

**ORDINARY COUNCIL MEETING  
22 AUGUST 2017**

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**CCL 22/08/17  
SUPPLEMENTARY REPORT - OPEN AND TRANSPARENT  
GOVERNANCE STRATEGY**

- Attachment A: CCL 28/03/17 - Exhibition of Open and Transparent Governance Strategy**
- Attachment B: Amended Open and Transparent Governance Strategy**
- Attachment C: Communications and Engagement Plan - Open and Transparent Governance Strategy**
- Attachment D: Summary of Amendments**

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**Attachment A: CCL 28/03/17 - Exhibition of Open and Transparent  
Governance Strategy**

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**SUBJECT: CCL 28/03/17 - EXHIBITION OF OPEN AND TRANSPARENT GOVERNANCE STRATEGY**

**REPORT BY: CORPORATE SERVICES**  
**CONTACT: DIRECTOR CORPORATE SERVICES / MANAGER LEGAL AND GOVERNANCE**

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## **PURPOSE**

To place the draft Open and Transparent Governance Strategy (Strategy) on public exhibition for the period 3 April 2017 to 1 May 2017 and adopt the Communications and Engagement Plan - Open and Transparent Governance Strategy.

## **RECOMMENDATION**

- 1 Council approves the placement of the draft Open and Transparent Governance Strategy as set out at **Attachment A**, on public exhibition, during the period between 3 April 2017 and 1 May 2017.
- 2 Council adopts the Communications and Engagement Plan - Open and Transparent Governance Strategy as set out at **Attachment B**.
- 3 Council staff to present a final Strategy in a report to Council after taking into account the submissions and feedback from the public exhibition period and community consultation as detailed in paragraph 2 above.

## **KEY ISSUES**

- 4 The Strategy is a key document supporting Council's Community Strategic Plan (CSP). Specifically, it supports the objectives of the strategic direction contained within the CSP of Open and Collaborative Leadership, being:
  - Integrated, sustainable long term planning for Newcastle and the Region.
  - Considered decision-making based on collaborative, transparent and accountable leadership.
  - Active citizen engagement on local planning and decision-making processes and a shared responsibility for achieving goals.
  - A local government of excellence.
- 5 A new CSP, Resourcing Strategies, Delivery Program and Operational Plan are required to be adopted within the first 6-9 months of a new Council term. Elections for the Newcastle Local Government Area are scheduled to be held on Saturday, 9 September 2017 and the review process for the preparation of an updated CSP has already commenced.
- 6 The process for the adoption of the CSP involves significant community consultation and it is appropriate that the consultation for this Strategy be undertaken at the same time as the consultation for the CSP as the Strategy is one of a number that are generated out of the CSP consultation process.

- 7 A draft Open and Transparent Governance Strategy has been prepared (as set out in **Attachment A**) as a basis for community engagement. The draft Strategy provides a framework and guidelines which encourage open and collaborative leadership in order to ensure a strong and enduring governance culture at all levels of the organisation. Governance is the key element of the Open and Transparent Leadership theme identified during the development of the CSP and ensures:
- organisations are legally compliant and act on an ethical basis;
  - decisions are made in the interests of stakeholders; and
  - organisations are good corporate citizens.

### **FINANCIAL IMPACT**

- 8 Nil.

### **COMMUNITY STRATEGIC PLAN ALIGNMENT**

- 9 Open and Collaborative Leadership.

### **IMPLEMENTATION PLAN/IMPLICATIONS**

- 10 The Strategy has been drafted to include actions that Council can implement from a practical perspective as well as ensuring Council complies with its legal and statutory obligations and/or that action can be legally undertaken by Council.
- 11 Should Council resolve to place the draft Strategy on public exhibition, the next stage of the process will be in accordance with the resolution of Council passed at the Ordinary Council Meeting re-convened on 20 December 2016 and in accordance with the Communications and Engagement Plan - Open and Transparent Governance Strategy at **Attachment B**.
- 12 Council staff will present a final draft Strategy in a report to Council after completing the Communications and Engagement Plan - Open and Transparent Governance Strategy as set out at **Attachment B** and taking into account the submissions and feedback received during that process.

### **RISK ASSESSMENT AND MITIGATION**

- 13 There are no significant risks to Council in implementing the Strategy.

### **RELATED PREVIOUS DECISIONS**

- 14 On 20 December 2016 Council resolved to put in place an implementation plan for the Strategy, which included undertaking a Councillor Workshop and developing a communications plan for the Strategy.
- 15 On 20 December 2016 Council also resolved to write to the Premier, the Minister for Local Government, and local State MPs, to encourage them to

amend the Local Government Act 1993 to require companies that have dealings with councils across NSW to disclose transparency details of their directors and significant stakeholders. This has been actioned but no response received to date.

- 16 On 28 June 2016, Council resolved to draft an Open and Transparent Governance Strategy as a core strategic document. The Strategy is to consider best practice for open councils, including current and planned actions of Council to improve transparency.

## **CONSULTATION**

- 17 On 21 February 2017 a Councillor Workshop on the Open and Transparent Governance Strategy was undertaken, in accordance with Council's resolution outlined at paragraph 12 above. The Workshop was facilitated with the assistance of O'Connor Marsden, who provide internal auditing services to Council and are industry leading experts in governance, risk management and corruption prevention.
- 18 On 14 March 2017, an Independent Commission Against Corruption representative attended a Councillor Workshop and provided a presentation on the foundations of Corruption Prevention.
- 19 Community consultation about the Strategy will be carried out as provided in paragraph 12.

## **OPTIONS**

### **Option 1**

- 20 The recommendation as at Paragraphs 1-3. This is the recommended option.

### **Option 2**

- 21 Council does not proceed with placing the draft Open and Transparent Governance Strategy on public exhibition or adopting the Communications and Engagement Plan Open and Transparent Governance Strategy. This is not the recommended option.

## **BACKGROUND**

- 22 Council resolved at the Ordinary Council Meeting held on 28 June 2016 to adopt the Strategy by September 2016. Councillors were subsequently informed that the September timeframe could not be met for the following reasons:
- Following initial research, it was determined that the Strategy would be most appropriately developed in conjunction with the development of the new CSP. It was identified that this would provide an opportunity to engage with the community through the development of a new / updated

CSP to gather input about how the community views open and transparent governance.

- During the period between June and September 2016 (the time for preparation of the Strategy in accordance with the Council resolution), Council was in a merger proposal period with a merger decision expected at any time. Council staff were preparing for the merger in accordance with guidelines issued by the NSW State Government. Part of the planning process involved the consideration of the community strategic planning process for a new entity, in the event that a merger was proclaimed. Accordingly it was not considered an appropriate time, or use of resources to draft a new Strategy for a stand-alone entity during the merger proposal period.

23 Since the decision on 14 February 2017 by the NSW State Government for Council to stand alone, significant work and resources have been invested in preparing the draft Strategy.

## **ATTACHMENTS**

**Attachment A:** Draft Open and Transparent Governance Strategy

**Attachment B:** Communications and Engagement Plan - Open and Transparent Governance Strategy

**Attachments distributed under separate cover.**



# Newcastle City Council

## **Open and Transparent Governance Strategy**

**Draft March 2017**



Newcastle City Council acknowledges the traditional country of the Awabakal and Worimi peoples.

We recognise and respect their cultural heritage, beliefs and continuing relationship with the land, and that they are the proud survivors of more than two hundred years of dispossession.

Council reiterates its commitment to addressing disadvantages and attaining justice for Aboriginal and Torres Strait Islander peoples of this community.

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# PRELIMINARY

# INTRODUCTION AND CONTEXT

**In accordance with the Local Government Act 1993 (NSW) (Act), every council in NSW is required to adopt a Community Strategic Plan (CSP).**

The CSP represents the highest level of strategic planning undertaken by Council. It is a shared community vision developed to inform policies and actions over the next ten years. There is an extensive community engagement process to identify long term objectives of the community and the strategies to achieve those objectives to meet levels of service the community expects.

As the CSP is a shared community vision, not all actions are within the responsibility of Council and this is clearly articulated in the document.

CSP's are required to address the quadruple bottom line - that is social, environmental, civic leadership issues and governance. The CSP commits Council to seven strategic directions (ensuring it meets its quadruple bottomline):

# STRATEGIC DIRECTIONS FOR NEWCASTLE

**A CONNECTED CITY**

**A PROTECTED AND ENHANCED ENVIRONMENT**

**VIBRANT AND ACTIVATED PUBLIC PLACES**

**A CARING AND INCLUSIVE COMMUNITY**

**A LIVEABLE AND DISTINCTIVE BUILT ENVIRONMENT**

**A SMART AND INNOVATIVE CITY**

**OPEN AND COLLABORATIVE LEADERSHIP**

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# WHAT IS OPEN AND COLLABORATIVE LEADERSHIP?

**Open and Collaborative Leadership is one of seven key strategic directions. The objectives of Open and Collaborative Leadership and the basis of this Strategy are:**

- Integrated, sustainable long term planning for Newcastle and the Region.
- Considered decision-making based on collaborative, transparent and accountable leadership.
- Active citizen engagement on local planning and decision-making processes and a shared responsibility for achieving goals.
- A local government organisation of excellence.

# THE GOVERNANCE FRAMEWORK

**Governance are those high level processes and behaviours that ensure an organisation performs by achieving its intended purpose and conforms by complying with all relevant laws codes and ethics while meeting community expectations of probity, accountability and transparency.**

**Ensuring Council has a sound governance framework in place underpins Open and Collaborative Leadership and is essential to provide the community with confidence that:**

- Council is legally compliant and acts on an ethical basis.
- Council's decision-making processes are open and transparent and made in the best interests of all stakeholders.
- Council is and is seen to be a good corporate citizen.

**Council's governance framework and key governance policies include:**

- Audit Committee Charter
- Code of Conduct
- Code of Meeting Practice
- Community Engagement Strategy
- Enterprise Risk Framework
- Fraud and Corruption and Control Strategy
- Interaction between Councillors and Staff Policy
- Internal Reporting Policy - Public Interest Disclosures
- Office of Local Government Model of Code of Conduct<sup>1</sup>
- [Office of Local Government Model of Code of Meeting Practice]<sup>2</sup>
- Payment of Expenses and provision of facilities to Councillors Policy
- Policy framework (including all of Council policies adopted by the elected Council and CEO)
- Privacy Management Plan
- Public Voice Policy
- Register of Delegations and Authorisations
- Register of financial authorisations

All documents are available on Council's website or by request.

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<sup>1</sup> The Office of Local Government is currently reviewing the Model Code of Conduct and Procedures for Administration of the Model Code of Conduct.

<sup>2</sup> The Office of Local Government is currently developing a Model Code of Meeting Practice. If the model is adopted prior to the adoption of this strategy, the detail in the square brackets will be included in the final draft.







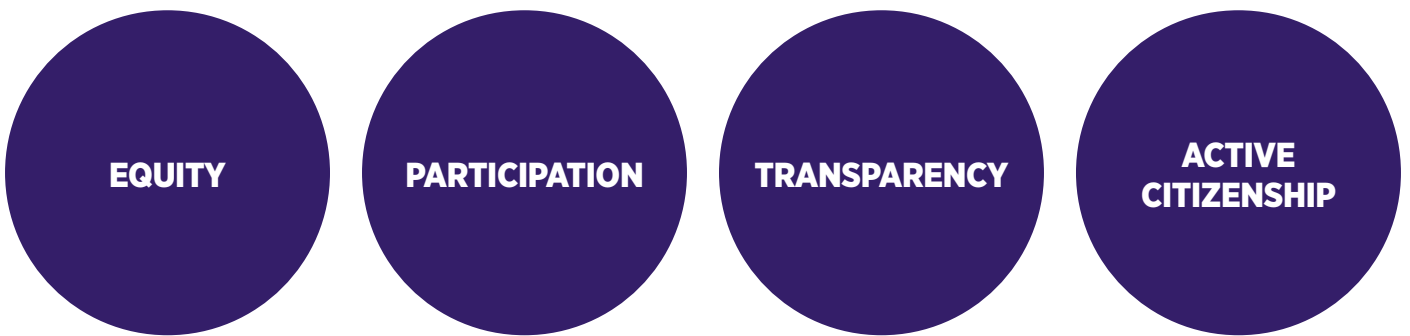
# PURPOSE

The purpose of this Strategy is to document the action Council takes or will take to achieve Open and Collaborative Leadership through a governance framework which:

- guides Councillors and staff on the principles to ensure the community has trust and confidence in the decisions made by Council; and
- ensures all processes and decisions are made openly and transparently.

# PRINCIPLES

Council commits itself to the following principles:



**Equity**  
Fairness in decision-making, prioritising and allocation of resources, particularly for those in need. Everyone should have a fair opportunity to participate in the future of the community. The planning process should take particular care to involve and protect the interests of people in vulnerable circumstances.

**Participation**  
Maximum opportunity to genuinely participate in decisions affecting their lives.

**Transparency**  
People should have access to the information they need to understand government planning and decision-making processes in order to participate in an informed way.

**Active citizenship**  
People are able to exercise their rights and responsibilities in a balanced way within our democratic society. Individuals and groups are encouraged to take a role in the community and are empowered with the skills, support and the opportunity to shape and influence the decisions that affect our community now and into

Council is also committed to the principles of the Act as set out in Appendix A.



the future.

## **DEFINITIONS**

**Act** means the Local Government Act 1993 (NSW).

**Council** means Newcastle City Council.

**Councillor** means a person elected or appointed to civic office as a member of the governing body of Council, including the Lord Mayor.

**Chief Executive Officer (CEO)** means the CEO of Council and includes their delegate or authorised representative (and also includes references to the General Manager).

**Executive Management Team** means Council CEO and three Directors who are the next most senior in the organisation.

**GIPA** means the Government Information (Public Access) Act 2009 (NSW).

**Regulation** means the Local Government (General) Regulation 2005.

*Unless stated otherwise, a reference to a clause is a reference to a clause of this strategy.*

# OBJECTIVE 1:

## Integrated, sustainable long term planning for Newcastle and the Region

The Integrated Planning and Reporting (IP&R) legislation was introduced by the NSW State Government in 2009 and sets the requirements for all councils to lead the development of long term plans for their city and community.

The IP&R framework allows councils to build plans of appropriate size, scale and content for their communities. The most important thing is that the Council's CSP, and the implementation structures that support it, are fit for purpose and appropriate to their communities.

The IP&R framework ensures councils provide effective and efficient services to meet the diverse needs of all of the community. Council is required under the Act to undertake a comprehensive planning and reporting process (pictured right).

