

# OFFICE OF THE INTERNAL OMBUDSMAN

*Annual Report 2014-15*

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COUNCIL

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## *01. Executive summary*

This Annual Report is delivered in accordance with the requirements of the Internal Ombudsman Guidelines and reports on the various business functions and achievements of the Office of the Internal Ombudsman (OIO) for the period 1 July 2014 to 30 June 2015.

This financial year has seen a renewed focus on training, communications and more streamlined operations.

We are pleased to say there has been a reduction in the amount of complaints from members of the public and no Conduct Review Committee complaints by, or against, the Councillors and Mayor.

The backlog of cases has been reduced, as has the time taken to process complaints.

This improved environment has also allowed the Office to conduct more proactive initiatives.

## *02. The Office of the Internal Ombudsman and its functions*

The Office of the Internal Ombudsman was established by Warringah Council in 2003 and was only the third council in NSW to establish an Internal Ombudsman. Although some councils in NSW established similar functions since then, Warringah remains just one of a handful of Councils that has such a role.

### **Staffing and Budget**

The OIO has four permanent staff positions, being the Internal Ombudsman, two Assistant Internal Ombudsmen, and a Complaint Assessment and Administration Officer (job-share). The actual operating budget for the year was \$531,463.

The OIO has experienced fluctuating staffing levels during the year, as well as the departure of the previous Internal Ombudsman, Andrew Patterson in December 2014. Allan Yates, who was Assistant Internal Ombudsman, has been seconded to the role of Internal Ombudsman.

Staffing has been supplemented by temporary staff resources at various stages throughout the reporting year to manage transition arrangements and fluctuating operational needs.

### **Functions**

The OIO has a range of proactive and reactive functions which work collaboratively to achieve a common purpose – that of enhancing organisational integrity, ethics and accountability across Council.



Each of these functions is elaborated on below.

#### Education and Awareness

The OIO has the lead role in formally educating employees on matters of organisational integrity, ethical leadership, workplace bullying/harassment, fraud and corruption.

The OIO utilises other awareness opportunities to promote the role of the Internal Ombudsman, to encourage reporting and enhance Council's resilience to potential corruption.

#### Advice, Assistance and Guidance

The OIO is available to provide advice across Council, to staff as well as Councillors on matters associated with probity, corruption risk and ethics.

The OIO works with Group Managers and staff to develop a culture that promotes integrity and positive reporting.

#### Complaints Management

The OIO manages receipt of complaints from the Warringah community and from staff relating to any perceived contravention by Council, Council officers, Councillors or Council delegates. This may relate to maladministration, misconduct, or any form of corrupt, unlawful, inappropriate or unethical behaviour.

#### Investigation

The majority of complaints received warrant some form of action in response to them. The OIO maintains a robust investigative capability, which is the reactive element of the role and is largely dependent on the detection, identification or notification of behaviour which may breach the Code of Conduct.

#### Proactive Work

This may be a review of a business area, or Council's compliance with particular statutory requirements.

As one element of Council's wider governance framework, the OIO works with stakeholders in HR, Finance, Business & Enterprise Risk, Business Excellence and Governance, in the development of business systems, processes, policies, and procedures.

The Internal Ombudsman also fulfils a number of roles that involve liaison or reporting requirements with oversight agencies:

**Interagency liaison**

The OIO is Council's primary liaison point for external oversight and investigative agencies, including the Independent Commission Against Corruption (ICAC), the NSW Ombudsman, the Office of Local Government (OLG) and the NSW Police.

**Complaints Coordinator**

This is an official role that arose following the introduction of the Model Code of Conduct in 2013 and carries external reporting requirements.

**Disclosures Coordinator**

This is an official role under the *Public Interest Disclosures Act 1994*, and carries requirements for assessment, response, investigation and external reporting.

### *03. Revised framework*

In September 2014, the findings of a review conducted by Ernst and Young on Council's complaint and grievance handling framework were discussed and endorsed by the Internal Audit Management Committee (IAMC).

This report recommended the creation of a General Manager's Assessment Panel (GMAP), which was subsequently established. The remit of the OIO was subsequently adjusted to conform to this new framework in mind of how complaints are assessed and dealt with.

#### **GENERAL MANAGER'S ASSESSMENT PANEL (GMAP)**

The GMAP comprises the General Manager, Executive Legal Counsel and Internal Ombudsman. Should a complaint raised with the OIO be in relation to workplace bullying or harassment, the GMAP includes the Group Manager, Human Resources.

#### **Assessment of complaints**

When a complaint is received by the OIO, the Internal Ombudsman will carry out a preliminary assessment and make a recommendation to the GMAP which will make a determination as to how each complaint will be treated. The GMAP's determination may be, but is not limited to, the following avenues:

- Investigation by the Internal Ombudsman
- Referral to the relevant Group Manager for managerial review
- Referral to an external assessor or investigator
- Managerial investigation or review, with mentoring or guidance from the OIO

If a complaint is made in relation to a member of Human Resources staff, including the Group Manager Human Resources, such complaints are referred directly to the Executive Legal Counsel for investigation; the OIO does not have jurisdiction over matters involving Human Resources.

If the relevant business area of Council has not had an opportunity to address a complaint, the matter will be referred to that business area to address in the first instance. In all circumstances, the complaint is acknowledged by the OIO and the complainant is subsequently informed of the proposed action. An exception to this will be if the matter involves alleged misconduct or maladministration.

The OIO maintains a professional, capable investigative resource. Should the GMAP determine that the complaint necessitates investigation by the OIO, this will be conducted by the Internal Ombudsman with any necessary resources as appropriate.

#### **Alternative approaches**

Whilst complaints may still be made directly to the OIO, the GMAP may determine that a matter is best addressed by alternative means to formal investigation, such as a managerial review.

Under these circumstances, the OIO refers that complaint to the relevant Group Manager, via the Executive Assistant (EA) to the General Manager. The Group Manager must respond to such complaints and inform the General Manager's EA of the outcome so that the GMAP can be notified accordingly.

Should a complainant be dissatisfied with the outcome of a managerial review, they have the option to inform the OIO subsequently. Through this means, each Group Manager has an opportunity to take ownership of issues within their respective business area, to address any issues that may be apparent, and to work more closely with the Internal Ombudsman if they believe that a matter requires further advice or guidance.

As a further tier of accountability and transparency, the Audit and Risk Committee has asked for these statistics to be provided to them via the Group Manager, Business and Enterprise Risk, commencing August 2015.

**Internal Ombudsman initiatives**

Under the revised framework, the OIO will consult with GMAP before instigating self-generated initiatives. The number carried out this year is presented under Section 7.

**Business Process Map**

Centred on the establishment of the GMAP, a business process map (BPM) was documented to cover: the management and handling of all complaints submitted to the OIO; the information management process regarding assessment of complaints; and, the process for managing documentation and actions arising from such complaints.

This ratified process was presented to the Leadership Group in May 2015 and communicates a practical, workable and accountable framework for the handling and assessment of complaints received by the OIO. The Leadership Group comprises Group Managers from across all divisions of Council, as well as the General Manager and the two Deputy General Managers.

The BPM is available as a hyperlink via the Internal Ombudsman webpage on Council's intranet, and gives all staff and managers a means to understanding the process for managing and assessing complaints received by the OIO.

## 04. Holistic, integrated approach

To accord with the restructured framework implemented during this year, the approach going forward will differ to previous years. The revised approach will be more proactive and focused on working with Council's stakeholders to enhance best practice, ethical leadership, and organisational integrity, whilst ensuring that complaints will be investigated with the utmost vigour should the need arise.

The notion of organisational integrity is one that ensures that compliance-based initiatives, such as the Code of Conduct and associated policies, are integrated with Council's operational systems, anti-corruption initiatives, and development of an ethical culture through education, awareness and visibility. Additionally, the work of the OIO is now directly aligned with Council's strategic risk register.

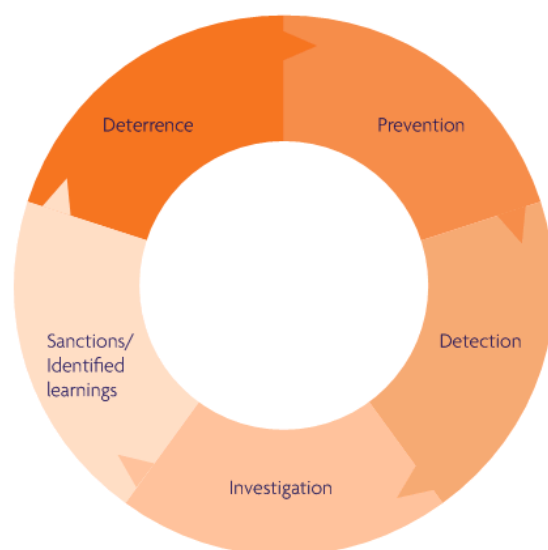
The approach is holistic, in that it seeks to cover the entire and vast array of Warringah Council's diverse functions. This approach is timely, based on Council's ethical maturity, a testament to the successful implementation of measures by the former Internal Ombudsman.

