

SUPPLEMENTARY AGENDA

WARRINGAH COUNCIL MEETING

Notice is hereby given that an Ordinary Meeting of Council will be held at the Civic Centre, Dee Why on

TUESDAY 24 JULY 2012

Beginning at 6.00pm for the purpose of considering and determining matters included in this agenda.



Dr John Warburton
Acting General Manager

(2012/10)



Warringah Council

**Supplementary Agenda for an Ordinary Meeting of Council
to be held on Tuesday 24 July 2012
at the Civic Centre, Dee Why
Commencing at 6.00pm**

5.0	MAYORAL MINUTES.....	1
5.1	Mayoral Minute No 7/2012 Freshwater Village – Alfresco Dining Area Improvements – Trial Rent Relief for New Outdoor Dining Licences	1
6.0	GENERAL MANAGER'S REPORTS.....	3
6.3	Code of Conduct - Report by Sole Conduct Reviewer - Complaint regarding Conduct in Councillor Lounge - Cr De Luca	3

ITEM 5.1**MAYORAL MINUTE NO 7/2012
FRESHWATER VILLAGE – ALFRESCO DINING AREA
IMPROVEMENTS – TRIAL RENT RELIEF FOR NEW OUTDOOR
DINING LICENCES****TRIM FILE REF****2012/256884****ATTACHMENTS****NIL****BACKGROUND**

Council recently completed construction work so as to improve the vitality of the Village and improve dining experiences for patrons of the local restaurants.

This is the second time the businesses within the Village have been affected by Council's streetscape works. However, there were delays with the project mainly due to the significant wet weather we experienced in recent months.

Councillors will also recall that we have previously granted rent relief for restaurants with outdoor dining at The Strand, Dee Why following the completion of those street scape works.

As such, I believe an outdoor dining licence rent relief period of six months should be provided to restaurants within the Freshwater village in a similar way.

I have been informed by the Deputy General Manager, Community that setting a six month period to align with the current financial year will minimise staff resources required to make the necessary adjustments. The six-month period of 1 July 2012 to 31 December 2012 has been suggested.

The proposed rent relief affects four existing footpath licence holders (Deep Seafood, The Freshwater Club, The Kitchen Nook, and Sushi Hiro) and two potential new licence holders (Thai Khaen Koon and Tequila Carmel's Tequila Bar and Grill).

The future reduction in income totals \$ 3,214 (excl. GST) based on the existing current licences and this foregone revenue can be funded by an anticipated increase in Work Zone / Plant permit applications. The potential revenue generated by the new terraces will be approximately \$5,500 per annum per terrace.

RECOMMENDATION

That:

- A. Council authorise providing trial usage of the Lawrence Street alfresco dining terrace areas for six months without payment of rental for the two restaurants adjoining the alfresco dining areas, and
 - B. Council authorise a six month rent free period for other businesses with outdoor dining licences.
-

-
- C. the Deputy General Manager Community be delegated to determine the most appropriate start and finish dates for the 6 month period.
-


Michael Regan
MAYOR

6.0 GENERAL MANAGER'S REPORTS

ITEM 6.3	CODE OF CONDUCT - REPORT BY SOLE CONDUCT REVIEWER - COMPLAINT REGARDING CONDUCT IN COUNCILLOR LOUNGE - CR DE LUCA
REPORTING MANAGER	ACTING GENERAL MANAGER
TRIM FILE REF	2012/281774
ATTACHMENTS	1 Report of Sole Conduct Reviewer

EXECUTIVE SUMMARY

PURPOSE

To advise Council of the findings of the Sole Conduct Reviewer into a complaint made against Councillor Vincent De Luca concerning an alleged breach of Council's Code of Conduct.

SUMMARY

In June 2011, a complaint was made to the Internal Ombudsman alleging a breach of Council's Code of Conduct by Councillor De Luca. In particular, the complaint was made against Councillor Laugesen in relation to an alleged incident involving abusive and offensive behaviour toward a visiting member of the public, Ms Bronwen Thomas.

In accordance with the Code of Conduct and Conduct Review Committee Charter, the General Manager determined to refer the complaint to a Sole Conduct Reviewer. A Conduct Reviewer, Mr Peter Givorshner, was duly appointed. Mr Givorshner commenced enquiries into the complaint, but then disqualified himself from the matter in October 2011. A new Conduct Reviewer, Mr Adam Halstead, was then appointed. Mr Halstead continued enquiries into the complaint and has now submitted his report into the matter. Attached for Council's consideration is a copy of the report (see Attachment 1 which is included in the separate attachment booklet).

