



**APSAC Conference 2011 Paper**  
**Fremantle, Western Australia**  
**15 – 17 November 2011**

## **BEYOND WOLLONGONG**

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### **ABSTRACT**

This paper looks at corruption prevention in local government following the NSW Independent Commission Against Corruption investigation into Wollongong City Council in 2007-2008 (Operation Atlas). Focussing on town planning and planners, it examines a recent inquiry into Willoughby City Council (Operation Churchill) by the NSW Independent Commission Against Corruption. The Paper shows similar corruption issues arose in the investigation into Wollongong Council and that these issues were present in other ICAC investigations of local government in NSW between 2008 and 2011. The Paper, presented by a town planner currently working with the NSW Independent Commission Against Corruption, will look at why these issues continue to arise and offer possible solutions.

### **1. INTRODUCTION**

#### **1.1. Context – Wollongong**

In 2006, the NSW Independent Commission Against Corruption (the Commission) received an anonymous complaint about Beth Morgan, a senior town planner at Wollongong Council.

The Commission's investigation resulted in a public inquiry that lasted a little over two weeks from 18 February 2008 to 4 March 2008.

The public inquiry received a great deal of media attention, particularly in the early part of the hearing. This was not only in NSW, but also by national and international media outlets.

The media attention focussed on the salacious evidence at the hearing of Ms Morgan's sexual relationship with developers whose development applications she was assessing. There was also interest taken in the list of gifts she received from the developers, including fake designer bags, floorboards, cash and overseas and ski trips.

The focus on the salacious details tended to distract from how extensive corruption was at

Wollongong Council. The Commission, at the hearing, exposed corrupt conduct by Council's middle and executive managers, including the General Manager, and its Councillors.

The Wollongong Council investigation, and subsequent findings of corrupt conduct, came at a significant time for planning and development. By early 2008 in NSW, some in the community and media expressed concern with the development industry and those regulating it, both planners and planning decision makers. The exposure of corruption by planners Beth Morgan and John Gilbert led to improvements in the regulations that planners worked with and helped in establishing that planners were as susceptible to corruption as any other public official.

### **1.2. The Wollongong Report**

The Commission's report – Report on an investigation into corruption allegations affecting Wollongong City Council – was released in three parts in 2008. Parts One and Two were tabled in the NSW Parliament on 4 March and 28 May 2008, respectively. Part One recommended that the NSW Government consider sacking Wollongong's Councillors and appointing administrators. Part Two recommended that consideration be given to revoking a development consent that Ms Morgan had approved because of the serious corrupt conduct involved. Part Three was tabled in the NSW Parliament in October 2008. It reported on the investigation, the findings of corrupt conduct and identified the corruption prevention recommendations.

The Part Three Report stated that the corruption at Wollongong Council was without precedent in NSW.

*It is not uncommon to find cases where multiple layers of management fail to detect corrupt conduct or mismanage known corruption risks, but to establish actual corrupt conduct within five levels of a NSW public sector organisation is without precedent [1].*

The Part Three Report made 27 corruption prevention recommendations and identified corrupt conduct findings against 11 people at Council. This included Ms Morgan; her manager, John Gilbert; and the General Manager, Rod Oxley; and four Councillors.

### **1.3. Fast Forward — Willoughby 2011**

In early 2010, following a complaint, the Commission began an investigation into Edward Karkowski, a building surveyor at Willoughby City Council.

Mr Karkowski's work involved the assessment of development applications and construction certificates within Willoughby Council's Fast Track Approval System. The Fast Track Approval System was designed to expedite approvals such that a developer could get an approval for a use and start the associated building work within 5 to 10 days after lodging the application with Willoughby Council. Mr Karkowski was also responsible for issuing the occupation certificate for the approvals he dealt with. The occupation certificate is supposed to show that all requirements of the development application and construction certificate have been met. Once issued, this certificate allows a premises to be occupied and, in the case of businesses, to trade publicly.

Following an investigation, the Commission held a public hearing between 7 and 11 March 2011. The public hearing heard that Mr Karkowski had used the Fast Track Approval System to accept and

solicit corrupt payments for applications he worked on in the Chatswood CBD. The Willoughby Council applied the Fast Track Approval System to “minor development”, which it defined as the use and fitout of premises for offices, retail shops, and restaurants.

This inquiry received media attention, again due to salacious details. These focussed on Mr Karkowski’s regular attendance and free sex at a massage parlour in Chatswood. The media attention also focussed on gifts Mr Karkowski received, particularly expensive wine and long expensive lunches.

The Commission released its report – *Investigation into the corrupt conduct of a Willoughby Council officer* – in June 2011. The report found only Mr Karkowski engaged in corrupt conduct. The Commission used its discretion and did not make corrupt findings against those private individuals who had made corrupt payments to Mr Karkowski [2]. The Report made 7 corruption prevention recommendations.