The IP&R process underpins Council's actions in relation to Council's openness, collaboration, leadership and governance through:

- providing a clear picture for Council's future on how and where Council commits its time, money and resources;
- financial planning to ensure the level of service expected by the community can be met;
- a strong commitment by the Lord Mayor, Councillors, the CEO and all staff to the process; and
- community engagement to ensure objectives and levels of service meets the communities expectations.



The CSP is Council's key strategic document and is supported by:

- Delivery Program - point where Council takes ownership of the CSP and outlines how Council will contribute to achieving its strategic outcome over the next 4 years.
- Operational Plan - supports our Delivery Program and outlines in more detail the actions that Council will undertake in that year and allocates the necessary resources.
- Fees and charges - outlines fees for all user-pay services, including car parking charges, swimming centre fees, footway restaurant fees, parks and recreational fees and building certificate fees.
- Resourcing Strategies - shows our consideration of the staff, assets and money required to deliver Council's four year objectives and annual actions, as outlined in the Delivery Program and Operational Plan.
- Annual Report - provides a yearly summary of Council's performance and statutory reporting
- End of Term report - reflects the progress of Councillors and the committed Council workforce towards achieving the CSP over the four year Council term.

# Strategy and actions

	STRATEGY	ACTION
1.1	Identify and document the main priorities and aspirations of the community	<p>Develop and deliver an updated CSP in partnership with state agencies, community groups and individuals.</p> <p>Council must ensure social justice is achieved by:</p> <ul style="list-style-type: none"> <li>• Ensuring that a broad range of community members have input into developing the CSP</li> <li>• Specifically consulting with those groups whose voice is often not heard in community discussions</li> <li>• Testing the objectives of the CSP against the principles by checking whether the objectives are fair, if they exclude anyone from participating in the community's future and if anyone would be disadvantaged by the decisions</li> <li>• Ensuring that the CSP is adequately informed by sound social research and needs analysis</li> </ul> <p>In communicating the CSP council needs to show how community engagement informed the goals, priorities and strategies in the CSP – demonstrate that it is a long term plan for the community, not simply the vision of the Councillors or Council staff.</p> <p>Timeframe: By 30 June following a Local Government election</p>
1.2	Develop a Resourcing Strategy which must include provision for long term financial planning, workforce management planning and asset management planning.	<p>The CSP provides a vehicle for each community to express its long term aspirations. However, these aspirations will not be achieved without sufficient resources – time, money, assets and people – to carry them out. The Resourcing Strategy is a critical link when it comes to translating strategic objectives into actions.</p> <p>The integrated nature of the plans means that essentially they will all be developed concurrently, with cross-referencing and adjustment as the development of each plan progresses.</p> <p>Councils do not have full responsibility for implementing or resourcing all the community aspirations identified in the CSP.</p>
1.3	Maintain long term financial sustainability	<p>Develop and adopt a long term financial plan incorporating Council's current financial position, strategies and assumptions (including economic assumptions) and that analyses the potential financial impact of a number of alternate future funding scenarios to assist in determining the most appropriate course of action which will support the service delivery level required by the community while ensuring the long term financial sustainability of the organisation.</p>

	STRATEGY	ACTION
1.4	<p>Ensure Asset Management Strategy and Plans capture community expectations for both service and value and supports inter-generational equity principles.</p>	<p>As custodian, councils are responsible for effectively accounting for and managing these assets and having regard for the long term and cumulative effects of the decisions. This is a core function of councils and is reflected in the principles set out in sections 8C of the Act (refer to Appendix A).</p> <p>Council should establish the goals and objectives for asset management in terms of providing a platform for service delivery, integrate asset management with the council's strategic planning, maximise value for money by adoption of lifecycle costing, combined with performance measurement, and promote sustainability to protect the needs of future generations.</p> <p>Councils should ensure their asset management planning has a service delivery focus. In other words, the assets that are provided are necessary to meet the needs of the community as identified by the community.</p> <p>Asset management decisions should be informed by evaluation of alternative means of service provision (eg asset sharing), full lifecycle costing, and performance measurement and monitoring.</p> <p>Informed decision-making recognises the long-lived character of infrastructure assets and the need to plan and budget for them on a full lifecycle basis beginning with the identification of a service need and the means to meet that need.</p>
1.5	<p>Identify and predict workforce issues in order to ensure resourcing to meet the objective of the Council's CSP.</p>	<p>Develop and adopt a Workforce Management Plan to ensure Council has planned for the unforeseeable future (next four years) and is able to meet the objectives of the CSP.</p> <p>The Workforce Management Plan is a continuous process of matching workforce requirements to organisational objectives in delivering the CSP, as well as analysing and forecasting the human resource implications when undertaking particular operational or strategic activities.</p> <p>In developing and maintaining the Workforce Management Plan consideration has been given to both internal and external factors that may affect Council's ability to meet its current and future workforce needs. These factors include an ageing population, identified skills shortages, past recruiting experience, Council's financial position and also the expectations of the community.</p>

	STRATEGY	ACTION
1.6	Clearly detail and be accountable for the actions taken to achieve the object of the CSP	<p>The Council uses the CSP, and resourcing options to prepare a four year Delivery Program for its term of office.</p> <p>Develop and deliver a four year Delivery Program detailing the actions Council will prioritise in a four year period which are aligned with achieving the objectives of the CSP.</p> <p>Each year, adopt an Operational Plan including a detailed annual budget and statements of Council's Revenue Policy which includes the proposed fees and charges. The Operational Plan sits under the Delivery Program and lists all the actions the council will undertake during the year to achieve its strategic goals.</p> <p>The adoption of the above IP&amp;R documents guides Councillors and staff to ensure the decisions and actions of Council are open, transparent and consistent with what the community has told Council they want, during the CSP consultation process.</p> <p>To demonstrate accountability to the community Councillors and Council staff should at all times ensure that their decisions are consistent with the Delivery Program and Operational Plan. The decision making process should include appropriate analysis and documentation of all risks and financial implications.</p>
1.7	Account to the public for the expenditure of public monies and for the efficient and effective operation of Council	<p>Develop an annual report detailing:</p> <ul style="list-style-type: none"> <li>• Progress on the Delivery Program</li> <li>• Financial performance</li> <li>• Asset reporting</li> <li>• Governance and Planning Act 2016</li> <li>• Legal proceedings</li> <li>• Contracts awarded</li> <li>• Private works and financial assistance</li> <li>• Details of external bodies, companies and partnerships</li> <li>• Details of overseas trips by Councillors and staff</li> <li>• Details of mayoral and Councillor fees, expenses and facilities</li> <li>• Total remuneration of the CEO</li> <li>• Stormwater levies</li> <li>• Companion animals</li> <li>• Equal employment opportunity Management Plan</li> </ul> <p>A copy of the Council's Annual Report is available on Council's website.</p>

# OBJECTIVE 2:

## Considered decision-making based on collaborative, transparent and accountable leadership

Council is committed to being ethical which is supported by a transparent and accountable approach to doing business. Council is also committed to collaborative leadership to promote efficient and effective decision-making.

Collaborative leadership and good governance is underpinned by the principle that the Councillors, the Lord Mayor, the CEO and staff have different and clearly defined roles and responsibilities as defined

in the Act (refer to Appendix B). An understanding of the roles, together with effective relationships between the Lord Mayor, the Councillors, the CEO and staff are essential elements of good governance.

Mutual respect and a good working relationship between all parties is fundamental to collaborative leadership and achieving good governance.

# Strategy and actions

	STRATEGY	ACTION
2.1	Maintain a strong ethical culture and a high standard of conduct	<p>Council adopts a Code of Conduct based on the Model Code of Conduct published by the Office of Local Government. This is a mandatory requirement.</p> <p>The Code of Conduct sets out ethical and behavioural standards to be complied with by Councillors, Council staff, Administrators, conduct reviewers and delegates of Council.</p> <p>Councillors, the CEO and Council's senior staff are expected to demonstrate, through both their words and actions, commitment to that Code of Conduct. All staff are expected to comply with the Code of Conduct</p> <p>LGA S.440</p>
2.2	Clearly defined roles and responsibilities with independence as well as cooperation between all parties	<p>The Act clearly defines the role of the Lord Mayor, Councillors, elected Council and the CEO (refer to Appendix B for further information).</p> <p>Effective governance relies on the acceptance and independence of the different roles of the Lord Mayor, Councillors, the CEO and staff.</p> <p>Council adopts an Interaction between Councillors and Staff Policy to support the Code of Conduct and ensures an appropriate level of independence between Councillors and staff.</p> <p>An effective relationship between the Lord Mayor and Councillors promotes the successful delivery of the strategic directions as well as the reputation of Council.</p> <p>The Lord Mayor and CEO work closely together and the relationship is characterised by openness and good communication, with each keeping the other informed about important and relevant issues.</p> <p>Members of staff report to the CEO and are not subject to direction by Councillors. The CEO is the link between Councillors and Council staff.</p> <p>LGA Ss. 223, 226, 232, 335 &amp; 352(1)</p>
2.3	Effective management structure	<p>The elected Council determines the organisation structure at a senior level with the structure they put in place providing for Council to meet its goals and objectives.</p> <p>Consistent with the Act, the CEO is responsible for determining the organisation structure below a senior level (a copy of the organisation structure is available on Council's website).</p> <p>The CEO is responsible for setting individual salaries of staff (within an allocated budget) and for conducting or overseeing staff performance reviews.</p> <p>LGA S. 332</p>



	STRATEGY	ACTION
2.4	<p>Clear and considered decision-making processes to ensure decisions made by Council are in the best interests of the community and consistent with the Council's CSP.</p>	<p>The elected Council delegates to the CEO functions of Council except those precluded from delegation under the Act or those functions the elected Council consider should be carried by them.</p> <p>The CEO in turn delegates functions to staff at appropriate levels of the organisation structure so the day to day work of Council can be carried out. This includes financial delegations to ensure financial decisions are appropriately made and there is a system of accountability.</p> <p>The delegations framework demonstrates the trust the elected Council places in the CEO and staff for decision-making. The CEO is responsible for ensuring that all delegations are enacted consistent with Council policy as Council policies provide guidance for appropriate decision-making.</p> <p>The CEO is responsible and accountable for ensuring that the Council receives quality and timely reports for matters that fall outside his/her delegations. The reports contain all relevant information, options, clear recommendations as well as details on the alignment with the Council's strategic objective and financial impacts to ensure Council can make appropriate and informed decisions. Councillors are entitled to put forward alternatives to the recommendations provided by Council staff through the CEO. All decisions must be supported by reason and align with the Council's CSP.</p> <p>All decisions are made at an appropriate level and are supported by a sound financial and risk analysis as well as being consistent with the CSP.</p> <p>Clear and transparent decision-making ensures integrity in the decisions made by the elected Council and Council staff and support transparency and accountability.</p> <p>LGA Ss.377 &amp; 378</p>

	STRATEGY	ACTION
2.5	Support and commitment to education and training	<p>Education and training for both Councillors and staff to ensure they appropriately understand their governance obligations is important to Council.</p> <p>All Councillors are required to complete an education and induction program on election (generally every four years and regardless of whether they are new Councillors or re-elected) and ongoing professional development training. This is to ensure Councillors have an appropriate level of skills and experience required to properly fulfil their responsibilities in accordance with the Regulation.</p> <p>Council supports continuous education and professional development programs for Councillors. The budget to allow Councillors to attend ongoing professional development is provided for in Council's Payment of Expenses and Provision of Facilities to Councillors policy.</p> <p>Council is committed to educating staff at all levels through formal established training programs, including:</p> <ul style="list-style-type: none"> <li>• senior management induction program covering governance matters that all senior managers are required to attend on commencement of employment at Council;</li> <li>• staff induction program covering governance issues that all staff are required to attend upon commencement of employment at Council; and</li> <li>• provision of a training budget per staff member to support staff in ongoing training and education relevant to their roles.</li> </ul> <p>Council has an established governance training program for staff at all levels endorsed by the Executive Management Team. The adopted training program includes all relevant aspects of governance depending on the level within the organisation.</p>

# OBJECTIVE 3:

## Active citizen engagement on local planning and decision-making processes and a shared responsibility for achieving goals

Council is committed to citizen engagement which commences with the community strategic planning process. Council recognises that community engagement is an important part of local democracy , fostering community cohesion, pride of place and participation in civic life.

Once the key strategic objectives of the community are established, Council takes an open and transparent approach to all of its activities and ensures the delivery

of efficient and effective decisions, facilities and services that meet the community's expectations on a financially sustainable basis. This demonstrates a shared responsibility for achieving the goals of the entire community.

Council acknowledges it is accountable to the community and is committed to improving community engagement by proactively making information available to keep the community informed and engaging with the community on key issues and matters of significance in the LGA.