The Conduct Reviewer found that Councillor De Luca did not breach the Code of Conduct.

FINANCIAL IMPACT

Nil

POLICY IMPACT

Nil

RECOMMENDATION OF GENERAL MANAGER

That the report of the Sole Conduct Reviewer be noted.

REPORT

BACKGROUND

Section 440(3) of the *Local Government Act* 1993 provides that a council must adopt a Code of Conduct that incorporates the provisions of the model Code of Conduct prescribed by the *Local Government (General) Regulation* 2005. The adopted code may include provisions that supplement the model code.

Council has adopted a Code of Conduct as required by section 440. Council has also adopted a Conduct Review Committee Charter.

In June 2011, a complaint was made to the Internal Ombudsman alleging a breach of Council's Code of Conduct by Councillor De Luca. In particular, the complaint was made against Councillor De Luca in relation to an alleged incident involving abusive and offensive behaviour toward a visiting member of the public, Ms Bronwen Thomas. Complaints alleging a breach of Council's Code of Conduct are regulated by and are to be dealt with in accordance with the Code of Conduct and the Conduct Review Committee Charter.

Pursuant to Council's Code of Conduct and Conduct Review Committee Charter, Council has resolved to appoint a panel of appropriately qualified persons of high standing in the community who are independent of Council to comprise the members of a Conduct Review Committee and/or to act as Sole Conduct Reviewers.

In accordance with the Code of Conduct and Conduct Review Committee Charter, the General Manager determined to refer the complaint against Councillor De Luca to a Sole Conduct Reviewer. A Conduct Reviewer, Mr Peter Givorshner, was duly appointed. Mr Givorshner commenced enquiries into the complaint, but then disqualified himself from the matter in October 2011.

A new Conduct Reviewer, Mr Adam Halstead, was then appointed. Mr Halstead continued enquiries into the complaint and has now submitted his report into the matter. Attached for Council's consideration is a copy of the report (see Attachment 1 which is included in the separate attachment booklet). The nature of the complaint, the evidence collected by the Reviewer and the Reviewer's findings are set out in the attached report in more detail.

Council's Code of Conduct relevantly provides at clauses 12.20 to 12.25:

- 12.20 *Where the Conduct Review Committee/reviewer conducts enquiries or causes enquiries to be conducted, the Conduct Review Committee/reviewer must make findings on whether, in its view, the conduct referred to it comprises a breach of the code of conduct.*
- 12.21 *Where the Conduct Review Committee/reviewer makes findings, the Conduct Review Committee/reviewer may recommend that council take any actions provided for in this code of conduct that it considers reasonable in the circumstances.*
- 12.22 *Where the Conduct Review Committee/reviewer makes findings, the Conduct Review Committee/reviewer will report its findings, and the reasons for those findings, in writing to the council, the complainant and the person subject of the complaint.*

- 12.23 *The Conduct Review Committee/reviewer will report its findings and any recommendations to council only when it has completed its deliberations.*

Sanctions

- 12.24 *Before a council can impose a sanction it must make a determination that a councillor or the General Manager has breached the code of conduct.*
- 12.25 *Where the council finds that a councillor or General Manager has breached the code, it may decide by resolution to:*
- ☐ *censure the councillor for misbehaviour in accordance with section 440G of the Act*
 - ☐ *require the councillor or General Manager to apologise to any person adversely affected by the breach*
 - ☐ *counsel the councillor or General Manager*
 - ☐ *make public findings of inappropriate conduct*
 - ☐ *prosecute for any breach of law."*

The Conduct Reviewer concluded that Councillor De Luca did not breach the Code of Conduct.

As per clause 12.22 of the Code of Conduct, a copy of the report has been provided to Councillor De Luca.

