds Invested.....	2
	Attachment 2: Councils Holdings as at 31 October 2015.....	3
	Attachment 3: Investment Portfolio at a Glance.....	5
	Attachment 4: Monthly Investment Income vs. Budget	6
	Attachment 5: Economic Notes	7
6.2	COMPLAINTS MANAGEMENT AND REPORTING POLICY	
	Attachment : Complaints Management and Reporting Policy	8
6.3	CODE OF CONDUCT REVIEW	
	Attachment : Code of Conduct	14
7.2	COMMUNITY ENGAGEMENT POLICY AND MATRIX - REVISED	
	Attachment 1: Submissions and Responses	32
	Attachment 2: Community Engagement Policy - Nov 2015.....	36
	Attachment 3: Community Engagement Matrix - Nov 2015	40
8.2	ADOPTION OF A SPIRIT OF PLAY: WARRINGAH'S OPEN SPACE STRATEGY	
	Attachment 1: Final Draft - A Spirit of Play: Warringah's Open Space Strategy	65
	Attachment 2: Public Exhibition Submission Analysis - A Spirit of Play: Warringah's Open Space Strategy.....	179
8.4	DRAFT WARRINGAH DEVELOPMENT CONTRIBUTIONS PLAN 2015 (AMENDMENT 1) EXHIBITION RESULTS	
	Attachment 1: Council Report: Proposed Section 94A Developer Contributions Increase for Dee Why Town Centre.....	190
	Attachment 2: Draft Warringah Development Contributions Plan 2015 (Amendment 1).....	195
	Attachment 3: Dee Why Town Centre Section 94A Levy.....	225
8.5	AFFORDABLE HOUSING DISCUSSION PAPER AND ACTION PLAN	
	Attachment : Affordable Housing Discussion Paper and Action Plan.....	324
8.9	MINUTES OF THE STRATEGIC REFERENCE GROUP OCTOBER MEETINGS	
	Attachment 1: Draft Minutes of the A Connected Environment SRG Meeting held 6 October 2015	344
	Attachment 2: Draft Minutes of the ECOS SRG Meeting held 7 October 2015	354
	Attachment 3: Draft Minutes of the Open Space and Recreation SRG Meeting held 7 October 2015	361
	Attachment 4: Draft Minutes Vibrant Connected Environment SRG Meeting held 6 October 2015	367
8.10	MINUTES OF SYDNEY COASTAL COUNCILS GROUP MEETING HELD 19 SEPTEMBER 2015	
	Attachment : Minutes of Sydney Coastal Councils Group Annual General Meeting held 19 September 2015.....	415

Application of Investment Funds	Description	Value (\$)
Restricted Funds:		
Externally Restricted	Section 94 Old Plan	13,435,838
	Section 94A Plan Contributions	6,287,219
Externally Restricted Reserves	Unexpended Grants	356,902
	Domestic Waste *	5,814,645
Internally Restricted Reserves	Held to ensure sufficient funds are available to meet future commitments or specific objectives. Employee Leave Entitlements, Bonds & Guarantees, Compulsory Open Space Land Acquisitions, & Insurance.	9,491,387
Unrestricted Funds	Funds Allocated to meet Current Budgeted Expenditure	54,698,614
Total		90,084,606

There has been a decrease in the investments held of \$5,236,895 which is in line with budgeted movements at this time of year.

Reconciliation of Cash Book

Description	Value (\$)
Council's Cash Book balance	(2,814)
Kimbriki Bank balance	1,874,032

Investments Funds Report - As at 31-Oct-15

Maturity date	Face Value	Current Yield	Borrower	Standard & Poor's Rating	Current Value
Mortgage Backed Securities Investment Group					
Weighted Avg Life *	Face Value				
22-Aug-22	1,430,429	2.5850	Emerald Series 2006-1 Class A	AAA	1,122,889
	1,430,429				1,122,889
Term Investment Group					
03-Nov-15	1,000,000	3.5000	Bank of Queensland Ltd	A2	1,000,000
09-Nov-15	1,000,000	3.1300	National Australia Bank Ltd	A1+	1,000,000
09-Nov-15	1,000,000	3.0800	Commonw ealth Bank of Australia Ltd	A1+	1,000,000
16-Nov-15	1,000,000	3.2000	Members Equity Bank Ltd	A2	1,000,000
16-Nov-15	1,000,000	2.9000	Bank of Queensland Ltd	A2	1,000,000
16-Nov-15	1,000,000	2.9000	Suncorp-Metw ay Ltd	A1	1,000,000
18-Nov-15	1,000,000	2.9000	Suncorp-Metw ay Ltd	A1	1,000,000
01-Dec-15	1,000,000	2.9300	Bank of Queensland Ltd	A2	1,000,000
03-Dec-15	2,000,000	3.5500	Bank of Queensland Ltd	A2	2,000,000
07-Dec-15	1,000,000	3.1300	National Australia Bank Ltd	A1+	1,000,000
15-Dec-15	2,000,000	3.5500	National Australia Bank Ltd	A1+	2,000,000
15-Dec-15	1,000,000	2.9300	National Australia Bank Ltd	A1+	1,000,000
18-Dec-15	1,000,000	3.5500	National Australia Bank Ltd	A1+	1,000,000
18-Dec-15	1,000,000	2.9000	Suncorp-Metw ay Ltd	A1	1,000,000
04-Jan-16	1,000,000	3.2100	Commonw ealth Bank of Australia Ltd	A1+	1,000,000
04-Jan-16	2,000,000	3.0000	Bank of Queensland Ltd	A2	2,000,000
08-Jan-16	1,000,000	3.1300	National Australia Bank Ltd	A1+	1,000,000
11-Jan-16	1,000,000	2.9300	National Australia Bank Ltd	A1+	1,000,000
12-Jan-16	1,000,000	3.0000	Bank of Queensland Ltd	A2	1,000,000
19-Jan-16	1,000,000	2.9300	National Australia Bank Ltd	A1+	1,000,000
22-Jan-16	1,000,000	2.9500	Bank of Queensland Ltd	A2	1,000,000
29-Jan-16	1,000,000	2.9000	National Australia Bank Ltd	A1+	1,000,000
02-Feb-16	1,000,000	2.9500	Bendigo & Adelaide Bank Ltd	A2	1,000,000
09-Feb-16	2,000,000	3.0000	National Australia Bank Ltd	A1+	2,000,000
10-Feb-16	1,000,000	2.8600	Westpac Banking Corporation Ltd	A1+	1,000,000
15-Feb-16	1,000,000	2.9100	Bank of Queensland Ltd	A2	1,000,000
23-Feb-16	2,000,000	2.9000	Suncorp-Metw ay Ltd	A1	2,000,000
26-Feb-16	1,000,000	2.8100	Commonw ealth Bank of Australia Ltd	A1+	1,000,000
02-Mar-16	1,000,000	2.9500	Bendigo & Adelaide Bank Ltd	A2	1,000,000
07-Mar-16	1,000,000	4.0500	National Australia Bank Ltd	A1+	1,000,000
08-Mar-16	500,000	4.0700	National Australia Bank Ltd	A1+	500,000
14-Mar-16	2,000,000	2.9500	Suncorp-Metw ay Ltd	A1	2,000,000
15-Mar-16	1,000,000	2.9000	National Australia Bank Ltd	A1+	1,000,000
22-Mar-16	1,000,000	2.9500	Suncorp-Metw ay Ltd	A1	1,000,000
31-Mar-16	2,000,000	2.8500	National Australia Bank Ltd	A1+	2,000,000
04-Apr-16	2,000,000	2.8000	Suncorp-Metw ay Ltd	A1	2,000,000
05-Apr-16	1,000,000	2.9000	National Australia Bank Ltd	A1+	1,000,000
10-Apr-16	1,000,000	2.8600	Westpac Banking Corporation Ltd	A1+	1,000,000
11-Apr-16	1,000,000	2.9100	Suncorp-Metw ay Ltd	A1	1,000,000
19-Apr-16	1,000,000	2.8700	National Australia Bank Ltd	A1+	1,000,000
29-Apr-16	2,000,000	2.7900	Commonw ealth Bank of Australia Ltd	A1+	2,000,000
03-May-16	1,000,000	2.9000	National Australia Bank Ltd	A1+	1,000,000
09-May-16	1,000,000	2.8700	Suncorp-Metw ay Ltd	A1	1,000,000
10-May-16	1,000,000	2.8600	Westpac Banking Corporation Ltd	A1+	1,000,000
17-May-16	2,000,000	2.9300	National Australia Bank Ltd	A1+	2,000,000
17-May-16	1,000,000	2.8600	Commonw ealth Bank of Australia Ltd	A1+	1,000,000
20-May-16	1,000,000	2.8500	Bank of Queensland Ltd	A2	1,000,000
02-Jun-16	1,000,000	2.7700	Commonw ealth Bank of Australia Ltd	A1+	1,000,000
16-Jun-16	2,000,000	2.8600	Commonw ealth Bank of Australia Ltd	A1+	2,000,000
28-Jun-16	1,000,000	2.7800	Commonw ealth Bank of Australia Ltd	A1+	1,000,000
11-Jul-16	1,000,000	3.0000	Bendigo & Adelaide Bank Ltd	A2	1,000,000
21-Jul-16	1,000,000	3.0000	Bendigo & Adelaide Bank Ltd	A2	1,000,000
25-Jul-16	1,000,000	3.0000	Bendigo & Adelaide Bank Ltd	A2	1,000,000
03-Aug-16	2,000,000	2.9500	Bendigo & Adelaide Bank Ltd	A2	2,000,000
10-Aug-16	1,000,000	2.9000	Bendigo & Adelaide Bank Ltd	A2	1,000,000
12-Aug-16	1,000,000	2.9500	Bendigo & Adelaide Bank Ltd	A2	1,000,000
01-Sep-16	2,000,000	2.8500	Bendigo & Adelaide Bank Ltd	A2	2,000,000
25-Oct-16	1,000,000	2.9500	Bendigo & Adelaide Bank Ltd	A2	1,000,000
	70,500,000				70,500,000
Term Investment Group & Cash Deposit Account					
Rollover Date	Face Value	Current Rate	Borrower	Rating	
Cash Account	3,553,989	1.8000	CBA (Business Saver)	A-1+	3,553,989
19-Jun-16	1,000,000	3.5000	CBA Term Deposit Kimbriki 35810609	AA-	1,000,000
10-Nov-15	7,944,159	2.9000	WBC Term Deposit Kimbriki 11-1208	AA-	7,944,159
24-Nov-15	2,483,907	2.8700	WBC Term Deposit Kimbriki 11-4185	AA-	2,483,907
01-Nov-15	3,479,662	1.5000	CBA Money Market Kimbriki 10162612	AA-	3,479,662
	18,461,717				18,461,717
	90,392,146			Closing Balance:	90,084,606

* Weighted Average Life is the anticipated date of repayment of Council's full principal in mortgage backed securities based upon the expected repayment of a critical balance of underlying mortgages. It is calculated by professional actuaries and its use is market

convention for securities such as these. Council's investment policy recognises Weighted Average life dates as appropriate maturity dates for these securities

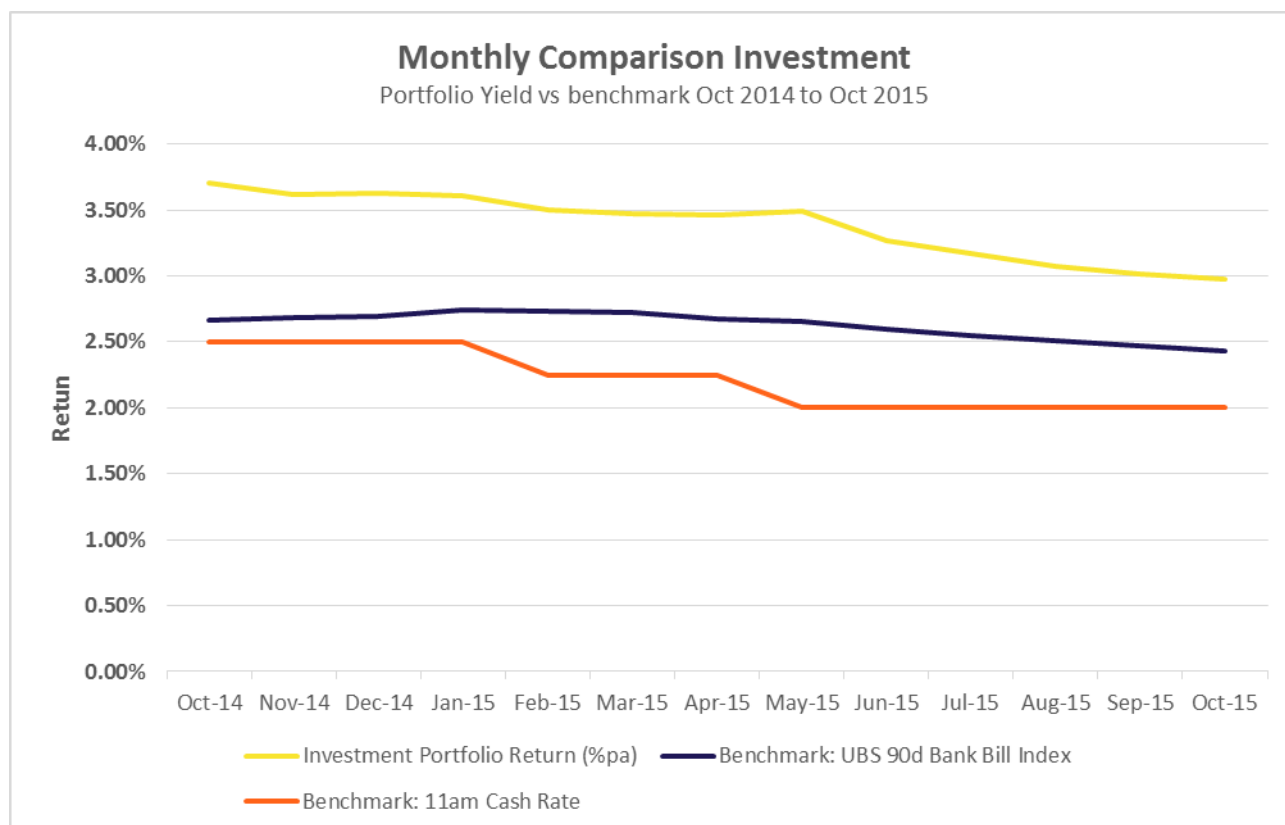
Portfolio Performance vs. 90 day Bank Bill Index over 12 month period.	✓	Council's investment performance did exceed benchmark.
Monthly Income vs. Budget	✓	Council's income from investments did exceed monthly budget.
Investment Policy Compliance		
Legislative Requirements	✓	Fully compliant
Portfolio Credit Rating Limit	✓	Fully compliant
Institutional Exposure Limits	✓	Fully compliant
Term to Maturity Limits	✓	Fully compliant

Investment Performance vs. Benchmark

	Investment Portfolio Return (%pa)*	Benchmark: UBS 90d Bank Bill Index	Benchmark: 11am Cash Rate **
1 Month	2.97%	2.43%	2.00%
3 Months	3.02%	2.47%	2.00%
6 Months	3.16%	2.54%	2.00%
FYTD	3.10%	2.51%	2.00%
12 Months	3.36%	2.62%	2.19%

* Excludes cash holdings (i.e. bank account, loan offset T/Ds, and Cash Fund)

** This benchmark relates to Cash Fund holdings

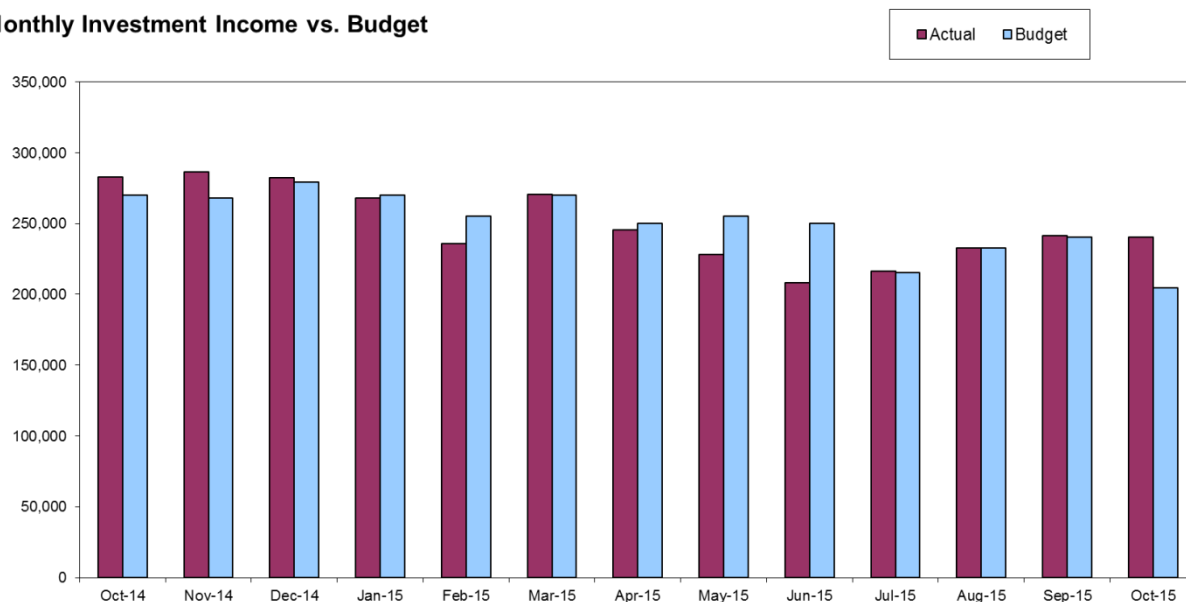


Monthly Investment Income* vs. Budget

	\$ Oct 15	\$ Year to Date
Investment Income	240,282	921,583
Adjustment for Fair Value	6	9,589
Total Investment Income	240,288	931,172
Budgeted Income	204,500	892,924

*Includes all cash and investment holdings

Monthly Investment Income vs. Budget



In October we have reflected a fair value increase of \$6 in accordance with AASB 139 Financial Instruments: Recognition and Measurement. It is Council's intention to hold these investments to maturity and as such no gain of principal will occur in these circumstances. These investments could have been classified as Held-to-maturity investments upon initial recognition under AASB 139 in which case no fair value adjustment would be required through profit or loss. When these investments reach maturity any fair value adjustment which has been taken up will be written back to the Profit and Loss Account.