# Strategy and actions

	STRATEGY	ACTION
3.1	Being open and transparent with regards to Council's community engagement activities	<p>Council undertakes significant community consultation as part of the development and adoption of the CSP. The CSP is supported by a specific Community Engagement Strategy. Community engagement for the CSP is the key way the community can become involved in setting the strategic direction of Council.</p> <p>Once the CSP is adopted, Councillors and Council staff are empowered to implement the strategies and goals established in consultation with the community. Council also adopts a Community Engagement Framework and a Community Engagement Policy to provide for openness and transparency with Council's community engagement activities as well as being accessible, inclusive and actively seeking input into decision-making. Councillors and staff recognise that decisions are improved by engaging residents and other stakeholder groups. Within Council's ability to finance and resource, Council commits to conduct transparent and inclusive engagement processes that are responsive and accountable.</p> <p>Council assigns a high priority to appropriately involving residents and other stakeholders early on and throughout the process, especially when the decision(s) impact their lives. Council recognises and complies with the practices developed by the International Association for Public Participation. The IAP2 Public Participation Spectrum helps identify and select the appropriate level of public participation, select methods of engagement and identify a range of tools.</p> <p>Community engagement is defined in many different ways depending on context. For Council, community engagement is the primary way we build community awareness and understanding, and gain better insights into community opinion. The information shared with Council by residents is used to assist with ensuring services and facilities best meet their needs. Council is currently expanding its community engagement program to empower residents to be further involved in the decision-making process. Methods the engagement team employ when undertaking engagement activities include:</p> <ul style="list-style-type: none"> <li>• Online surveys</li> <li>• Geo mapping tool surveys</li> <li>• Focus groups</li> <li>• Facilitated workshops</li> <li>• Intercept surveys</li> <li>• Information sessions</li> </ul> <p>There are constantly evolving tools that are being developed in the engagement space to better target hard to reach community groups as well as make the engagement experience as attractive and accessible as possible. Council staff will continue to review many of these tools for potential use across Council's planning and service provision initiatives. Diverse community engagement with a broad section of the community is important as Council (Councillors and staff) have a responsibility to act in the best interests of all residents in the Newcastle local government area.</p>

	STRATEGY	ACTION
3.2	Provision of public access to Council meetings and business papers	<p>All Ordinary Council meetings as well as the Development Applications Committee, Public Voice Committee and Briefing Committee meetings are open to the public unless required to be closed in accordance with the Act.</p> <p>Council makes its business papers available on Council's website in advance of Council meetings as well as in hard copy from Council's City Administration Centre. Minutes of all open Council meetings are also made available to the public via Council's website.</p> <p>LGA Ss. 9-11</p>

	STRATEGY	ACTION
3.3	Clear line of communications between members of the public and Councillors	<p>Councillors contact details including email address and telephone numbers are listed on Council's website to allow members of the public to directly communicate with Councillors.</p> <p>Members of the public may raise issues with Councillors at any time. As business papers are released to members of the public in advance of Council meetings, members of the public can email or speak to Councillors about issues due to go before the elected Council prior to a Council meeting.</p> <p>Where members of the public have issues regarding matters on the agenda or concerns of strategic significance or in respect of a development application (that is to go before the elected Council at a Development Applications Committee), they may apply under Council's Public Voice Policy to address the elected Council in open session.</p> <p>The main objective of the Public Voice Policy is to provide members of the community with the opportunity to address Councillors on matters falling within the jurisdiction of Council that are of a strategic nature.</p> <p>Council's policy and the relevant application form is available on Council's website. Applications relating to strategic issues are assessed and where approved, scheduled to be heard at the next available session (usually a session will be scheduled soon after of the application being received). Public Voice sessions can cover a broad range of issues including those related to development applications where the elected Council is the decision maker as well as other strategic issues. Applications are generally only rejected where:</p> <ul style="list-style-type: none"> <li>• there is a timing issue and/or other forms of communication are appropriate;</li> <li>• the topic of discussion is outside of Council's jurisdiction and Council is not in a position to make a decision on the matter. Council would generally guide the applicant to the relevant body or if the dispute is of a private nature (such as tree dispute on private land), Council may offer some suggested courses of action such as mediation through the Community Justice Centre; or</li> <li>• an application for a development application was lodged outside the public notification period. Relevant neighbours receive information that advises of the Public Voice application process and the timeframes for lodging a Public Voice application. The timeframes are in place to ensure the development application can proceed as efficiently as possible and to ensure fairness to all parties.</li> </ul> <p>A summary of Public Voice topics previously presented by members of the public to Councillors is available on Council's website.</p>

	STRATEGY	ACTION
3.4	Open and accessible government information as well as a commitment to the protection of privacy	<p>Under the GIPA Act, Council is required and committed to:</p> <ul style="list-style-type: none"> <li>• making information that it is required under the GIPA Act available on its website or one way free of charge;</li> <li>• proactively publishing more information on Council's website than is legally required and improve efficient release of information;</li> <li>• processing all informal requests for information efficiently and effectively; and</li> <li>• processing all formal access applications within the statutory timeframes and in compliance with the GIPA Act.</li> </ul> <p>The CEO ensures the provision of detailed and timely information to Councillors relevant to the discharge of their civic functions while still maintaining appropriate level of independence between the elected Council and staff.</p> <p>Council will ensure it meets the highest level of public disclosure regarding all dealings with Council Officials while also meeting its obligations under the relevant privacy legislation and Councils Privacy Management Plan.</p> <p>Council will ensure that its procedures meet the highest level of transparency, accountability and probity and comply with the requirements of all current legislation.</p> <p>Whilst Council is committed to releasing information, such disclosure will be done where there is public interest to do so, in accordance with the GIPA Act. This means that some personal or commercial in confidence business information may not be disclosed where there is no public interest to do so.</p>

	STRATEGY	ACTION
3.5	Open and transparent disclosures	<p>A standing item on every Council meeting agenda is the disclosure of conflict of interests requiring Councillors to make a disclosure to the meetings about any conflicts they have in relation to any items on the Council meeting agenda. The Councillors' conflict of interests declarations are recorded in the minutes.</p> <p>Council staff are also required to declare in writing to their manager any conflicts of interests that arise in the course of their conducting duties.</p> <p>Where Councillors or staff declare a pecuniary or significant non-pecuniary interest, they must remove themselves from the decision-making process (for example, Councillors are required to leave the Council Chamber and not vote on the matter and staff must step aside and another staff member will be responsible for the decision-making).</p> <p>Councillors, senior staff and other staff members with decision-making functions are required to complete an annual pecuniary interest return, disclosing to the CEO:</p> <ul style="list-style-type: none"> <li>• property;</li> <li>• income;</li> <li>• significant gifts;</li> <li>• significant contributions to travel;</li> <li>• shares of and positions held in companies (if remunerated for such positions);</li> <li>• positions in trade unions and professional / business associations;</li> <li>• debts; and</li> <li>• discretionary disclosures (any disclosures that don't "fit" in other sections).</li> </ul> <p>LGA Ss 442-449</p> <p>Councillors and staff are also required to declare all gifts given to them and these declarations are kept on Council's gift register.</p>
3.6	Consideration of the communities advice on Council issues	<p>Council may establish advisory committees by resolution of Council. The purpose of these committees is to provide guidance and make recommendations to the elected Council within a particular area of expertise. Many of the committees have community members or members of key stakeholder groups as well as Councillors as members.</p> <p>The committees meet to discuss issues that fall within their area of expertise and make recommendations back to the elected Council.</p> <p>The elected Council adopts a constituting document for each of the committees setting out, including but not limited to:</p> <ul style="list-style-type: none"> <li>• responsibilities/ terms of reference;</li> <li>• membership;</li> <li>• meeting frequency and agenda items;</li> <li>• committee authority; and</li> <li>• reporting obligations.</li> </ul> <p>The elected Council, by resolution, nominates Councillor representatives to the committee where the constituting document provides for Councillor members.</p> <p>At the time of the development of this strategy Council has in place seven Strategic Advisory Committees as set out in Annexure C.</p>



	STRATEGY	ACTION
3.7	Councillor participation on community issues	<p>Councillors are nominated to, and currently sit on, approximately 18 externally constituted community committees wide ranging in focus and scope. These are set out in Annexure D.</p> <p>These committees do not come under the oversight of Council and are subject to their own individual governance arrangements.</p> <p>The appointment to external community committees allows Councillors to further engage with and understand community needs. Councillors can bring matters before the elected Council by way a of Notice of Motion.</p>
3.8	Effective complaints handling focussed on customer service improvements	<p>Council adopts a Customer Complaints Handling Policy to ensure:</p> <ul style="list-style-type: none"> <li>• Council responds to complaints in a timely, consistent and cost-effective way.</li> <li>• The boosting of public confidence and perception of the quality of the services provided by Council.</li> <li>• Complaints information and statistics are used to deliver quality improvements in services and the way in which it handles complaints.</li> </ul> <p>Members of the public can escalate complaints to the NSW Ombudsman where they are dissatisfied with Council's response. The role of the NSW Ombudsman is to make sure agencies, such as local Councils, and their staff do their jobs properly, meeting their responsibilities to the community.</p>

# OBJECTIVE 4:

## A local government organisation of excellence

Well functioning local government is a key element in helping the community achieve the objectives of the CSP. The organisation is committed to the principles of continuous improvement in order to increase the efficiency and effectiveness of service delivery on a financially sustainable basis.

Council encourages a positive workplace culture and promotes a strong governance framework.

Council has a number of overarching, policy and procedure documents supporting good governance and providing appropriate guidance to support Council as an organisation of excellence.

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3 (opposite page) The new provisions in the Act for the Audit , Risk and Improvement Committee (refer to footnote 4), provide for this committee to oversee:

- compliance;
- risk management,
- fraud control,
- financial management,
- governance,
- implementation of the strategic plan, delivery program and strategies,
- service reviews,
- collection of performance measurement data by the council,
- any other matters prescribed by the regulations.

As such, once these provisions come into effect, they will likely make a Governance Committee unnecessary. If the provisions are not brought into effect, the Council will establish a Governance Committee

	STRATEGY	ACTION
4.1	Accountable to actions its takes to support a strong governance framework	<p>Council will establish a Governance Committee made up of Councillor and independent members. The purpose of the Governance Committee will be to:</p> <ul style="list-style-type: none"> <li>• oversee the development of Council's governance policies and policy framework;</li> <li>• review Council's Code of Conduct at regular intervals to ensure consistency with the Model Code of the Office of Local Government, including Council's approach to: <ul style="list-style-type: none"> <li>- managing conflicts of interest; and</li> <li>- secondary employment.</li> </ul> </li> <li>• review and endorse of staff awareness programs on Code of Conduct, fraud and corruption prevention and public interest disclosures;</li> <li>• review and monitor on Council's effectiveness in handling customer complaints (including making recommendations for changes to process or procedure);</li> <li>• review and monitor Council's Fraud and Corruption Prevention Plan; and</li> <li>• review and monitor Council's Integrated Planning and Reporting Framework.<sup>3</sup></li> </ul> <p>The Governance Committee will report periodically to Council as provided in a Governance Committee Charter adopted by the elected Council.</p>
4.2	Established system for the efficient, effective and orderly conduct of meetings	<p>The elected Council adopts a Code of Meeting Practice from time to time based on the Act and Regulation. The Code of Meeting Practice, provides for, including but not limited to:</p> <ul style="list-style-type: none"> <li>• adopting a meeting cycle for regular Council meetings;</li> <li>• provision of notice of Council meetings and means by which Councillors can add items to the Council meeting agenda;</li> <li>• publicly advertising the dates and times of Council meetings;</li> <li>• the timeframes and form for the issuing of agendas and business papers by the CEO to Councillors and the public;</li> <li>• approval of minutes at the next Council meeting and the signing of minutes by the Lord Mayor;</li> <li>• voting on items of business in Council meetings;</li> <li>• quorum at meetings;</li> <li>• the attendance of the public at meetings, except where meetings must be closed to the public in accordance with the Act;</li> <li>• the requirement to vote by division and record the voting by individual Councillors on planning instrument matters; and</li> <li>• Councillors declaring conflicts of interest at Council meetings.</li> </ul> <p>LGA S. 360(2)</p>

	STRATEGY	ACTION
4.3	Improve fraud and corruption control	<p>Council has an adopted Fraud and Corruption Control Strategy that provides:</p> <ul style="list-style-type: none"> <li>• an integrated and overarching strategy to control fraud and corruption risk at Council;</li> <li>• guidance on all fraud and corruption management activities including the adoption of a Fraud and Corruption Control Strategy which is regularly updated tracking actions taken by Council to prevent fraud and corruption; and</li> <li>• a mechanism for evaluation and continuous improvement of fraud and corruption management activities at Council through the Fraud and Corruption Control Plan.</li> </ul>
4.4	Council takes steps to ensure it appropriately identifies and manages serious wrong-doing	<p>Council adopts an internal reporting policy from time to time (at least once per council term) based on the NSW Ombudsman's model internal reporting policy. It provides for:</p> <ul style="list-style-type: none"> <li>• procedures for reporting serious wrongdoing to appropriate levels of management or to Council's Legal and Governance team (for independence); and</li> <li>• the reporting of systemic and recurring governance problems to those with sufficient authority to correct them.</li> </ul>
4.5	Promote an organisation that eliminates or minimises risk	<p>Council supports and is committed to risk management. Council adopts and maintains a risk management framework and Risk Management Committee to appropriately identify and manage:</p> <ul style="list-style-type: none"> <li>• business and financial risks, including fraud and corruption;</li> <li>• risk management plans for projects or undertakings;</li> <li>• business continuity planning; and</li> <li>• emerging risks.</li> </ul> <p>The Risk Management Committee reviews risk and insurance related initiatives which provide for risk awareness and mitigation strategies to be implemented where appropriate.</p>

	STRATEGY	ACTION
4.6	Ensure accountability for public money and high levels of service, governance, quality, professional conduct and compliance with professional standards and other legislative requirements	<p>Council is required under the Act to ensure external audits of its financial reports are carried out in accordance with accounting standards.</p> <p>[The Auditor-General is the auditor for Council but it may appoint a person or a firm to act on its behalf].<sup>4</sup></p> <p>[LGA s.415, [s.422]</p> <p>Council adopts and maintains an audit committee in accordance with statutory obligations and recognised best practice. The Audit [, Risk and Improvement] Committee is made up of independent and Councillor members. The Committee reports periodically to Council as provided in the Committee Charter adopted by the elected Council.</p> <p>The objective of the Audit [, Risk and Improvement] Committee is to provide independent assurance and assistance to Council on risk management, fraud control, governance, financial, and legal and regulatory obligations.</p> <p>The Audit [, Risk and Improvement] Committee is responsible for:</p> <p>acting as a forum for communication between the Council, executive management, internal audit and external audit; and</p> <p>providing oversight of Council's internal audit activity.</p> <p>[Council must appoint an Audit, Risk and Improvement Committee. The Committee must keep under review the following aspects of Council's operations:</p> <ul style="list-style-type: none"> <li>• compliance;</li> <li>• risk management,</li> <li>• fraud control,</li> <li>• financial management,</li> <li>• governance,</li> <li>• implementation of the strategic plan, delivery program and strategies,</li> <li>• service reviews,</li> <li>• collection of performance measurement data by the council,</li> <li>• any other matters prescribed by the regulations].<sup>5</sup></li> </ul> <p>The Committee is also to provide information to Council for the purpose of improving the council's performance of it functions.]</p> <p>[LGA s428A]</p>

4 The Local Government Amendment (Governance and Planning) Act 2016 (the amending act) was assented to on 30 August 2016. Section 422 is yet to come into force but will result in a change to the Auditor General (or person a firm so appointed) being Council's financial auditor. If this change comes into force prior to the adoption of this strategy, the detail in square brackets will be incorporated.

5 The Local Government Amendment (Governance and Planning) Act 2016 (the amending act) was assented to on 30 August 2016. Section 422 is yet to come into force but will result in a change to the Auditor General (or person a firm so appointed) being Council's financial auditor. If this change comes into force prior to the adoption of this strategy, the detail in square brackets will be incorporated and the sections on the Governance Committee at footnote 3 will be deleted.