## **2. COMPARING WILLOUGHBY AND WOLLONGONG COUNCILS**

### **2.1. Similarities**

The investigation of Willoughby Council was the first finding of corrupt conduct against a council officer working in a council’s planning section since Wollongong Council. The scale of corruption exposed at Willoughby Council was different from that at Wollongong Council. Corruption at Willoughby Council involved only 1 person whereas corruption at Wollongong Council involved different levels of the organisation and 11 individuals. This difference in scale and the salacious conduct of Ms Morgan and Mr Karkowski tends to mask the similarities in corruption between both Wollongong Council and Willoughby Council. The similarity is that the corruption prevention recommendations in both Commission Reports focus on issues of governance and rule avoidance.

### **2.2. Area 1 — Governance**

The *Macquarie Dictionary* provides two definitions for governance. The first meaning relates to government and the exercise of control. The second meaning is the method or system of government or management. It is this second meaning, the administrative element of governance, that is the focus of this paper.

It seems self-evident that for corruption to occur there must be a breakdown in an organisation’s governance arrangements. The quote above from the Part Three Report into Wollongong Council corroborates this. For those not involved or intimate with the work of preventing corruption or misconduct, it is not apparent how the breakdown in governance manifests itself. From the outside, organisations appear normal and continue to carry out their usual functions. Thus, in terms of planning, both Wollongong Council and Willoughby Council processed development applications. They assessed and issued development approvals and were involved in granting construction approvals and occupancy certificates. In this context, the corruption of governance does not result in the establishment of anarchy. Instead, it is the subtle shift away from the established and recognised patterns of governance of a system.

Typical and established patterns of governance in the NSW planning system hold that assessment

and determination of a development proposal should not be done by the same person. This pattern of governance has been adopted by authorities for reasons of self interest, namely to provide protection from any liability associated with a decision. Planning authorities, like councils, use these typical governance systems to avoid challenges to their decisions on the basis that they are manifestly unreasonable [3] or failed to consider a relevant matter [4].

The shift away from the typical governance pattern at Wollongong Council and Willoughby Council occurred because a decision was made to delegate powers that allowed an individual officer to approve development proposals that they had assessed. At Willoughby Council, Mr Karkowski had been granted formal powers of delegation to approve matters, whereas at Wollongong Council Ms Morgan had powers that were formal and ad hoc. The ad hoc powers arose from Mr Gilbert allowing in his presence Ms Morgan to use his computer to approve a development. The delegated authority provided officers with the opportunity to make partial decisions that furthered their personal interests over those of the public or the council for which they work. Both the Commission's inquiry and subsequent reports showed how both Ms Morgan and Mr Karkowski used these powers to make decisions that furthered their own self interest.

The inquiries showed both Ms Morgan and Mr Karkowski's partial decisions were not in the interest of their respective employers as they were not ones a reasonable person would make (ie manifestly unreasonable) [5] and there was nothing to show how a decision was based on genuine, proper or realistic matters [6]. For Ms Morgan, this failure is exemplified by her approving the Victoria Square development application under delegation without first completing a planning report — a development that comprised 93 units and whose floor area and height was more than double the permitted planning controls [7]. For Mr Karkowski, the failure is shown in relation to the approval of the Red Chilli Restaurant. Mr Karkowski wrote a building report for the developer prior to him approving it and later issued an occupation certificate to allow the restaurant to trade even though compliance with the planning and building approvals remained outstanding [8].

Part of the typical governance pattern is for a manager to manage the people who report to them. Management includes guidance, review, and direction of staff in completing tasks. The delegation of powers to an individual officer with inadequate checks undermines typical governance patterns. This occurs by removing a manager's formal power to guide, review or direct a decision before it is made by an officer under delegation.

The Commission's investigation of Mr Karkowski at Willoughby Council showed this. The inquiry heard Mr Karkowski's manager agree with the Commissioner that he had no means to ensure that an officer did the right thing [9] and his management system was an exercise in reviewing computer statistics and responding to external complaints [10]. The inquiry heard too that the management of Mr Karkowski was inadequate:

[Counsel Assisting]:

*Q: And to what extent did you report your activities to Mr [Peter] Rowan as your supervisor on a daily or weekly basis?*

[Mr Karkowski]:

*A I would only (not transcribable) him when he asked to see me.*

*Q: So unless he asked to see you for a particular reason you would be left to carry out your responsibilities and organise your time as you thought appropriate?*

A: *That's right [11].*

The Commission's Report on Willoughby Council indicated that:

*As a management tool, trust relies on knowing that staff both have the abilities required for the position and that, in any given situation, they share the same motivation as management to act with honesty, integrity and in accordance with the Code of Conduct. These conditions were not fulfilled when using trust to manage Mr Karkowski and, as a result, there was a general failure to manage [12].*

The report identified specific examples that showed how the conditions to use trust as a management tool did not exist with Mr Karkowski. In the case of his abilities, the report referred to Mr Karkowski confirming that he did not know how to estimate construction costs to determine the fees a developer would pay on their development. In the case of similar motivations, the report referred to the fact that Mr Karkowski acted contrary to the interests of Willoughby Council. This was in not reporting an illegal brothel and allowing businesses to trade without having all necessary documents.