Economic Notes

Global economic readings have taken a softer turn on balance in October, a development recognised by official international economic agencies, such as the IMF and World Bank, and also leading to a further easing in monetary policy in China and strong indication from the European Central Bank that it will ease further its monetary policy setting at its next policy meeting in December.

In the US, the Federal Reserve, after sending mixed messages about its rate intentions at its September policy meeting continues to hint that it will start raising interest rates soon. However, the fading strength in US economic readings and still no signs of inflation (annual CPI inflation fell to 0.0% year on year in September), point to US interest rates staying lower for longer. The market has reduced the probability of a December rate hike and the strong rally in risk assets around the world in October is in part a reflection that markets have pushed out the timing of a first Fed funds rate hike well into 2016.

In China, GDP growth slowed in Quarter 3 to 6.9% from 7.0% in Quarter 2 but less than the market expected. The parts of China's economy that the authorities want to be the main drivers of growth going forward are improving. The Peoples' Bank of China's one year lending rate was cut by 25bps to 4.35%; the one year deposit rate was cut by 25bps to 1.50% and the reserve ratio requirement applying to banks was also cut by 50bps to 17.5%.

In Europe, promising signs of improving economic activity in Quarter 2 when annual GDP growth accelerated to 1.5% annually appear to have faded a touch in Quarter 3. August retail sales were flat while industrial production fell 0.5% for the month. The unemployment rate in Europe flat-lined at a still very high 11.0% in August. The European Central Bank left interest rates and its asset purchase (QE) targets unchanged at its October policy meeting, but ECB President Draghi's statement after the meeting made it plain that the ECB was concerned by downside risks to growth and would respond at its next meeting in December.

In Australia, all four big banks announced increases in their variable interest home loan rates in October ranging between 15bps and 20bps as part of their response to higher capital adequacy requirements. The first weekly home loan auction clearance rate after the banks' rate announcements has reduced to the lowest point in three years, another sign that the housing market has peaked.

Since the RBA's policy meeting in early October, economic readings have turned more mixed-strength, the global economic growth outlook has continued to moderate, the Australian dollar has appreciated against the US dollar and on a trade weighted basis, the outlook for Australian mineral export prices has softened further. The RBA again left the cash rate unchanged at 2.00% at its most recent meeting on 3 November. There is some likelihood that the RBA will lower its cash rate by 25bps to 1.75% either in December or at its first meeting next year in February.

The investment portfolio has returned 3.10% for the financial year to date as at 31 October 2015, compared to the Bloomberg Ausbond Bank Bill index return of 2.51%. The portfolio return for the month of October 2015 was 2.97% which compared favourably to the Bloomberg Ausbond Bank Bill index return of 2.43%. Council has been proactive in sourcing opportunities in the market whilst investing prudently and managing cash flow.

Complaints Management and Reporting Policy

1. Purpose

The purpose of this policy is to articulate Council's approach regarding the handling of complaints associated with Council administration and conduct. It also seeks to provide clarity around meanings connected with various definitions associated with complaint handling and how Council seeks to manage such complaints.

Please note that this policy does not relate to the way in which Council addresses general complaints regarding operational decisions and services delivered by Council, as covered by the [Customer Services Charter](#).

2. Relevant policies

Other policies and guidelines which bear relevance to this policy are:

- Internal Ombudsman's guidelines
- Code of Conduct
- Public Interest Disclosures (PID) Policy

3. Policy statement

This policy outlines Warringah Council's approach to ensuring that all residents are given the opportunity to raise concerns about issues they may have regarding potentially inappropriate, unethical or unfair practices committed by members of the elected Council (Mayor / Councillors) or the appointed Council officers (employees).

The Office of the Internal Ombudsman is Council's focal point for any such complaint, whether it is made by a Council officer, a member of the elected Council, a member of the public or an external entity. However, please note that Warringah Council's Office of the Internal Ombudsman does not seek to substitute any complaint handling or investigative function by one of the oversight agencies, such as the NSW Ombudsman, the Office of Local Government (OLG) or the Independent Commission Against Corruption (ICAC).

All complaints (as defined in this policy) will be treated in accordance with this policy. Depending on the nature of the complaint, they may also be assessed in accordance with other relevant policies, as outlined above.

Complaints that fall under the assessment criteria of the *Public Interest Disclosures Act 1994* (PID Act) can be made directly to the Internal Ombudsman or to one of the other Nominated Disclosures Officers (refer to Council's Public Interest Disclosures (PID) Policy for further details).

4. Office of the Internal Ombudsman

The Office of the Internal Ombudsman seeks to ensure that Council's dealings with the community are fair, transparent and accountable. The Office, through its work, also seeks to identify opportunities for systemic improvements to Council's processes. The Office of the Internal Ombudsman does not overturn operational decisions made by Council.

In accordance with this approach, the Office provides a professional complaint handling service to the Warringah community and utilises the opportunity of investigation and complaint handling to enhance and develop best practice and education across Council.

The Office of the Internal Ombudsman also provides education and training to Council officers on probity and conduct related matters.

5. Definitions

The following definitions are intended to clarify meanings associated with the fundamental principles of complaints management. Any other meanings or definitions are included within the Code of Conduct or the Public Interest Disclosures (PID) Policy.

"Complaint"

A complaint is where a member of the community or other stakeholder believes that a contravention has taken place by Council, Council officers (except for decisions made in lawfully convened Council meetings), Councillors, or Council delegates. This may relate to maladministration, misconduct, or any form of corrupt, unlawful, inappropriate or unethical behaviour.

A complaint can be raised by anyone.

"Maladministration"

For the purpose of this policy, the word '*maladministration*' is used and defined under Section 11(2) of the *Public Interest Disclosures Act 1994*, which states that,

'... conduct is of a kind that amounts to maladministration if it involves an action or inaction of a serious nature that is:

- a) contrary to law, or*
- b) unreasonable, unjust, oppressive or improperly discriminatory, or*
- c) based wholly or partly on improper motives.'*

"Misconduct"

Misconduct includes, but is not limited to, any actions by Councillors, Council delegates or Council officers that breach their obligations in accordance with Council's Code of Conduct.

This may include, but is not limited to, fraud, corruption, workplace bullying, harassment and discrimination, each of which is covered in Council's Code of Conduct.

6. Policy scope

For the purpose of this policy, a complaint is not an expression of dissatisfaction with the level, quality or timeliness of Council services or levels of communication of Council officers.

Complainants are encouraged to ensure that all viable avenues have been exhausted with Council officers prior to lodging a complaint with the Office of the Internal Ombudsman, including escalation of any matter to a staff member's line manager or Group Manager, should they feel that the matter cannot be resolved with the officer themselves.

In the preliminary stages of assessing a complaint, the Office of the Internal Ombudsman will seek to ensure that all reasonable efforts have been exhausted with the relevant business area within Council and/or a Group Manager if appropriate. Nothing in this policy prevents such a complaint being referred back to the appropriate business area for resolution.

6.1 Complaints regarding a potential breach of the Code of Conduct

Complaints that involve a possible act or behaviour which contravenes the Code of Conduct may be made directly to the Office of the Internal Ombudsman by whichever means suits the complainant. The complainant is encouraged to contact the Office at their earliest available opportunity.

6.2 Complaint requirements

Complaints from members of the public are requested in writing, either by letter, by email, or via an online complaint form on the Internal Ombudsman webpage on Council's web site. The exception to this is if the matter involves a reasonable belief that fraud or corruption has taken place, in which case, the complainant is encouraged to contact the Internal Ombudsman for a confidential discussion.

6.3 Complaints currently under investigation by Council

If a matter is currently being assessed by a business area of Council, which would render any investigation by the Office of the Internal Ombudsman premature, then it is likely that the matter will not be pursued at that time.

It is not for the Office of the Internal Ombudsman to intervene with Council processes or influence the usual course of Council's actions.

6.4 Complaints under investigation by an oversight body

In the event that the complainant intends to refer, or has referred their complaint to an oversight agency, such as the NSW Ombudsman or the ICAC, then it is likely that the Office of the Internal Ombudsman will suspend any action to allow that agency an opportunity to conduct its own inquiries.

7. Public Interest Disclosures Act 1994 (PID Act)

In accordance with the *Public Interest Disclosures Act 1994* (PID Act), the Internal Ombudsman is Council's PID Coordinator for the purpose of reporting requirements to the NSW Ombudsman. Any suspected wrongdoing in relation to corrupt conduct, maladministration, serious and substantial waste of public money, government information contravention and local government pecuniary interest contravention may be eligible for assessment in accordance with the PID Act.

The provisions of the PID Act are intended to support accountability and ethical conduct by encouraging and facilitating the disclosure of certain types of action, as outlined above. The PID Act provides for the protection of Council officers and Councillors from any reprisal action that may be taken against them for having made their disclosure. A requisite for assessment as a public interest disclosure is that the person making the report is a public official. This will predominately be limited to internal reports by employees of Council, or by Councillors, but should an external report be made by a public official (as defined by the PID Act), this report may also be assessed in accordance with

the PID Act. Notwithstanding, assessment of a complaint must satisfy all other criteria as required by the Act.

For further information, please refer to Council's [Public Interest Disclosures Policy](#).

8. Liaison with oversight agencies and the police

The Internal Ombudsman is Council's contact point with relevant external oversight agencies, although agencies themselves may directly contact business areas within Council as part of their own investigations or inquiries. Such a scenario would not necessitate the involvement of the Internal Ombudsman.

Should a complaint raised with the Office of the Internal Ombudsman constitute an act of corruption, maladministration or criminal behaviour, the Internal Ombudsman will liaise with the appropriate agencies, which may include the police, ICAC, and other law enforcement or regulatory bodies as necessary.

9. Authorisation

The Complaints Management and Reporting Policy was adopted by Council on xx August 2015.

It is due for review in August 2017.

10. Who is responsible for implementing this policy?

Responsibility for implementation of the Complaints Management and Reporting Policy is with the Internal Ombudsman.

11. Document owner

The owner of the Complaints Management and Reporting Policy is the General Manager.

12. Legislation and references

Legislation that relates to Warringah Council's Complaints Management Reporting Policy is:

Public Interest Disclosures Act 1994

13. Glossary of terms

In this policy, except in so far as the context or subject matter otherwise indicates or requires:

- “Council” means the Council of Warringah and includes an administrator;
- “Council officer” means the appointed public officials of Warringah Council;
- “Councillor/s” means the Councillor/s of Warringah Council;
- “General Manager” means the General Manager of Warringah Council;
- “Internal Ombudsman” means the Office of the Internal Ombudsman and includes any personnel conducting activities associated with, or on behalf of, the Internal Ombudsman;
- “Mayor” means the elected Mayor of Warringah Council.

14. Contact details for external agencies

The contact details for external oversight agencies that potential complainants may refer to or seek advice from are outlined below under the relevant headings:

Maladministration

NSW Ombudsman: nswombo@ombo.nsw.gov.au

Corrupt conduct

Independent Commission Against Corruption (ICAC): icac@icac.nsw.gov.au

Serious and substantial waste in local government agencies

Office of Local Government (OLG): olg@olg.nsw.gov.au

Breaches of the GIPA Act

Information Commissioner: ocinfo@oic.nsw.gov.au

Code of Conduct

November 2015

(2015/01)

TABLE OF CONTENTS

Part 1: Introduction	3
Part 2: Purpose Of The Code Of Conduct	3
Part 3: General Conduct Obligations	3
General Conduct.....	3
Fairness and Equity	4
Harassment and Discrimination	4
Workplace Bullying	4
Development Decisions	4
Binding Caucus Votes.....	4
Electronic and Social Media.....	5
Fraud and Corruption.....	5
Salary Overpayments	5
Obligation to report criminal convictions or other factors that may affect your employment or ability to carry out your workplace duties	6
Child Protection	6
Part 4: Conflict Of Interests	6
What is a Pecuniary Interest?	6
What are Non-Pecuniary Interests?	7
Managing Non-Pecuniary Conflicts of Interest	7
Reportable Political Donations	8
Loss of Quorum as a Result of Compliance with this Part.....	9
Other Business or Employment	9
Personal Dealings With Council.....	10
Part 5: Personal Benefit.....	10
Gifts and Benefits	10
How are Offers of Gifts and Benefits to be Dealt With?	10
Token Gifts and Benefits.....	11
Gifts and Benefits of Value	11
Improper and Undue Influence.....	11
Council Resources.....	12
Part 6: Relationship Between Council Officials	12
Obligations of Councillors and Administrators	12
Obligations of Staff	12
Obligations During Meetings	12
Inappropriate Interactions	13
Part 7: Access To Information And Council Resources	13
Councillor and Administrator Access to Information	13
Councillors and Administrators to Properly Examine and Consider Information	14
Refusal of Access to Documents	14
Use of Certain Council information.....	14
Use and Security of Confidential Information	14
Personal Information.....	14
Use of Council Resources	15
Councillor Access to Council Buildings	15
Part 8: Maintaining The Integrity Of This Code	16
Complaints made for an Improper Purpose.....	16
Detrimental Action	16
Compliance with Requirements Under this Code	17
Disclosure of Information About the Consideration of a Matter Under This Code	17
Complaints Alleging a Breach of this Part (Part 8)	17
Complaints Generally Alleging a Breach.....	17
Part 9: Definitions	18

Part 1: Introduction

This Code of Conduct for Local Councils in NSW ("the Code of Conduct") is made for the purposes of section 440 of the *Local Government Act 1993* ("the Act"). Section 440 of the Act requires every council to adopt a Code of Conduct that incorporates the provisions of the Model Code. For the purposes of section 440 of the Act, the Model Code of Conduct comprises all parts of this document.

Councillors, administrators, members of staff of Council, independent conduct reviewers, members of council committees including the conduct review committee and delegates of the Council must comply with the applicable provisions of Council's Code of Conduct in carrying out their functions as council officials. It is the personal responsibility of council officials to comply with the standards in the Code and regularly review their personal circumstances with this in mind.

Failure by a councillor to comply with the standards of conduct prescribed under this Code constitutes misconduct for the purposes of the Act. The Act provides for a range of penalties that may be imposed on councillors for misconduct, including suspension or disqualification from civic office.

Failure by a member of staff to comply with Council's Code of Conduct may give rise to disciplinary action.

Part 2: Purpose Of The Code Of Conduct

The Model Code of Conduct published by the Office of Local Government sets the minimum requirements of conduct for council officials in carrying out their functions. The Model Code is prescribed by regulation.

The Code is a legal document that all officials are obliged to understand and follow. The Model Code forms the basis of each council's code of conduct.