Ethical leadership is embedded throughout and across the breadth of Council's functions – from the head offices at Civic Centre and Cromer Depot, to Warringah's beaches, the Warringah Aquatic Centre, Children's Centres and all vocations in-between. The Code of Conduct remains the foundation on which Council communicates its expected standards and behaviours. Notwithstanding, ongoing and consistent adherence to such standards is imperative and, as such, the OIO seeks to:

1. deter wrongdoing through education and awareness;
2. prevent it where possible via input in the development and design of operational systems;
3. detect wrongdoing and continue development of a culture that is willing to report on such behaviours;
4. investigate suspected wrongdoing in a professional, objective and impartial manner; and,
5. recommend appropriate sanctions where wrongdoing is sustained, with a recognition that Council must continually evaluate and learn from such incidences to continue promotion of its ethical culture.

The following diagram is a simplified illustration that encapsulates these concepts, and seeks to ensure that Council's values are demonstrated, embedded and adhered to.

Figure 1 - Promotion of ethics through continuous learning



## 05. Education and awareness

Effective education is fundamental in creating, developing, and maintaining a robust ethical culture.

### Formal Training

The OIO is responsible for educating Council employees on the expectations and standards contained within the Code of Conduct, and this is a mandatory training requirement for all staff. Staff are also expected to complete online Code of Conduct refresher training every two years. 'A Bully-Free Warringah' is a training program that was co-delivered with Human Resources and has been pivotal in enhancing Council's drive to eradicate workplace bullying. These two training programs ceased in December 2014.

Subsequently, the OIO revised its education program in January 2015. A half-day workshop, entitled 'Organisational Integrity, Ethics and Accountability: The Warringah Approach' commenced in February 2015. This training program comprises the following four modules:

1. Organisational Integrity and Ethical Leadership
2. Code of Conduct
3. Workplace Bullying
4. Fraud and Corruption



A brief description of the two additional modules covered in this course is detailed below:

- Organisational Integrity and Ethical Leadership – this module within the course communicates the approach undertaken by the OIO, advocating that:
  - Organisational Integrity is fundamental in enhancing Council's operational success; that Council's Code of Conduct and associated policies are aligned with its assessment of corruption risks, its formal training program and all manner of initiatives that promote ethical conduct as part of Council's day-to-day operations.
  - Ethical leadership is demonstrated by all employees within Council encouraging employees to: lead by example; to recognise opportunities to enhance best practice; create efficiencies and strengthen Council's resistance to corruption.
- Fraud and Corruption – this module ensures that the concepts of fraud and corruption are clearly understood by employees within Council. It assists them in being able to recognise such events if they witness them and be aware of their obligation to report such acts if they are suspected. Three key features of this module are that attendees:
  1. are clear about what constitutes fraud and corruption;
  2. are aware of the wide array of acts that may be considered 'corrupt'; and,
  3. recognise Council's stance on exposing corruption in mind of the General Manager's statutory obligation to report suspicions of corruption to the Independent Commission Against Corruption<sup>1</sup> (ICAC).

<sup>1</sup> As required under section 11 of the ICAC ACT 1988

The provisions of the *Public Interest Disclosures Act 1994* (PID Act) are communicated to employees in this training program, but it is envisaged that an e-learning program in relation to the PID Act specifically will be available in 2015/16.

This training program also covers, to a limited extent, issues in relation to Child Protection and Information Protection.

Table 1 - Breakdown of training provided by the OIO 2014/15<sup>2</sup>.

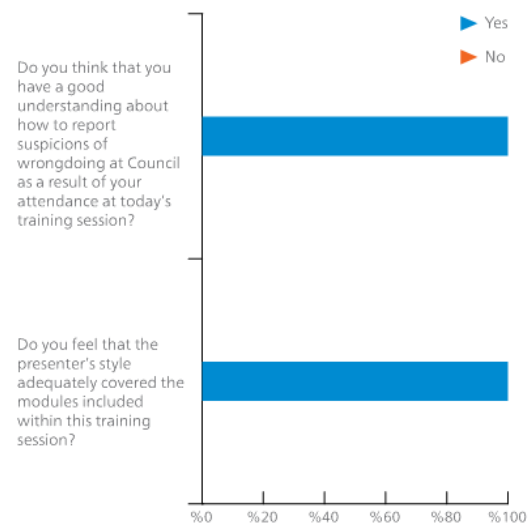
Course	Number of sessions	Staff trained
Code of Conduct (until end of 2014)	4	38
Code of Conduct refresher training – e-learning	Online	391
'A Bully-Free Warringah' (until end of 2014)	2	25
Organisational Integrity, Ethics & Accountability: The Warringah Approach (since February 2015)	4	51
<b>TOTAL</b>	<b>10</b>	<b>505</b>

#### Evaluation from the revised training program

The OIO continually strives to ensure that training sessions are well received, clearly understood and that the correct messages are conveyed. Since rollout of the revised training program in February 2015, attendees have been asked for feedback on the session. It was pleasing to see that the average rating, which took into account all evaluation forms submitted this year, was 9 out of 10.

Figure 2 highlights two focal questions that are included in the evaluation form and is based on all evaluation forms completed by delegates this year.

Figure 2 - Analysis of employees' evaluation of the revised training program: 'Organisational Integrity, Ethics and Accountability: The Warringah Approach'



The above results are encouraging and demonstrate that all attendees gained a good understanding about how to report suspicions of wrongdoing at Council as a direct result of their attendance on this training program.

Some recent comments have been listed below:

*"What did you find most useful or enjoyable about the presentation?"*

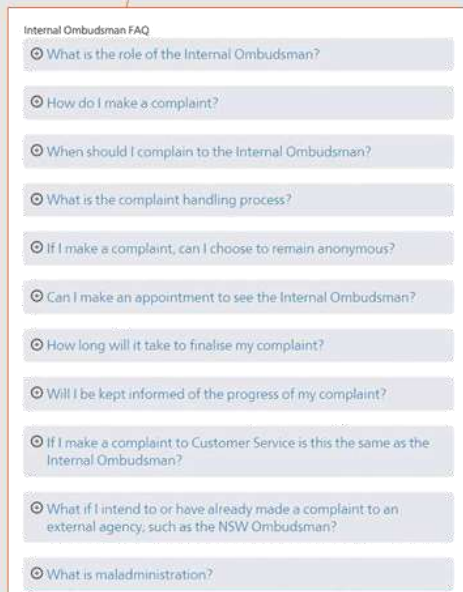
*Enjoyed presentation - factual and interesting with examples*

*The discussion around examples and where we think corruption within Council could occur.*

*"Do you have any other comments, remarks or suggestions?"*

*Was a great session, please keep on continuing with the great seminar*

<sup>2</sup> These Statistics are provided by HR



As well as delivery of formal training sessions, promotion of an ethical culture can be communicated to staff in a number of ways. The initiatives instigated by the OIO seek to complement other initiatives, such as formal training, as discussed below.

#### **Improved website including Frequently Asked Questions (FAQ)**

The Internal Ombudsman's webpage has been revised and updated in this reporting year. This reflects revised arrangements under which complaints may be assessed and dealt with and provides a coherent and easy to understand précis of the OIO in accordance with the new framework. The webpage continues to include relevant links, documents, and contact information for the OIO, but now features a hyperlink to an online complaint form. This complaint form reflects a revised manner in which complaints are received and is discussed in detail within Section 9.

The webpage has links to relevant policies, guidelines and reports, and Frequently Asked Questions (FAQ), which further seeks to inform potential complainants about the role of the OIO.

FAQ are useful for any potential complainant. There would arguably be a number of common questions any potential complainant may wish to ask and this avenue seeks to cover the majority of obvious ones. They should help explain any definitions that may be applied in the context of complaint handling, what the process entails and at what stage any complaint should be made.

In total, 21 FAQ are listed on the webpage, each under its respective heading which can be expanded by the user if it's a question that may assist them in the inquiry.

Screenshots are provided to illustrate how the webpage looks since being updated.