Warringah Council

Report of Code of Conduct Inquiry into allegations of misbehaviour by Councillor Vincent De Luca arising from an incident on 2 May 2011

Background

1. The report relates to an inquiry arising from a complaint made under the provisions of the Warringah Council (the Council) Code of Conduct. The complaint identified Councillor Vincent De Luca as having engaged in improper and offensive conduct.
2. On 3 June 2011 an anonymous complaint was sent to the office of the Internal Ombudsman at Warringah Council by email. The complaint made an allegation about misbehaviour by Councillor Vincent De Luca following an incident on 2 May 2011 in the Councillors' Room at the Warringah Council Chambers following a general council meeting on that date.
3. The allegation was that Councillor De Luca conducted himself in an abusive and offensive manner toward a visiting member of the public, Ms Bronwen Thomas. Ms Thomas had been invited into the Councillors' Room by another Warringah Councillor as a guest on 2 May 2011.
4. The complaint alleged that whilst Ms Thomas was in the Councillors' Room, Councillor De Luca acted in an aggressive and offensive manner towards her and said words to the effect of "You need to leave this room right now. This is

Warringah Council | Conduct Review Inquiry Report | De Luca | 19 July 2012

the Councillors' room, you don't belong here and you can take a walk that way to your husband's office where you belong" and later referred to her as a "psycho" and/or "psychopath" as well as being "offensive".

Initial Inquiry

5. On 29 June 2011 the complaint was referred by the Internal Ombudsman on behalf of the General Manager to a Conduct Reviewer appointed to the Conduct Review Committee of the Warringah Council, Mr Peter Givorshner. Mr Givorshner commenced an investigation into the complaint.
6. On 27 September 2011 Mr Givorshner withdrew from the matter, however in response to his preliminary investigations on 10 October 2011 he received information from Ms Bronwen Thomas in relation to the 2 May 2011 incident. That information was subsequently referred to the General Manager via the office of the Internal Ombudsman.

Finalisation of the Inquiry

7. On 9 November 2011 the matter was referred to the Conduct Reviewer providing this report for consideration and finalisation in accordance with the Code of Conduct.
8. The available evidence accompanying the 9 November 2011 referral letter was reviewed and assessed as being sufficient for a prima facie finding of a breach of the Code of Conduct if substantiated. As a result an inquiry under clause 12.19(c) into the conduct of Councillor De Luca proceeded.

Councillor Vincent De Luca

9. On 9 February 2012 an email communication was sent to Councillor De Luca outlining the allegations made against him in the complaint.

Warringah Council | Conduct Review Inquiry Report | De Luca | 19 July 2012

10. On 20 February 2012 Councillor De Luca sent an email to the conduct reviewer in relation to procedural matters and a response was provided on 21 February 2012.
11. On 21 February 2012 Councillor De Luca sent a further email communication to the conduct reviewer about procedural matters followed by another on 23 February 2012 to which a response was provided on 23 February 2012 to Councillor De Luca in relation to both his email communications.
12. On 6 March 2012 Councillor De Luca requested an extension of time to provide a response to the substantive complaint and it was agreed on the same date vide email communications that he would respond to the allegations by 23 March 2012.
13. On 8 March 2012 email inquiries were sent to other persons considered likely to have witnessed, or had direct knowledge of, the 2 May 2011 incident.
14. On 23 March 2012 Councillor De Luca provided a response to the allegations about his conduct on 2 May 2011 as raised in the complaint. In the response Councillor De Luca raised numerous issues as to his understanding of the concept of procedural fairness as well as other administrative matters connected with the Code of Conduct.
15. In relation to the substantive complaint Councillor De Luca stated the allegation was a fabrication and he rejected any allegation that he breached the Code of Conduct. According to Councillor De Luca, the complaint was vexatious, not made in good faith and was politically and/or maliciously motivated.
16. Councillor De Luca recounted that Ms Bronwen Thomas (referred to also as Mrs Bronwen Regan by Councillor De Luca) had entered the Councillors' Room alone on 2 May 2011. There was then an interaction between Councillor

Warringah Council | Conduct Review Inquiry Report | De Luca | 19 July 2012

Virginia Laugesen, who was the only other person present in the room, and Ms Thomas. At some point Councillor De Luca said to Ms Thomas that she was being offensive, was not supposed to be in the Councillors' Room without an escort and that her partner, Mayor Michael Regan, was in the Mayor's Office. He told Ms Thomas that if she did not stop being offensive he would call the General Manager and later said that he was indeed contacting the General Manager to report Ms Thomas for attacking Councillor Laugesen and that Ms Thomas should leave the room. Councillor De Luca provided a copy of an email sent from what was presumably his personal email address at 9:58 PM on Monday 2 May 2011 to Rik Hart and circulated to Andrew Patterson with the subject 'Bronwyn Thomas and attendance in councillors room'.