The Code of Conduct has been developed to assist council officials to:

- Understand the standards of conduct that are expected of them.
- Enable them to fulfil their statutory duty to act honestly and exercise a reasonable degree of care and diligence. (Section 439)
- Act in a way that enhances public confidence in the integrity of local government.

Part 3: General Conduct Obligations

General Conduct

3.1 You must not conduct yourself in carrying out your functions in a manner that is likely to bring the Council or holders of civic office into disrepute. Specifically, you must not act in a way that:

- (a) Contravenes the Act, associated regulations, Council's relevant administrative requirements and policies.
- (b) Is detrimental to the pursuit of the charter of a council.
- (c) Is improper or unethical.
- (d) Is an abuse of power or otherwise amounts to misconduct.
- (e) Causes, comprises or involves intimidation, harassment or verbal abuse.

- (f) Causes, comprises or involves discrimination, disadvantage or adverse treatment in relation to employment.
 - (g) Causes, comprises or involves prejudice in the provision of a service to the community. (Schedule 6A)
- 3.2 You must act lawfully, honestly and exercise a reasonable degree of care and diligence in carrying out your functions under the Act or any other Act. (Section 439)
- 3.3 You must treat others with respect at all times.

Fairness and Equity

- 3.4 You must consider issues consistently, promptly and fairly. You must deal with matters in accordance with established procedures, in a non-discriminatory manner.
- 3.5 You must take all relevant facts known to you, or that you should be reasonably aware of, into consideration and have regard to the particular merits of each case. You must not take irrelevant matters or circumstances into consideration when making decisions.

Harassment and Discrimination

- 3.6 You must not harass, discriminate against, or support others who harass and discriminate against colleagues or members of the public. This includes, but is not limited to, harassment and discrimination on the grounds of sex, pregnancy, age, race, responsibilities as a carer, marital status, disability, homosexuality, transgender grounds or if a person has an infectious disease.

Workplace Bullying

- 3.7 You must not engage in behaviour which constitutes workplace bullying.
- 3.8 Workplace bullying is defined as repeated behaviour directed towards another person which is unreasonable and/or unfair. Bullying comprises behaviours that a reasonable person would expect to victimise, harass, humiliate, offend, intimidate, belittle, demean, undermine, or threaten the other person, and which may create a risk to that person's health (physical or mental), safety, or welfare.

Development Decisions

- 3.9 You must ensure that development decisions are properly made and that parties involved in the development process are dealt with fairly. You must avoid any occasion for suspicion of improper conduct in the development process.
- 3.10 In making development decisions, you must ensure that no action, statement or communication between yourself and applicants or objectors conveys any suggestion of willingness to provide improper concessions or preferential treatment.

Binding Caucus Votes

- 3.11 You must not participate in binding caucus votes in relation to matters to be considered at a Council or committee meeting.
- 3.12 For the purposes of clause 3.11, a binding caucus vote is a process whereby a group of councillors are compelled by a threat of disciplinary or other adverse action to comply with a predetermined position on a matter before the Council or committee irrespective of the personal views of individual members of the group on the merits of the matter before the Council or committee.
- 3.13 Clause 3.11 does not prohibit councillors from discussing a matter before the Council or committee prior to considering the matter in question at a Council or committee meeting or from voluntarily holding a shared view with other councillors on the merits of a matter.

- 3.14 Clause 3.11 does not apply to a decision to elect the Mayor or Deputy Mayor or to nominate a person to be a member of a Council committee.

Electronic and Social Media

- 3.15 You must not use Council's electronic communications (including, but not limited to the Internet, the email system, mobile phones, text messaging services, and social media access) in any manner which could be construed as disparaging or defamatory of colleagues or Council, or which could bring Council into disrepute.
- 3.16 You must not use any electronic communications or social media facilities, at work or otherwise, to engage in bullying or harassing behaviours towards colleagues or any other person.
- 3.17 You must not use any electronic communications or social media facilities, at work or otherwise, in a manner which identifies you as a Council official and which could be construed as bringing Council into disrepute.

Fraud and Corruption

- 3.18 You must not engage or participate in an act that may constitute fraud or corruption.
- 3.19 For the purpose of this part, fraud and corruption are defined by the Australian Standard for Fraud and Corruption Control (AS8001-2008).
- (a) Fraud is defined as 'dishonest activity causing actual or potential financial loss to any person or entity including theft of moneys or other property by employees or persons external to the entity and where deception is used at the time, immediately before or immediately following the activity. This also includes the deliberate falsification, concealment, destruction or use of falsified documentation used or intended for use for a normal business purpose or the improper use of information or position for personal financial benefit.'
- (b) Corruption is defined as 'dishonest activity in which a director, executive, manager, employee or contractor of any entity acts contrary to the interests of the entity and abuses his/her position of trust in order to achieve some personal gain or advantage for him or herself or for another person or entity'.
- (c) The general nature of corruption, and acts which may constitute corrupt conduct, are defined under sections 7, 8 and 9 of the *Independent Commission Against Corruption Act 1988* (ICAC Act).
- 3.20 You must not ignore or condone any act that you reasonably suspect to constitute fraud or corruption.
- 3.21 Should you have a reasonable belief or suspicion that a fraudulent or corrupt act has been committed, you must disclose this to the Internal Ombudsman or a Nominated Disclosure Officer (NDO) at the earliest opportunity (as detailed further within Council's Public Interest Disclosures Policy).
- 3.22 The General Manager has a statutory obligation, under section 11 of the ICAC Act, to report suspicions of corrupt conduct to the Independent Commission Against Corruption. Therefore, any delegate of the General Manager, that being any employee of Council, is expected to report any reasonable suspicion of fraud or corruption to the General Manager, Legal Counsel or Internal Ombudsman.

Salary Overpayments

- 3.23 If you receive an over payment by Council, and you know or believe that payment to be incorrect, you are expected to take such steps as are reasonable in the circumstances to ensure that the amount is returned in full.

Obligation to report criminal convictions or other factors that may affect your employment or ability to carry out your workplace duties

- 3.24 If, during the course of your employment at Council, you incur a criminal conviction, you are expected to report this to Human Resources at the earliest opportunity, but at the latest, within 10 working days of receiving the conviction.
- 3.25 If your working rights in Australia change during the course of your employment, such that they may impact or influence your continued employment at Council, you are expected to report this to Human Resources within a reasonable timeframe, but at the latest, within 10 working days of the changes being made.
- 3.26 If you are required to operate a vehicle in the course of your employment, you are required to notify your supervisor if your driving licence is no longer valid even if only for any period of time.

Child Protection

- 3.27 For the purpose of this part, the term "child abuse" is defined as "physical and/or emotional harm to a person who is under the age of 18 years", and it typically takes the form of physical, psychological, sexual abuse, maltreatment and/or neglect. Further guidance on child abuse can be found on the NSW Office of Children's Guardian website.
- 3.28 When dealing with a person (staff or customer) who is under the age of 18 years, you must not engage in behaviour which constitutes (or could be perceived to be) child abuse.
- 3.29 You are expected to take all reasonable steps to ensure that a person whom you interact with in your daily work and who is under the age of 18 years is not exposed to child abuse.
- 3.30 For those staff whose role is defined as a "mandatory reporter" under the *Children and Young Persons (Care and Protection) Act 1998*, you are expected to fulfil the requirements of you that are set out therein.
- 3.31 For all staff, whether defined as a "mandatory reporter" or not, you are expected to take all reasonable steps to ensure that you prevent and/or that you report known or suspected instances of child abuse by another staff member to the Internal Ombudsman.
- 3.32 For all staff, specific behaviours and procedures that are expected of you in relation to ensuring appropriate child protection measures in our services are further set out in the Protection of Children and Young People OMS.

Part 4: Conflict Of Interests

- 4.1 A conflict of interests exists where a reasonable and informed person would perceive that you could be influenced by a private interest when carrying out your public duty.
- 4.2 You must avoid or appropriately manage any conflict of interests. The onus is on you to identify a conflict of interest and take the appropriate action to manage the conflict in favour of your public duty.
- 4.3 Any conflict of interests must be managed to uphold the probity of Council decision-making. When considering whether or not you have a conflict of interests, it is always important to think about how others would view your situation.
- 4.4 Private interests can be of two types: pecuniary or non-pecuniary.

What is a Pecuniary Interest?

- 4.5 A pecuniary interest is an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person. (Section 442)

- 4.6 A person will also be taken to have a pecuniary interest in a matter if that person's spouse or de facto partner or a relative of the person or a partner or employer of the person, or a company or other body of which the person, or a nominee, partner or employer of the person is a member, has a pecuniary interest in the matter. (Section 443)
- 4.7 Pecuniary interests are regulated by Chapter 14, Part 2 of the Act. The Act requires that:
- (a) Councillors and designated persons lodge an initial and an annual written disclosure of interests that could potentially be in conflict with their public or professional duties. (Section 449)
 - (b) Councillors and members of Council committees disclose an interest and the nature of that interest at a meeting, leave the meeting and be out of sight of the meeting and not participate in discussions or voting on the matter. (Section 451)
 - (c) Designated persons immediately declare, in writing, any pecuniary interest. (Section 459)
- 4.8 Where a change of circumstances affects a councillor's or designated person's disclosure of interests throughout a year this should be advised in writing to the Governance Manager as soon as practicable.
- 4.9 Designated persons are defined at section 441 of the Act, and include, but are not limited to, the General Manager and other senior staff of the Council.
- 4.10 Warringah Council has defined a "designated person" as a staff member who is:
- Senior Management (General Manager, Deputy General Manager, Chief Financial Officer, Chief Information Officer, Group Manager, Executive Legal Counsel, Legal Counsel or Internal Ombudsman)
 - Directly involved in the determination of development applications and in exercising delegations in respect to planning proposals and/or rezoning requests
 - Directly involved in enforcement and/or compliance activities
 - Delegated with significant (set threshold, e.g. \$50,000) financial delegations to order / purchase goods and services
 - Able to approve secondary employment
 - Working in the Procurement Group or Warringah Projects Group and regularly involved with contract management
 - Working in the Property Team and involved in the negotiation of leases and licences.
- 4.11 Where you are a member of staff of Council you must disclose in writing to your supervisor or the General Manager, the nature of any pecuniary or conflict of interest you have in a matter you are dealing with as soon as practicable.

What are Non-Pecuniary Interests?

- 4.10 Non-pecuniary interests are private or personal interests the Council official has that do not amount to a pecuniary interest as defined in the Act. These commonly arise out of family, or personal relationships, or involvement in sporting, social or other cultural groups and associations and may include an interest of a financial nature.
- 4.11 The political views of a councillor do not constitute a private interest.

Managing Non-Pecuniary Conflicts of Interest

- 4.12 Where you have a non-pecuniary interest that conflicts with your public duty, you must disclose the interest fully and in writing, even if the conflict is not significant. You must do this as soon as practicable.

- 4.13 If a disclosure is made at a Council or committee meeting, both the disclosure and the nature of the interest must be recorded in the minutes. This disclosure constitutes disclosure in writing for the purposes of clause 4.12.
- 4.14 How you manage a non-pecuniary conflict of interest will depend on whether or not it is significant.
- 4.15 As a general rule, a non-pecuniary conflict of interest will be significant where a matter does not raise a pecuniary interest but it involves:
- (a) A relationship between a Council official and another person that is particularly close, for example, parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child of the person or of the person's spouse, current or former spouse or partner, de facto or other person living in the same household.
 - (b) Other relationships that are particularly close, such as friendships and business relationships. Closeness is defined by the nature of the friendship or business relationship, the frequency of contact and the duration of the friendship or relationship.
 - (c) An affiliation between the Council official and an organisation, sporting body, club, corporation or association that is particularly strong.
- 4.16 If you are a Council official, other than a member of staff of Council, and you have disclosed that a significant non-pecuniary conflict of interest exists, you must manage it in one of two ways:
- (a) Remove the source of the conflict, by relinquishing or divesting the interest that creates the conflict, or reallocating the conflicting duties to another Council official.
 - (b) Have no involvement in the matter, by absenting yourself from and not taking part in any debate or voting on the issue as if the provisions in section 451(2) of the Act apply.
- 4.17 If you determine that a non-pecuniary conflict of interest is less than significant and does not require further action, you must provide an explanation of why you consider that the conflict does not require further action in the circumstances.
- 4.18 If you are a member of staff of Council, the decision on which option should be taken to manage a non-pecuniary conflict of interest must be made in consultation with your manager.
- 4.19 Despite clause 4.16(b), a councillor who has disclosed that a significant non-pecuniary conflict of interest exists may participate in a decision to delegate Council's decision-making role to Council staff through the General Manager, or appoint another person or body to make the decision in accordance with the law. This applies whether or not council would be deprived of a quorum if one or more councillors were to manage their conflict of interests by not voting on a matter in accordance with clause 4.16(b) above.

Reportable Political Donations

- 4.20 Councillors should note that matters before Council involving political or campaign donors may give rise to a non-pecuniary conflict of interests.
- 4.21 Where a councillor has received or knowingly benefited from a reportable political donation:
- (a) Made by a major political donor in the previous four years, and
 - (b) Where the major political donor has a matter before council, then the councillor must declare a non-pecuniary conflict of interests, disclose the nature of the interest, and manage the conflict of interests in accordance with clause 4.16(b).
- 4.22 For the purposes of this Part:
- (a) A "reportable political donation" is a "reportable political donation" for the purposes of section 86 of the *Election Funding, Expenditure and Disclosures Act 1981*.

- (b) A "major political donor" is a "major political donor" for the purposes of section 84 of the *Election Funding, Expenditure and Disclosures Act 1981*.
- 4.23 Councillors should note that political donations below \$1,000, or political donations to a registered political party or group by which a councillor is endorsed, may still give rise to a non-pecuniary conflict of interests. Councillors should determine whether or not such conflicts are significant and take the appropriate action to manage them.
- 4.24 If a councillor has received or knowingly benefited from a reportable political donation of the kind referred to in clause 4.21, that councillor is not prevented from participating in a decision to delegate Council's decision-making role to Council staff through the General Manager or appointing another person or body to make the decision in accordance with the law (see clause 4.19 above).

Loss of Quorum as a Result of Compliance with this Part

- 4.25 Where a majority of councillors are precluded under this Part from consideration of a matter the Council or committee must resolve to delegate consideration of the matter in question to another person.
- 4.26 Where a majority of councillors are precluded under this Part from consideration of a matter and the matter in question concerns the exercise of a function that may not be delegated under section 377 of the Act, the councillors may apply in writing to the Chief Executive to be exempted from complying with a requirement under this Part relating to the management of a non-pecuniary conflict of interests.
- 4.27 The Chief Executive will only exempt a councillor from complying with a requirement under this Part where:
- (a) Compliance by councillors with a requirement under the Part in relation to a matter will result in the loss of a quorum, and
 - (b) The matter relates to the exercise of a function of the council that may not be delegated under section 377 of the Act.
- 4.28 Where the Chief Executive exempts a councillor from complying with a requirement under this Part, the councillor must still disclose any interests they have in the matter the exemption applies to in accordance with the requirements of this Part.
- 4.29 A councillor, who would otherwise be precluded from participating in the consideration of a matter under this Part because they have a non-pecuniary conflict of interests in the matter, is permitted to participate in consideration of the matter, if:
- (a) the matter is a proposal relating to:
 - (i) The making of a principal environmental planning instrument applying to the whole or a significant part of the Council's area, or
 - (ii) The amendment, alteration or repeal of an environmental planning instrument where the amendment, alteration or repeal applies to the whole or a significant part of the Council's area, and
 - (b) The councillor declares any interest they have in the matter that would otherwise have precluded their participation in consideration of the matter under this Part.

Other Business or Employment

- 4.30 If you are a member of staff of Council, on any employment basis, considering outside employment or contract work, whether remunerated or not, that relates to the business of the Council or that might conflict with your Council duties, you must first notify and obtain the approval of the General Manager in writing. (Section 353)

- 4.31 If you are a full-time member of staff of Council considering outside paid employment of any sort, you must first notify and obtain the approval of the General Manager in writing.
- 4.32 As a member of staff, you must ensure that any outside employment or business you engage in will not:
- (a) Conflict with your official duties.
 - (b) Involve using confidential information or Council resources obtained through your work with the Council.
 - (c) Require you to work while on Council duty.
 - (d) Discredit or disadvantage the Council.