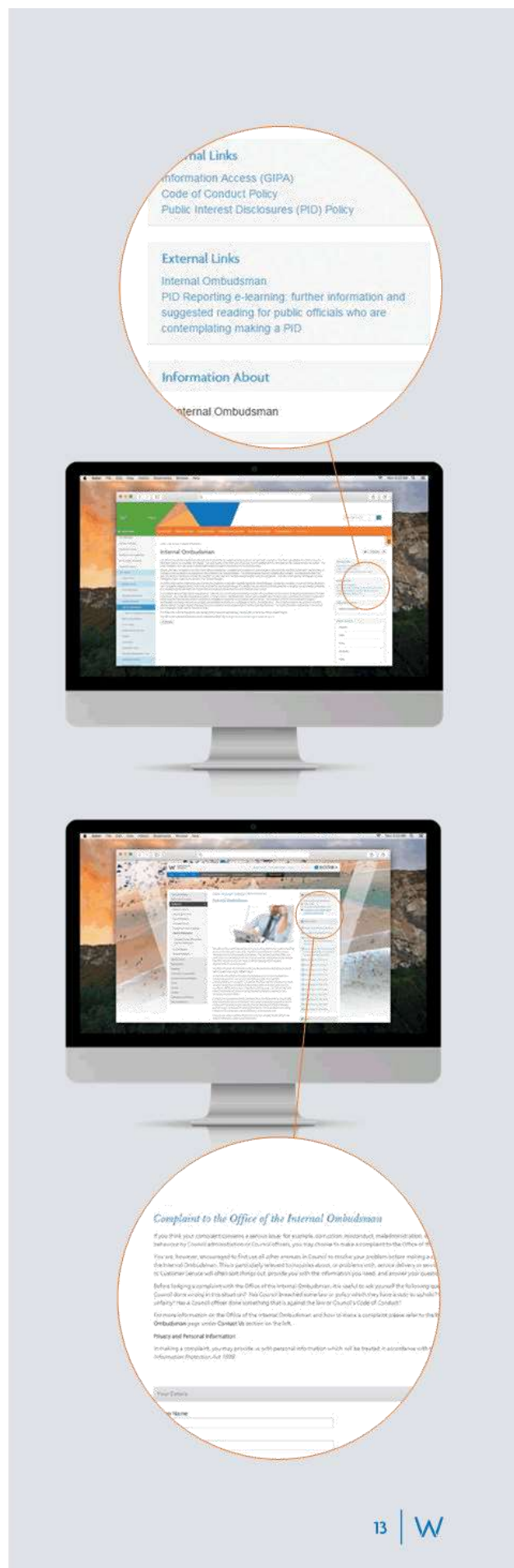
### Warringah Council's intranet (Waves)

'Waves' is Warringah Council's intranet. The Internal Ombudsman webpage on Waves has been modified to reflect changes made to the internet page as discussed previously.

As a means to encourage a positive reporting environment, an e-learning video is linked to Waves which is entitled 'PID Reporting e-learning: further information and suggested reading for public officials who are contemplating making a PID'.

This video is a NSW Ombudsman resource and complements Council's PID Policy, which is also available via a hyperlink on the Internal Ombudsman intranet page. Each communicate to public officials the statutory protections afforded them against any reprisal action for voicing well-founded concerns about certain types of wrongdoing.

The OIO has also published two bulletin updates on Waves in the past six months each as a reminder to staff about their compliance-based obligations as Council officers.







## *06. Advice, assistance and guidance*

The OIO remains available to all staff and managers for advice, assistance and/or guidance. This is a welcome initiative and is actively encouraged. At the beginning of this year, the Leadership Group was invited to make better use of the OIO for this purpose and to encourage their managers and staff to do the same. Since then, a number of staff and managers have contacted the Internal Ombudsman for advice and guidance, and some of these have been pivotal in terms of addressing an issue at an early stage and thereby preventing it from escalating into something more troublesome.

### **Attendance at team meetings**

In December 2014, the Internal Ombudsman introduced himself to the Leadership Group in his new role and offered to meet with Group Managers and their respective teams to better acquaint him with their staff and business functions. Following this presentation, a number of Group Managers and managers have since invited the Internal Ombudsman to their department or team meetings in an informal environment where they were free to ask questions. This was fundamental in terms of breaking down any stigma that may otherwise be attached to the role of the OIO and to enhance the visibility of the Internal Ombudsman.

As one noteworthy example, a manager within Council invited the Internal Ombudsman to attend his team's monthly meeting. The manager themed the meeting 'Integrity' and asked the Internal Ombudsman to deliver a brief presentation to his team on the role of the OIO which prompted a discussion on what 'Integrity' means to them.

## 07. Complaints management

Complaints management is one of the OIO's primary functions. Complaints may range in nature, type and level of complexity. Under the revised operational framework, complaints are assessed by the GMAP which determines what the mode of response will be.

This section summarises and distinguishes the different matters dealt with by the OIO in this reporting year.

### Summary of matters

This year continues use of the term 'matters' to cover all file types dealt with by the OIO. The term 'complaint' applies to matters that stem from an actual complaint or issue raised, from either an external or internal source.

This year, the matter 'types' have been amended to reflect changes in the operational management of complaints under the revised framework.

As such, an additional 'matter type' has been included which is 'Advice/Assistance only'. Recording of such matters documents the OIO's proactive work which seeks to deter or prevent issues before they manifest. Historically, such figures may have been aggregated under 'Information Only', however, it was deemed appropriate to distinguish the two to ensure greater clarity and transparency.

Furthermore, the OIO has been utilised for the purpose of 'Contracted out Services', formally referred to as 'External Investigation'. This represents engagement of the OIO's professional services by other organisations.

A breakdown of all matters received this year is detailed within Table 2 and compared with last year's total:

Table 2 - Breakdown of all incoming matters

Matter Type	2014/15	2013/14
Complaint	67	170
Internal Ombudsman Initiative	4	35
General Manager's Referral	1	1
GIPA Application	0	2
Information Only	2	7
Conduct Review Committee	0	1
Contracted out services	2	1
Advice/Assistance only	6	N/A
<b>TOTAL</b>	<b>82</b>	<b>217</b>

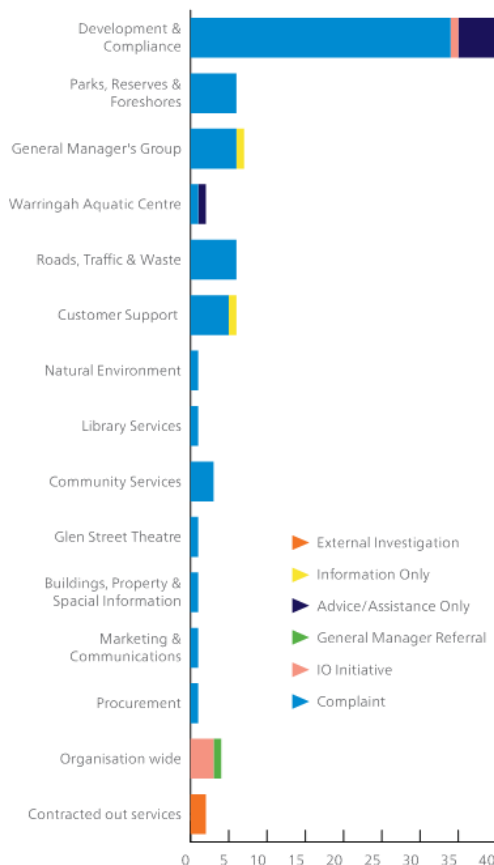
The total number of complaints received during the year has dropped by 61% and the total number of matters has dropped by 67%.

The four Internal Ombudsman initiatives were carried out under the former operational framework. Two matters have been recorded for 'Contracted out Services' and six matters have been recorded as 'Advice/Assistance only'.

Whilst inferences may be drawn from the declining trend in total number of complaints received, it would be difficult, if not impossible, to say with any certainty why this may be based on this data alone.

Figure 3 illustrates the total number of matters received during the reporting year, and the business area affected. The aggregate number of complaints within each column is segregated by 'matter type'.

Figure 3 - Total matters received, by business area affected



As quite clearly illustrated, one business area in particular received more complaints in relation to its business function than any other, this being Development and Compliance. This may be attributed to the personal interest the community has with various decision-making processes within this business function. That said, whilst the figure for this business function is higher than others, it has dropped proportionately to last year.

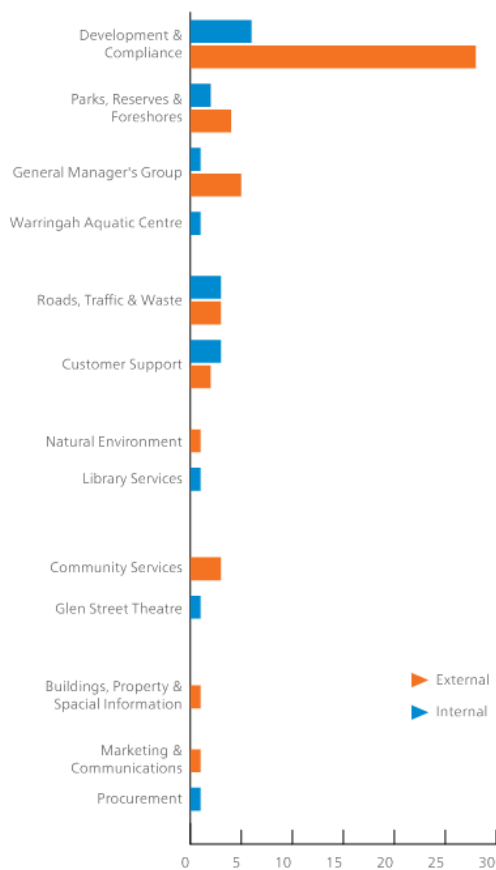
A summary of the source of complaints received is detailed in Table 3 and is compared to the last two years.

Table 3 - Source of complaints

	Internal	External	TOTAL
2014-15	19	48	67
2013-14	69	101	170
2012-13	39	67	106

Complaints received from both an external and internal source have decreased dramatically to last year and to the year before. Figure 4 illustrates this in further detail by providing a breakdown of internal and external complaints received by business area affected.