17. Councillor De Luca said some further interactions occurred between Ms Thomas and Councillor Laugesen and at some stage Ms Thomas left the room. Councillor De Luca recalled that Ms Thomas returned to the room with Councillor Kirsch and a conversation then occurred between Councillor Kirsch and Councillor De Luca in relation to past practice concerning persons other than councillors who were permitted to use the Councillors' Room.
18. Councillor De Luca denied having been offensive or aggressive towards Ms Thomas, he denied his conduct was improper and reiterated the complaint was made without basis.

Ms Bronwen Thomas

19. Ms Thomas had been contacted by the original conduct reviewer, Mr Givorshner, and in response to the contact she provided commentary in relation to the incident of 2 May 2011. Ms Thomas stated that she was not the anonymous complainant and when originally asked to be involved in that reviewer's inquiry, she had declined. After some further developments associated with the investigation of another aspect of the complaint, Ms Thomas did however make the following relevant comments about Councillor De Luca.

| 4

Warringah Council | Conduct Review Inquiry Report | De Luca | 19 July 2012

20. Ms Thomas entered the room on 2 May 2011 however she did not make any comment to Councillor De Luca. Soon after entering the room Councillor De Luca said words to the effect that she did not belong in the Councillors lounge and she should go to the Mayor's office instead and at the time he walked toward Ms Thomas pointing his finger at her in an aggressive manner. Councillor De Luca is said to have referred to Ms Thomas as a "psychopath" and that he was going to make a formal complaint to the General Manager about her being in the room. Ms Thomas stated that she left the Councillors' Room and later re-entered the room with other councillors at which time councillor De Luca stated he had previously told Ms Thomas to leave the room because she was not welcome. Ms Thomas considered the manner that Councillor De Luca made the statement to the other councillors was humiliating and patronising because he spoke about her but not to her.

Councillor Virginia Laugesen

21. Councillor Laugesen provided a response concerning the events of 2 May 2011 wherein she stated that she was in the Councillors' Room when Ms Thomas entered. Councillor Laugesen stated that Councillor De Luca had suggested to Ms Thomas that her presence in the Councillors Room alone was inappropriate and that she should join her husband in the Mayor's Office.

22. Councillor Laugesen claims Ms Thomas "stood her ground" and claimed to have had a right to be in the room. Councillor Laugesen said no other person was in the room or entered the room either during the incident or immediately afterwards. The essence of Councillor Laugesen's evidence was that the only three persons in the room were Councillor De Luca, herself and Ms Thomas. Council Laugesen also later became aware from Councillor De Luca that he had used his mobile telephone to send an email to the General Manager. Councillor Laugesen's evidence was largely consistent with that given by Councillor De Luca in his response to the complaint and tends to corroborate his version of events.

Warringah Council | Conduct Review Inquiry Report | De Luca | 19 July 2012

Other persons

23. In his submissions Councillor De Luca provided the details of a number of persons he considered may have been able to provide relevant evidence in relation to the incident on 2 May 2011.
24. Inquiries were made of a number of other councillors and staff who were in the vicinity of the Councillors' Room on 2 May 2011.
25. The responses to those inquiries were all to the effect that the other persons contacted did not see or hear the incident and were therefore unable to assist.

SUMMARY OF EVIDENCE

26. The following is a summary of the evidence considered in relation to the findings arising from the inquiry:
- Letter of complaint as contained in an email to the Warringah Council Office of the Internal Ombudsman and sent on Friday 3 June 2011
 - Letter from Ms Bronwen Thomas to Conduct Reviewer, Mr Peter Givorshner, dated 9 October 2011.
 - Written submissions from Councillor Vincent De Luca of 23 March 2012
 - Written response from Councillor Virginia Laugesen of 16 July 2012
27. Regard was also given to administrative documents of Warringah Council and various correspondence associated with the referral of the matter in relation establishing jurisdiction to inquire into the complaint.

STANDARD OF PROOF

28. In considering any allegation as to a breach of the Code of Conduct the standard of proof to be applied is proof on the balance of probabilities. This principle was re-stated in the administrative decision-making context by the New South Wales Administrative Decisions Tribunal in *Polglaze v Veterinary Practitioners Board of NSW* [2008] NSWADT 228. In that matter the Tribunal determined the standard of proof to be applied is the civil standard, which is proof based on the balance of probabilities. The application of the standard requires the available evidence to be weighed and findings made on the basis of whether any particular issue or event is more likely than not to have occurred. The assessment of the evidence has been approached on that basis.