Personal Dealings With Council

- 4.33 You may have reason to deal with Council in your personal capacity (for example, as a ratepayer, recipient of a Council service or applicant for a consent granted by Council). You must not expect or request preferential treatment in relation to any matter in which you have a private interest because of your position. You must avoid any action that could lead members of the public to believe that you are seeking preferential treatment.

Part 5: Personal Benefit

For the purposes of this section, a reference to a gift or benefit does not include a political donation or contribution to an election fund that is subject to the provisions of the relevant election funding legislation.

Gifts and Benefits

- 5.1 You must avoid situations giving rise to the appearance that a person or body, through the provision of gifts, benefits or hospitality of any kind, is attempting to secure favourable treatment from you or from the Council.
- 5.2 You must take all reasonable steps to ensure that your immediate family members do not receive gifts or benefits that give rise to the appearance of being an attempt to secure favourable treatment. Immediate family members ordinarily include parents, spouses, children and siblings.

How are Offers of Gifts and Benefits to be Dealt With?

- 5.3 You must not:
- (a) Seek or accept a bribe or other improper inducement.
 - (b) Seek gifts or benefits of any kind.
 - (c) Accept any gift or benefit that may create a sense of obligation on your part or may be perceived to be intended or likely to influence you in carrying out your public duty.
 - (d) Accept any gift or benefit of more than token value.
 - (e) Accept an offer of cash or a cash-like gift, regardless of the amount.
- 5.4 For the purposes of clause 5.3(e), a "cash-like gift" includes but is not limited to gift vouchers, credit cards, debit cards with credit on them, prepayments such as phone or internal credit, memberships or entitlements to discounts.
- 5.5 Warringah Council's first position is to refuse to accept any gifts or benefits that are offered.
- 5.6 Where you are offered, and refuse, or receive a gift or benefit, irrespective of its value this must be disclosed promptly through completing the Gift and Benefit disclosure form and sent

to the Governance Manager for recommended action (refuse, return, keep, share with team or surrender to Council) and recorded in the Gifts Register. Do not use or consume the gift until the Governance Manager recommends an action. Staff should forward the Gift and Benefit disclosure form to their supervisor first who will forward onto the Governance Manager.

- 5.7 Where you receive a gift or benefit of value (more than token value) that cannot reasonably be refused or returned the gift or benefit must be surrendered to Council.

Token Gifts and Benefits

- 5.8 Generally speaking, token gifts and benefits include:

- (a) free or subsidised meals, beverages or refreshments provided in conjunction with:
 - (i) The discussion of official business.
 - (ii) Council work related events such as training, education sessions, workshops.
 - (iii) Conferences.
 - (iv) Council functions or events.
 - (v) Social functions organised by groups, such as Council committees and community organisations.
- (b) Invitations to and attendance at local social, cultural or sporting events.
- (c) Gifts of single bottles of reasonably priced alcohol to individual Council officials at end of year functions, public occasions or in recognition of work done (such as providing a lecture/training session/address).
- (d) Ties, scarves, coasters, tie pins, diaries, chocolates or flowers.
- (e) Prizes of token value.

- 5.9 To be considered as a token gift or benefit, the item must not exceed \$50 in value.

Gifts and Benefits of Value

- 5.10 Notwithstanding clause 5.8, gifts and benefits that have more than a token value include, but are not limited to:

- tickets to major sporting events (such as state or international cricket matches or matches in other national sporting codes [including the NRL, AFL, FFA, NBL])
- corporate hospitality at a corporate facility at major sporting events
- discounted products for personal use
- the frequent use of facilities such as gyms
- use of holiday homes
- free or discounted travel.

Improper and Undue Influence

- 5.11 You must not use your position to influence other Council officials in the performance of their public or professional duties to obtain a private benefit for yourself or for somebody else. A councillor will not be in breach of this clause where they seek to influence other Council officials through the appropriate exercise of their representative functions.

- 5.12 You must not take advantage (or seek to take advantage) of your status or position with or of functions you perform for Council in order to obtain a private benefit for yourself or for any other person or body.

Council Resources

- 5.13 In addition to the requirements of Part 7 of this Code, you must not use Council resources to obtain any personal benefit of a commercial or financial nature, either for yourself or any other party.

Part 6: Relationship Between Council Officials

Obligations of Councillors and Administrators

- 6.1 Each council is a body politic. The councillors or administrator/s are the governing body of the Council. The governing body has the responsibility of directing and controlling the affairs of the Council in accordance with the Act and is responsible for policy determinations, for example, those relating to workforce policy.
- 6.2 Councillors or administrators must not:
- (a) Direct Council staff other than by giving appropriate direction to the General Manager in the performance of Council's functions by way of Council or committee resolution, or by the Mayor or administrator exercising their power under section 226 of the Act (Section 352).
 - (b) In any public or private forum, direct or influence or attempt to direct or influence, any other member of the staff of the Council or a delegate of the Council in the exercise of the functions of the member or delegate (Schedule 6A of the Act).
 - (c) Contact a member of the staff of the Council on Council related business unless in accordance with the policy and procedures governing the interaction of councillors and Council staff that have been authorised by the Council and the General Manager.
 - (d) Contact or issue instructions to any of Council's contractors or tenderers, including Council's legal advisers, unless by the Mayor or administrator or General Manager exercising their power under section 226 of the Act. This does not apply to Council's external auditors or the Chair of Council's audit committee who may be provided with any information by individual councillors reasonably necessary for the external auditor or audit committee to effectively perform their functions.

Obligations of Staff

- 6.3 The General Manager is responsible for the efficient and effective operation of the Council's organisation and for ensuring the implementation of the decisions of the Council without delay.
- 6.4 Members of staff of Council must:
- (a) Give their attention to the business of Council while on duty.
 - (b) Ensure that their work is carried out efficiently, economically and effectively.
 - (c) Carry out lawful directions given by any person having authority to give such directions.
 - (d) Give effect to the lawful decisions, policies, and procedures of the Council, whether or not the staff member agrees with or approves of them.
 - (e) Ensure that any participation in political activities outside the service of the Council does not conflict with the performance of their official duties.

Obligations During Meetings

- 6.5 You must act in accordance with Council's Code of Meeting Practice, if Council has adopted one, and the Local Government (General) Regulation 2005 during Council and committee meetings.
- 6.6 You must show respect to the chair, other Council officials and any members of the public present during Council and committee meetings or other formal proceedings of the Council.

Inappropriate Interactions

- 6.7 You must not engage in any of the following inappropriate interactions:
- (a) Councillors and administrators approaching staff and staff organisations, for example unions and associations, to discuss individual or operational staff matters other than broader workforce policy issues.
 - (b) Council staff approaching councillors and administrators to discuss individual or operational staff matters other than broader workforce policy issues.
 - (c) Council staff refusing to give information that is available to other councillors to a particular councillor.
 - (d) Councillors and administrators who have lodged a development application with Council, discussing the matter with council staff in staff-only areas of the Council.
 - (e) Councillors and administrators being overbearing or threatening to Council staff.
 - (f) Councillors and administrators making personal attacks on Council staff in a public forum.
 - (g) Councillors and administrators directing or pressuring Council staff in the performance of their work, or recommendations they should make.
 - (h) Council staff providing ad hoc advice to councillors and administrators without recording or documenting the interaction as they would if the advice was provided to a member of the community.
 - (i) Council staff meeting with applicants or objectors alone AND outside office hours to discuss development applications or proposals.
 - (j) Councillors attending on-site inspection meetings with lawyers and/or consultants engaged by Council associated with current or proposed legal proceedings unless permitted to do so by council's General Manager or, in the case of the Mayor or administrator, exercising their power under section 226 of the Act.
 - (k) Councillors and administrators approaching Council staff outside the Council building or outside hours of work to discuss Council business.

Part 7: Access To Information And Council Resources**Councillor and Administrator Access to Information**

- 7.1 The General Manager and Public Officer are responsible for ensuring that members of the public, councillors and administrators can gain access to the documents available under the *Government Information (Public Access) Act 2009*.
- 7.2 The General Manager must provide councillors and administrators with information sufficient to enable them to carry out their civic office functions.
- 7.3 Members of staff of Council must provide full and timely information to councillors and administrators sufficient to enable them to carry out their civic office functions and in accordance with Council procedures.

- 7.4 Members of staff of Council who provide any information to a particular councillor in the performance of their civic duties must also make it available to any other councillor who requests it and in accordance with Council procedures.
- 7.5 Councillors and administrators who have a private (as distinct from civic) interest in a document of Council have the same rights of access as any member of the public.

Councillors and Administrators to Properly Examine and Consider Information

- 7.6 Councillors and administrators must properly examine and consider all the information provided to them relating to matters that they are dealing with to enable them to make a decision on the matter in accordance with Council's charter.

Refusal of Access to Documents

- 7.7 Where the General Manager and Public Officer determine to refuse access to a document sought by a councillor or administrator they must act reasonably. In reaching this decision they must take into account whether or not the document sought is required for the councillor or administrator to perform their civic duty (see clause 7.2). The General Manager or public officer must state the reasons for the decision if access is refused.

Use of Certain Council information

- 7.8 In regard to information obtained in your capacity as a Council official, you must:
- (a) Only access Council information needed for Council business.
 - (b) Not use that Council information for private purposes.
 - (c) Not seek or obtain, either directly or indirectly, any financial benefit or other improper advantage for yourself, or any other person or body, from any information to which you have by virtue of your office or position with Council.
 - (d) Only release council information in accordance with established Council policies and procedures and in compliance with relevant legislation.

Use and Security of Confidential Information

- 7.9 You must maintain the integrity and security of confidential documents or information in your possession, or for which you are responsible.
- 7.10 In addition to your general obligations relating to the use of Council information, you must:
- (a) Protect confidential information.
 - (b) Only release confidential information if you have authority to do so.
 - (c) Only use confidential information for the purpose it is intended to be used.
 - (d) Not use confidential information gained through your official position for the purpose of securing a private benefit for yourself or for any other person.
 - (e) Not use confidential information with the intention to cause harm or detriment to your Council or any other person or body.
 - (f) Not disclose any information discussed during a confidential session of a Council meeting.

Personal Information

- 7.11 When dealing with personal information you must comply with:
- (a) the *Privacy and Personal Information Protection Act 1998*.
 - (b) the *Health Records and Information Privacy Act 2002*.

- (c) the *State Records Act 1998*.
- (d) the *Government Information (Public Access) Act 2009*.
- (e) Council's privacy management plan (OMS045 – Privacy Management).
- (f) the Privacy Code of Practice for Local Government.

Use of Council Resources

- 7.12 You must use Council resources ethically, effectively, efficiently and carefully in the course of your official duties, and must not use them for private purposes (except when supplied as part of a contract of employment) unless this use is lawfully authorised or is considered reasonable personal use, and proper payment is made where appropriate.
- 7.13 Union delegates and consultative committee members may have reasonable access to Council resources for the purposes of carrying out their industrial responsibilities, including but not limited to:
 - (a) The representation of members with respect to disciplinary matters.
 - (b) The representation of employees with respect to grievances and disputes.
 - (c) Functions associated with the role of the local consultative committee.
- 7.14 You must be scrupulous in your use of Council property, including intellectual property, official services and facilities, and must not permit their misuse by any other person or body.
- 7.15 You must avoid any action or situation that could create the appearance that Council property, official services or public facilities are being improperly used for your benefit or the benefit of any other person or body.
- 7.16 You must not use Council resources, property or facilities for the purpose of assisting your election campaign or the election campaign of others unless the resources, property or facilities are otherwise available for use or hire by the public and any publicly advertised fee is paid for use of the resources, property or facility.
- 7.17 You must not use Council letterhead, Council crests and other information that could give the appearance it is official council material for:
 - (a) The purpose of assisting your election campaign or the election campaign of others, or
 - (b) For other non-official purposes.
- 7.18 You must not convert any property of the Council to your own use unless properly authorised.
- 7.19 You must not use Council's computer or electronic resources (including, but not limited to the Internet, the email system, mobile phones, text messaging services, and social media access) to search for, access, download, print, distribute or communicate any material of an offensive, obscene, discriminatory, pornographic, threatening, abusive or defamatory nature.
- 7.20 You must not use Council's electronic communications (including, but not limited to the Internet, the email system, mobile phones, text messaging services, and social media access) in any manner which could be construed as disparaging or defamatory of colleagues or Council, or which could bring Council into disrepute.

Councillor Access to Council Buildings

- 7.21 Councillors and administrators are entitled to have access to the Council chamber, committee room, mayor's office (subject to availability), councillors' rooms, and public areas of Council's buildings during normal business hours and for meetings. Councillors and administrators needing access to these facilities at other times must obtain authority from the General Manager.

- 7.22 Councillors and administrators must not enter staff-only areas of Council buildings without the approval of the General Manager (or delegate) or as provided in the procedures governing the interaction of councillors and Council staff.
- 7.23 Councillors and administrators must ensure that when they are within a staff area they avoid giving rise to the appearance that they may improperly influence Council staff decisions.

Part 8: Maintaining The Integrity Of This Code

- 8.1 You must not conduct yourself in a manner that is likely to undermine confidence in the integrity of this Code or its administration.

Complaints made for an Improper Purpose

- 8.2 You must not make a complaint or cause a complaint to be made under this Code for an improper purpose.
- 8.3 For the purposes of clause 8.2, a complaint is made for an improper purpose where it is trivial, frivolous, vexatious or not made in good faith, or where it otherwise lacks merit and has been made substantially for one or more of the following purposes:
- (a) To intimidate or harass another Council official.
 - (b) To damage another Council official's reputation.
 - (c) To obtain a political advantage.
 - (d) To influence a Council official in the exercise of their official functions or to prevent or disrupt the exercise of those functions.
 - (e) To influence the Council in the exercise of its functions or to prevent or disrupt the exercise of those functions.
 - (f) To avoid disciplinary action under this Code.
 - (g) To take reprisal action against a person for making a complaint under this code except as may be otherwise specifically permitted under this Code.
 - (h) To take reprisal action against a person for exercising a function prescribed under the procedures for the administration of this code except as may be otherwise specifically permitted under this Code.
 - (i) To prevent or disrupt the effective administration of this Code.

Detrimental Action

- 8.4 You must not take detrimental action or cause detrimental action to be taken against a person substantially in reprisal for a complaint they have made under this Code except as may be otherwise specifically permitted under this Code.
- 8.5 You must not take detrimental action or cause detrimental action to be taken against a person substantially in reprisal for any function they have exercised under this Code except as may be otherwise specifically permitted under this Code.
- 8.6 For the purposes of clauses 8.4 and 8.5 detrimental action is an action causing, comprising or involving any of the following:
- (a) Injury, damage or loss.
 - (b) Intimidation or harassment.
 - (c) Discrimination, disadvantage or adverse treatment in relation to employment.

- (d) Dismissal from, or prejudice in, employment.
- (e) Disciplinary proceedings.

Compliance with Requirements Under this Code

- 8.7 You must not engage in conduct that is calculated to impede or disrupt the consideration of a matter under this Code.
- 8.8 You must comply with a reasonable and lawful request made by a person exercising a function under this Code.
- 8.9 You must comply with a practice ruling made by the Office of Local Government.
- 8.10 Where you are a councillor or the General Manager, you must comply with any Council resolution requiring you to take action as a result of a breach of this Code.

Disclosure of Information About the Consideration of a Matter Under This Code

- 8.11 You must report breaches of this Code in accordance with the reporting requirements under this Code.
- 8.12 You must not make allegations of suspected breaches of this Code at Council meetings or in other public forums.
- 8.13 You must not disclose information about the consideration of a matter under this Code except for the purposes of seeking legal advice unless the disclosure is otherwise permitted under this Code.

Complaints Alleging a Breach of this Part (Part 8)

- 8.14 Complaints alleging a breach of this Part (Part 8) by a councillor, the General Manager or an administrator are to be made to the Office of Local Government.
- 8.15 Complaints alleging a breach of this Part by other council officials (including all staff except the General Manager) are to be made to the Internal Ombudsman.

Complaints Generally Alleging a Breach

- 8.16 The Complaints Coordinator for Council is the Internal Ombudsman (or, as delegated, an Assistant Internal Ombudsman, or the Executive Legal Counsel).
- 8.17 Complaints alleging a breach of this Code (other than Part 8) by a councillor, the General Manager or an administrator, are to be referred to the Complaints Coordinator for appropriate handling through the Conduct Reviewer process.
- 8.18 Complaints alleging any breach of this Code by other Council officials (including all staff except the General Manager) are to be referred to the Internal Ombudsman (and/or delegate).
- 8.19 The responsibility for investigating any alleged breaches of this Code by other Council officials (including all staff except the General Manager) rests with the Internal Ombudsman (and/or delegate).