## APPENDIX A

### GUIDING PRINCIPLES

#### Exercise of functions generally

The following general principles apply to the exercise of functions by councils:

- (a) Councils should provide strong and effective representation, leadership, planning and decision-making.
- (b) Councils should carry out functions in a way that provides the best possible value for residents and ratepayers.
- (c) Councils should plan strategically, using the integrated planning and reporting framework, for the provision of effective and efficient services and regulation to meet the diverse needs of the local community.
- (d) Councils should apply the integrated planning and reporting framework in carrying out their functions so as to achieve desired outcomes and continuous improvements.
- (e) Councils should work co-operatively with other councils and the State government to achieve desired outcomes for the local community.
- (f) Councils should manage lands and other assets so that current and future local community needs can be met in an affordable way.
- (g) Councils should work with others to secure appropriate services for local community needs.
- (h) Councils should act fairly, ethically and without bias in the interests of the local community.
- (i) Councils should be responsible employers and provide a consultative and supportive working environment for staff.

#### Decision-making

The following principles apply to decision-making by councils (subject to any other applicable law):

- (a) Councils should recognise diverse local community needs and interests.
- (b) Councils should consider social justice principles.
- (c) Councils should consider the long term and cumulative effects of actions on future generations.
- (d) Councils should consider the principles of ecologically sustainable development.
- (e) Council decision-making should be transparent and decision-makers are to be accountable for decisions and omissions.

#### Community participation

Councils should actively engage with their local communities, through the use of the integrated planning and reporting framework and other measures.

#### Principles of sound financial management

The following principles of sound financial management apply to councils:

- (a) Council spending should be responsible and sustainable, aligning general revenue and expenses.
- (b) Councils should invest in responsible and sustainable infrastructure for the benefit of the local community.
- (c) Councils should have effective financial and asset management, including sound policies and processes for the following:
  - (i) performance management and reporting,
  - (ii) asset maintenance and enhancement,
  - (iii) funding decisions,
  - (iv) risk management practices.

(d) Councils should have regard to achieving intergenerational equity, including ensuring the following:

- (i) policy decisions are made after considering their financial effects on future generations,
- (ii) the current generation funds the cost of its services.

Integrated planning and reporting principles that apply to councils

The following principles for strategic planning apply to the development of the integrated planning and reporting framework by councils:

- (a) Councils should identify and prioritise key local community needs and aspirations and consider regional priorities.
- (b) Councils should identify strategic goals to meet those needs and aspirations.
- (c) Councils should develop activities, and prioritise actions, to work towards the strategic goals.
- (d) Councils should ensure that the strategic goals and activities to work towards them may be achieved within council resources.
- (e) Councils should regularly review and evaluate progress towards achieving strategic goals.
- (f) Councils should maintain an integrated approach to planning, delivering, monitoring and reporting on strategic goals.
- (g) Councils should collaborate with others to maximise achievement of strategic goals.
- (h) Councils should manage risks to the local community or area or to the council effectively and proactively.
- (i) Councils should make appropriate evidence-based adaptations to meet changing needs and circumstances.

LGA Ss.8-8C

## Lord Mayor

**The role of the Lord Mayor is to:**

- be the leader of Council and a leader in the local community;
- advance community cohesion and promote civic awareness;
- be the principal member and spokesperson of the elected Council, including representing the views of Council as to its local priorities;
- exercise, in cases of necessity, the policy-making functions of the elected Council between meetings of the Council;
- preside at Council meetings;
- ensure that Council meetings are conducted efficiently, effectively and in accordance with the Act;
- ensure the timely development and adoption of the strategic plans, programs and policies of Council;
- promote the effective and consistent implementation of the strategic plans, programs and policies of Council;
- promote partnerships between Council and key stakeholders;
- advise, consult with and provide strategic direction to the CEO in relation to the implementation of the strategic plans and policies of Council;
- in conjunction with the CEO, ensure adequate opportunities and mechanisms for engagement between Council and the local community;
- carry out the civic and ceremonial functions of the Lord Mayor's Office;
- represent Council on regional organisations and at inter-governmental forums at regional, State and Commonwealth level;
- in consultation with Councillors, lead performance appraisals of the CEO; and
- exercise any other functions of the council that Council determines.

## Elected Council/Councillors

**The role of the elected Council is to:**

- direct and control the affairs of Council in accordance with the Act;
- provide effective civic leadership to the local community;
- ensure as far as possible the financial sustainability of the council;
- ensure as far as possible that the Council acts in accordance with the principles set out in the Act and the plans, programs, strategies and policies of the council;
- develop and endorse the CSP, delivery program and other strategic plans, programs, strategies and policies of the council;
- determine and adopt a rating and revenue policy and operational plans that support the optimal allocation of the council's resources to implement the strategic plans (including the CSP) of the Council and for the benefit of the local area;
- keep under review the performance of the council, including service delivery;
- make decisions necessary for the proper exercise of Council's regulatory functions;
- determine the process for appointment of the CEO by the Council and to monitor the CEO's performance;
- determine the senior positions within the organisation structure of the council;

- consult regularly with community organisations and other key stakeholders and keep them informed of the Council's decisions and activities;
- be responsible for ensuring that the Council acts honestly, efficiently and appropriately; and
- consult with the CEO in directing and controlling the affairs of the council.

**The role of Councillors as individuals is to:**

- be an active and contributing member of the elected Council;
- make considered and well informed decisions as a member of the elected Council;
- participate in the development of the integrated planning and reporting framework;
- represent the collective interests of residents, ratepayers and the local community;
- facilitate communication between the local community and the elected Council;
- uphold and represent accurately the policies and decisions of the elected Council;
- make all reasonable efforts to acquire and maintain the skills necessary to perform the role of a councillor.

LGA Ss.223, 232

**Councillors are required to take an oath or affirmation: (as provided in the Act):**

- **Oath:** I [name of councillor] swear that I will undertake the duties of the office of councillor in the best interests of the people of [name of council area] and the [name of council] and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment.
- **Affirmation:** I [name of councillor] solemnly and sincerely declare and affirm that I will undertake the duties of the office of councillor in the best interests of the people of [name of council area] and the [name of council] and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment

LGA Ss.223, 232, 233A



## Chief Executive Officer

**The role of the CEO is to:**

- conduct the day-to-day management of the Council in accordance with the strategic plans, programs, strategies and policies of the council;
- implement, without undue delay, lawful decisions of the Council;
- advise the Lord Mayor and the Councillors on the development and implementation of the strategic plans, programs, strategies and policies of the council;
- advise the Lord Mayor and the Councillors on the appropriate form of community consultation on the strategic plans, programs, strategies and policies of the Council and other matters related to the Council;
- prepare, in consultation with the Lord Mayor and the Councillors, the council's CSP, community engagement strategy, resourcing strategy, delivery program, operational plan and annual report;

- ensure that the Lord Mayor and the Councillors are given timely information and advice and the administrative and professional support necessary to effectively discharge their functions;
- exercise any of the functions of the Council that are delegated by the Council to the CEO;
- appoint staff in accordance with the organisation structure determined under Chapter 11 of the Act and the resources approved by the Council;
- direct and dismiss staff;
- implement the Council's annual Operational Plan, Delivery Program and workforce management strategy; and
- provide any other functions that are conferred or imposed on the CEO by or under this or any other Act.

LGA Ss.335, 377

## Senior Staff

**The role of the Senior Staff is to:**

- Senior staff are responsible for providing timely advice to the CEO within their specific areas of responsibility, as required, on the progress of projects/activities and work.
- They are also responsible for ensuring that their team's and individual work plans support the achievement of the Council's strategic goals.

<https://www.olg.nsw.gov.au/councils/integrated-planning-and-reporting/process/roles-and-responsibilities>

## APPENDIX C

### ADVISORY COMMITTEES

- 1 Asset Advisory Committee
- 2 Guraki Aboriginal Advisory Committee
- 3 Youth Council
- 4 Floodplain Risk Management Committee
- 5 Coastal Revitalisation Advisory Working Party
- 6 Newcastle Cycling Working Party
- 7 Environment Advisory Committee

These are not committees constituted under s.355 of the Act.

## APPENDIX D

### EXTERNAL COMMUNITY COMMITTEES

- 1 Building Better Cities Housing Management and Development Committee
- 2 Cooperative Library Advisory Committee
- 3 Fort Scratchley Historical Society's Management Committee
- 4 Hexham and Kooragang Project Steering Committee
- 5 Hunter and Central Coast Joint Regional Planning Panel
- 6 Hunter Community Reference Group of the Hunter Central Rivers Catchment Management Authority
- 7 Hunter Region SLSA Helicopter Rescue Services Board
- 8 Hunter Sports Centre Inc
- 9 Hunter Water Corporation Consultative Forum
- 10 Lower Hunter Councils Transport Group
- 11 NSW Association of Mining Related Councils
- 12 NSW Metropolitan Public Libraries Association
- 13 Newcastle Art Gallery Foundation Board
- 14 Newcastle Bushfire Management Committee
- 15 Newcastle Catchment Management Forum
- 16 Newcastle City Traffic Committee
- 17 Newcastle Maritime Museum Society
- 18 Northern Settlement Services Management Committee

These are not committees constituted under s.355 of the Act.





# Communications and Engagement Plan

## Open and Transparent Governance Strategy

### Aim:

The aim of this Communications and Engagement Plan (Plan) is to increase community participation in the development of an Open and Transparent Governance Strategy (Strategy) and awareness of Council's commitment to open and collaborative leadership.

### Approach:

The scope of the engagement activities for the Strategy is outlined in the table below.

Several of the engagement activities will be conducted as part of the engagement program for the Community Strategic Plan (CSP). The Communications and Engagement Team will be conducting intensive engagement activities around the development of the CSP from May to August 2017. As this strategy sits under the Open and Collaborative Leadership direction of the CSP, the engagement activities around it will be incorporated within this larger body of work providing broader community input.

The Plan centres on a draft Strategy being available to take to the community due to the nature of the subject matter. The wider community may not have a high level of conceptual understanding of open and transparent governance, therefore, the community needs to be asked about concrete aspects of the Strategy.

As described in the table below these activities are incorporated into the CSP program of work to boost participation and reduce community consultation fatigue. A stand-alone workshop can be provided in April 2017, however, it should be noted that community participation for both an Open and Transparent Governance workshop and CSP workshops would be reduced if this option were pursued. If a stand-alone workshop were held with internal stakeholders only, ie relevant Council staff, this would mitigate a detrimental impact.

### Scope of engagement activities:

Activity	Scope	Purpose	Date
<b>Exhibition of Draft Strategy endorsed by Council</b>	Elected Council review and endorse draft Strategy	The draft Strategy document will form the basis of the content of the engagement activities particular to the Open and Transparent Governance aspect of the NOM.	28 March 2017
<b>Draft Strategy placed on public exhibition</b>	Draft Strategy placed on public exhibition for 28 days	The public exhibition period allows for members of the community to formally submit comment on the draft Strategy.	3 April - 1 May 2017

The activities described below are part of wider ranging surveys, workshops and other activities being conducted as part of engagement around the Community Strategic Plan. However, specific engagement activities will be undertaken in regard to the Strategy during this process.

<p><b>Community Workshops</b></p>	<p>Community workshops will be held throughout the CSP engagement process. Specific workshop activities will be designed to gain community feedback on detailed aspects of the draft Strategy.</p>	<p>To determine community priorities regarding aspects of the Strategy</p>	<p>May/June, 2017</p>
<p><b>Newcastle Voice Survey</b></p>	<p>A Newcastle Voice survey will be developed to canvass community views on the draft Strategy. Opinions will be sought regarding specific aspects of the Strategy as well as the Strategy in a holistic way.</p>	<p>To gain empirical data from the community regarding the draft Strategy</p>	<p>June/July 2017</p>
<p><b>Online challenge dialogue forum</b></p>	<p>Questions are posed online in an open forum for participants to provide suggestions/ideas in a less structured way.</p>	<p>Enables open and transparent feedback process.</p>	<p>July/August 2017</p>
<p><b>Engagement Outcomes Report</b></p>	<p>While the engagement activities will form part of the CSP process, a report will be produced detailing the outcomes of the engagement work specific to the draft Strategy. Any formal submissions obtained during the public exhibition period will also be included in the report.</p>	<p>To provide an overview community feedback on draft Strategy</p>	<p>August 2017</p>

**Communications Plan**

The engagement activities will be promoted through a range of channels including:

- paid advertising in local government section of the Herald
- website content and home page carousel
- inclusion in council enews
- media release/editorial
- social media posts.

**ORDINARY COUNCIL MEETING  
22 AUGUST 2017**

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**CCL 22/08/17  
SUPPLEMENTARY REPORT - OPEN AND TRANSPARENT  
GOVERNANCE STRATEGY**

**Attachment B: Amended Open and Transparent Governance  
Strategy**

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# Open and Transparent Governance Strategy

Newcastle City Council  
[August](#) 2017

[March](#)

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# Preliminary

## Introduction and context

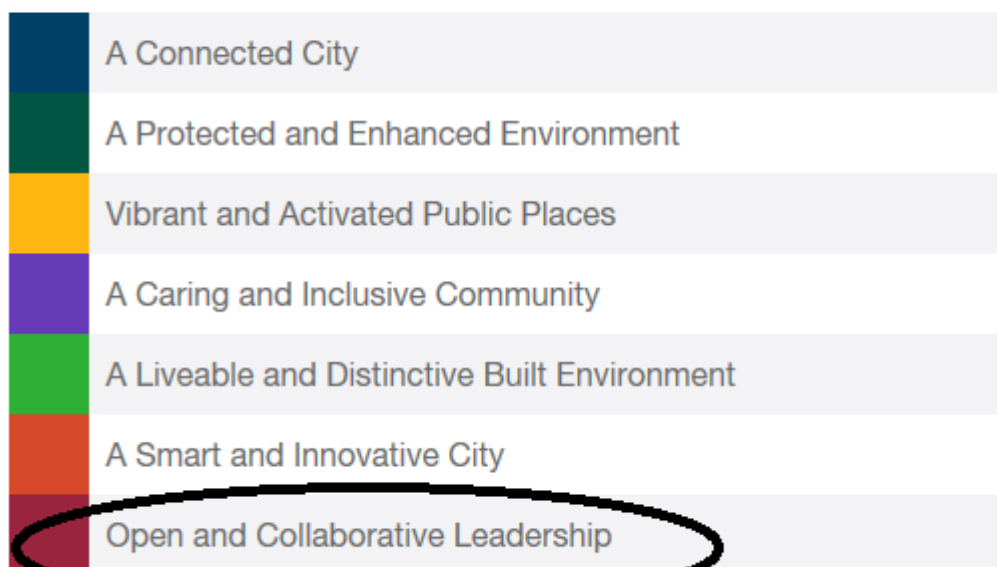
In accordance with the Local Government Act 1993 (NSW) (Act), every council in NSW is required to adopt a Community Strategic Plan (CSP).