29. The balance of probabilities standard of proof may vary from case to case in accordance with the principles laid down by the High Court in *Briginshaw v Briginshaw* (1938) 60 CLR 336; in that evidence of a more substantial nature will be necessary in circumstances where allegations are more serious. The principle may be described in summary as being that any allegation requires that degree of persuasive proof as is appropriate to the seriousness of the allegation. The effect of the principle is that a serious allegation will require a high degree of evidence whereas an allegation of a less serious nature will be founded on a lesser standard with a varying range in between.

30. The *Briginshaw* principles have been given due regard in this matter in the context of allegations that fall within the moderate to serious range of misconduct as assessed for an elected Councillor and so the evidence has been assessed accordingly. That is, evidence of some weight must be present for the findings.

Warringah Council | Conduct Review Inquiry Report | De Luca | 19 July 2012

CONSIDERATION OF THE EVIDENCE

31. The allegations concerning Councillor De Luca are that he conducted himself in an aggressive and offensive manner towards Ms Thomas after she entered the Councillors' Room. Councillor De Luca is alleged to have shouted at Ms Thomas to leave the Councillors' Room because she did not belong there and she should have gone to her husband's office where she belonged. Councillor De Luca is also alleged to have called Ms Thomas a 'psycho' or 'psychopath'.
32. Councillor De Luca denies that he was aggressive and/or offensive and denies that he referred to Ms Thomas as a 'psycho' or 'psychopath'.
33. The direct evidence in the matter is from three primary sources; Councillor De Luca's response to the complaint, Councillor Laugesen's account and the description provided by Ms Bronwen Thomas.
34. There is some discrepancy as to precisely who was in the room at the time of the events as there is some suggestion Councillor Kirsch was in the room at the time. That claim is rejected by Councillors De Luca and Laugesen who emphatically state the only persons in the room were themselves and Ms Thomas. There was no evidence from the other councillor to the effect that she was in the room at the relevant time.
35. Councillor De Luca denies having been offensive or aggressive towards Ms Thomas and Councillor Laugesen supports his version of events.
36. There is some broad consistency from all three persons confirmed as present in relation to the comments made by Councillor De Luca to Ms Thomas. That is that Councillor De Luca was of the view that it was not appropriate for Ms Thomas to be in the room and he had either asked, or directed, her to leave the room. It would appear that the context and interpretation of Councillor De Luca's comments is the disputed issue as the anonymous complainant

Warringah Council | Conduct Review Inquiry Report | De Luca | 19 July 2012

indicates that Councillor De Luca was offensive or aggressive towards Ms Thomas. Ms Thomas considered Councillor De Luca to have been aggressive and clearly recalled him referring to her as a 'psychopath'. As indicated, those claims are completely refuted by Councillor De Luca.

37. In the absence of any other direct witness of the event, the weight of the evidence is that Councillor De Luca made comments to Ms Thomas to the effect that she was not welcome in the Councillors Room and that she should leave and go to the Mayor's Office. Both Councillor De Luca and Councillor Laugesen did not consider his comments to have been offensive or aggressive towards Ms Thomas. Councillor De Luca considers the complaint to have been politically motivated and/or made for malicious or vexatious purposes.

38. On balance the available evidence is not sufficient to support a finding that Councillor De Luca was aggressive or offensive towards Ms Thomas or that he referred to her as being a 'psychopath'.

KEY FINDINGS

39. The following findings have been made on the balance of probabilities with regard to the available evidence:

- Councillor Vincent De Luca, Councillor Virginia Laugesen and Ms Bronwen Thomas were present in the Councillors' Room at the Warringah Council Chambers on 2 May 2011 at the same time for a period following a Council meeting on that date.
- Councillor De Luca spoke to Ms Thomas and indicated he considered her presence was not welcome.