Figure 4 - Breakdown of internal and external complaints, by business area affected

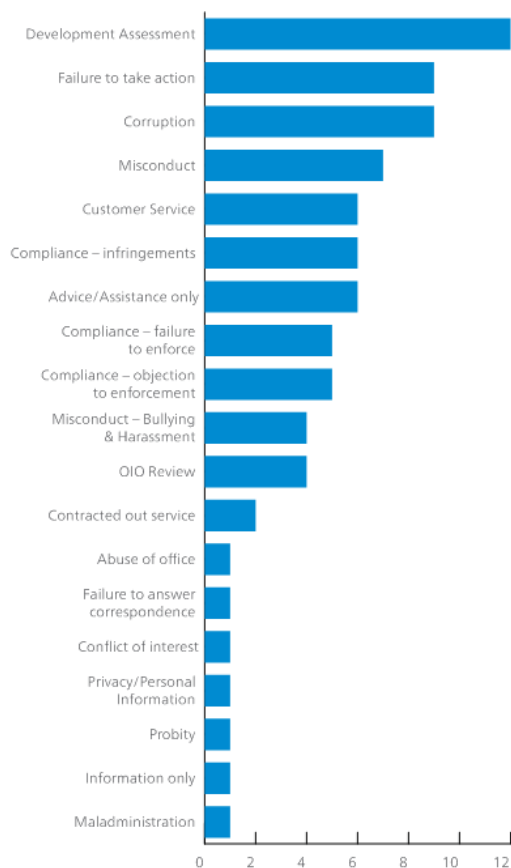


As observed by Figure 4, complaints in relation to the majority of business areas have emanated from an external source, with the Development and Compliance Department being the one most affected.

Whilst the charts are useful, it is poignant to recognise that complaints do vary in type and nature, which is not surprising given the diverse array of Council's operations.

Figure 5 depicts the various categories under which complaints have been registered in this reporting year and is presented in descending order.

Figure 5 - Breakdown of total matters - by category registered



The wide variety of categories is indicative of the many guises that a complaint may take. This chart is interesting as it demonstrates that, at the top end of the spectrum, three out of the top four categories are in relation to staff behaviour and conduct. Whilst this does not necessarily suggest any veracity in these matters when they are registered with the OIO, what it does indicate is a willingness to report such acts; a salient observation regarding confidence in Council's reporting framework.

Figure 6 - Summary of outcomes <sup>3</sup>

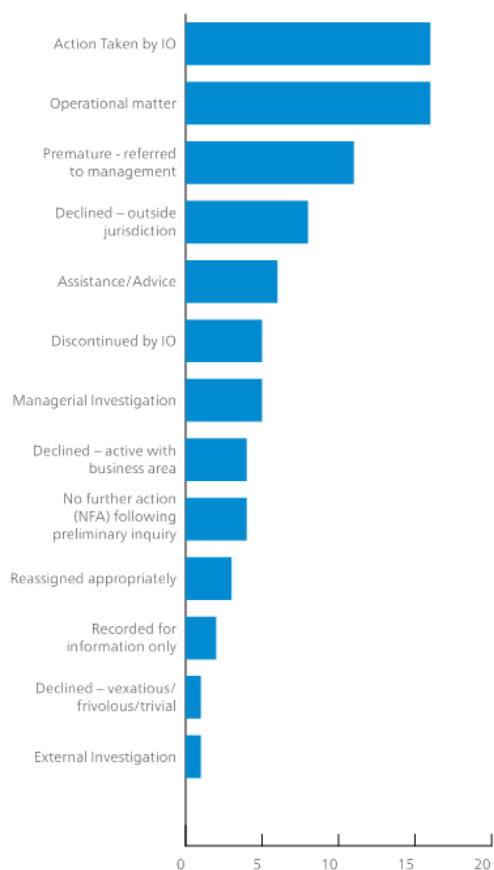


Figure 6 summarises outcomes in relation to the totality of matters.

Figure 6 shows that complaints do not always necessitate investigation; they may be premature – in that the business area has not had an opportunity to address the issue first – or indeed that the business area is still actively looking at a matter which has yet to be determined.

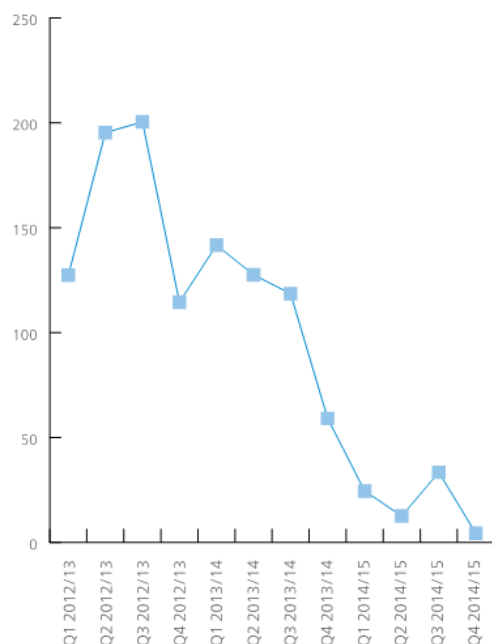
It is not the role of the OIO to intervene or interfere with Council's functions, nor to overturn operational decisions. It is fundamental that there is no perception that the OIO should be used for this purpose and this is highlighted on the Internal Ombudsman webpage.

Similarly, there have been instances whereby complaints have been received in relation to a staff member that are wholly unsubstantiated, as determined through preliminary inquiries by the Internal Ombudsman. This detracts from the pivotal role that the OIO plays as part of Council's wider governance framework.

<sup>3</sup> The term 'Operational Matter' refers to matters that necessitate a response by the Group Manager for the relevant business area in the first instance. As such, these matters are referred to the EA to the General Manager and allocated to the Group Manager accordingly.

A concerted effort has been made in this year to address all outstanding matters, and, in conjunction with the revised assessment process, the average turnaround time has vastly improved. This is shown within Figure 7.

Figure 7 - Average turnaround time - closed complaints



Every effort continues to be made to sustain this trend; however, there may be factors that prohibit the prompt closure of some complaints, such that may be out of the control of the OIO. Additional caution should be heeded too, as the nature and complexity of matters undertaken by the OIO may differ extensively, hence it would simply not be feasible to address a complex investigation in a matter of days. Notwithstanding, timely attention to each complaint seeks to ensure that complainants' concerns are addressed as expeditiously as workload and priorities allow.

## Other matters

Matters in relation to *Government Information Public Access Act* (GIPA) applications and *Public Interest Disclosures Act 1994* (PIDs) are discussed separately below owing to their legislative implications.

## GIPA Applications

The OIO has responsibility for processing any *Government Information Public Access Act 2009* (GIPA) applications which affect any files held by the OIO.

Table 4 signifies that there have been no GIPA requests for the OIO this year.

Table 4 – GIPA Applications received (2014/15)

	Granted	Refused	TOTAL
Informal applications	0	0	0
Formal applications	0	0	0
TOTAL	0	0	0

## Public Interest Disclosures (PIDs)

The Internal Ombudsman is the Disclosures Coordinator for Council pursuant to the provisions of the *Public Interest Disclosures Act 1994* (PID Act), and all Public Interest Disclosures (PIDs) made across Council are handled by the OIO.

The Act requires Council to report on all PIDs received during the year, and to provide a six-monthly return to the NSW Ombudsman.

A summary of matters received and assessed as PIDs in the reporting year is presented within Table 5.

Table 5 - Summary of matters received and assessed  
as Public Interest Disclosures (2014/15)

Category of Matter	PIDs Received:
Corrupt Conduct	7
Maladministration	0
Serious and Substantial Waste	0
GIPA Breach	0
Pecuniary Interest Breach	0
TOTAL PIDs	7
Number of public officials who made PIDs	7
Number of PIDs finalised in the year	7

Out of all complaints received by the OIO in this reporting year, seven were assessed as PIDs, each one falling under the category of 'corrupt conduct'. All seven have been finalised in the year.

Council is committed to encouraging a positive reporting environment, whereby staff are free to voice concerns without fear of reprisal action. For a complaint to be assessed as a PID, a public official must have an honest belief, on reasonable grounds that information shows or tends to show that there has been a contravention of the kind listed above. Essentially, it is the belief of the reporter that is paramount.

For the purpose of matters that may constitute corrupt conduct, the definition is based on Sections 8 and 9 of the *ICAC Act 1988*, and as such, the General Manager has a 'duty to report ... any matter that the person suspects on reasonable grounds concerns or may concern corrupt conduct'<sup>4</sup>.

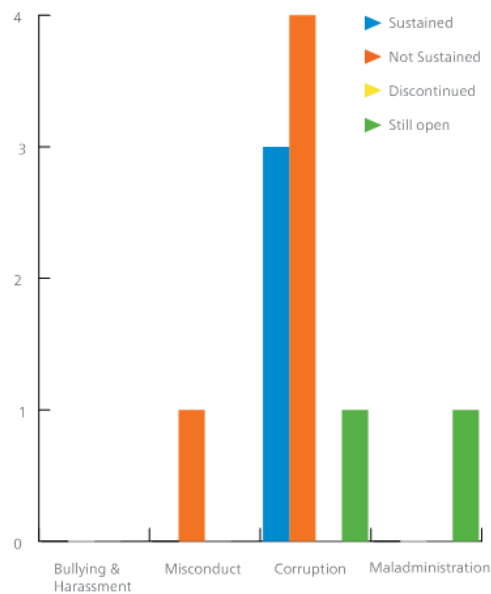
In practice, a complaint regarding suspected corruption may be assessed as a PID but, if it is subsequently unfounded through preliminary enquiries by the OIO, it will not necessitate reporting to the ICAC in every circumstance.