Part 9: Definitions

In the Model Code of Conduct the following definitions apply:

the Act	the <i>Local Government Act 1993</i>
act of disorder	see the definition in clause 256 of the <i>Local Government (General) Regulation 2005</i>
administrator	an administrator of a council appointed under the Act other than an administrator appointed under section 66
Chief Executive	Chief Executive of the Office of Local Government, Department of Premier and Cabinet
colleagues	includes all council officials
Committee	a council committee
conflict of interests	a conflict of interests exists where a reasonable and informed person would perceive that you could be influenced by a private interest when carrying out your public duty
council committee	a committee established by resolution of council
"council committee member"	a person other than a councillor or member of staff of a council who is a member of a council committee
council official	includes councillors, members of staff of council, administrators, council committee members, conduct reviewers and delegates of council
councillor	a person elected or appointed to civic office and includes a Mayor
delegate of council	a person (other than a councillor or member of staff of a council) or body, and the individual members of that body, to whom a function of the council is delegated
designated person	see the definition in section 441 of the Act
development decisions	Includes any Planning Proposal, Voluntary Planning Agreement or application made under Part 4 of the <i>Environmental Planning and Assessment Act 1979</i>
election campaign	includes council, State and Federal election campaigns
personal information	information or an opinion about a person whose identity is apparent, or can be ascertained from the information or opinion
the Regulation	the <i>Local Government (General) Regulation 2005</i>

The term "you" used in the Model Code of Conduct refers to council officials.

The phrase "this Code" used in the Model Code of Conduct refers also to the procedures for the administration of the Model Code of Conduct prescribed under the *Local Government (General) Regulation 2005*.

Community Engagement Policy and Matrix

Attachment 1 – Public Exhibition Submissions

Submission 1

What elements of the Draft Policy and Matrix do you support?

No comment made

Do you have any suggested changes to the Draft Policy and Matrix documents?

No comment made

Any other comments on the Draft Policy and Matrix?

Warringah Council's Sham Community Consultation/Engagement practices - Some Warringah Council Staff Insider's views of it and a Public Domain Case Study of the Leadership, Values and Ethics of Warringah Council's Mayor, certain Warringah Councillors and General Manager.

"Delivering a consult when a decision has already been made, Council is guilty of that all the time. Instead of consulting, you're really just informing" - Warringah Council staff member "We listen to the engagement but the decisions have already been made. The community is frustrated because their concerns weren't listened to before the decision was made" - Warringah Council staff member See: <http://yoursaywarringah.com.au/consultation-revi.../download> and the Council Staffs' attributed comments at Pages 31 and 32. This is the reality of what goes on inside Warringah Council concerning its sham Community Consultations - straight from its own Staffs' mouths.....

A Public Domain example of the Warringah Mayor's and Warringah Council General Manager's "interesting" Community Engagement Practices..... Warringah Mayor Michael Regan specifically gave Public undertakings that Warringah Council would listen to the preferred choice of the respondents to its Community Engagement consultation in the "Change for the Better Information Session (Dee Why)" at which Warringah Council hosted a question and answer information session with Councillors in Dee Why. See: http://yoursaywarringah.com.au/videos/37?project_id=108... Or <http://yoursaywarringah.com.au/SRV/videos/594> The relevant part of the audio/video for these videoed Public undertakings given by Mayor Michael Regan - may be viewed in the section of the video tape between the 36 minutes, 15 seconds and 38 minutes section of this video tape's time log.

Mr Regan's public comments in this section of the video included: "A Benevolent Dictatorship – we listen to everything you've got to say and do it my way - I'd love that operation" – was quite prophetic when you consider how he and the majority of Warringah Councillors political faction which he controls through his political party - later voted on this Special Rates Variation (SRV) matter at Warringah Council. Note Mr. Regan's public comments in this section of the Council's video: "We absolutely have to listen otherwise we are not doing our jobs " Indeed!

When will the reality at Warringah Council - match its rhetoric and spin??? Also note the Warringah Council General Manager Rik Hart's public comments in this Council video at 24 minutes 42 seconds to 24 minutes 50 seconds: "As far as we're concerned as Officers, the choice is the Community's....."

The SRV community consultation outcome was most Community respondents' preferred choice was to maintain - rather than increase their existing annual rates increases. Except for Warringah Councillors De Luca and Giltinan, all other Warringah Councillors present (7 Councillors) totally ignored this Community Consultation's respondents' preferred choice!

Warringah Council sought to charge its ratepayers substantially more over the next four years after it's majority Councillors voted to significantly increase our Council rates financial burden.....

Warringah Council's Mayor, 6 of Warringah's Councillors and Council's General Manager – showed in this matter the true colours of their Personal Integrity, Values and Ethics....

Community Consultation is the key driver of overall satisfaction with Warringah Council! It is vital that it is conducted with Integrity - rather than being ** by hidden agendas, pre-determined outcomes - combined with the Warringah Mayor Regan, certain Warringah Councillors and Council's General Manager - ** to affected Stakeholders.

This current situation of certain Warringah Council staff, the Mayor and certain Councillors publicly ** Warringah LGA stakeholders has gone on for far too long! I was involved first hand with contributing the "Talk of The Town" on Warringah's housing future sham Community Engagement process - where we volunteered our time and efforts on a Sunday for hours - and our input was simply ignored by Council Staff and then Councillors.

Since then the repeat ** by Council have continued on unabated, Likewise for the Queenscliff Parking problems meeting held at the Harbord Literary Institute. Council's Internal Ombudsman Report on the whole fiasco of Council's handling of Queenscliff's Parking is a damning insight into Council's Bureaucracy, its ** practices and the contempt of its Stakeholders.

It is NOT simply a matter of some Council Staff simply engaging the Warringah LGA Community far too late in the Community Engagement process - it is a lack of integrity and ethics being displayed by certain Council staff **. Some of Council's actions are also publicly displayed in Social Media sites, in published letters to Newspapers etc - to expose Warringah ** practices.

*Note: Some content (**) has been redacted from the submission as it was deemed potentially defamatory and also not to impede any independent investigation which may be underway as alluded to by the author.*

Response:

The author has identified a number of concerns relating to previous projects that have already been addressed by Council. If the issues raised have not been addressed already by the Internal Ombudsman, the author has the option of raising a formal concern with the Internal Ombudsman, or any one of the state's oversight or law enforcement agencies, should he consider it appropriate. These comments have no specific impact on the Policy or Matrix documents.

However, it should be noted that as part of the Engagement Review, Council has identified the need to:

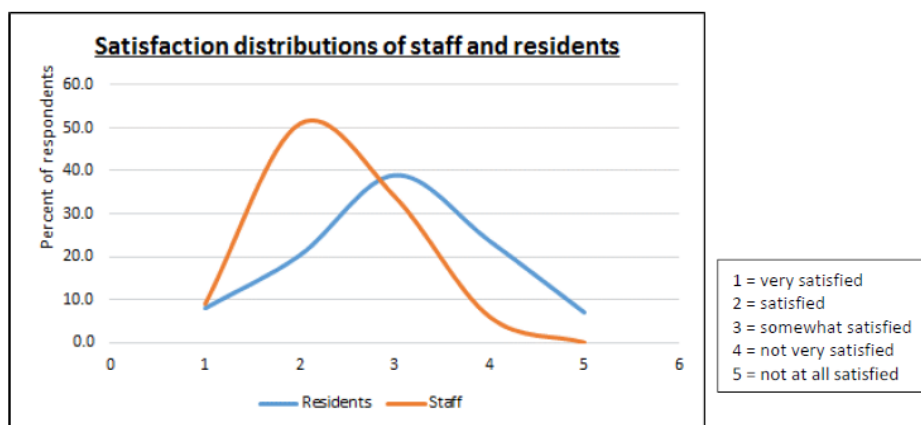
- Ensure community members involved in the process are kept informed and receive an email confirming the outcome
- Be clear on the engagement objectives, the commitment to the public and the scope of how the input will be used in the decision making process
- Engage earlier in the process before final decisions are made
- Ensuring staff, leadership and Councillors have the skills and knowledge to engage effectively and understand the different levels and impact of engagement for their projects.

Submission 2

Comment re Consultation Policy

While I am pleased that there has been a comprehensive review of Council's Community Engagement Policy, I remain very concerned that there still seems to be no commitment to achieving a far better outcome in this area. There appears to be satisfaction that there has been a modest improvement in residents' opinion of Council performance. But this also means that Council is satisfied with a situation where 30% of residents are either not very or not at all satisfied, and where only 30% are satisfied to very satisfied.

Also, and perhaps in partial explanation but not justification of this stance, there is almost no reaction to the fact that staff and residents have very different views on the effectiveness of Council's community engagement. This is shown clearly in the graph below of the survey results.



One of the residents' main complaints – and it is certainly mine – is that, while Council goes through all of the trappings of community engagement, it very rarely lets that engagement change its view or proposal. This is particularly true with projects or matters that Council thinks are important.

It emerges that this complaint is not a surprise as the report reveals that 51% of Council staff surveyed *stated that they (or Council) either 'frequently' or 'always' have a preconceived idea about a consultation outcome.*

This is to me a shocking revelation, topped only by the lack of any response to it in the review report. These same staff presumably are also amongst the 70% who were somewhat to very satisfied with the effectiveness of Council's engagement. This surely can only be interpreted as cynicism.

I recommend that Council commits itself to:

1. Getting a good match of the staff's and the community's assessments of the effectiveness of Council's community engagement within the next three years.

Having achieved a match of assessment:

2. Commit to achieving a minimum 70% mutually-agreed satisfaction rating (as per the current staff survey).

Response:

The comments raised in respect of some of the findings from the Engagement Review have been addressed below. You have raised some interesting points in your comments and in interpreting the data.

Whilst we are pleased that community satisfaction levels with consultation have improved over the past 12 months from 3.0 to 3.2 out of 5, this is a key area that has been identified for further improvement. A key outcome of the review was to continue to improve in this area and a number of

actions have been implemented to support this. The table in the Council report details the main recommendations and actions underway.

A working group has been set up to investigate and address the actions from the review based on community feedback. The actions should address a number of your concerns:

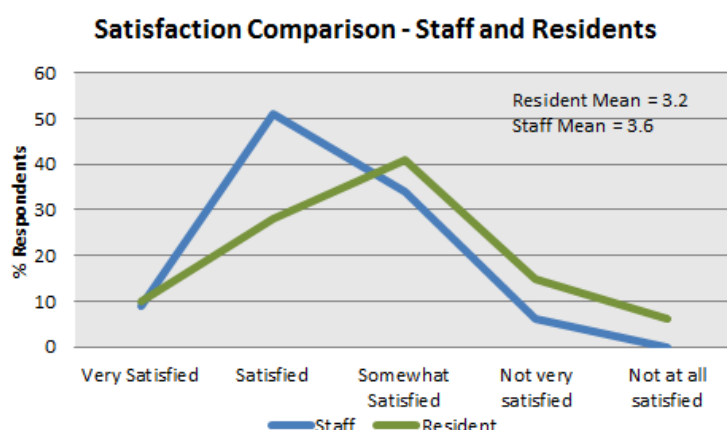
- New project reporting on key metrics ie project updates, engagement planning, closing the loop, etc.
- Starting to engage earlier in the process and having at least two (2) stages for high impact projects
- Showing how the input was used as part of the decision making

In relation to the different results between staff and residents.

The staff results have been replotted against the latest community satisfaction ratings (as per 2015 Telephone survey). Note: These results are different to the ones used in the chart by the author of the submission – see below.

It should also be noted that staff had different reasons for their rating of community satisfaction with consultation: this included resources, timeframes, community challenges, etc. This survey was also only completed by ~65 project managers.

Whilst it is interesting to compare the different distribution of the ratings, we use the mean score as our main performance measure and as stated we are looking to improve the Resident mean score of 3.2. The staff mean score is 3.6 out of 5. We are aiming to continuously improve the resident consultation rating.



We are happy to discuss the review in more detail with the author and how we are working to implement the actions.



Warringah Council Policy

Policy No. PLXXX Engagement

Community Engagement Policy

1. Purpose of Policy

To set the framework for all community engagement activities conducted by Warringah Council as part of Council's decision making processes.

2. Policy Statement

Warringah Council recognises that community engagement and participation processes are a vital part of local democracy. Effective engagement is good business practice and critical to good government. For this reason Council is committed to engaging with the Warringah community.

Community engagement is about involving the community in decisions which affect them. It is critical in the successful development and implementation of acceptable policies and decisions and for improving services by being responsive to the needs of the community. It involves seeking broad informed agreement and the best possible solution for Council and the community however it does not necessarily mean achieving consensus.

3. Objectives

- That the Warringah community is well informed about issues, strategies or plans that may directly or indirectly affect them.
- That the people of Warringah have the opportunity for genuine involvement in Council's decision-making and policy development.
- To seek the views of a wide cross-section of the community, selecting engagement methods that are flexible, inclusive and appropriate to those being engaged.
- That members of the community with the opportunity to hear each other's opinions and to recommend appropriate solutions to community issues.
- That Council is meeting its legislative requirements regarding community consultation in all areas of its service delivery.

4. Scope

This policy applies to all facets of Council's operations including corporate, strategic land use, financial planning and Council's day to day business activities.

It defines the principles underpinning Council's engagement activities, the role of councillors and staff in engaging with the community and the methods which Council will use to engage with the community.

Community engagement guidelines for private development are outlined in the Warringah Development Control Plan and Environmental Planning and Assessment Act 1979.

The policy recognises that there is diversity in the activities and projects across Council and the type of engagement undertaken should vary accordingly.



Policy No.

Both 'consultation' and 'community engagement' are terms used by practitioners and in literature. However in this model of community engagement, consultation is one of the levels of engagement (as per the IAP2 spectrum below).

Council's approach to community engagement is based on the spectrum of engagement activities as advocated by the International Association for Public Participation (IAP2). The five levels of engagement are shown on the table below:

IAP2 PUBLIC PARTICIPATION SPECTRUM

INCREASING LEVEL OF PUBLIC IMPACT				
INFORM	CONSULT	INVOLVE	COLLABORATE	EMPOWER
Public Participation Goal:	Public Participation Goal:	Public Participation Goal:	Public Participation Goal:	Public Participation Goal:
To provide the public with balanced and objective information to assist them in understanding the problems, alternatives and/or solutions.	To obtain public feedback on analysis, alternatives and/or decisions.	To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.	To partner with the public in each aspect of the decision, including the development of alternatives and the identification of the preferred solution.	To place final decision-making in the hands of the public.

It should be noted that the 'empower' level on the spectrum has limited application in Local Government as the elected Council are the decision making body. However there may be occasions where non-financial empowerment may occur.

5. Community Engagement – Key Considerations

- 5.1. The Warringah Community Engagement Framework consists of this Community Engagement Policy and the supporting documents: Community Engagement Matrix and the Community Engagement Toolkit.
- 5.2. We will endeavour to ensure that its engagement processes are appropriate, accessible, well-planned and adequately resourced.
- 5.3. All community engagement activity is to be undertaken in accordance with the principles of engagement (detailed in Community Engagement Matrix). In summary the five principle headings are:
 1. Being open and inclusive
 2. Create mutual trust and respect and be accountable
 3. Engage early and be clear
 4. Consideration and feedback
 5. Skills and resources
- 5.4. It should be noted that Council's Committee Framework forms a key part of the overall engagement framework and is included as one of the engagement methods.
- 5.5. The level of community engagement undertaken relates directly to the level of community involvement required, and should always be appropriate to the nature, complexity and impact of the issue, plan or strategy
- 5.6. Statutory requirements are a minimum and this policy encourages Council to engage the community in addition to statutory requirements providing that any legal timeframes are met.



Policy No.

- 5.7. We will ensure that the Councillors are informed of community engagement activities relating to high impact projects, staff will advise Councillors of these activities prior to occurring.
- 5.8. The timing of community engagement activities should take into account key dates notably the Christmas and New Year period, and also considering other school holidays and special events to ensure that maximum opportunity is given to encourage community input.
- 5.9. For high impact projects or issues that affect the whole of Warringah (eg Warringah wide Local Environment Plan, Community Strategic Plan, Housing Strategy etc) consider holding engagement activities at sites across the LGA.
- 5.10. In circumstances where the level of involvement requires members of the public to make submissions to Council, content received may be regarded as public and available for general access.
- 5.11. Prior to any decision Council will ensure that it is well informed of the benefits of alternative decisions on matters before them, including accurate reporting of community comments and recommendations that reflect all sides of the argument.