The CSP represents the highest level of strategic planning undertaken by Council. It is a shared community vision developed to inform policies and actions over the next ten years. There is an extensive community engagement process to identify long term objectives of the community and the strategies to achieve those objectives to meet levels of service the community expects.

As the CSP is a shared community vision, not all actions are within the responsibility of Council and this is clearly articulated in the document.

CSPs are required to address the quadruple bottom line - that is social, environmental, civic leadership issues and governance. The CSP commits Council to seven strategic directions (ensuring it meets its quadruple bottom line):

## Strategic directions for Newcastle



## What is Open and Collaborative Leadership?

Open and Collaborative Leadership is one of seven key strategic directions. The objectives of Open and Collaborative Leadership and the basis of this Strategy are:

- Integrated, sustainable long term planning for Newcastle and the Region.
- Considered decision-making based on collaborative, transparent and accountable leadership.
- Active citizen engagement on local planning and decision-making processes and a shared responsibility for achieving goals.
- A local government organisation of excellence.

# The Governance Framework

Governance are those high level processes and behaviours that ensure an organisation performs by achieving its intended purpose and conforms by complying with all relevant laws codes and ethics while meeting community expectations of probity, accountability and transparency.

Ensuring Council has a sound governance framework in place underpins Open and Collaborative Leadership and is essential to provide the community with confidence that:

- Council is legally compliant and acts on an ethical basis.
- Council's decision-making processes are open and transparent and made in the best interests of all stakeholders.
- Council is and is seen to be a good corporate citizen.

Council's governance framework and key governance policies include:

- Audit Committee Charter
- Code of Conduct
- Code of Meeting Practice
- Community Engagement Strategy
- Enterprise Risk Framework
- Fraud and Corruption and Control Strategy
- Interaction between Councillors and Staff Policy
- Internal Reporting Policy - Public Interest Disclosures
- Office of Local Government Model of Code of Conduct <sup>1</sup>
- [Office of Local Government Model of Code of Meeting Practice]<sup>2</sup>
- Payment of Expenses and provision of facilities to Councillors Policy
- Policy framework (including all of Council policies which are of a high quality and effective)
- Privacy Management Plan
- Public Voice Policy.

All documents are available on Council's website or by request.

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<sup>1</sup> The Office of Local Government is currently reviewing the Model Code of Conduct and Procedures for Administration of the Model Code of Conduct.

<sup>2</sup> The Office of Local Government is currently developing a Model Code of Meeting Practice. -If the model is adopted prior to the adoption of this strategy, the detail in the square brackets will be included in the final draft.

## Purpose

The purpose of this Strategy is to document the action Council takes or will take to achieve Open and Collaborative Leadership through a governance framework which:

- guides Councillors and staff on the principles to ensure the community has trust and confidence in the decisions made by Council; and
- ensures all processes and decisions are made openly and transparently.

## Principles

Council commits itself to the following principles:

- **Equity** - fairness in decision-making, prioritising and allocation of resources, particularly for those in need. Everyone should have a fair opportunity to participate in the future of the community. The planning process should take particular care to involve and protect the interests of people in vulnerable circumstances.
- **Participation** - maximum opportunity to genuinely participate in decisions affecting their lives.
- **Transparency** - people should have access to the information they need to understand government planning and decision-making processes in order to participate in an informed way.
- **Active citizenship** - people are able to exercise their rights and responsibilities in a balanced way within our democratic society. Individuals and groups are encouraged to take a role in the community and are empowered with the skills, support and the opportunity to shape and influence the decisions that affect our community now and into the future.

Council is also committed to the principles of the Act as set out in Appendix A.

## Definitions

- 1.1 **Act** means the Local Government Act 1993 (NSW).
- 1.2 **Council** means Newcastle City Council.
- 1.3 **Councillor** means a person elected or appointed to civic office as a member of the governing body of Council, including the Lord Mayor.
- 1.4 **Chief Executive Officer (CEO)** means the CEO of Council and includes their delegate or authorised representative (and also includes references to the [Interim CEO and General Manager](#)).
- 1.5 **Executive Management Team** means Council CEO and ~~three~~ Directors who are the next most senior in the organisation.
- [1.6 Senior staff means those Council employees reporting directly to Directors who manage a Business Unit.](#)
- ~~1.7~~ **GIPA** means the Government Information (Public Access) Act 2009 (NSW).
- ~~1.7~~ **Regulation** means the Local Government (General) Regulation 2005.

Unless stated otherwise, a reference to a clause is a reference to a clause of this Strategy.

# Objective 1: Integrated, sustainable long term planning for Newcastle and the Region

The Integrated Planning and Reporting (IP&R) legislation was introduced by the NSW State Government in 2009 and sets the requirements for all councils to lead the development of long term plans for their city and community.

The IP&R framework allows councils to build plans of appropriate size, scale and content for their communities. The most important thing is that the Council's CSP, and the implementation structures that support it, are fit for purpose and appropriate to their communities.

The IP&R framework ensures councils provide effective and efficient services to meet the diverse needs of all of the community. Council is required under the Act to undertake a comprehensive planning and reporting process outlined below:



The IP&R process underpins Council's actions in relation to Council's openness, collaboration, leadership and governance through:

- providing a clear picture for Council's future on how and where Council commits its time, money and resources;
- financial planning to ensure the level of service expected by the community can be met;
- a strong commitment by the Lord Mayor, Councillors, the CEO and all staff to the process; and
- community engagement to ensure objectives and levels of service meets the [communitiescommunity's](#) expectations.

The CSP is Council's key strategic document and is supported by:

- Delivery Program - ~~point where Council takes ownership of the CSP and outlines~~ how Council ~~will~~ contributes to achieving its strategic outcome over the next four years.

- Operational Plan - supports our Delivery Program and outlines in more detail the actions that Council will undertake in that year and allocates the necessary resources.
- Fees and Charges - outlines fees for all user-pay services, including car parking charges, swimming centre fees, footway restaurant fees, parks and recreational fees and building certificate fees.
- Resourcing Strategies - shows our consideration of the staff, assets and money required to deliver Council's four year objectives and annual actions, as outlined in the Delivery Program and Operational Plan.
- Annual Report - provides a yearly summary of Council's performance and statutory reporting.
- End of Term report - reflects the progress of Councillors and the committed Council workforce towards achieving the CSP over the four year Council term.

## Strategy and actions

	Strategy	Action
1.1	Identify and document the main priorities and aspirations of the community	<p>Develop and deliver an updated CSP in partnership with state agencies, community groups and individuals.</p> <p>Council must ensure social justice is achieved by:</p> <ul style="list-style-type: none"> <li>• Ensuring that a broad range of community members have input into developing the CSP</li> <li>• Specifically consulting with those groups whose voice is often not heard in community discussions</li> <li>• Testing the objectives of the CSP against the principles by checking whether the objectives are fair, if they exclude anyone from participating in the community's future and if anyone would be disadvantaged by the decisions</li> <li>• Ensuring that the CSP is adequately informed by sound social research and needs analysis.</li> </ul> <p>In communicating the CSP Council needs to show how community engagement informed the goals, priorities and strategies in the CSP – demonstrate that it is a long term plan for the community, not simply the vision of the councillors or council staff.</p> <p>Timeframe: By 30 June <u>in the year</u> following a Local Government election.</p>

	Strategy	Action
1.2	Develop a Resourcing Strategy which must include provision for long term financial planning, workforce management planning and asset management planning.	<p>The CSP provides a vehicle for each community to express its long term aspirations. However, these aspirations will not be achieved without sufficient resources – time, money, assets and people – to carry them out. The Resourcing Strategy is a critical link when it comes to translating strategic objectives into actions.</p> <p>The integrated nature of the plans means that <del>essentially</del> they will <del>all</del> be developed concurrently, with cross-referencing and adjustment as the development of each plan progresses.</p> <p>Councils <del>do</del> <u>es</u> not have full responsibility for implementing or resourcing all the community aspirations identified in the CSP.</p>
1.3	Maintain long term financial sustainability	Develop and adopt a long term financial plan incorporating Council's current financial position, strategies and assumptions (including economic assumptions) and that analyses the potential financial impact of a number of alternate future funding scenarios to assist in determining the most appropriate course of action which will support the service delivery level required by the community while ensuring the long term financial sustainability of the organisation.
1.4	Ensure Asset Management Strategy and Plans capture community expectations for both service and value and supports inter-generational equity principles.	<p>As custodian, councils are responsible for effectively accounting for and managing these assets and having regard for the long term and cumulative effects of the decisions. This is a core function of councils and is reflected in the principles set out in sections 8C of the Act (refer to Appendix A).</p> <p>Council should establish the goals and objectives for asset management in terms of providing a platform for service delivery, integrate asset management with <del>the</del> <u>C</u>ouncil's strategic planning, maximise value for money by adoption of lifecycle costing, combined with performance measurement, and promote sustainability to protect the needs of future generations.</p> <p>Councils should ensure <del>its</del><u>their</u> asset management planning has a service delivery focus. In other words, the assets that are provided are necessary to meet the needs of the community as identified by the community.</p> <p>Asset management decisions should be informed by evaluation of alternative means of service provision (eg asset sharing), full lifecycle costing, and performance</p>



	Strategy	Action
		<p>measurement and monitoring.</p> <p>Informed decision-making recognises the long-lived character of infrastructure assets and the need to plan and budget for them on a full lifecycle basis beginning with the identification of a service need and the means to meet that need.</p>
1.6	<p>Identify and predict workforce issues in order to ensure resourcing to meet the objective of the Council's CSP.</p>	<p>Develop and adopt a Workforce Management Plan to ensure Council has planned for the unforeseeable future (next four years) and is able to meet the objectives of the CSP.</p> <p>The Workforce Management Plan is a continuous process of matching workforce requirements to organisational objectives in delivering the CSP, as well as analysing and forecasting the human resource implications when undertaking particular operational or strategic activities.</p> <p>In developing and maintaining the Workforce Management Plan consideration has been given to both internal and external factors that may affect Council's ability to meet its current and future workforce needs. These factors include an ageing population, identified skills shortages, past recruiting experience, Council's financial position and also the expectations of the community.</p>
1.7	<p>Clearly detail and be accountable for the actions taken to achieve the objective of the CSP.</p>	<p>The Council uses the CSP, and resourcing options to prepare a four year Delivery Program for its term of office.</p> <p>Develop and deliver a four year Delivery Program detailing the actions Council will prioritise in a four year period which are aligned with achieving the objectives of the CSP.</p> <p>Each year, adopt an Operational Plan including a detailed annual budget and statements of Council's Revenue Policy which includes the proposed fees and charges. -The Operational Plan sits under the Delivery Program and lists all the actions the Council will undertake during the year to achieve its strategic goals.</p> <p>The adoption of the above IP&amp;R documents guides Councillors and staff to ensure the decisions and actions of Council are open, transparent and consistent with what the community has told Council they want, during the CSP consultation process.</p> <p>To demonstrate accountability to the community Councillors and Council staff should at all times ensure that their decisions are consistent with -the Delivery Program and</p>

	Strategy	Action
		Operational Plan. The decision making process should include appropriate analysis and documentation of all risks and financial implications.
1.8	Account to the public for the expenditure of public monies and for the efficient and effective operation of Council	<p>Develop an annual report detailing:</p> <ul style="list-style-type: none"> <li>• Progress on the Delivery Program</li> <li>• Financial performance</li> <li>• Asset reporting</li> <li>• Governance and Planning Act 2016</li> <li>• Legal proceedings</li> <li>• Contracts awarded</li> <li>• Private works and financial assistance</li> <li>• Details of external bodies, companies and partnerships</li> <li>• Details of overseas trips by Councillors and staff</li> <li>• Details of mayoral and Councillor fees, expenses and facilities</li> <li>• Total remuneration of the CEO</li> <li>• Stormwater levies</li> <li>• Companion animals</li> <li>• Equal employment opportunity Management Plan</li> </ul> <p>A copy of the Council's Annual Report is available on Council's website.</p>

## Objective 2: Considered decision-making based on collaborative, transparent and accountable leadership

Council is committed to being ethical which is supported by a transparent and accountable approach to doing business. Council is also committed to collaborative leadership to promote efficient and effective decision-making.

Collaborative leadership and good governance is underpinned by the principle that the Councillors, the Lord Mayor, the CEO and staff have different and clearly defined roles and responsibilities as defined in the Act (refer to Appendix B). An understanding of the roles, together with effective relationships between the Lord Mayor, the Councillors, the CEO and staff are essential elements of good governance.

Mutual respect and a good working relationship between all parties [isare](#) fundamental to collaborative leadership and achieving good governance.