<sup>4</sup> As required under Section 11(2) of the *ICAC Act 1988*

## 08. Investigations

Figure 8 details complaints that resulted in an investigation by the OIO.

Figure 8 - Complaints resulting in OIO investigation<sup>5</sup>



As identified earlier, Figure 5 showed that four complaints regarding bullying and/or harassment had been registered in the year, none of which resulted in an investigation by the OIO. The outcome of each was either 'declined', 'complaint withdrawn', 'referral to the Legal Department for attention' or, 'information only'.

No investigations have been discontinued this year and the finding of investigations into misconduct or corruption have weighted heavier towards 'not sustained'.

Three investigations into complaints associated with corruption have been sustained. Learning points from each of these investigations, as with other complaints and matters undertaken by the OIO, has informed proactive work and education initiatives as covered elsewhere within this report. However, this is a pleasing trend and further reiterates the effectiveness of proactive work and education that deters, prevents or detects wrongdoing.

<sup>5</sup> Note: "Sustained" includes matters partially sustained

## 09. Proactive work

This section discusses other work conducted by the OIO and how proactive efforts have aided in developing Council's ethical culture.

### STREAMLINED COMPLAINT HANDLING FRAMEWORK

As the majority of complaints have been received externally, the OIO has sought to provide potential complainants with a more streamlined framework for reporting. Whilst the OIO has maintained its 'complaint hotline' (9942 2105), complaints are requested in writing, either by letter, by email, or via an online complaint form available from the Internal Ombudsman webpage on Council's web site. This was implemented in April 2015, and since then, nearly two thirds of all complaints made by members of the public have been through the online complaint form.

In the compilation of any written complaint, the complainant is requested to address three aspects:

1. The nature of the complaint (including what contravention the complainant believes to have occurred);
2. Background and any further details relevant to the complaint (including any named Council officers); and,
3. The complainant's preferred resolution.

Should the complainant wish to complete the online complaint form, which is then directly submitted to the OIO, they are invited to upload any documents they deem to be relevant.

This mechanism is beneficial in that it enables the OIO to conduct a thorough and detailed assessment of each complaint according to prescribed assessment criteria. Further, this allows the Internal Ombudsman an opportunity to conduct a preliminary assessment, to request further information from the complainant if need be, and to conduct preliminary inquiries so that an informed decision on how to proceed can be determined subsequently by the GMAP.

This system provides an unrestricted opportunity for all residents of Warringah to voice reasonably held concerns they may have.

### Complaints alleging misconduct

Complaints in relation to alleged misconduct, including fraud, corruption, workplace bullying or harassment, are invited by any means. The Internal Ombudsman actively encourages reporting of any issues that fall within such categories to be made at the earliest opportunity.

### Unreasonable complainant conduct

In this past year, the OIO has been resolute in addressing complaints that border on unreasonable complainant conduct, with input and steer from guidelines issued by the NSW Ombudsman<sup>6</sup>. Under such circumstances, complainants may, *inter alia*, reframe their complaint to have it taken up again; expect a review of the decision simply because they are dissatisfied with it; or, demand a second review when they have already had the benefit of one.

This is resource intensive and inhibits the ability of the OIO to assess other matters which warrant equal consideration. A key change in the stance taken by the OIO is that, 'unless there are exceptional circumstances, the OIO will not review its previous findings on the basis that a complainant's desired outcome has not been reached or that the outcome is not in their favour'<sup>7</sup>.

Should a complainant request a review of the same or similar matters, based on information already assessed or attained, they will not be subject to review but the complainant has the option of lodging their complaint with the NSW Ombudsman.

In a similar vein, if a complainant has already lodged a complaint with the NSW Ombudsman or another oversight agency, they are requested to notify the OIO so that efforts conducted by one entity do not hinder effective investigation by the other.

<sup>6</sup> NSW Ombudsman (2012), Managing Unreasonable Complainant Conduct Practice Manual, Sydney

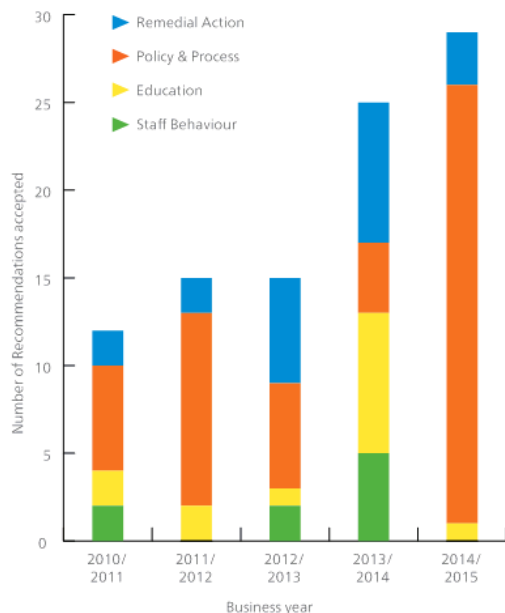
<sup>7</sup> This is covered under the FAQ on the Internal Ombudsman webpage.

## RECOMMENDATIONS

A key initiative of the OIO is to recommend improvements to enhance best practice across Council and develop its ethical culture and resistance to corruption. Such recommendations may be in relation to systems, processes, and training needs but may also be in relation to compliance issues, identified risks or policy gaps. Whilst the OIO may make a recommendation, it is the prerogative of the Executive to accept or decline that recommendation. As such, recommendations are not binding on Council but are seen to be an additional aspect of Council's wider governance framework.

The nature of any recommendation is to add value to Council's operational success, and in this year, the OIO has conducted a review of all recommendations that have been accepted by Council in the past five years. This is shown in Figure 9.

Figure 9 – Summary of recommendations that have been accepted (5 year analysis)



Each of the four category types is elaborated on within Table 6 with the types of recommendation that may fall into each category.

Table 6 - Recommendation types

Type	Recommendations
Remedial Action	Apology to customer
	Apology to staff
	Correction of operational error
	Review of staffing matter
	Compliance failing identified
Policy & Process	Compliance with legislation
	Improvement of workplace surveillance
	Improvement to operational templates
	Managerial advice
	New Operational Management Standard (OMS)
	OMS Review
	Process review
	Review of operational matter
	System improvement
	System review
Education	Written guidance to staff
	Reminders to staff
	Training
Staff Behaviour	Audit of staff performance
	Managerial counselling
	Performance management

Figure 9 shows there has been an increasing trend in recommendations made by the OIO, each year for the past five years.

It is pleasing to see that there have not been any recommendations made in 2014/15 regarding 'Staff Behaviour', but more in this year that relate to 'Policy and Process'. A cautionary note at this juncture is

worthy of mention, as many recommendations that fall into this category were as a result of a review carried out by the OIO on Council's compliance with the *Workplace Surveillance Act 2005*. This review is discussed separately later on in this section.

Notwithstanding, this chart demonstrates how, through the OIO's reactive capability, value can be added to enhance Council's operational processes, manage and mitigate risks where identified, and increase educational efforts. These are just some examples that may be factored into the concept of organisational integrity as discussed at the outset of this report and portrayed within Figure 1.

#### **Value of recommendations**

The necessity of a recommendation is ultimately to enhance best practice across Council. By way of example, they may increase efficiency, enhance Council's resistance to corruption and build integrity. An implemented recommendation, in theory, should result in a decrease of complaints about a particular issue. This may be one reason why this year has seen a decline in formal complaints made to the OIO, both internally and externally, and across all divisions of Council.

#### **INTERACTION AND VISIBILITY ACROSS THE BUSINESS**

In the second half of this year, the work of the OIO has been aligned with Council's risk management profile and has a direct correlation to at least two of Council's 15 strategic risks.

Visibility of the Internal Ombudsman and promotion of the OIO's functions is fundamental. The work of the OIO is brought to the attention of the Internal Audit Management Committee Meeting and the Internal Ombudsman attends each Audit and Risk Committee Meeting which is held on a quarterly basis.

The Internal Ombudsman frequently attends the Leadership Group meeting which is held on the first and third Friday of every month. This forum

enables the Internal Ombudsman to brief all members of the Leadership Group on the work of the OIO as a further means of disseminating key messages to each of their respective business areas.

In a more informal manner, the Internal Ombudsman has attended departmental and team meetings, and has met with a number of Group Managers to address salient issues that may be specific to their business area. Further, the Internal Ombudsman has liaised extensively with business partners in Governance, HR, Business and Enterprise Risk and Business Excellence, in the development of Council-wide initiatives.