6. Development on Council Land - Special Consultation Requirements

Council acknowledges that when undertaking high impact development on Council owned and managed land, a community engagement process consistent with the engagement framework will be undertaken in addition to the statutory requirements. This includes early input at the concept design stage. (Refer to Matrix for more information).

7. Authorisation

This policy was adopted by Council on 8 February 2011.

It is effective from 9 February 2011.

Due for review February 2015.

Reviewed September 2015

8. Amendments

The original Consultation Policy was adopted by Council on 22 August 2000

The policy was reviewed and amended in May 2005

The policy was reviewed and amended in February 2011 – Title amended to “Community Engagement Policy”

Reviewed in 2011 and changes made to the Matrix Attachment.

Draft amendments proposed 22 September 2015.

9. Who is responsible for implementing this policy?

Managers and Project Managers across all sections of Council

10. Document owner

Deputy General Manager Community



Policy No.

11. Legislation and references

Local Government Act 1993 to ensure that community input is a part of the decision making process

International Association for Public Participation (IAP2)

12. Related Council Documents

Community Engagement Matrix

Community Engagement Toolkit

13. Definitions

Key Term / Acronym	Definition
Community	Includes all the people who live, work, study, own property, conduct private or government business, visit or use the services, facilities and public spaces and places of the Warringah area. The community can be referred to as stakeholders or comprise of stakeholders.
Engagement	A broader term which includes all levels of participation for including the community in decision making. Consultation is one level of engagement.
Consultation	Is a process of community engagement that seeks to inform the community or draw out the views and preferences of the community. These views are used to inform decision makers and should provide a guide to decision making
Communication	Generally refers to the exchange of information from Council to the community, and can also include the exchange of information or views from the community to Council
IAP2	International Association of Public Participation (www.iap2.org.au)
Submission	A submission is a formal response to a public document made during the public exhibition period.
Comment	A comment is a response received during early engagement or consultation that is not part of a formal Public Exhibition endorsed by Council
Committee Framework	The Committee Framework includes Strategic Reference Groups and other committees run by Council.



COMMUNITY ENGAGEMENT MATRIX

November 2015

WARRINGAH.NSW.GOV.AU

CONTENTS



BACKGROUND	3
THE COMMUNITY ENGAGEMENT FRAMEWORK	3
WARRINGAH COUNCIL COMMUNITY ENGAGEMENT PRINCIPLES	4
COMMUNITY ENGAGEMENT PLANNING AND USE OF THE MATRIX	5
COMMUNITY ENGAGEMENT PLANNING STEPS:	6
STEP 1 – PROJECT OBJECTIVES – WHAT IS THE PURPOSE?	7
STEP 2 – STAKEHOLDERS	8
STEP 3 – LEVEL OF IMPACT	10
STEP 4 – LEVEL OF COMMUNITY PARTICIPATION	12
STEP 5 – METHODS AND TOOLS FOR ENGAGEMENT	14
TABLE - TYPES OF ENGAGEMENT	15
EXAMPLES - TYPES OF ENGAGEMENT	16
STEP 6 TIMEFRAMES AND RESOURCES	20
STEP 7 – FEEDBACK AND REPORTING	21
STEP 8 - EVALUATION	22
ATTACHMENT 1 – MEDIA DISTRIBUTION	24
ATTACHMENT 2 – DEVELOPMENT ON COUNCIL LAND – SPECIAL CONSULTATION REQUIREMENTS	25

Document Approval:

Adopted	February 2011
Updated	November 2011
Revised Draft	August 2015
Adopted	XX

Background



The Community Engagement Framework

The Community Engagement Framework reflects Warringah Council's ongoing commitment to appropriately engaging its community, and to improving the efficiency and effectiveness of the organisation.

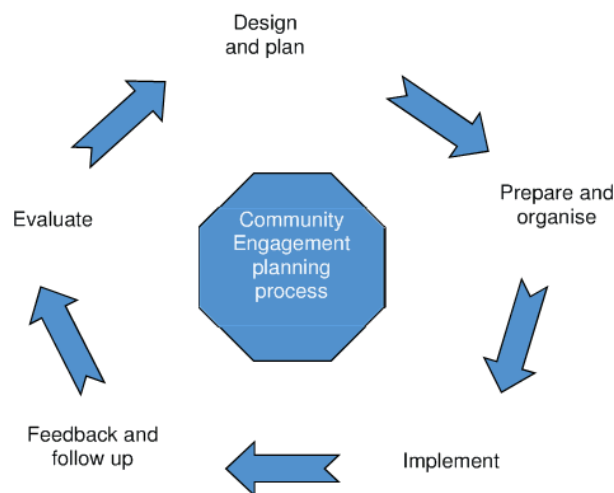
The Community Engagement Framework includes:

- The community engagement policy provides a broad framework and policy direction for engagement.
- This community engagement matrix provides staff with direction on engagement planning and guidance on when and how they should engage with the community for different situations.
- The engagement toolkit provides specific information and advice on 'how to' undertake different types of engagement with the community.

This matrix is an implementation tool of the Community Engagement Framework.

It should be noted that this Matrix relates to all community engagement undertaken by Council except the Development Approval Process. Community engagement guidelines for the Development Approval Process are outlined in Council's Warringah Development Control Plan and the Environmental Planning and Assessment Act 1979. In some cases requirements may be imposed by the State Government and may override the policy and matrix

The diagram below summarises the Community engagement planning process



The benefits of effective community engagement include:

- increased community awareness about Council's services, planning and program delivery;
- increased awareness across Council of community views and the issues that should be considered as part of the decision-making process;
- increased awareness of the needs, priorities and diversity of the local community, which in turn ensures that Council's service provision and planning functions are aligned appropriately;
- Increased level of community ownership and acceptance of decisions affecting the local government area (LGA);
- Council and the community working together to address local issues;
- Improved decision making and community outcomes
- Potential for time, resource and cost savings for Council.



Warringah Council Community Engagement Principles

The following principles will underpin Warringah Council's approach to community engagement. Warringah Council:

1. **Be open and inclusive**
 - Recognises community participation as a right of all citizens and an integral component of informed decision-making
 - Creates, supports and promotes opportunities for the community to actively participate in decision making
 - Encourages involvement from a wide cross-section of the community using engagement processes that are accessible and inclusive
 - Operates under the key value of openness and is committed to ensuring that the community is well informed about Council's service delivery, planning and decision-making processes
2. **Creates mutual trust and respect and be accountable**
 - Treats all participants in the engagement process with respect and dignity
 - Approaches engagement from an impartial perspective, free from bias toward any stakeholder involved in the process
 - Is accountable, accessible and ethical in all dealings with the community
3. **Engage early and be clear**
 - Seeks early engagement and regularly involves the community in decision making
 - Communicates clearly the objectives of the engagement process and provide community members with all available and relevant information as part of the engagement process to ensure informed discussion
 - Communicates the parameters of the engagement process to participants from the outset, including legislative requirements, Council's sphere of influence, conflicting community views, policy frameworks and context, budget constraints etc
 - Acknowledges that planning is a critical process to deliver successful outcomes and is committed to developing and implementing community engagement plans
4. **Consideration and feedback**
 - Is committed to demonstrating that we have considered all community contributions and relevant data, prior to making any decisions that affect the local community
 - Is committed to providing participants with feedback at key stages throughout the project and upon completion and how community input influenced the decision
5. **Skills and Resources**
 - Endeavours to ensure that sufficient timeframes and adequate resources are allocated to engagement processes
 - Co-ordinates its community engagement processes where possible to optimise resources, ensure efficiency and avoid duplication
 - Recognises the skills required to undertake community engagement, and provides staff with opportunities for further skill development and training.



Community Engagement Planning and use of the Matrix

The Community Engagement Matrix is relevant to all staff that have or should have any dealings with the community, except where staff are dealing with Development Approvals (this is addressed by the Council's Development Control Plan and the Environmental Planning and Assessment Act 1979). It aims to guide staff in their dealings with the community and ensure the appropriate level of community participation for a range of projects, services and activities. In some cases requirements may be imposed by the State Government and may override the policy and matrix.

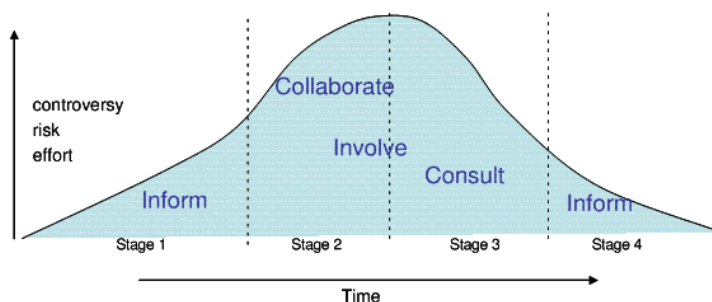
It is recognised that there is diversity in the activities and projects across Council, and the type of engagement undertaken should vary accordingly. As such a flexible approach has been adopted in the design of the Community Engagement Matrix, enabling staff to determine the potential impact of a situation, and therefore the appropriate level of community participation.

The Community Engagement Matrix should be used at the commencement of all projects or reviews of services, and also as part of day to day operations, to ensure that the appropriate engagement is identified and undertaken and included in the Community Engagement plan.

In addition a Community Engagement Plan must be developed for all high impact projects and is desirable for all projects. This plan should be developed as a critical element of the project plan and revised throughout the project as required.

NOTE: Community engagement activities occur throughout a project and the engagement plan should reflect these activities at key stages.

The diagram below outlines an example of different engagement levels at different stages of the project over time:



The Community engagement plan provides guidance and support to ensure that all key elements are considered and addressed early in the project planning stages.

The Community Engagement Matrix does not prescribe exactly how the community should be consulted for every project, issue, service or action in Council. This would be an onerous task, given the range of projects and activities. Instead, it identifies different levels of impact that would require certain types of engagement. It is then up to staff to determine the level within which their project, issue, service or action fits and the most appropriate engagement approaches.

Overall, the Community Engagement Matrix enables flexibility and recognises that staff have the capacity to judge the potential impact of a situation and the appropriate level of community participation.

In addition, staff should ensure that Councillors are aware of community engagement activities, for high impact projects, prior to occurrence.

Community engagement planning steps:



The main planning steps to effective community engagement include:

Step 1 - Purpose and objectives

- Detail the background to the project or issue including what has happened to date.
- What is the purpose of the engagement?
- What are the objectives and desired outcomes?
- Identify any key issues
- Consider any legal or statutory requirements

Step 2 - Determine who should be involved

- Identify all key stakeholders and community members that should be included.
- What are the potential impacts?
- Are there any special groups / needs? How will you ensure fair and equal opportunity to provide input?
- Complete stakeholder analysis (template included in Toolkit)

Step 3 - Assess Level of Impact

- Determine the likely 'level of impact' of the project, issue, service or action, using the assessment criteria on page 11.

Step 4 - Determine level and method of Community Participation

- Determine the desired level of community participation/ involvement, eg whether the community needs to be informed or whether they should have the opportunity to be involved in decision making.
- This will be influenced by the degree of impact and the desired outcomes. Use the guidelines on page 12 to make this decision,
- Consider legislation or other Council Policy requirements.

Step 5 - Determine Methods and Tools

- Use the Matrix on page 15 to determine the type of engagement that should occur in relation to the level of impact and the desired community participation.
- Use the chart outlining the benefits and constraints for each type of engagement (pages 17 - 19), to 'fine tune' the selection of specific engagement tasks.

Step 6 - Timeframes and resources

- Develop a timeline of the key engagement activities during the project
- Develop an estimated budget required to complete engagement plan
- Determine what skills are required and what resources are available

Step 7 – Feedback and reporting

- Detail how and when each stakeholder group (participants, community, council and staff) will receive feedback during the project and the outcomes
- Define the outcomes that are expected from the approach and how the final outcomes will be documented and circulated.

Step 8 – Evaluation

- Complete an evaluation summary including – summary of process and key outcomes, and provide to participants and publish on website

Step 1 – Project Objectives – What is the purpose?



The first step of any engagement plan is to clearly identify the objectives of the engagement.

This should also include a summary of the background to the project or issues and what has happened to date.

Questions that need to be answered include:

- What is the purpose of the community engagement?
- What questions would you like the engagement activities to answer?
- What do you want the engagement to achieve?
- What is the scope of the engagement? (negotiables and non-negotiables)

Key issues also need to be identified along with any statutory requirements.

In determining the project objectives the Principles of community engagement detailed on page 4 should be considered to ensure that community values, needs and aspirations are understood.

In addition it is useful to consider at this stage the level of internal commitment. This will include identifying:

- Who are the decision makers?
- What is their view on Community engagement?
- Clarification of the scope of decision
- Who are the preliminary stakeholders and issues?



Step 2 – Stakeholders



Step 2 is about learning from the community and stakeholders. This is a critical part of the process and we need to think 'who haven't we heard from' and 'why'?

The following activities should be considered in this step.

2.1 Public perception

Understand how people perceive the issues surrounding the problem / opportunity to be addressed and decision to be made.

Once an initial list of stakeholders is identified it is important to gain an initial understanding of how they may view the decision. This can be conducted by key contact interviews of a range of stakeholders who represent a range of likely views.

2.2 Develop a comprehensive list of stakeholders.

A stakeholder is defined as those with an interest in or who may be affected by the outcome. There are many ways to identify stakeholders including:

- Draw on in-house knowledge
 - Ask other people / teams who may have run similar projects
 - Brainstorm with cross section of staff
 - Contact the Community engagement team in relation to any known lists of interested community members
- Review records:
 - People who have made previous submissions, attended forums etc
 - Other lists of people who have expressed interest
 - Use the Community Engagement Register, Community Directory or other relevant databases
- Ask the community
 - Call for expressions of interest – public announcements to promote call for interest
 - Ask key members of the community / groups who they think would be interested
- Identify any hard to reach groups

Groups to be considered (this is a guide)

Government departments	service providers	businesses	utilities
Residents	Property owners	Visitors	Not for profit groups
Disabled	Youth	Aged	Culturally diverse
Committees	Community groups	Schools and education	Experts
Sporting groups	Environmental groups		

Other things to consider:

- Are there any barriers to involvement or support of the project eg bad experiences, lack of experience, timing?
- How will these barriers be addressed?
- Are there any cultural considerations?



2.3 Encouraging participation

There are many reasons why people do not get involved in engagement activities. We need to ensure that suitable approaches are made to ensure inclusive participation.

Some of the reasons for non-participation include:

- Lack of clarity around the problem / issue to be solved
- Poor communication and lack of awareness
- Bad experiences
- Perception that it will not make a difference
- Lack of interest, not enough time
- Accessibility – venue, time, holidays etc

The development of engagement plans should consider the timing and impact of other Council Projects to ensure that the community interest is not diminished due to conflicting time demands.

A stakeholder communication plan is required to reach out to these groups and stakeholders. Each stakeholder group may have different communication needs. A single advert in the local newspaper is unlikely to attract all the potentially affected people.

Strategies are needed to:

- Reach them
- Inform them
- Demonstrate the benefits of being involved
- Build relationships

2.4 Matching Stakeholders and Issues

Using the template overleaf (also included in Toolkit), complete a stakeholder analysis including:

- Identifying any key issues,
- Identifying key stakeholder groups,
- their likely level of concern,
- their area of interest
- any known key contacts or groups

Having completed the stakeholder analysis it may be necessary to revisit the project objective and issue to be addressed to ensure that this statement is consistent with the problem as identified by the stakeholders.

It is also necessary to confirm what is 'in scope' and what 'is not'.



Diag 1 – extract from IAP2 module 1 training manual 2006

Step 3 – Level of Impact



Step 3 focuses on determining the level of impact of the proposed project or issue.