## Strategy and Actions

	<b>Strategy</b>	<b>Action</b>
2.1	Maintain a strong ethical culture and a high standard of conduct	<p>Council adopts a Code of Conduct based on the Model Code of Conduct published by the Office of Local Government. This is a mandatory requirement.</p> <p>The Code of Conduct sets out ethical and behavioural standards to be complied with by Councillors, Council staff, Administrators, conduct reviewers and delegates of Council.</p> <p>Councillors, the CEO and Council's senior staff are expected to demonstrate, through both their words and actions, commitment to that Code of Conduct. All staff are expected to comply with the Code of Conduct.</p> <p style="text-align: right;">Act s.440</p>
2.2	Clearly defined roles and responsibilities with independence as well as cooperation between all parties	<p>The Act clearly defines the role of the Lord Mayor, Councillors, elected Council and the CEO (refer to Appendix B for further information).</p> <p>Effective governance relies on the acceptance and independence of the different roles of the Lord Mayor, Councillors, the CEO and staff.</p> <p>Council adopts an Interaction between Councillors and Staff Policy to support the Code of Conduct and ensure an appropriate level of independence between Councillors and staff.</p> <p>An effective relationship between the Lord Mayor and Councillors promotes the successful delivery of the strategic directions as well as the reputation of Council.</p> <p>The Lord Mayor and CEO work closely together and the relationship is characterised by openness and good communication, with each keeping the other informed about important and relevant issues.</p> <p>Members of staff report to the CEO and are not subject to direction by Councillors. -The CEO is the link between Councillors and Council staff.</p> <p style="text-align: right;">Act ss. 223, 226, 232, 335 &amp; 352(1)</p>
2.3	Effective management structure	<p>The elected Council determines the organisation structure at a 'senior <u>staff</u>' level with the structure they put in place providing for Council to meet its goals and objectives.</p> <p>Consistent with the Act, the CEO is responsible for determining the organisation structure below a senior level (a copy of the</p>

		<p>organisation structure is available on Council's website).</p> <p style="text-align: right;">Act s. 332</p>
2.4	<p>Clear and considered decision-making processes to ensure decisions made by Council are in the best interests of the community and consistent with the Council's CSP.</p>	<p>The elected Council delegates to the CEO functions of Council except those precluded from delegation under the Act or those functions the elected Council consider should be carried by them.</p> <p>The CEO in turn delegates functions to staff at appropriate levels of the organisation structure so the day to day work of Council can be carried out. This includes financial delegations to ensure financial decisions are appropriately made and there is a system of accountability.</p> <p>The delegations framework demonstrates the trust the elected Council places in the CEO and staff for decision-making. The CEO is responsible for ensuring that all delegations are enacted consistent with Council policy as Council policies provide guidance for appropriate decision-making.</p> <p>The CEO is responsible and accountable for ensuring that the Council receives quality and timely reports for matters that fall outside his/her delegations. -The reports contain all relevant information, options, clear recommendations as well as details on the alignment with the Council's strategic objective and financial impacts to ensure Council can make appropriate and informed decisions. Councillors are entitled to put forward alternatives to the recommendations provided by Council staff through the CEO. All decisions must be supported by reason and align with the Council's CSP.</p> <p>All decisions are made at an appropriate level and are supported by a sound financial and risk analysis as well as being consistent with the CSP.</p> <p>Clear and transparent decision-making ensures integrity in the decisions made by the elected Council and Council staff and support transparency and accountability.</p> <p style="text-align: right;">Act ss.377 &amp; 378</p>
2.5	<p>Support and commitment to education and training</p>	<p>Education and training for both Councillors and staff to ensure they appropriately understand their governance obligations is important to Council.</p> <p>All Councillors are required to complete an education and induction program on election (generally every four years and regardless of whether they are new Councillors or re-elected) and ongoing professional</p>

	<p>development training. This is to ensure Councillors have an appropriate level of skills and experience required to properly fulfil their responsibilities in accordance with the Regulation.</p> <p>Council supports continuous education and professional development programs for Councillors. -The budget to allow Councillors to attend ongoing professional development is provided for in Council's Payment of Expenses and Provision of Facilities to Councillors policy.</p> <p>Council is committed to educating staff at all levels through formal established training programs, including:</p> <ul style="list-style-type: none"> <li>• senior management induction program covering governance matters that all senior managers are required to attend on commencement of employment at Council;</li> <li>• staff induction program covering governance issues that all staff are required to attend upon commencement of employment at Council; and</li> <li>• provision of a training budget per staff member to support staff in ongoing training and education relevant to their roles.</li> </ul> <p>Council has an established governance training program for staff at all levels endorsed by the Executive Management Team. The adopted training program includes all relevant aspects of governance depending on the level within the organisation.</p>
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### **Objective 3: Active citizen engagement on local planning and decision-making processes and a shared responsibility for achieving goals**

Council is committed to citizen engagement which commences with the community strategic planning process. Council recognises that community engagement is an important part of local democracy-, fostering community cohesion, pride of place and participation in civic life.

Once the key strategic objectives of the community are established, Council takes an open and transparent approach to all of its activities and ensures the delivery of efficient and effective decisions, facilities and services that meet the community's expectations on a financially sustainable basis. -This demonstrates a shared responsibility for achieving the goals of the entire community.

Council acknowledges it is accountable to the community and is committed to improving community engagement by proactively making information available to keep the community informed and engaging with the community on key issues and matters of significance in the Local Government Area.

## Strategy and actions

	Strategy	Action
3.1	<p>Being open and transparent with regards to Council's community engagement activities.</p>	<p>Council undergoes significant community consultation as part of the development and adoption of the CSP. -The CSP is supported by a specific Community Engagement Strategy. Community engagement for the CSP is the key way the community can become involved in setting the strategic direction of Council.</p> <p>Once the CSP is adopted, Councillors and Council staff are empowered to implement the strategies and goals established in consultation with the community.</p> <p>Council also adopts a Community Engagement Framework and a Community Engagement Policy to provide for openness and transparency with Council's community engagement activities as well as being accessible, inclusive and actively seeking input into decision-making.</p> <p>Councillors and staff recognise that decisions are improved by engaging residents and other stakeholder groups. Within Council's ability to finance and resource, Council commits to conduct transparent and inclusive engagement processes that are responsive and accountable.</p> <p>Council assigns a high priority to appropriately involving residents and other stakeholders early on and throughout the process, especially when the decision(s) impact their lives. -Council recognises and complies with the practices developed by the International Association for Public Participation. The IAP2 Public Participation Spectrum helps identify and select the appropriate level of public participation, select methods of engagement and identify a range of tools.</p> <p>Community engagement is defined in many different ways depending on context. -For Council, community engagement is the primary way we build community awareness and understanding, and gain better insights into community opinion. -The information shared with Council by residents is used to assist with ensuring services and facilities best meet their needs.</p> <p>Council is currently expanding its community engagement program to empower residents to be further involved in the decision-making process. Methods the engagement team employ when undertaking engagement</p>

	Strategy	Action
		<p>activities include:</p> <ul style="list-style-type: none"> <li>• Online surveys</li> <li>• Geo mapping tool surveys</li> <li>• Focus groups</li> <li>• Facilitated workshops</li> <li>• Intercept surveys</li> <li>• Information sessions</li> </ul> <p>There are constantly evolving tools that are being developed in the engagement space to better target hard to reach community groups as well as make the engagement experience as attractive and accessible as possible. Council staff will continue to review many of these tools for potential use across Council's planning and service provision initiatives.</p> <p>Diverse community engagement with a broad section of the community is important as Council (Councillors and staff) have a responsibility to act in the best interests of all residents in the Newcastle local government area.</p>
3.2	Provision of public access to Council meetings and business papers	<p>All Ordinary Council meetings as well as the Development Applications Committee, Public Voice Committee and Briefing Committee meetings are open to the public unless required to be closed in accordance with the Act.</p> <p>Council makes its business papers available on Council's website in advance of Council meetings as well as in hard copy from Council's City Administration Centre.</p> <p>Minutes of all open Council meetings are also made available to the public via Council's website.</p>
3.3	Clear line of communications between members of the public and Councillors	<p>Councillors' contact details including email address and telephone numbers are listed on Council's website to allow members of the public to directly communicate with Councillors.</p> <p>Members of the public may raise issues with Councillors at any time. As business papers are released to members of the public in advance of Council meetings, members of the public can email or speak to Councillors about issues due to go before the elected Council prior to a Council meeting.</p> <p>Where members of the public have issues or concerns of strategic significance <u>they wish to present to Councillors, they may apply under</u></p>



	Strategy	Action
		<p><u>Council's Public Voice Policy to address the elected Council in open session.</u></p> <p><u>Where members of the public have issues or concerns or</u> in respect of a development application (that is to go before the elected Council at a Development Applications Committee), <u>they, and the applicant for the DA, will be provided with an invitation to address the elected Council in a Public Voice session.</u> <del>they may apply under Council's Public Voice Policy to address the elected Council in open session.</del></p> <p>The main objective of the Public Voice Policy is to provide members of the community with the opportunity to address Councillors on matters falling within the jurisdiction of Council that are of a strategic nature.</p> <p>Council's policy and the relevant application form is available on Council's website. <del>Applications relating to strategic issues are assessed and where approved, scheduled to be heard at the next available session (usually a session will be scheduled soon after of the application being received).</del> Public Voice sessions can cover a broad range of issues including those related to development applications where the elected Council is the decision maker as well as other strategic issues.</p> <p>Applications are generally only rejected/<u>deferred</u> where:</p> <ul style="list-style-type: none"> <li>• there is a timing issue and/or other forms of communication are appropriate;</li> <li>• the topic of discussion is outside of Council's jurisdiction and Council is not in a position to make a decision on the matter (Council would generally guide the applicant to the relevant body or if the dispute is of a private nature (such as tree dispute on private land), Council may offer some suggested courses of action such as mediation through the Community Justice Centre; or</li> <li>• <del>an application for a development application was lodged outside the public notification period. Relevant neighbours receive information that advises of the Public Voice application process and the timeframes for lodging a Public Voice application. The timeframes are in place to ensure the</del></li> </ul>



	Strategy	Action
		<p><del>development application can proceed as efficiently as possible and to ensure fairness to all parties.</del></p> <p>Council will consider changes to the Code of Meeting Practice and <u>or Public Voice Policy to provide for</u> the implementation of a system to allow members of the public to address Council on a meeting night before a Council meeting.</p> <p>A summary of Public Voice topics previously presented by members of the public to Councillors is available on Council's website.</p>
3.4	Open and accessible government information as well as a commitment to the protection of privacy	<p>Under the GIPA Act, Council is required and committed to:</p> <ul style="list-style-type: none"> <li>• making <u>open access</u> information that it is required under the GIPA Act available on its website or one way free of charge <u>(fees are applicable to formal GIPA requests)</u>;</li> <li>• proactively publishing more information on Council's website than is legally required and improve efficient release of information;</li> <li>• processing all informal requests for information efficiently and effectively; and</li> <li>• processing all formal access applications within the statutory timeframes and in compliance with the GIPA Act.</li> </ul> <p>The CEO ensures the provision of detailed and timely information to Councillors relevant to the discharge of their civic functions while still maintaining appropriate level of independence between the elected Council and staff.</p> <p>Council will ensure it meets the highest level of public disclosure regarding all dealings with Council Officials while also meeting its obligations under the relevant privacy legislation and Council's Privacy Management Plan.</p> <p>Council will ensure that its procedures meet the highest level of transparency, accountability and probity and comply with the requirements of all current legislation.</p> <p>Whilst Council is committed to releasing information, such disclosure will be done where there is public interest to do so, in accordance with the GIPA Act. -This means that some personal or commercial in confidence business information may not be</p>

	Strategy	Action
		disclosed where there is no public interest to do so.
3.5	Open and transparent disclosures	<p>A standing item on every Council meeting agenda is the disclosure of conflicts of interest requiring Councillors to make a disclosure to the meetings about any conflicts they have in relation to any items on the Council meeting agenda. The Councillors' conflict of interests declarations are recorded in the minutes.</p> <p>Council staff are also required to declare in writing to their manager any conflicts of interests that arise in the course of their conducting duties.</p> <p>Where Councillors or staff declare a pecuniary or significant non-pecuniary interest, they must remove themselves from the decision-making process (for example, Councillors are required to leave the Council Chamber and not vote on the matter and staff must step aside and another staff member will be responsible for the decision-making).</p> <p>Councillors, senior staff and other staff members with decision-making functions are required to complete an annual pecuniary interest return, disclosing to the CEO:</p> <ul style="list-style-type: none"> <li>• property;</li> <li>• income;</li> <li>• significant gifts;</li> <li>• significant contributions to travel;</li> <li>• shares of and positions held in companies (if remunerated for such positions);</li> <li>• positions in trade unions and professional / business associations;</li> <li>• debts; and</li> <li>• discretionary disclosures (any disclosures that don't "fit" in other sections).</li> </ul> <p style="text-align: right;">Act ss 442-449</p> <p>Councillors and staff are also required to declare all gifts given to them and these declarations are kept on Council's gift register.</p> <p><u>Council will publish the following, at least quarterly, in respect of the diaries of the Lord Mayor and the Executive Management Team (including the CEO):</u></p> <ul style="list-style-type: none"> <li>• <u>The date and purpose of meetings.</u></li> <li>• <u>Organisations or individuals attending</u></li> </ul>

	Strategy	Action
		<p><u>(provided consent is given).</u></p> <p><u>The publication will not include:</u></p> <ul style="list-style-type: none"> <li>• <u>details of internal meetings with staff;</u> <u>or</u></li> <li>• <u>meetings where individual attendees do not consent to having their personal information published and the publication of such information is considered not to be in the public interest.</u></li> </ul> <p><u>Council's Manager Legal and Governance will have access to the Lord Mayor and CEO's diaries to ensure openness and transparency is balanced against Council's obligations to protect the privacy of -individuals.</u></p> <p><u>Council's practice of open dairies is intended to be consistent with the NSW Government's practice for publishing minister's' dairies.</u></p>
3.6	Consideration of the communities advice on Council issues	<p>Council may establish advisory committees by resolution of Council. The purpose of these committees is to provide guidance and make recommendations to the elected Council within a particular area of expertise. Many of the committees have community members or members of key stakeholder groups as well as Councillors as members.</p> <p>The committees meet to discuss issues that fall within their area of expertise and make recommendations back to the elected Council.</p> <p>The elected Council adopts a constituting document for each of the committees setting out, including but not limited to:</p> <ul style="list-style-type: none"> <li>• responsibilities/ terms of reference;</li> <li>• membership;</li> <li>• meeting frequency and agenda items;</li> <li>• committee authority; and</li> <li>• reporting obligations.</li> </ul> <p>The elected Council, by resolution, nominates Councillor representatives to the committee where the constituting document provides for Councillor members.</p> <p>At the time of the development of this strategy Council has in place seven Strategic Advisory Committees as set out in Annexure C.</p> <p><u>Council will include advisory committee meeting cycles in the meeting schedule adopted by Council under the Code of Meeting</u></p>

	Strategy	Action
		<p><u>Practice on the next occasion it is adopted or as determined by the elected Council from time to time.</u></p> <p><u>The agenda and minutes of these meetings and their membership will be published on Council's website unless they contain personal information, commercially sensitive information, or information in confidence.</u></p>
3.7	Councillor participation on community issues	<p>Councillors are nominated to, and currently sit on, approximately 18 externally constituted community committees <u>which are</u> wide ranging in focus and scope. These are set out in Annexure D.</p> <p>These committees do not come under the oversight of Council and are subject to their own individual governance arrangements.</p> <p>The appointment to external community committees allows Councillors to further engage with and understand community needs. Councillors can bring matters before the elected Council by way <del>a</del> of <u>a</u> Notice of Motion.</p>
3.8	Effective complaints handling focussed on customer service improvements	<p>Council adopts a Customer Complaints Handling Policy to ensure:</p> <ul style="list-style-type: none"> <li>• Council responds to complaints in a timely, consistent and cost-effective way.</li> <li>• The boosting of public confidence and perception of the quality of the services provided by Council.</li> <li>• <del>Complaints information and statistics are used to deliver quality improvements in services and the way in which it handles complaints.</del></li> <li>• <u>Complaints are escalated internally and will be reviewed by Council's Legal and Governance team where members of the community remain dissatisfied after the initial review of their complaint.</u></li> </ul> <p><u>A review of the complaint by Council's CEO may also be offered to the community member should they be dissatisfied with the response from Council's Legal and Governance Team.</u></p> <p>Members of the public can escalate complaints to the NSW Ombudsman, <u>at any time,</u> -where they are dissatisfied with Council's response. The role of the NSW Ombudsman is to make sure agencies, such as local Councils, and their staff do their jobs properly, <u>and are</u></p>

	<b>Strategy</b>	<b>Action</b>
		meeting their responsibilities to the community.