#### **ENHANCING COUNCIL'S COMPLIANCE-BASED INITIATIVES**

The OIO has had a lead role in or has worked collaboratively with the wider business functions across Council in relation to the following:

##### **Review of Council's compliance with the *Workplace Surveillance Act 2005***

The OIO conducted a review of Council's compliance with the *Workplace Surveillance Act 2005*. This review identified some risks and key improvement areas, hence a number of recommendations were made, the majority of which were accepted.

These recommendations resulted in an organisational program to ensure that Council complies with its statutory obligations. Accordingly, a number of obligations and accountabilities have been placed on relevant business areas across Council. The OIO will have an active role in monitoring Council's compliance with the Act going forwards.

##### **Code of Conduct – revisions**

Whilst the Code of Conduct was not scheduled to be revised until February 2017, it has been reviewed and updated for a number of reasons which are outlined below.

- **Fraud and Corruption.**  
Council has not had a policy that outlines its responsibilities for managing fraud and corruption. In the interest of seeking to confine the number of policies held by Council and avoid duplication, the revised Code of Conduct includes a section on fraud and corruption. This outlines their respective definitions, as interpreted and applied by Council, and communicates the General Manager's statutory obligation to report suspected corruption to the ICAC. This aspect of the Code of Conduct complements Council's Public Interest Disclosures Policy as a means to encourage reporting.

In conjunction with the Governance Team, it was decided appropriate to:

- Redact two of Council's policies, namely, the Gifts and Benefits Policy and the Conflicts of Interest Policy, as content contained with each is covered more succinctly within the Code of Conduct.

Additionally, in conjunction with other business areas within Council, the Code of Conduct includes aspects that bear relevance to the role of the OIO, notwithstanding that they are not its primary function. These include:

- Child Protection considerations, including reporting and obligations on employees (a new section included by Business and Enterprise Risk)
- Information Protection and Privacy Management (revisions by the Information Record Manager)

#### **Complaints Management and Reporting Policy**

A revised Complaints Management and Reporting Policy has been developed to reflect changes in the way that complaints are received, assessed and managed by the OIO.

#### **Fraud and Corruption Risk Assessment**

Council has engaged the services of an external service provider to conduct a Council-wide fraud

and corruption risk assessment. This remains ongoing, but once finalised, will formulate the basis for a Fraud Control Plan which will incorporate the findings from this assessment.

The Group Manager Business and Enterprise Risk is the business owner for this initiative but has liaised with the Internal Ombudsman in its development which has included discussions with the service provider. Once finalised, this initiative will complement the revised training program delivered by the OIO, changes made to the Code of Conduct, and provide a mechanism for Council to document proposed actions that may be taken to improve the management of fraud and corruption risk.

#### **Child Protection**

During this reporting year, the Internal Ombudsman has had the opportunity to work with other business areas across Council regarding initiatives that seek to ensure Council meets its child protection requirements. The business owners for this initiative are Business Excellence, Human Resources and Business Enterprise and Risk.

To date, a revised section has been included in the Code of Conduct which includes a duty to report suspected child abuse to the OIO. This is also reflected in the revised training program delivered by the OIO.

The Business Excellence Team will be looking to implement a number of initiatives in the coming year. The Internal Ombudsman welcomes this initiative and is pleased to be a part of it.

#### **Quarterly review of the Gifts and Benefits Register**

The Internal Ombudsman conducts a quarterly review of the Gifts and Benefits Register which is held and administered by Governance. This exercise seeks to ensure that Council officers comply with the requirements of the Code of Conduct but also that gifts and benefits are being declared and registered even if they are declined.

## 10. Conduct Review Committee

In accordance with Council's Code of Conduct, a Conduct Review Committee (CRC) deals with complaints that allege a breach of the Code of Conduct by Councillors or the General Manager.

The Internal Ombudsman maintains the role of Complaints Coordinator, as required by the Office of Local Government (OLG) to report on, administer and coordinate the process.

In this year, it is pleasing to note that there have been no new complaints as summarised in Table 7.

Table 7 - Summary of CRC matters (2014/15)

All matters against Councillors and GM				
Source:	Councillor	Public	Staff	TOTAL
Current Council				
(July 2014 to June 2015)	0	0	0	0
TOTAL	0	0	0	0

### The CRC process:

Complaints received as CRC matters may be declined or dismissed, or subject to alternative resolution. On the other hand, they may be allocated to either a Sole Conduct Reviewer or a Conduct Review Committee.

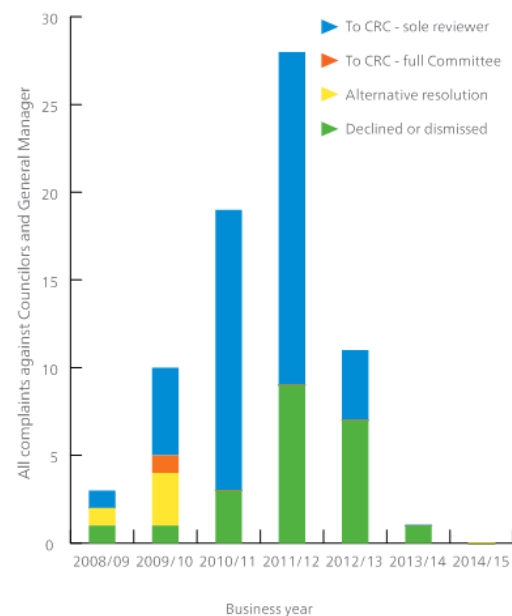
When a complaint is allocated to the CRC, the Committee or Sole Reviewer first makes an assessment of the matter to determine whether enquiry into the matter is warranted. If the determination is that no enquiry is warranted, then the matter is discontinued and returned to Council.

Where it is deemed that an enquiry is returned, the Committee or Sole Reviewer proceeds to conduct that enquiry. The finding is then reported to a meeting of Council. This is the case for all matters where enquiries are made, irrespective of whether the allegation is found to be sustained or not sustained. In relation

to sustained complaints, it is then a matter for Council to decide upon appropriate sanctions.

Figure 10 provides an annual comparison for each year since Warringah Council was returned in September 2008.

Figure 10 - CRC matters - annual comparison



The trend depicted in Figure 10 is pleasing to see in contrast to the number of CRC matters received a few years ago.

## *11. Other NSW Councils that have an Internal Ombudsman*

At the end of this reporting year, five councils in NSW maintain an Internal Ombudsman function namely, Warringah, Burwood, Wyong, Wollongong, and Waverley. Other councils may have an in-house role which includes similar aspects of the Internal Ombudsman function, such as investigations, probity and ethics.

The OIO continues its membership of the Local Government Internal Ombudsman Network (LGION) and attends each meeting which is held quarterly. Each forum is usually attended by an officer from ICAC, and sometimes from officers within the NSW Ombudsman and the OLG. Owing to the fragmented and heterogeneous make-up of local government, this network provides a valuable resource to the limited array of councils that have an Internal Ombudsman, but is heavily reliant on its members to maintain momentum and worth.

The OIO remains committed to sharing best practice with counterparts in local government and Warringah is scheduled to host the next LGION in August 2015. Representatives from each of the three oversight bodies named above have also been invited.

## *12. The year ahead*

This year has been a busy period for the OIO, given the number of improvements that have been implemented in a short period of time. These changes indicate a positive transition, suggestive of the pivotal role that the OIO has in developing an ethical Council.

The year ahead will undoubtedly see a number of changes within local government, many of which remain to be determined. Changes are always inherent with increased risk and there may be some trepidation about what these changes will mean for Council employees as well as the community.

The function of the OIO has evolved dramatically this year. This has established a solid foundation that can assimilate the changing landscape of local government should Warringah Council be subject to amalgamation. In whatever guise Council may take going forward, the role of the OIO adds value to Council and the community, ensuring that Council acts in a sound ethical manner.

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**SYDNEY COASTAL COUNCILS GROUP Inc.**  
**MINUTES FOR THE ORDINARY MEETING**  
**HELD ON SATURDAY 20 JUNE, 2015**  
**HOSTED BY CITY OF SYDNEY COUNCIL AT THEIR CHAMBERS**  
**TOWN HALL, SYDNEY**  
**12.00 PM**

**IN ATTENDANCE**

Cr. Brian Troy	Botany Bay Council
Cr. Irene Doutney	City of Sydney Council
Cr. Cathy Griffin	Manly Council
Cr. Tom Sherlock	Mosman Council
Mr. Peter Massey	North Sydney Council
Mr. Paul Hardie	Pittwater Council
Cr. Geoff Stevenson (Chairperson)	Randwick Council
Cr. Lindsay Shurey	Randwick Council
Cr. Peter Towell	Sutherland Council
Cr. Vanessa Moskal	Warringah Council
Cr. Sue Heins	Warringah Council
Cr. Sally Betts	Waverley Council
Cr. Leon Goltsman	Waverley Council
Cr. Lynne Saville	Willoughby Council
Cr. Wendy Norton	Willoughby Council
Cr. Greg Levenston	Woollahra Council
Dr. Judy Lambert AM	Honorary Member
Mr. George Cotis	Honorary Member
Mr. Phil Colman	Honorary Member
Mr. Geoff Withycombe	SCCG (EO)
Ms. Emma Norrie	SCCG (CPO)
Ms. Fiona Shadbolt	SCCG (PM-BR)
Ms. Antonina Pilat	SCCG (SO)
Ms. Belinda Atkins	
Mr Jon Dee	Do Something! (Guest Speaker)

**CHAPTER 1 - ADMINISTRATIVE MATTERS**

**1.1 Opening and Acknowledgement of Country**

The meeting opened at 12.30pm.