The Community Engagement Matrix is based on four (4) impact levels, where impact relates to the 'effect of an action or change on the community'. The impact levels are as follows:

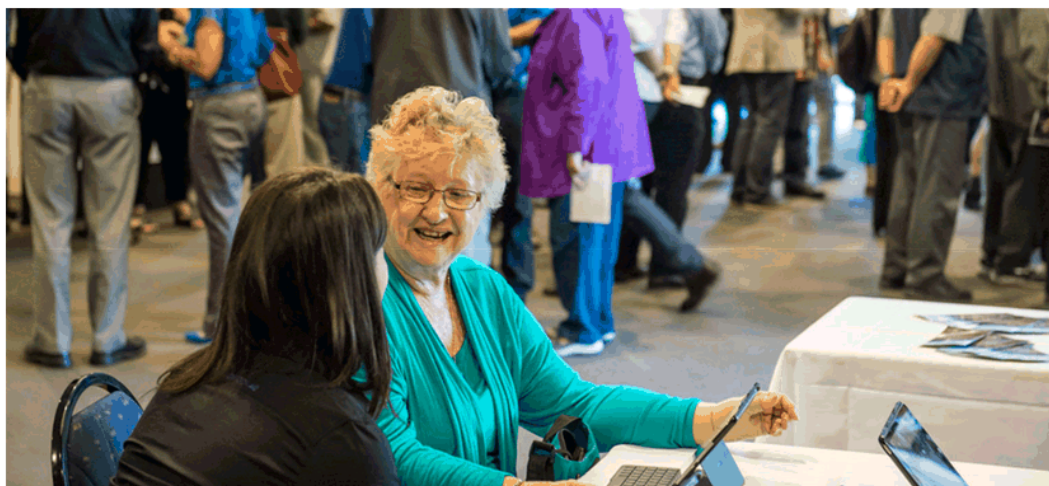
Level of Impact	Brief Description
Level 1 (High – Warringah)	High level of impact on the whole or a large part of Warringah.
Level 2 (High – Local)	High level of impact of a local nature, eg a local area, specific community or user group.
Level 3 (Lower – Warringah)	Lower level of impact on the whole or a large part of Warringah.
Level 4 (Lower – Local)	Lower level of impact of a local nature, eg a local area, specific community or user group.

These levels are based on the assumption that any project, issue, service or action will have some real or perceived impact on the community.

To determine the Level of Impact, staff will firstly need to determine the community group/s and stakeholders that are affected by the project, issue, service or action. It may be appropriate to involve other Council staff in making these decisions and the approach to involving other staff should be determined early in the process.

The criteria that staff should use to determine the 'level of impact' of a project, issue, service or action is provided on the following page. Examples of activities across Council are also provided to assist staff to more accurately make their decision.

At any time during a project, issue or action, it may be necessary to reassess the Level of Impact and vary the engagement approach accordingly, due to a change in the situation or recognition of implications.





Criteria for Determining Level of Impact

Use the following criteria to determine the likely 'level of impact' of your project, issue, service or action.

Level of Impact	Criteria (one or more of the following)	Examples
Level 1 High Impact– Warringah	<ul style="list-style-type: none"> High level of real or perceived impact or risk across Warringah. Any significant impact on attributes that are considered to be of high value to the whole of Warringah, such as the natural environment or heritage. Any impact on the health, safety or well-being of the Warringah community. Potential high degree of controversy or conflict. Likely high level of interest across Warringah. Potential high impact on State or regional strategies or directions. 	<ul style="list-style-type: none"> Council's Community Strategic Plan Local Environmental Plan (Warringah Wide) Plans of Management (district or regional) A change to land categorisation, ie community to operational land Strategic Plan, eg Culture, Youth, Aged Removal or major change of a facility or service catering across Warringah, eg library services Provision of a district or regional facility, eg skate park, indoor sports centre Key changes to a Warringah wide service, eg Beach Services, Waste Management Changes to or impact on natural bush land or waterway (where the natural values could be affected)
Level 2 High Impact– Local	<ul style="list-style-type: none"> High level of real or perceived impact or risk on a local area, small community or user group/s of a specific facility or service. The loss of or significant change to any facility or service to a local community. Potential high degree of controversy or conflict at the local level. 	<ul style="list-style-type: none"> Local Environmental Plan (localised change) Removal or relocation of a local playground Change to or loss of valued activity or program, eg local youth activity Re-development of a sports ground Proposed removal or development of small pocket park Local street road closure Increase or removal of car parking in local shopping centre
Level 3 Lower Impact – Warringah	<ul style="list-style-type: none"> Lower, although still some real or perceived impact or risk across Warringah. Potential for some controversy or conflict. Potential for some although not significant impact on State or regional strategies or directions. 	<ul style="list-style-type: none"> Improvements to a Warringah wide service, eg Emergency Services, Library Services Minor change to a district or regional facility, eg Warringah Aquatic Centre Changes to Customer Service processes, eg payment of rates Most changes to fees and charges (unless contentious) Provision of a community wide event Review of community needs, eg Annual Survey, recreation needs assessment
Level 4 Lower Impact – Local	<ul style="list-style-type: none"> Lower level of real or perceived impact or risk on a local area, small community or user group/s of a specific facility or service. Only a small change or improvement to a facility or service at the local level. Low or no risk of controversy or conflict at the local level. 	<ul style="list-style-type: none"> Upgrade of a local playground Local street or streetscape upgrade Changes to a local activity program, eg timing or venue/ location

Step 4 – Level of Community Participation



Having decided on the 'level of impact', the next step is to determine the level of community participation that is appropriate for the particular project, issue, service or action. Not all 'high impact' projects or issues will require a high level of community involvement or collaboration, although many will. Due to the diversity of activities in Council, staff need to have flexibility in making this decision.

It then becomes the responsibility of staff to fully understand the impact of their project or issue on the community and to select the appropriate level of community participation to match the situation.

Five (5) levels of community participation have been developed, based on the level of involvement of the community. These levels are based on the IAP2 spectrum and defined below.

Level of Participation	Definition	Examples
Inform	One way communication providing balance and objective information to assist understanding about something that is going to happen or has happened	<ul style="list-style-type: none"> • Advising the community of a situation or proposal. • Informing on a decision or direction. • Providing advice on an issue. • No response is required, although people are free to seek a further level of participation.
Consult	Two way communications designed to obtain public feedback about ideas on rationale, alternatives and proposals to inform decision making	<ul style="list-style-type: none"> • Undertaking market research to identify needs or issues. • Seeking comment on a proposal, action or issue. • Seeking feedback on a service or facility. • Requiring a response, but limited opportunity for dialogue. • Option for people to seek a further level of participation.
Involve	Participatory process designed to help identify issues and views to ensure that concerns and aspirations are understood and considered prior to decision making.	<ul style="list-style-type: none"> • Involving the community in discussion and debate. • Ensuring informed input through briefings and information. • Adopting a more personal and innovative approach through personal contact and meetings/ sessions that encourage participation. • Involving at different times in the planning process, ie keeping informed and enabling further comment.
Collaborate	Working together to develop understanding of all issues and interests to work out alternatives and identify preferred solutions	<ul style="list-style-type: none"> • Establishing a structure for involvement in decision making, eg existing committee framework, working group and advisory group. • Enabling ongoing involvement and keeping informed. • Allocating responsibility in achieving initiatives. • Citizen juries
Empower	Empowering the community to develop solutions and implement them	<ul style="list-style-type: none"> • Joint Ventures

Note: It should be noted that the 'empower' level on the spectrum has limited application in Local Government as the elected Council are the decision making body. However there may be occasions where non-financial empowerment may occur.

The likely link between 'level of impact' and 'level of participation' is provided on the following page to assist staff in their assessment. To ensure the appropriate level of community participation, staff also need to consider specific legislative requirements and other relevant Council Policies.



Guide for Determining Level of Participation

Use the following chart to assist in determining the appropriate level of community participation relative to the likely 'level of impact' of a project, issue, service or action. As highlighted by the chart, more than one level of participation will generally be required. It should be noted that the order of undertaking the different levels of participation will vary with each project

For high impact projects or issues that affect the whole of Warringah eg Strategic Community Plan, Housing Strategy, etc engagement activities should be considered to include areas across the LGA.

Level of Impact	Level of Participation Generally Required	The Exceptions
Level 1 High Impact– Warringah	Inform Consult Involve Collaborate	In an emergency situation, it may not be feasible to involve the community or seek information prior to action A formal collaboration approach may not always be appropriate. This will only be essential where an ongoing involvement and community commitment is sought.
Level 2 High Impact – Local	Inform Consult Involve Collaborate	In an emergency situation, it may not be feasible to involve the community or seek information prior to action A formal collaboration approach may not always be appropriate. This will only be essential where an ongoing involvement and community commitment is sought.
Level 3 Lower Impact – Warringah	Inform Consult Involve	It will not always be necessary to involve the community. For example, a review of needs may only require a survey, particularly if the community has been involved previously.
Level 4 Lower Impact – Local	Inform Consult	There will be times when staff will want to involve program or activity participants in planning or deciding on changes (to achieve a sense of ownership). At times it may be advisable to involve a local community in planning or decision making to avoid the risk of a project or action becoming a greater issue.



Step 5 – Methods and Tools for Engagement



Step 5 ensures that appropriate methods and tools are used to engage the community. Use the Matrix on the following page to decide the specific types of engagement that are appropriate for the chosen 'Impact Level' and for the desired level of community participation.

In particular:

1. Select the desired level/s of participation in the left hand column.
2. Move to the appropriate Impact Level column.
3. Be guided by the symbol in that column.

The symbols are intended to have the following meaning:

- ✓ ✓ ✓ Essential (the task must be undertaken).
- ✓ ✓ Desirable (the activity will be considered and selected as appropriate in the development of a flexible and tailored engagement plan).
- ✓ May be Appropriate (task may be appropriate depending on the situation).

Staff will need to use the chart overleaf to identify the most appropriate methods and tools in developing the engagement plan. It should be noted that the plan will vary depending on the nature, complexity and impact of the issue or project and the selection of appropriate tools will vary accordingly.

The Matrix is divided into Five Section (5) sections linked to level of participation, ie:

- Inform
- Consult
- Involve
- Collaborate
- Empower

Appropriate engagement types/ tasks are listed under each level of participation. Symbols have then been allocated firstly for the overall level of participation, ie inform, consult etc, and then for each of the engagement types/ tasks.

It should be noted that the recommended engagement approach for a 'level of participation' will not necessarily match the specific tasks. For example, if a level of participation such as 'informing' is designated as essential, this does not mean that a specific task will also be essential. Instead it means that 'in general' the level of participation must be undertaken and that one or more of the specific tasks must be selected by staff to achieve this.

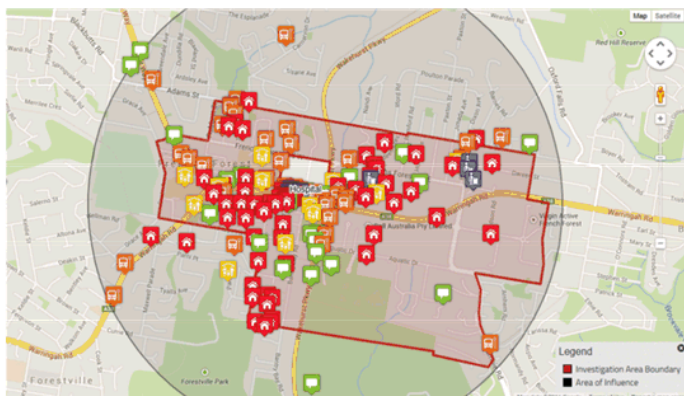


Table - Types of Engagement



Type of Engagement	Level 1 High Impact – Warringah	Level 2 High Impact – Local	Level 3 Lower Impact – Warringah	Level 4 Lower Impact – Local
INFORM				
Personal Telephone Contact	✓	✓ ✓	✓	✓
In Person Meeting	✓	✓ ✓	✓	✓ ✓
Written Correspondence, mail out or letter box drop	✓ ✓ ✓	✓ ✓ ✓	✓	✓
Fact sheet, brochure	✓ ✓	✓	✓	
Notice/ Advert in Local Paper	✓ ✓ ✓	✓ ✓ ✓	✓ ✓	✓
Media Release	✓ ✓	✓ ✓	✓	
On Site Sign / Display	✓ ✓	✓ ✓ ✓	✓	✓ ✓
Displays (Civic Centre, libraries)	✓ ✓ ✓	✓ ✓	✓ ✓	
Social Media	✓ ✓ ✓	✓ ✓ ✓	✓ ✓	✓
Email - Community Register	✓ ✓ ✓	✓ ✓ ✓	✓ ✓	✓ ✓
Email update – feedback, close loop	✓ ✓ ✓	✓ ✓ ✓	✓ ✓ ✓	✓ ✓ ✓
Web Site (info / updates)	✓ ✓ ✓	✓ ✓ ✓	✓ ✓	✓ ✓
Banners / Posters	✓ ✓	✓ ✓	✓ ✓	✓ ✓
CONSULT				
Telephone Survey	✓ ✓	✓	✓	✓
Written Survey	✓ ✓	✓	✓	
Hotline/ Phone-in	✓	✓	✓	
Information sessions / briefings	✓ ✓ ✓	✓	✓	✓
On site information session	✓ ✓	✓ ✓ ✓		✓ ✓
Online and written feedback / submissions	✓ ✓ ✓	✓ ✓ ✓	✓ ✓	✓
INVOLVE				
Online Discussion Forum (Your Say)	✓ ✓	✓ ✓	✓	
Social Media	✓	✓	✓	✓
Focus Group Session	✓ ✓	✓ ✓	✓	✓
Public Meeting, hearing	✓	✓		
Community workshop / forum	✓ ✓	✓ ✓	✓ ✓	✓
Meetings with key stakeholders / users	✓ ✓ ✓	✓ ✓	✓ ✓	✓ ✓
Meeting with target community groups eg parents, youth, aged, businesses, disabled, CALD	✓ ✓	✓ ✓	✓ ✓	✓ ✓
Site Tour	✓	✓ ✓	✓	✓
Community Committees	✓	✓	✓	✓
Deliberative Polling	✓	✓	✓	✓
COLLABORATE				
Strategic Reference Groups	✓ ✓	✓ ✓	✓	✓
Working Party / Panel / Advisory Groups	✓ ✓	✓ ✓	✓	
Community Summit (TOTT)	✓			
Citizen Jury	✓			

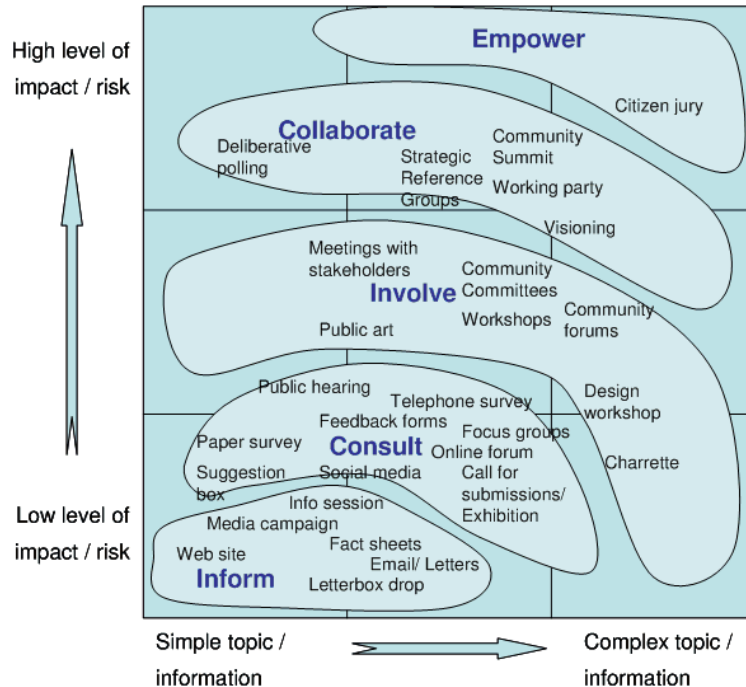
✓ ✓ ✓ = Essential, ✓ ✓ = Desirable, ✓ = May be Appropriate

Where there is no symbol, this means that the type of engagement may not be appropriate for the Impact Level.

This list includes the main tools and techniques that Council uses for community engagement. There are many other tools and techniques that can also be considered.

Examples - Types of Engagement

The diagram below demonstrates graphically where different methods and tools may sit on the spectrum taking into account the level of impact/ risk and the complexity of the topic or issue.



INFORM


The following chart is provided to help staff define their specific approach to engagement, particularly where the Matrix identifies an engagement task as 'desirable' or 'may be appropriate'. The chart provides a brief description of each type of engagement and highlights the benefits and the constraints of the approach.