## Objective 4: A local government organisation of excellence

~~Well-functioning~~ Well-functioning local government is a key element in helping the community achieve the objectives of the CSP. The organisation is committed to the principles of continuous improvement in order to increase the efficiency and effectiveness of service delivery on a financially sustainable basis.

Council encourages a positive workplace culture and promotes a strong governance framework.

Council has a number of overarching, policy and procedure documents supporting good governance and providing appropriate guidance to support Council as an organisation of excellence.

### Strategy and actions

	Strategy	Action
4.1	Accountable to actions it takes to support a strong governance framework	<p>Council will establish a Governance Committee made up of Councillor and independent members. -The purpose of the Governance Committee will be to:</p> <ul style="list-style-type: none"> <li>• oversee the development of Council's governance policies and policy framework;</li> <li>• review Council's Codes of Conduct at regular intervals to ensure consistency with the Model Code of the Office of Local Government, including Council's approach to: <ul style="list-style-type: none"> <li>○ managing conflicts of interest; and</li> <li>○ secondary employment.</li> </ul> </li> <li>• review and endorse of staff awareness programs on Code of Conduct, fraud and corruption prevention and public interest disclosures;</li> <li>• review and monitor of Council's effectiveness in handling customer complaints (including making recommendations for changes to process or procedure);</li> <li>• review and monitor Council's Fraud and Corruption Prevention Plan; and</li> <li>• review and monitor Council's Integrated Planning and Reporting Framework<sup>3</sup>.</li> </ul> <p>The Governance Committee will report periodically to Council as provided in a</p>

	Strategy	Action
		Governance Committee Charter adopted by the elected Council <sup>4</sup> .
4.2	Established system for the efficient, effective and orderly conduct of meetings	<p>The elected Council adopts a Code of Meeting Practice from time to time based on the Act and Regulation. The Code of Meeting Practice, provides for, including but not limited to:</p> <ul style="list-style-type: none"> <li>• adopting a meeting cycle for regular Council meetings;</li> <li>• provision of notice of Council meetings and means by which Councillors can add items to the Council meeting agenda;</li> <li>• publicly advertising the dates and times of Council meetings;</li> <li>• the timeframes and form for the issuing of agendas and business papers by the CEO to Councillors and the public;</li> <li>• approval of minutes at the next Council meeting and the signing of minutes by the Lord Mayor;</li> <li>• voting on items of business in Council meetings;</li> <li>• quorum at meetings;</li> <li>• the attendance of the public at meetings, except where meetings must be closed to the public in accordance with the Act;</li> <li>• the requirement to vote by division and record the voting by individual Councillors on planning instrument matters; and</li> <li>• Councillors declaring conflicts of interest at Council meetings.</li> </ul> <p><u><a href="#">Council will consider further amendments to the Code of Meeting Practice to support this</a></u></p>

<sup>4</sup> The new provisions in the Act for the Audit , Risk and Improvement Committee (refer to footnote 4), provide for this committee to oversee:

- compliance;
- risk management,
- fraud control,
- financial management,
- governance,
- implementation of the strategic plan, delivery program and strategies,
- service reviews,
- collection of performance measurement data by the council,
- any other matters prescribed by the regulations.

As such, once these provisions come into effect, they will likely make a Governance Committee unnecessary. If the provisions are not brought into effect, the Council will establish a Governance Committee

	Strategy	Action
		<p><a href="#">strategy when the Office of Local Government release their model Code of Meeting Practice, including exploring options to allow members of the public to ask questions to the presenter and/or Councillor during a Councillor briefing session.</a></p>
4.3	Improve fraud and corruption control	<p>Council has an adopted Fraud and Corruption Control Strategy that provides:</p> <ul style="list-style-type: none"> <li>• an integrated and overarching strategy to control fraud and corruption risk at Council;</li> <li>• guidance on all fraud and corruption management activities including the adoption of a Fraud and Corruption Control Strategy which <a href="#">hasis</a> regularly updated tracking actions taken by Council to prevent fraud and corruption; and</li> <li>• a mechanism for evaluation and continuous improvement of fraud and corruption management -activities at Council through the Fraud and Corruption Control Plan.</li> </ul>
4.4	Council takes steps to ensure it appropriately identifies and manages serious wrong-doing	<p>Council adopts an internal reporting policy from time to time (at least once per council term) based on the NSW Ombudsman's model internal reporting policy. It provides for:</p> <ul style="list-style-type: none"> <li>• procedures for reporting serious wrongdoing to appropriate levels of management or to Council's Legal and Governance team (for independence); and</li> <li>• the reporting of systemic and recurring governance problems to those with sufficient authority to correct them.</li> </ul>
4.5	Promote an organisation that eliminates or minimises risk	<p>Council supports and is committed to risk management. Council adopts and maintains a risk management framework and Risk Management Committee to appropriately identify and manage:</p> <ul style="list-style-type: none"> <li>• business and financial risks, including fraud and corruption;</li> <li>• risk management plans for projects or undertakings;</li> <li>• business continuity planning; and</li> <li>• emerging risks.</li> </ul> <p>The Risk Management Committee reviews risk and insurance related initiatives which provide for risk awareness and mitigation strategies to</p>



	Strategy	Action
		be implemented where appropriate.
4.6	Ensure accountability for public money and high levels of service, governance, quality, professional conduct and compliance with professional standards and other legislative requirements	<p>Council is required under the Act to ensure external audits of its financial reports are carried out in accordance with accounting standards.</p> <p>[The Auditor-General is the auditor for Council but it may appoint a person or a firm to act on its behalf]<sup>5</sup>.</p> <p>[Act s.415, [s.422]</p> <p>Council adopts and maintains an audit committee in accordance with statutory obligations and recognised best practice. –The Audit, [Risk and Improvement] Committee is made up of independent and Councillor members. The Committee reports periodically to Council as provided in the Committee Charter adopted by the elected Council.</p> <p>The objective of the Audit, [Risk and Improvement] Committee is to provide independent assurance and assistance to Council on risk management, fraud control, governance, financial, and legal and regulatory obligations.</p> <p>The Audit, [Risk and Improvement] Committee is responsible for:</p> <p>acting as a forum for communication between the Council, executive management, internal audit and external audit; and</p> <p>providing oversight of Council's internal audit activity.</p> <p>[Council must appoint an Audit, Risk and Improvement Committee. The Committee must keep under review the following aspects of Council's operations:</p> <ul style="list-style-type: none"> <li>• compliance;</li> <li>• risk management,</li> <li>• fraud control,</li> <li>• financial management,</li> <li>• governance,</li> <li>• implementation of the strategic plan, delivery program and strategies,</li> <li>• service reviews,</li> </ul>

<sup>5</sup> The Local Government Amendment (Governance and Planning) Act 2016 (the **amending act**) was assented to on 30 August 2016. Section 422 is yet to come into force but will result in a change to the Auditor General (or person a firm so appointed) being Council's financial auditor. If this change comes into force prior to the adoption of this strategy, the detail in square brackets will be incorporated.

	Strategy	Action
		<ul style="list-style-type: none"> <li>• collection of performance measurement data by the council,</li> <li>• any other matters prescribed by the regulations] 6.</li> </ul> <p>The Committee is also to provide information to Council for the purpose of improving the <a href="#">Council's performance of its functions.</a></p> <p style="text-align: right;">[Act s. 428A]</p>

## Appendix A - Guiding principles

### Exercise of functions generally

The following general principles apply to the exercise of functions by councils:

- (a) Councils should provide strong and effective representation, leadership, planning and decision-making.
- (b) Councils should carry out functions in a way that provides the best possible value for residents and ratepayers.
- (c) Councils should plan strategically, using the integrated planning and reporting framework, for the provision of effective and efficient services and regulation to meet the diverse needs of the local community.
- (d) Councils should apply the integrated planning and reporting framework in carrying out their functions so as to achieve desired outcomes and continuous improvements.
- (e) Councils should work co-operatively with other councils and the State government to achieve desired outcomes for the local community.
- (f) Councils should manage lands and other assets so that current and future local community needs can be met in an affordable way.
- (g) Councils should work with others to secure appropriate services for local community needs.
- (h) Councils should act fairly, ethically and without bias in the interests of the local community.
- (i) Councils should be responsible employers and provide a consultative and supportive working environment for staff.

### Decision-making

The following principles apply to decision-making by councils (subject to any other applicable law):

- (a) Councils should recognise diverse local community needs and interests.
- (b) Councils should consider social justice principles.
- (c) Councils should consider the long term and cumulative effects of actions on future generations.

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<sup>6</sup> The Local Government Amendment (Governance and Planning) Act 2016 (the **amending act**) was assented to on 30 August 2016. Section 422 is yet to come into force but will result in a change to the Auditor General (or person a firm so appointed) being Council's financial auditor. If this change comes into force prior to the adoption of this strategy, the detail in square brackets will be incorporated and the sections on the Governance Committee at footnote 3 will be deleted.

- (d) Councils should consider the principles of ecologically sustainable development.
- (e) Council decision-making should be transparent and decision-makers are to be accountable for decisions and omissions.

### **Community participation**

Councils should actively engage with their local communities, through the use of the integrated planning and reporting framework and other measures.

### **Principles of sound financial management**

The following principles of sound financial management apply to councils:

- (a) Council spending should be responsible and sustainable, aligning general revenue and expenses.
- (b) Councils should invest in responsible and sustainable infrastructure for the benefit of the local community.
- (c) Councils should have effective financial and asset management, including sound policies and processes for the following:
  - (i) performance management and reporting,
  - (ii) asset maintenance and enhancement,
  - (iii) funding decisions,
  - (iv) risk management practices.
- (d) Councils should have regard to achieving intergenerational equity, including ensuring the following:
  - (i) policy decisions are made after considering their financial effects on future generations,
  - (ii) the current generation funds the cost of its services.

### **Integrated planning and reporting principles that apply to councils**

The following principles for strategic planning apply to the development of the integrated planning and reporting framework by councils:

- (a) Councils should identify and prioritise key local community needs and aspirations and consider regional priorities.
- (b) Councils should identify strategic goals to meet those needs and aspirations.
- (c) Councils should develop activities, and prioritise actions, to work towards the strategic goals.
- (d) Councils should ensure that the strategic goals and activities to work towards them may be achieved within council resources.
- (e) Councils should regularly review and evaluate progress towards achieving strategic goals.
- (f) Councils should maintain an integrated approach to planning, delivering, monitoring and reporting on strategic goals.
- (g) Councils should collaborate with others to maximise achievement of strategic goals.
- (h) Councils should manage risks to the local community or area or to the council effectively and proactively.
- (i) Councils should make appropriate evidence-based adaptations to meet changing needs and circumstances.

Act s. 8-8C

# Appendix B - Roles and responsibilities

## Lord Mayor

- The role of the Lord Mayor is to:
  - be the leader of Council and a leader in the local community;
  - advance community cohesion and promote civic awareness;
  - be the principal member and spokesperson of the elected Council, including representing the views of Council as to its local priorities;
  - exercise, in cases of necessity, the policy-making functions of the elected Council between meetings of the Council;
  - preside at Council meetings;
  - ensure that Council meetings are conducted efficiently, effectively and in accordance with the Act;
  - ensure the timely development and adoption of the strategic plans, programs and policies of Council;
  - promote the effective and consistent implementation of the strategic plans, programs and policies of Council;
  - promote partnerships between Council and key stakeholders;
  - advise, consult with and provide strategic direction to the CEO in relation to the implementation of the strategic plans and policies of Council;
  - in conjunction with the CEO, ensure adequate opportunities and mechanisms for engagement between Council and the local community;
  - carry out the civic and ceremonial functions of the Lord Mayor's Office;
  - represent Council on regional organisations and at inter-governmental forums at regional, State and Commonwealth level;
  - in consultation with Councillors, lead performance appraisals of the CEO; and
  - exercise any other functions of the council that Council determines.

## Elected Council/Councillors

- The role of the elected Council is to:
  - direct and control the affairs of Council in accordance with the Act;
  - provide effective civic leadership to the local community;
  - ensure as far as possible the financial sustainability of the council;

- ensure as far as possible that the Council acts in accordance with the principles set out in the Act and the plans, programs, strategies and policies of the council;
  - develop and endorse the CSP, delivery program and other strategic plans, programs, strategies and policies of the council;
  - determine and adopt a rating and revenue policy and operational plans that support the optimal allocation of the council's resources to implement the strategic plans (including the CSP) of the Council and for the benefit of the local area;
  - keep under review the performance of the council, including service delivery;
  - make decisions necessary for the proper exercise of Council's regulatory functions;
  - determine the process for appointment of the CEO by the Council and to monitor the CEO's performance;
  - determine the senior positions within the organisation structure of the council;
  - consult regularly with community organisations and other key stakeholders and keep them informed of the Council's decisions and activities;
  - be responsible for ensuring that the Council acts honestly, efficiently and appropriately; and
  - consult with the CEO in directing and controlling the affairs of the council.
- The role of Councillors as individuals is to:
- be an active and contributing member of the elected Council;
  - make considered and well informed decisions as a member of the elected Council;
  - participate in the development of the integrated planning and reporting framework;
  - represent the collective interests of residents, ratepayers and the local community;
  - facilitate communication between the local community and the elected Council;
  - uphold and represent accurately the policies and decisions of the elected Council;
  - make all reasonable efforts to acquire and maintain the skills necessary to perform the role of a councillor.

Act ss.223, 232

- Councillors are required to take an oath or affirmation: (as provided in the Act):

- Oath: I [*name of councillor*] swear that I will undertake the duties of the office of councillor in the best interests of the people of [*name of council area*] and the [*name of council*] and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the *Local Government Act 1993* or any other Act to the best of my ability and judgment.
- Affirmation: I [*name of councillor*] solemnly and sincerely declare and affirm that I will undertake the duties of the office of councillor in the best interests of the people of [*name of council area*] and the [*name of council*] and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the *Local Government Act 1993* or any other Act to the best of my ability and judgment

Act ss.223, 232, 233A

## Chief Executive Officer

- The role of the CEO is to:
  - conduct the day-to-day management of the Council in accordance with the strategic plans, programs, strategies and policies of the council;
  - implement, without undue delay, lawful decisions of the Council;
  - advise the Lord Mayor and the Councillors on the development and implementation of the strategic plans, programs, strategies and policies of the council;
  - advise the Lord Mayor and the Councillors on the appropriate form of community consultation on the strategic plans, programs, strategies and policies of the Council and other matters related to the Council;
  - prepare, in consultation with the Lord Mayor and the Councillors, the council's CSP, community engagement strategy, resourcing strategy, delivery program, operational plan and annual report;
  - ensure that the Lord Mayor and the Councillors are given timely information and advice and the administrative and professional support necessary to effectively discharge their functions;
  - exercise any of the functions of the Council that are delegated by the Council to the CEO;
  - appoint staff in accordance with the organisation structure determined under Chapter 11 of the Act and the resources approved by the Council;
  - direct and dismiss staff;
  - implement the Council's annual Operational Plan, Delivery Program and workforce management strategy; and
  - provide any other functions that are conferred or imposed on the CEO by or under this or any other Act.