Cr. Stevenson (Chairperson) gave an Acknowledgement of Country, welcomed delegates and thanked the City of Sydney for hosting the meeting.

**1.2 Attendance and apologies**

The following apologies were received:

Cr. Mark Castle	Botany Bay Council
Emeritus Professor Bruce Thom AM	Honorary Member
Ms. Wendy McMurdo	Honorary Member
Mr. George Copeland	Honorary Member

***Councils not represented at the meeting***  
*Hornsby, Leichhardt, Rockdale*

**1.3 Declaration of Pecuniary Interests**

No Pecuniary Interests were declared.

**1.4 Confirmation of Minutes**

The EO noted that the Executive Committee Minutes of 23 April and Teleconference Notes of 12 May were uploaded to the Agenda page of the SCCG website for delegates' review after the distribution of the Agenda.

**1.5 Business Arising**

As resolved by the Executive Committee on 23 April 2015, the NSW Premier was invited to present at the AGM in September. The EO advised that the Premier is unavailable to attend and will seek a representative to attend on his behalf.

In relation to Item 5.0, the EO noted that the Planning Minister, the Hon Rob Stokes MP, recently issued Administrative Orders assuming responsibility for the *Coastal Protection Act 1979* and the coastal reforms (these had formerly been the responsibility of the Environment Minister). The EO recommended that the Planning Minister be invited to present to the AGM.

In relation to Item 6.2 – Shark Meshing Program, the EO noted an update had been sought from a Senior Fisheries Officer, who advised that:

- i) A new Joint Management Agreement (JMA) will be out for consultation within a month.
- ii) Tenders for shark net maintenance closed on Friday.  
The tender duration is 3 years plus 2x1 year options (up to 5 years total). The tender will be finalised prior to outcomes from the review of the JMA.
- iii) \$100,000 has been committed to trialing alternative methods to shark meshing, to be kicked off in October. It was noted that this is a small investment compared to other initiatives nationally. SCCG has been nominated as a Tier A stakeholder for consultation. It was noted that prior to the State Election, the NSW Government committed \$100M to threatened species none of which was allocated to marine species.

In relation to Item 9.2 Joint Expert Maritime Group, the EO advised that the Sydney Harbour Foreshore Authority (SHFA) has been moved to the Department of Finance (from the Department of Planning). An Interagency Working Group is looking at revised functions of SHFA including governance. A new vision for Sydney Harbour is also being developed in parallel. .

**1.6 Correspondence**

The CPO noted that additional Correspondence attached to the Agenda was circulated in hard copy.

Cr Griffin noted the letter from the EPA regarding a litter campaign and moved that we invite RMS Environmental Services staff to present to the FG in relation to waterway litter and their harbour cleaning program.

Cr Griffin moved that we respond to the EPA letter articulating the SCCG's interest in coastal and estuarine environmental issues and recommending that the EPA include a focus on waterway litter in their campaign.

**1.7 Secretariat Staff**

The EO introduced new Manager Projects and Programs, Belinda Atkins previously from Mosman Council and the new Support Officer, Antonina Pilat. Delegates congratulated Belinda and Antonina on their appointment.

**1.8 Hosting Contract**

The final draft Service Provider Agreement was unavailable for the meeting. The EO explained that the new Agreement is much the same as the previous, though there will be a slight increase in fees and we will be required to pay community rates for CoS venues such as Customs House. The EO is seeking to sign the new contract next week following Executive Committee review. Cr Norton noted

CoS' generosity in hosting the Group and recommended that we write to the CoS thanking them for the continuation of hosting services.

## **RESOLUTIONS**

- 1.1 That there was no declaration of pecuniary interests.
- 1.2 That the Minutes of the Ordinary Meeting of the SCCG hosted by Waverley Council on 14 March 2015 be confirmed. (Cr Towell, Cr Betts)
- 1.3 That the Minutes of the Technical Committee Meeting hosted by North Sydney Council on 7 May 2015 be noted. (Cr Norton, Cr Goltsman)
- 1.4 That the Minutes of the Executive Committee Meeting on 23 April 2015 and the Teleconference Notes of 12 May 2015 be noted. (Cr Towell, Cr Goltsman)
- 1.5 That the Planning Minister, The Hon. Rob Stokes MP be invited to present to the Full Group AGM on 19 September 2015. (Cr Betts, Cr Saville)
- 1.6 That the circulated "sent" and "received" correspondence be received and noted. (Cr Goltsman, Cr Sherlock)
- 1.7 That the Secretariat invite RMS Environmental Services staff to present to the FG in relation to waterway litter and their harbour cleaning program. (Cr Griffin, Cr Sherlock)
- 1.8 That the Secretariat respond to the EPA letter articulating the SCCG's interest in coastal and estuarine environmental issues and recommending that the EPA include a focus on waterway litter in their campaign. (Cr Griffin, Cr Sherlock)
- 1.9 That the final "Service Provider Agreement" be sent to the Executive Committee for consideration and review and approved under delegation. (Cr Betts, Cr Levenston)
- 1.10 That the Group write to the City of Sydney thanking them for the continuation of hosting services. (Cr Norton, Cr Goltsman)

## **CHAPTER 2 - GUEST PRESENTATION**

### **MR JON DEE, FOUNDER AND MD OF 'DOSOMETHING'**

Mr Jon Dee, Founder and MD of '[Do Something](#)' presented to the Group on the '[One Tree Per Child](#)' (OTPC) campaign. OTPC was launched in the UK and is being rolled out internationally in partnership with Councils. The Campaign seeks to foster an interest in and connection to the environment in young children. .

Partnering with Councils is a key focus of the Campaign. The organisers recognise the connections / networks that Councils have within the community and want to leverage off those rather than reinvent them. Bristol (UK) was the first city to roll out OTPC through 130 schools. Having a supportive Mayor or Councillor is very important. On 19 June 2015, 20 Mayors from 20 cities through the European Commission got together and re voted to commit to take up OTPC. . Lord Stern (author of The Stern Review on the Economic of Climate Change) is the patron of the program. .

In Australia, News Corp are heavily supporting the Campaign. News Corp are guaranteeing at least 250 articles in Sydney alone. Organisers have also signed up major newspapers in Queensland, Melbourne and South Australia. There was significant media coverage of the Australian launch of OTPC on World Environment Day (5 June 2015) where children from Bourke, Blue Mountains and Bondi participated in a group planting in Bondi to mark the event.

Federal MPs Greg Hunt and Malcolm Turnbull attended the launch and have confirmed support to fund the first 100,000 trees, with \$300,000 committed to share with Councils. Pending success of this pilot, there is potentially \$6 million available under the Federal Government's 20 Million Trees Program to support the Campaign.

Councils confirmed thus far in Australia include Waverley, Bourke Shire, Liverpool, City of Sydney, Manly, Jerilderie, Ballarat. The organisers are already talking to 20 other Councils.

#### Q&A

Cr Stevenson: Can you give us a brief background on 'Do Something' and do you have any advice on successful campaigning techniques / strategies?

JD: Commenced campaigning in 1991 with Planet Ark and realised at that point the need to work locally and localise campaigns as much as possible. Partnering with Councils also a focus. Dosomethingnearyou.com.au allows people to get involved in local volunteer initiatives. Prompted by a perceived drop-off in volunteering and community engagement around Australia.

Also critical to get media coverage. Spent a long time pursuing News Corp for the OTPC campaign.

Having an example / pilot case is a good starting point. Demonstrate success through a small local community initiative – prove it first and then grow it.

Cr Norton: Any suggestion of political flavour will deter Council. Does OTPC have bipartisan support?

JD: Yes, we are successful because we work with everybody. Not linked with any political party.

J Lambert: How do you source locally appropriate seedlings and how are Councils working with you to ensure connectivity in plantings?

JD: The success of National Tree Day prompted growth in community nurseries in order to source native seedlings. Nurseries involved in OTPC focus on locally appropriate seedlings. The Campaign also seeks to educate children about what they are planting – why natives are important, the benefits for soil and local habitat.

Cr Heins: Do you work with local community organisations?

JD: Absolutely. Aim to work in partnership with Councils and existing tree planting organisations. Do not want to reinvent the wheel. Want to empower and resource existing initiatives. The benefit of OTPC is that it formalises a commitment within the community to tree planting.

Cr Saville: How are you educating children about the benefits? To what extent do you take into consideration habitat for fauna and fruit trees where appropriate? How do you factor in ongoing maintenance?

JD: In some instances, Council's Parks Officer briefs schools about the locally specific qualities of the plantings. Lesson plans are also provided for teachers to assist them to educate children about the benefits.

In Bristol, they are giving away 12,000 apple and pear trees for backyards. Dwarf varieties so as not to interfere with power lines. Also educational benefits for children in their homes.