APPLICATION OF THE CODE OF CONDUCT

40. The *Local Government Act 1993 (NSW)* (the Act) is the legislation that applies to the operation of councils in New South Wales. The provisions of the Act had effect at all times relevant to this inquiry. Section 440 of the Act requires a council to adopt a Code of Conduct that incorporates the provisions of the model Code of Conduct as contained in the Regulations to the Act.
41. Warringah Council resolved on 8 September 2009 to adopt the current version of the Code of Conduct (the Code). The Code appears to have incorporated the provisions of the model code as required by the Act and so the Code had application at the time of the events of 2 May 2011.
42. Clause 12.1 of the Code provides complaints about the conduct of councillors should be addressed to the General Manager in writing. The complaint to which this inquiry relates was made in writing by email to the Office of The Ombudsman who in turn referred it to the General Manager. The Internal Ombudsman is an officer with specific responsibility for receiving complaints on behalf of the General Manager and so the complaint is accepted as having been made in accordance with the Code and is subject to the complaint handling procedures and sanctions provisions of the Code.
43. The General Manager is responsible for making an assessment of a complaint that is made in accordance with the Code (clause 12.8) and thereafter must determine the manner in which a complaint is to be handled (clause 12.9). The General Manager complied with the complaint handling requirements in the present matter by causing the complaint to be referred to a Conduct Reviewer.
44. In dealing with a complaint, clause 12.19 of the Code provides that a Conduct Reviewer must make a determination to:

Warringah Council | Conduct Review Inquiry Report | De Luca | 19 July 2012

- a) *not make enquiries into the complaint and give the complainant the reason/s in writing as provided in clause 13.1 of this Code, and those reasons may include, but are not limited to, the fact that the complaint is trivial, frivolous, vexatious or not made in good faith, or*
- b) *resolve the complaint by use of alternative and appropriate strategies such as, but not limited to, mediation, making recommendations to the General Manager, informal discussion or negotiation and give the complainant advice on the resolution of the matter in writing, or*
- c) *make enquiries into the complaint, or*
- d) *engage another appropriately qualified person to make enquiries into the complaint, or*
- e) *not make enquiries or discontinue making enquiries where it becomes evident that the matter should be referred to another body or person, and refer the matter to that body or person as well as advising the complainant in writing.*

45. Clause 13.3 of the Code provides a reviewer should use the complaint assessment criteria at clause 13.1 of the Code in making an initial assessment of the complaint to determine the course to follow in dealing with a complaint. The assessment criteria at clause 13.1 are:

- a) *whether there is any prima facie evidence of a breach of the code of conduct*
- b) *whether the subject matter of the complaint relates to conduct that is associated with the carrying out of the functions of civic office or duties as General Manager*
- c) *whether the complaint is trivial, frivolous, vexatious or not made in good faith*
- d) *whether the conduct the subject of the complaint could reasonably constitute a breach of the code of conduct*
- e) *whether the complaint raises issues that require investigation by another person or body, such as referring the matter to the Department of Local Government, the NSW Ombudsman, the Independent Commission Against Corruption or the NSW Police*

Warringah Council | Conduct Review Inquiry Report | De Luca | 19 July 2012

- f) whether there is an alternative and satisfactory means of redress*
- g) how much time has elapsed since the events the subject of the complaint took place*
- h) how serious the complaint is and the significance it has for council*
- i) whether the complaint is one of a series indicating a pattern of conduct.*

46. These issues were considered and it was determined that when the grounds provided at clause 13.1 of the Code were weighed, the complaint contained allegations of conduct that, if substantiated, may reasonably be found to give rise to a breach of the Code and the Act. An inquiry as provided by clause 12.19(c) of the Code was considered the most appropriate method of dealing with the matter.

DETERMINATION

47. The undisputed evidence is that Councillor De Luca, Councillor Laugesen and Ms Thomas were all present in the Councillors' Room at the same time after a council meeting on 2 May 2011. The weight of the evidence is that Councillor De Luca spoke to Ms Thomas and either suggested or directed that she leave the room.

48. The available evidence does not support a finding that Councillor De Luca conducted himself in an offensive or aggressive manner towards Ms Thomas.


49. Clause 12.20 of the Code requires that where a conduct reviewer has conducted inquiries in relation to a complaint, then findings must be made as to whether there has been a breach of the Code of Conduct.

50. The evidence available does not support a finding that there was a breach of the Code of Conduct by Councillor De Luca in relation to his interaction with

Warringah Council | Conduct Review Inquiry Report | De Luca | 19 July 2012

Ms Thomas on 2 May 2011 in the Councillors' Room at the Warringah Council Chambers.

51. This report is now provided to Council as required by clause 12.23 of the Code of Conduct.



Adam Halstead
Conduct Reviewer
Warringah Council
19 July 2012