Act ss.335, 377

## Senior Staff

- Senior staff are responsible for providing timely advice to the CEO within their specific areas of responsibility, as required, on the progress of projects/activities and work.
- They are also responsible for ensuring that their team's and individual work plans support the achievement of the Council's strategic goals.

<https://www.olg.nsw.gov.au/councils/integrated-planning-and-reporting/process/roles-and-responsibilities>

## Appendix C - Advisory Committees (as at date of adoption of this strategy)

- 1 Asset Advisory Committee
- 2 Guraki Aboriginal Advisory Committee
- 3 Youth Council
- 4 Floodplain Risk Management Committee
- 5 Coastal Revitalisation Advisory Working Party
- 6 Newcastle Cycling Working Party
- 7 Environment Advisory Committee

These are not committees constituted under s. 355 of the Act.

## Appendix D - External community committees (as at date of adoption of this strategy)

- 1 Building Better Cities Housing Management and Development Committee
- 2 Cooperative Library Advisory Committee
- 3 Fort Scratchley Historical Society's Management Committee
- 4 Hexham and Kooragang Project Steering Committee
- 5 Hunter and Central Coast Joint Regional Planning Panel
- 6 Hunter Community Reference Group of the Hunter Central Rivers Catchment Management Authority
- 7 Hunter Region SLSA Helicopter Rescue Services Board
- 8 Hunter Sports Centre Inc
- 9 Hunter Water Corporation Consultative Forum
- 10 Lower Hunter Councils Transport Group
- 11 NSW Association of Mining Related Councils
- 12 NSW Metropolitan Public Libraries Association
- 13 Newcastle Art Gallery Foundation Board
- 14 Newcastle Bushfire Management Committee
- 15 Newcastle Catchment Management Forum

- 16 Newcastle City Traffic Committee
- 17 Newcastle Maritime Museum Society
- 18 Northern Settlement Services Management Committee

These are not committees constituted under s.355 of the Act.



**ORDINARY COUNCIL MEETING  
22 AUGUST 2017**

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**CCL 22/08/17  
SUPPLEMENTARY REPORT - OPEN AND TRANSPARENT  
GOVERNANCE STRATEGY**

**Attachment C:      Communications and Engagement Plan - Open and  
Transparent Governance Strategy**

**DISTRIBUTED UNDER SEPARATE COVER**



## Attachment C - Communications and Engagement Plan - Open and Transparent Governance Strategy

Community consultation will gain feedback on the draft Open and Transparent Governance Strategy (Strategy) during the public exhibition period and increase awareness of Council's commitment to open and collaborative leadership.

Council's new engagement platform will be utilised for the public exhibition of the Open and Transparent Governance Strategy. A dedicated project page will be developed where people can download relevant documents, register for a workshop and make a formal submission on the Strategy all from the same place. This is particularly beneficial for the subject of Open and Transparent Governance given its complex nature and relationship with several different pieces of legislation. The public exhibition of the Smart City Strategy, the South Stockton Active Hub conceptual plan and the Maude Street alteration of traffic arrangements have been hosted on the new engagement platform since its launch in May 2017. Analytics provide an overview of how many people have downloaded or viewed the strategy in addition to how many people have lodged formal submissions.

Residents can still view hard copies of the strategy at Council locations and provide traditional submissions if they prefer. A workshop will be conducted where participants will be provided with information about the strategy and have the opportunity to provide feedback.

ENGAGEMENT ACTIVITY	DETAILS	DATE
<p><b>Development of Open and Transparent Governance project page on Council's engagement site (Engagement HQ)</b></p>	<p>Programming of dedicated project page.</p> <p>Collate list of related documentation relevant to strategy so that they're available on the site.</p> <p>The project page will enable residents to view/download relevant documents, register for workshop and lodge a formal submission directly from the project page.</p>	<p>21-25 Aug</p>
<p><b>Draft Strategy placed on public exhibition</b></p>	<p>Draft Strategy placed on public exhibition for 56 days.</p> <p>The public exhibition period allows for members of the community to formally submit comment on the draft Strategy.</p>	<p>28 Aug - 23 Oct 2017</p>

<b>Community Workshop</b>	Specific workshop activities will be designed to gain community feedback on detailed aspects of the draft Strategy. This will determine community priorities regarding aspects of the Strategy	Oct 2017
<b>Communications</b>	The engagement activities will be promoted through a range of channels including: <ul data-bbox="639 680 1190 927" style="list-style-type: none"><li>• Print advertising</li><li>• website content and home page carousel</li><li>• inclusion in council e-newsletter</li><li>• media release/editorial</li><li>• social media posts with link through to engagement site</li></ul>	

**ORDINARY COUNCIL MEETING  
22 AUGUST 2017**

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**CCL 22/08/17  
SUPPLEMENTARY REPORT - OPEN AND TRANSPARENT GOVERNANCE STRATEGY**

**Attachment D: Summary of Amendments**



<p style="text-align: center;"><b>Amendment requested (amendments are marked with track changes within the Strategy)</b></p>	<p style="text-align: center;"><b>ACTION TAKEN</b></p>
<ul style="list-style-type: none"> <li>• Strategy to include detail on solutions for the following:                             <ol style="list-style-type: none"> <li>1. Open diaries for LM and ICEO</li> <li>2. Amendments to Code of Meeting Practice (note the need to await the OLG model). It was noted that closed workshops are appropriate with consideration to further Briefings being arranged for matters where it is appropriate for members of the public to be involved;</li> <li>3. Inclusion of SACs in Council meeting cycle in new Council term.</li> <li>4. Inclusion of an independent Internal Ombudsman to investigate and respond to complaints about Council's a</li> </ol> </li> </ul>	<ol style="list-style-type: none"> <li>1. A new paragraph added to section 3.5 (pages 16 and 17) of the strategy as follows:  Council will publish the following, at least quarterly, in respect of the diaries of the Lord Mayor and the Executive Management Team (including the CEO):                             <ul style="list-style-type: none"> <li>• <i>The date and purpose of meetings.</i></li> <li>• <i>Organisations or individuals attending (provided consent is given).</i></li> </ul> <p><i>The publication will not include:</i></p> <ul style="list-style-type: none"> <li>• <i>details of internal meetings with staff; or</i></li> <li>• <i>meetings where individual attendees do not consent to having their personal information published and the publication of such information is considered not to be in the public interest.</i></li> </ul> <p><i>Council's Manager Legal and Governance will have access to the Lord Mayor and CEO's diary to ensure openness and transparency is balanced against Council's obligations to protect the privacy of individuals.</i></p> <p><i>Council's practice of open dairies is intended to be consistent with the NSW Government's practice for publishing ministers' dairies.</i></p> </li> <li>2. A new paragraph added to section 4.2 (pages 20 and 21) of the strategy as follows:  Council will consider further amendments to the Code of Meeting Practice to support this strategy when the Office of Local Government release their model Code of Meeting Practice, including exploring options to allow members of the public to ask questions to the presenter and/or Councillor during a Councillor briefing session.</li> </ol>

The ICEO will be writing to the Office of Local Government requesting a likely timeframe of their development and publication of the Model Code of Meeting Practice as well as indicating that it would be beneficial to have the document in time for the new Council term. The ICEO will keep Councillors informed of the response received.

3. A new paragraph added to section 3.6 (page 17) of the strategy as follows:

*Council will include advisory committee meeting cycles in the meeting schedule adopted by Council under the Code of Meeting Practice on the next occasion it is adopted or as determined by the elected Council from time to time.*

*The agenda and minutes of these meetings and their membership will be published on Council's website unless they contain personal information, commercially sensitive information, or information in confidence.*

4. The NSW Ombudsman's Office advises against the use of the term Internal Ombudsman so as to avoid confusion with their office, however, section 3.8 (page 18) has been amended (amended wording underlined) as follows:

*Council adopts a Customer Complaints Handling Policy to ensure:*

- *Council responds to complaints in a timely, consistent and cost-effective way.*
- *The boosting of public confidence and perception of the quality of the services provided by Council.*
- *Complaints information and statistics are used to deliver quality improvements in services and the way in which it handles complaints.*
- *Complaints are escalated internally and will be reviewed by Council's Legal and Governance team where members of the community remain dissatisfied after the initial review of their complaint.*

*A review of the complaint by Council's CEO may also be offered to the community member should they be dissatisfied with the response from Council's Legal and Governance team.*

*Members of the public can escalate complaints to the NSW Ombudsman, at any time, where they are dissatisfied with Council's response. The role of the NSW Ombudsman is to make sure agencies, such as local Councils, and their staff, do their jobs properly, and are meeting their responsibilities to the community.*



<ul style="list-style-type: none"> <li>Review Code of Meeting Practice once the OLG model is released</li> </ul>	<p>A review will be undertaken once the model Code of Meeting Practice to be released by the OLG. As stated above, the ICEO will be writing to the Office of Local Government requesting a likely timeframe for their development and publication of the Model Code of Meeting Practice as well as indicating that it would be beneficial to have the document in time for the new Council term. The ICEO will keep Councillors informed of the response received.</p>																														
<ul style="list-style-type: none"> <li>Investigate options to amend current DA, PV, Briefing, workshop processes including:             <ol style="list-style-type: none"> <li>Increase the notification of DAs to neighbours;</li> <li>Update the process that for any DA that is reported to DAC there is an "automatic" PV available;</li> <li>Explore options for the public to submit questions to answer on the night of a briefing;</li> <li>Providing for members of the public to address Council on agenda items on the night of the Council meeting.</li> </ol> </li> </ul>	<p>1. A The consideration of expanding the number of properties notified of a DA proposal will be included as part of the next review of the Development Control Plan due to take place in the second half of 2018.</p> <p>Council is working with the NSW Department of Planning to provide for an online Development Application system. This system provides for the following and will increase the accessibility of DAs to neighbouring properties :</p> <table border="1" data-bbox="603 161 1358 1507"> <thead> <tr> <th>Stage</th> <th>Software System</th> <th>Purpose of the software</th> <th>Responsibility</th> <th>Due for completion</th> <th>Current Status</th> </tr> </thead> <tbody> <tr> <td>1.</td> <td>Internal DA Tracking System</td> <td>Enable the monitoring of applications for internal purposes, including statutory requirements. Access is limited to internal users due to commercial in confidence and Privacy Act requirements.</td> <td>Newcastle City Council</td> <td>July 2016</td> <td>100% complete</td> </tr> <tr> <td>2.</td> <td>On-line access to DAs on public exhibition</td> <td>Enable the general public to access DA notification plans and supporting documentation that are on public exhibition at any time through our web page portal.</td> <td>Newcastle City Council</td> <td>September 2017</td> <td>90% complete</td> </tr> <tr> <td>3.</td> <td>External DA Tracking System</td> <td>Enable the general public to access particular information about the status of an application (including a DA) at any time through a web page portal. The software is being developed by the State Government to be rolled out across NSW. It's currently in testing phase.</td> <td>NSW Department of Planning</td> <td>December 2017</td> <td>50%</td> </tr> <tr> <td>4.</td> <td>On-line application</td> <td>Enable the lodgement of applications (including DA's) at any</td> <td>NSW Department of</td> <td>December 2017</td> <td>50%</td> </tr> </tbody> </table>	Stage	Software System	Purpose of the software	Responsibility	Due for completion	Current Status	1.	Internal DA Tracking System	Enable the monitoring of applications for internal purposes, including statutory requirements. Access is limited to internal users due to commercial in confidence and Privacy Act requirements.	Newcastle City Council	July 2016	100% complete	2.	On-line access to DAs on public exhibition	Enable the general public to access DA notification plans and supporting documentation that are on public exhibition at any time through our web page portal.	Newcastle City Council	September 2017	90% complete	3.	External DA Tracking System	Enable the general public to access particular information about the status of an application (including a DA) at any time through a web page portal. The software is being developed by the State Government to be rolled out across NSW. It's currently in testing phase.	NSW Department of Planning	December 2017	50%	4.	On-line application	Enable the lodgement of applications (including DA's) at any	NSW Department of	December 2017	50%
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2. Section 3.3 (pages 13 and 14) of the strategy has been amended as follows (of note are the words added as underlined):

*Where members of the public have issues or concerns in respect of a development application that is to go before the elected Council at a Development Applications Committee, they, and the applicant for the DA, will be provided with an invitation to address the elected Council in a Public Voice session.*

*In addition to the following paragraph being deleted in respect of Public Voice applications being rejected:*

*~~an application for a development application was lodged outside the public notification period. Relevant neighbours receive information that advises of the Public Voice application process and the timeframes for lodging a Public Voice application. The timeframes are in place to ensure the development application can proceed as efficiently as possible and to ensure fairness to all parties~~*

This change in process was implemented at the Public Voice session held on 18 July 2017.

3. A new paragraph has been added to section 4.2 (pages 20 and 21) of the strategy as follows:

*Council will consider further amendments to the Code of Meeting Practice to support this strategy when the Office of Local Government release their model Code of Meeting Practice, including exploring options to allow members of the public to ask questions to the presenter and/or Councillor during a Councillor briefing session.*

4. Section 3.3 (page 14) of the strategy has been amended as follows (underlined words added to existing paragraph):

*Council will consider changes to the Code of Meeting Practice and/or Public Voice Policy to provide for the implementation of a system to allow members of the public to address Council on a meeting*

<p>Explore options to hold informal Q&amp;A/further information sessions with staff and Councillors post business paper release and prior to Council meetings similar to those provided by other central coast/hunter councils</p>	<p><i>night before a Council meeting.</i></p> <p>This will be explored in the new Council term in consultation with Councillors separate to this strategy noting this is a meeting between Councillors and staff and not open to the public.</p>
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Further to the amendments discussed at the meetings, additional minor corrections and changes have been made to the document which are tracked within the strategy but not noted above.