Maintenance is one of the conditions of government funding – a maintenance program is established in partnership with Councils or local community groups such as Lions or Rotary Clubs. There is an 80-90% survival rate at sites.

P Massey: Is OTPC intended to complement National Tree Day? How do you work with Councils?

JD: Many schools were not participating in NTD because of difficulties with timing. OTPC is stimulating renewed engagement with schools.

The first point of call is Council – if that is not successful, we will go to other community organisations, but the emphasis is on securing Council support.

Cr Betts: Waverley has been involved with Do Something for a long time. Waverley started off with the OTPC campaign by inviting 5 schools to participate. The plantings are localised for the area. In one school, there is no space for plantings, so Council is working with them to build plant beds and locate appropriate sites nearby. Another school is adjacent to a bush reserve, so the school will focus their efforts there. Every school is different and it takes planning, but it is all coming together. The Campaign has also been successful in engaging once disengaged schools. The planting with children from Bourke was a highlight. Great relationship-building opportunities.

Cr. Stevenson thanked Jon for his time and commended his collaborative approach.

JD advised that he is willing to assist Councils with their campaigns, if they come on board with OTPC.

#### **RESOLUTIONS**

- 2.1 Mr Dee be thanked for his attendance and presentation.
- 2.2 Delegates consider support for the 'One Tree Per Child' campaign within their own Council.

### **CHAPTER 3 - MEMBER COUNCILS ROUNDTABLE**

Delegates provided an update on Council activities in relation to:

- 1. Coastal issues and needs
- 2. 'Fit for the Future' status and amalgamation proposals

#### **RESOLUTION**

- 3.1 Delegates' updates be received and considered.

### **CHAPTER 4 - QUARTERLY ACTIVITIES REPORT (MARCH – MAY 2015)**

The EO introduced this new item and format of reporting in the Full group business papers. This new report based on the new 4 goals of the SCCG aims to streamline and consolidate quarterly outcomes reporting of the Secretariat.

#### **4.1 Collaboration**

The EO updated delegates on Collaboration activities since March, noting the following:

- **Towards a Resilient Sydney - Knowledge Bank**, the EO referred delegates to the report which links various reports and outcomes regarding urban climate change adaptation. These program outcomes are now accessible to multiple users to build capacity across government to deliver best practice adaptation.
- Building Resilience for Climate Change grants Round 2 focus on integrated water projects. We will be preparing an application by due date (4 August).
- Survey of Local Government on Adaptation Needs – still open, including to Councillors.

#### **4.2 Advocacy**

The CPO provided an overview of submissions and advocacy activities since March. An update on the NSW Coastal Reforms was circulated (attached to Minutes).

#### **4.3 Capacity Building**

The Project Manager for [Sydney's Salty Communities](#) provided an overview of the successful grant applications in Round 1, the CSIRO project being undertaken and the process for Round 2 grants. The EO thanked and congratulated the PM for getting the project back on track.

The EO noted that the Sydney Harbour CZMP Scoping Study project was near complete and being launched on 30 June 2015. The EO reviewed the 7 themes identified through the Scoping Study.

The EO noted that an extension to 1 July 2015 had been secured for the 'Implementing and Embedding Emergency Management Planning in Local Government' project.

#### **RESOLUTIONS**

- |     |  |
|-----|--|
| 4.1 | That the Executive Officer's verbal update on key activities be received and noted.              |
| 4.2 | That the Presentation by the Project Manager Biodiversity Resilience be received and considered. |
| 4.3 | Delegates inquire on any activities of interest.   |

### **CHAPTER 5 – DISCUSSION ITEMS**

#### **5.1 - STRATEGIC PLAN 2015-2019**

The EO thanked individuals and Member Councils for their contributions to the review process, including Directional Committee members, Dr Judy Lambert, FG and TC representatives as well as UTS – Centre for Local Government who independently reviewed the document and advised on the Plan's monitoring components.

The EO noted that formal responses had been received from Manly, Mosman, Randwick, Warringah, Waverley and Willoughby. Staff from all other Councils had confirmed their support and advised that a formal response was underway.

The CPO provided an overview of minor editorial changes made to the Plan in response to Council final round of consultation.

#### **RESOLUTIONS**

- |     |  |
|-----|--|
| 5.1 | That the verbal report from the EO regarding Member Councils' considerations of the final draft Strategic Plan be received and considered. |
| 5.2 | Delegates endorse the SCCG Strategic Plan 2015-2019. (Cr Griffin, Cr Norton)   |

#### **5.2 - SYDNEY WATER PARTNERSHIP**

The CPO provided an overview of activities contributing to the proposed partnership with Sydney Water (SW):

- Relationship with SW started 25 years ago with the Deep Ocean Outfalls, as reviewed at our 25 Year Anniversary Conference and Gala Evening (August 2014)
- Impetus for more focus on water-related issues, particularly sewage and stormwater, expressed by FG and TC in the 2014 Annual Survey
- Resolved to focus the 2015-2016 FG Advocacy Campaign on sewage overflows and associated stormwater contamination (to be discussed after this item)
- EPA and SW presented to the TC at their May meeting on the licensing regime and the wastewater network, with a subsequent workshop on 'future directions for urban water'
- Outcomes from the workshop fed into our Submission to the EPA on SW's licensing regime and we are continuing a dialogue with SW on the issues raised at the TC, including progressing a data exchange between SW and Member Councils on stormwater and wastewater networks

- We have also been participating in SW Council workshops, which are ongoing and reflect a renewed drive from SW to engage proactively with Local Government
- We are engaged in SW's proposal to develop a new regulation for wastewater in wet weather
- On 21 May we met with SW staff from the stormwater and wastewater areas to explore partnership opportunities and joint initiatives. As an outcome of this meeting is drafting an MOU to identify shared objectives and formalise an ongoing partnership.

The CPO further explained that the partnership approach aimed to facilitate a collaborative approach to Integrated Water Management (IWM) and enhance Sydney's urban water network to optimise environmental, social and economic outcomes.

A draft MoU will be circulated to FG and TC representatives for comment in July-August and finalised in August-September. If endorsed it is envisaged that partnership activities will commence from October.

#### **RESOLUTIONS**

- 5.2.1 The Executive Committee be delegated to further consider formalising a partnership with Sydney Water via a potential MoU (or similar). (Cr Levenston, Cr Betts)
- 5.2.2 The Secretariat update delegates on the progress of the partnership at the next meeting. (Cr Levenston, Cr Betts)

### **5.3 - 2015-2016 CAMPAIGN PROGRAM**

#### **Sewerage overflows and associated contamination of stormwater**

The CPO noted that we need to better understand the scope of the problem of sewerage overflows. There are a number of contributing factors including system capacity, illegal connections, pipe leaks, intrusions and maintenance and trade waste. Addressing the problem of overflows is not just about the end-of-pipe issue, but all of the upstream factors that feed into it.

The CPO noted that as a starting point in developing a campaign on the problem, there is a need to properly scope and quantify these issues. Drawing together the concerns that the FG and TC have raised, along with our own understanding and history of projects in this area, the Secretariat have come up with a broad list of areas that could form a 'contents' of sorts for a scoping study or literature review, which will help inform and define the campaign. The broad areas are:

1. The context or bigger picture, being Sydney's Integrated Water System
2. The sewage system, including the private sewer, Sydney Water's network and system performance and capacity
3. Overflows and their management – what is an overflow / sites, impacts and risks / current management practices / future management options / and international best practice & research
4. Community and stakeholders
5. SCCG advocacy and projects to date.

Delegates were asked to review this list and contribute other areas that they think should be covered in a scoping study / literature review to inform the campaign.

Cr Goltsman has developed an online platform using OneNote where delegates can add to the list and contribute other ideas relating to the campaign. Access to the platform and instructions for accessing it will be provided to all delegates separate to the Minutes.

The EO reiterated that the intent of the proposed scoping study / literature review was to scope and focus the campaign. The EO noted the Secretariat does not have the resources to undertake this work and would need to contract a suitable partner.

#### **RESOLUTION**

- 5.3 The verbal report and draft discussion paper be received and considered.

## **CHAPTER 6 - FINANCIAL STATEMENTS 1 JULY 2014 – 31 MARCH 2015**

### **RESOLUTION**

- 6.1 That the Finance Statements for the period of 1 July 2014 – 31 March 2015 be received and adopted.  
(Cr Towell, Cr Goltsman)

## **CHAPTER 7 – EXTERNAL REPORTS (For information only)**

- 7.1 Beachwatch Report – February-April 2015  
7.2 Greater Sydney LLS Update (tabled at the meeting)  
7.3 DPI Aquatic Pest and Health Update (tabled at the meeting)

### **RESOLUTION**

- 7.1 That the External report be received and noted.

## **CHAPTER 8: GENERAL BUSINESS**

### **8.2 Next Meeting – AGM 19 September**

Mosman Council agreed to host the AGM on 19 September.

Cr Betts noted Mayoral elections are at a similar time. The Secretariat will enquire with Councils about timing and dates.

Cr Stevenson closed the meeting and thanked delegates for their attendance and contributions.

The meeting closed at 4.15pm.

Confirmation of Minutes: .....

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