INFORM			
Type of Engagement	Description	Benefit	Constraint
Personal Telephone Contact	Informal unstructured information exchange	<ul style="list-style-type: none"> Limited capacity to discuss issues Opportunity to exchange basic information 	<ul style="list-style-type: none"> Tend to be customer initiated Less formal record/ tracking of information
In Person Meeting	Informal / semi-formal discussion either one-to-one or in a small group	<ul style="list-style-type: none"> Capacity to discuss issues and exchange different points of view Opportunity to develop rapport with community 	<ul style="list-style-type: none"> Tend to be customer initiated Limits the number of people accessing information
Written Correspondence, Mail outs	Personally addressed letter informing residents of a project, issue, service or action	<ul style="list-style-type: none"> All affected people receive the same information Record of communication 	<ul style="list-style-type: none"> Assumes literacy levels of residents Can be expensive depending on distribution area
Letter Box Drop	Mass produced communication to affected people	<ul style="list-style-type: none"> All affected people receive the same information Affordable broadcast of information 	<ul style="list-style-type: none"> Assumes literacy levels of residents May be perceived as 'junk mail' and ignored
Fact Sheet, brochures	An leaflet designed to provide information on a particular item	<ul style="list-style-type: none"> Enables presentation of the facts (ensuring an informed community) Potential to create greater interest through appealing presentation 	<ul style="list-style-type: none"> A more costly exercise Assumes literacy levels of residents
Notice/ Advert in Local Paper	Paid advertisement in local newspaper	<ul style="list-style-type: none"> A method of advising all residents 	<ul style="list-style-type: none"> Assumes interested/ affected people will read the paper Not all LGA included in distribution see pg 24
Media Release	News story in the local paper	<ul style="list-style-type: none"> Creates interest in an issue through local media 	<ul style="list-style-type: none"> Depends on media reporting Risk of misrepresentation Not all LGA included in distribution see pg 24
On Site Sign /Display	On-site information board / Sign describing proposed development / activity	<ul style="list-style-type: none"> Places information in local area which is accessible to affected residents 	<ul style="list-style-type: none"> Impact of information depends on the quality of the display
Displays (eg Civic centre, libraries)	Visual and/ or auditory information is placed in a areas of high public use	<ul style="list-style-type: none"> Potential to capture and inform a wide cross section of the community 	<ul style="list-style-type: none"> Dependent on quality of display Limited to those who visit venue
Social Media	Use of technology and social networks to raise awareness of projects/ issues	<ul style="list-style-type: none"> can access different interest and community groups Cost effective 	<ul style="list-style-type: none"> May not provide balanced input
Bulk Email – community register	Email informing residents of a project, issue, service or action	<ul style="list-style-type: none"> Cost effective and timely method of contact residents who have requested being involved 	<ul style="list-style-type: none"> Assumes lists are maintained, accurate and inclusive
Email update – feedback, close loop	Email updates in addition to initial acknowledgement. This is at key stages and when report goes to Council	<ul style="list-style-type: none"> Ensures people involved in a project receive the report as it goes to Council Ensures people are kept up to date 	<ul style="list-style-type: none"> Assumes lists are maintained, accurate and inclusive
Website	Information on Council website	<ul style="list-style-type: none"> Cost effective method of displaying lots of information over time 	<ul style="list-style-type: none"> Not everyone has access to internet
Banners, posters, signs	Signs to raise awareness of events/ projects	<ul style="list-style-type: none"> Provides broad awareness of projects / events 	<ul style="list-style-type: none"> Can be costly and time consuming to hang etc

CONSULT


CONSULT			
Type of Engagement	Description	Benefit	Constraint
Telephone Survey	Individual phone contact to complete a structured interview	<ul style="list-style-type: none"> Provides data to assess needs/ trends Personal approach tends to increase the level of response Capacity to reach a wide range of groups in the community 	<ul style="list-style-type: none"> Can be costly and time-consuming depending on the sample size Need to limit question options for ease of analysis Excludes people who do not have a telephone Major surveys can result in high 'knock back' (too busy, invasion of personal space etc)
Written Survey	Written structured survey to gather data/ information	<ul style="list-style-type: none"> Provides basis for assessing needs/ trends or obtaining feedback on a service Enables broad or targeted input 	<ul style="list-style-type: none"> Attracts the interested respondents Can be costly depending on sample size. Tend to be limited to closed questions for ease of analysis Assumes literacy levels of residents
Hotline/ Phone-in	Time-limited opportunity for customers to make contact and provide feedback in a semi-structured/ informal context	<ul style="list-style-type: none"> Capacity to reflect/ expand and clarify points 	<ul style="list-style-type: none"> Relies on skilled interviewers Relies on publicity and public interest
Information sessions / briefings/ on site	Community meetings to provide information on key projects and issues	<ul style="list-style-type: none"> Can address and inform large numbers of community 	<ul style="list-style-type: none"> Needs to be planned in advance Promotion required to gain attendance and interest
Online and written feedback / submission	Seeking input on a proposal/ concept / activity	<ul style="list-style-type: none"> Useful as part of a wider engagement process Broadens potential information source Easy to implement 	<ul style="list-style-type: none"> Limits the opportunity for dialogue/ clarification Attracts organised & motivated groups/ individuals (not the silent majority)

INVOLVE

INVOLVE			
Type of Engagement	Description	Benefit	Constraint
Online Discussion forum	Online moderated discussion forum at Yoursaywarringah	<ul style="list-style-type: none"> Provides community to debate issues amongst themselves, anonymously 	<ul style="list-style-type: none"> Results not representative, can be skewed. Forums need to be promoted to gain input
Social Media	Use of technology and social networks to gain feedback on projects/ issues	<ul style="list-style-type: none"> Can access different interest and community groups Cost effective 	<ul style="list-style-type: none"> May not provide balanced input
Focus Group Session	Semi-structured interview in a small group (with invited representative participants)	<ul style="list-style-type: none"> Participants explore and build on issues Allows in-depth discussion 	<ul style="list-style-type: none"> May not be representative of all groups
Public Meeting, hearing	Gathering of large numbers of people to inform them of an issue or enable questions / input	<ul style="list-style-type: none"> Broadcast of information to large group Open to anyone who has an interest 	<ul style="list-style-type: none"> Requires good facilitation and management to ensure information exchange is handled well Risk of control or disruption by interest groups/ individuals
Key stakeholder meetings	Face to face structure / semi-structured meeting with a specific group – can be group or individual	<ul style="list-style-type: none"> Capacity to draw out and clarify issues of concern Rich source of customer information Opportunity to develop an action that responds to issues 	<ul style="list-style-type: none"> Requires a competent and effective facilitator May not be representative of all groups



Community Workshop / forum	Structured approach to involving meeting participants in working through an issue and/ or developing solutions.	<ul style="list-style-type: none"> Can produce a plan or recommended actions or obtain specific feedback on plan or program Enables the involvement of all participants Can be selected participants or an open meeting, although generally need to limit numbers to be effective, ie 30 people. 	<ul style="list-style-type: none"> Requires participants to be open minded and represent a diversity of interests Requires a skilled facilitator Requires detailed recording of notes Time consuming and costly Requires organisation in advance. Need to ensure speakers give balanced view.
Meeting with target community groups,	Link to an existing meeting or formed group to discuss broader community needs or issues	<ul style="list-style-type: none"> Involves people who would normally not have the interest or time Provides rich source of information on needs and issues within the community 	<ul style="list-style-type: none"> Requires facilitator who is skilled in relating to different groups and creating an interest in the topic
Site Tour	Semi-structured or unstructured tour of site	<ul style="list-style-type: none"> Opportunity for affected parties to view/ visualise issues or proposals Opportunity to clarify concerns and exchange views 	<ul style="list-style-type: none"> Require balanced participation to resolve issues and make recommendations
Community Committees	Established community committees endorsed by Council	<ul style="list-style-type: none"> Structure already in place Effective liaison with the community 	<ul style="list-style-type: none"> May not be representative Meetings only every 2-3 months
Deliberative Polling	Measure informed opinion on an issue or topic	<ul style="list-style-type: none"> Provides robust data if random sample of respondents is used 	<ul style="list-style-type: none"> Need a large number of participants (250-600) and hence costly Need to inform participants to provide meaningful response

COLLABORATE

COLLABORATION			
Type of Engagement	Description	Benefit	Constraint
Strategic Reference Groups	Formal Committees that report to Council on key Strategic areas. Run by Council and chaired by Councillors	<ul style="list-style-type: none"> Involves community members in providing strategic input into key areas of Council 	<ul style="list-style-type: none"> Need to ensure the broad involvement of interested individuals May not be representative Only meets every few months
Working Party/ panel/ Taskforce	Group of people selected to work with Council to complete a task or develop a new service or facility	<ul style="list-style-type: none"> Opportunity to maximise skills and resources within the community Rich source of skills and abilities to complement the roles undertaken by Council 	<ul style="list-style-type: none"> Requires a skilled chairperson to maximise the contribution of all members
Community Summit	Large representative community meeting ~ 500	<ul style="list-style-type: none"> Large representative forum to gain input to help shape strategies and plans 	<ul style="list-style-type: none"> Costly and time consuming
Citizen Juries	Random selection of ~40 residents to listen to views and input , debate issues and make a recommendation. Need clearly framed brief	<ul style="list-style-type: none"> Provides representative input and decision making Can help address complex issues 	<ul style="list-style-type: none"> Needs to be run by a skilled professional. Random recruitment takes time and resources Time consuming and costly

Step 6 Timeframes and Resources



Consider the following questions and stages in determining the time frames and resources required in Step 6:

- Develop a timeline of the key engagement activities during the project.
 - Consider key dates of other activities and events that may affect the ability of everyone to participate eg School Holidays, special occasions, clashes with other major events.
 - Early engagement is recommended for high impact projects
 - At least 2 stages are required for high impact projects: Stage 1 – initial ideas, opportunities, issues, Stage 2 – proposed solutions
 - Are there any legislative timeframes that may affect the time frame proposed?
 - Has sufficient time been allowed to promote engagement and encourage participation?
- Develop an estimated budget required to complete engagement plan.
- Determine what skills are required and what resources are available.
 - Consider skills of staff and if necessary use external consultants to provide or support the process
 - If the project is high impact and likely to be controversial, consider the use of an independent facilitator / consultant to ensure a balanced and neutral approach.



Step 7 – Feedback and reporting



Detail how and when each stakeholder group (participants, community, council and staff) will receive feedback during the project and after completion.

- Ensure that feedback is accessible to all stakeholders.
- Offer to capture the contact details of all stakeholders and community members that would like to be involved or who participate in the process and maintain this information.
- Ensure that these contacts are kept up to date with progress at key stages and send details of the Council report and date to all those who participated. This will provide feedback and encourage attendance at Council meetings if required.

Consider outcomes and reporting

- Define the outcomes that are expected from the approach and how the final outcomes will be documented and circulated.
- What will happen to ensure that the opinions and views of those engaged will be taken into account when the decisions are made?
- Who will make the final recommendations and decisions and how will these be reported to Council?



Step 8 - Evaluation



Evaluation is an important part of continuing to develop and improve community engagement processes.

Feedback and monitoring should be encouraged throughout the entirety of the engagement process. The evaluation should focus on both the outcomes and process of community engagement.

An evaluation summary should be completed for all major, high impact projects including – summary of project, the process and key outcomes. This summary should be provided to participants and on website.

Evaluation forms are recommended for all forms of face to face engagement activity eg community meetings, workshops etc.





Definitions

Definitions for key terms that are used in this Community Engagement Matrix and not previously defined in the document are outlined below:

Key Term – Acronym	Definition
Community/ Stakeholders	Includes all the people who live, work, study, own property, conduct private or government business, visit or use the services, facilities and public spaces and places of the Warringah area. The community can be referred to as stakeholders or comprise of stakeholders.
Engagement	A broader term which includes all levels of including the community in decision making. Consultation is one level of engagement.
Consultation	Is a process of community engagement that seeks to inform the community or draw out the views and preferences of the community. These views are used to inform decision makers and should provide a guide to decision making
Communication	Generally refers to the exchange of information from Council to the community, and can also include the exchange of information or views from the community to Council
Level of Impact	The degree to which a community is affected or serviced by a decision.
Community Participation	The degree to which a community is involved in planning or decision making.
Warringah (Impact Level)	Where a project, issue, service or action: <ul style="list-style-type: none"> • Relates to all people living or working in Warringah, or • Relates to a significant proportion of people, or • Has the potential to impact on other facilities or activities within Warringah
Local (Impact Level)	Where a project, issue, service or action primarily relates to a local community or a group of users of a specific facility or service.
IAP2	International Association of Public Participation www.iap2.org.au
Submission	A submission is a formal response to a document made during the formal public exhibition period.
Comment	A comment or response received during early engagement or consultation that is not part of a formal public exhibition endorsed by Council.

IAP2 Public Participation Spectrum

	Inform	Consult	Involve	Collaborate	Empower
Community engagement objective	To provide the community with balanced and objective information to assist them in understanding the problem, opportunities and solutions	To obtain public feedback on analysis and/ or decisions	To work directly with the community throughout the process to ensure that concerns and aspirations are understood and considered	To partner with the community in each aspect of the decision including the development of alternatives and identification of the preferred solution	To place the final decision making in the hands of the community
Promise to the community	We will keep you informed	We will keep you informed, listen to and acknowledge concerns and aspirations, and provide feedback on	We will work with you to ensure that your concerns are directly reflected in the alternatives developed and provide feedback on how community input influenced the decision	We will look to you for advice and innovation in formulating solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible	We will implement what you decide
Example Techniques	Fact sheets Web sites Info sessions	Public comment Focus groups Surveys Public meetings	Workshops Deliberative polling	Citizen advisory committees Consensus building	Citizen juries Joint Ventures Ballots Delegated decisions

23

Attachment 1 – Media Distribution

To support the Types of Engagement table on page 15, consideration needs to be given to high impact projects that impact across the LGA, or in areas that are not included on the Manly Daily distribution list.

As per the table on page 15 the following are essential communication techniques for high impact projects to inform / notify residents:

- Written correspondence / mail out/ flyers
- Notice/ advert in local paper
- Email to the community engagement register
- Displays (on site for local high impact projects)
- Social Media
- Email update – closing the loop
- Web site information

On the Consult level it is essential to either:

- Send a letter/ flyer or media advert promoting submissions
- Public exhibition

Note: Staff need to be aware that the Manly Daily delivery area does not include all of the LGA.

Manly Daily Distribution within Warringah

Allambie Heights, Balgowlah Heights, Beacon Hill, Belrose, Brookvale, Collaroy, Collaroy Plateau, Cromer, Curl Curl, Davidson, Dee Why, Forestville, Frenchs Forest, Freshwater, Killarney Heights, Manly Vale, Narrabeen, Narrabeena, North Balgowlah, North Curl Curl, North Manly, Queenscliff, Wheeler Heights.

Areas in Warringah not included in distribution:

Oxford Falls, Ingleside, Cottage Point, Duffys Forest, Terrey Hills and Industrial areas in Brookvale

Therefore for significant projects (eg LEP, Housing Strategy) that may affect the areas outside of the Manly Daily distribution, it is recommended that other methods of communication are also considered for example: letter box flyers, notices at local venues, signs/ banners, letters, newsletters etc

It should be noted that a standard letter box drop only includes residential addresses.
Please indicate if businesses are to be included at additional cost.

(Included November 2011 as per Council Resolution 18 October 2011)

Attachment 2 – Development on Council Land – Special Consultation Requirements



Council acknowledges that when undertaking high impact development on Council owned and managed land a community engagement process consistent with the engagement framework will be undertaken in addition to the statutory requirements. This includes early input at the concept design stage.

Examples include Plans of Management, Masterplans and Council resolutions.

A. Plans of Management

Council must take into consideration feedback from the following:

- Local engagement, undertaken to reach a broad audience.
- Stakeholder engagement undertaken with specific consideration given to consulting with target groups eg youth, older people, culturally diverse groups, people with disabilities.
- Broad community input directed at the general community and also at specific target groups affected by the proposal to encourage input and involvement.
- Public exhibition to encourage submissions

B. Design Stage

The project owner must take into consideration feedback from the following:

- Local engagement be undertaken to reach a broad audience.
- Stakeholder engagement be undertaken with specific consideration given to consulting with target groups eg youth, older people, culturally diverse groups, people with disabilities
- Include input from previous engagement activities - the project owner must specifically consider the earlier Plan of Management engagement undertaken.

C. Approvals Stage e.g. Development Application, Part V Assessment

Council must undertake:

- Statutory notification – engagement activities must comply with statutory notification requirements despite the fact that notifiable persons may have been involved in previous consultations.
- The Development Application is to have the results of all previous engagement activities under this policy attached to enable the development assessment officer to form a view of the merits of the proposal.
- Where a DA is not required, Council staff are still required to engage with the community to gain input to the development. The matrix should be used to determine the most appropriate level of engagement.