### **2.3. . Area 2 — Rule avoidance**

The Macquarie Dictionary defines "rule" as a principle or regulation governing conduct, action, procedure and arrangements. Organisations establish rules in order to ensure that, irrespective of who might be involved, outcomes and processes are consistent and that they meet the organisation's predetermined standards. Such standards may be predetermined by the organisation or those from outside the organisation. For public sector organisations, rules and compliance with them are very important.

Planning rules were a feature in the corrupt conduct at Wollongong Council and Willoughby Council. The rules associated with the NSW planning system are seen as overly complex and burdensome. Those holding this perception include developers and planners. The Commission's investigations exposed a pattern of rule avoidance at both councils and attempts by Council staff to rationalise it.

At Wollongong Council, there were two significant areas of rule avoidance. The first area involved avoiding planning controls made by the State and council that aimed to maintain development in Wollongong that was restricted in height and density. Both Ms Morgan and her manager, John Gilbert, at the inquiry justified the decision to avoid these planning controls because they were incompatible with other documents that sought to "revitalise Wollongong" as a dense, urban and high rise city [13]. Such tension did exist between the "revitalise Wollongong" philosophy and the current planning controls. Resolving this tension required the use of other rules, however, such as pursuing a formal rezoning the land proposed for greater development.

The second area was not preparing planning reports before granting approval. Evidence at the inquiry showed Ms Morgan had approved developments without having first written a report to give a reason why such an approval was warranted. When asked at the inquiry Mr Gilbert justified the decision not to complete a report arguing that, while it was "not normal", a planning report was not required under the NSW planning legislation [14]. While the legislation does not specify a planning report, not preparing such a report was an active avoidance of rules associated with administrative decision making and the duty to act fairly in the circumstances of the case [15].

At Willoughby Council, rule avoidance was both obvious and subtle. Obvious examples of rule avoidance by Mr Karkowski included lowering the estimated costs of a development, ignoring unauthorised land uses, and allowing restaurants to trade publicly without the relevant prerequisites having been met. Mr Karkowski justified his avoiding the rules in this instance by variously claiming he was not qualified, it was not within this role, that he was trying to help, or that he did not know.

Subtle rule avoidance at Willoughby Council existed, principally in the Fast Track Approval System used to assess development applications. Development applications in NSW are assessed against a generalised list of considerations involving statutory matters; environmental, economic and social impacts; and the public interest [16]. The worksheet developed at Willoughby Council to assess Fast Track Approval System development applications duplicated the statutory considerations with boxes to be ticked that identified whether it complied or not. At the inquiry, Mr Karkowski's supervisor conceded that a worksheet completed by Mr Karkowski had the appearance of satisfying the rules but the use of a tick was insufficient to objectively verify this [17]. In some ways, the quality of information required to be inputted on the worksheet was the same as Ms Morgan's action in not writing a report at all.

A reason for rule avoidance that occurred at both Wollongong Council and Willoughby Council was the existence of dominant philosophies that conflicted with the rules. At Wollongong Council, there was a pro-development philosophy and the desire to create an urban and dense built environment [18]. At Willoughby Council, the dominant philosophy was that the Council needed to compete against private certifiers in the issuing of construction and occupation certificates [19].

### **3. GOVERNANCE AND RULE AVOIDANCE BETWEEN 2008 AND 2011**

In the years between the investigations into Wollongong Council and Willoughby Council, councils accounted for 30.4% of the Commission's reports investigating allegations of corruption. Of these reports, 3 made no findings of corrupt conduct against a council officer. All the reports, though, pointed to the role of governance or rule avoidance in the investigation. Governance and rule avoidance, therefore, are consistent issues that dog councils in NSW. There are 2 factors that might answer the question of why these issues continue to reemerge beyond the Wollongong Council investigation.

Firstly, it is possible that the councils generally did not see the relevance of the corruption prevention recommendations made in the Commission's Part Three Report into Wollongong Council. Of the 27 recommendations in the Report, 70% of them were directed at the NSW Department of Planning. This meant it was possible for the corruption at Wollongong to be seen as peculiar to that council or that "fixing" corruption was the responsibility of another organisation.

Secondly, it is possible that in the reporting of corruption, particularly in the media, there was undue focus given to the individual and their corrupt actions. Corruption prevention recommendations and the issues they sought to address, occurring as they do towards the end of the inquiry, got lost in the focus on the individuals as a consequence. Indeed, the focus on the individual in these and other cases may ignore a significant factor, namely, what things within and without the organisation

contribute to the individual acting corruptly. This is not to suggest that an individual acting corruptly is not responsible or culpable. Rather, it is to suggest that attention may have been directed away from the group within the organisation that the corrupt individual was attached to.

## **4. BEYOND A FOCUS ON ORGANISATIONS**

### **4.1. Groups**

Councils, like all organisations, are a combination of different and competing groups of individuals. All groups coalesce around one or more common elements, be they shared areas of work; patterns of behaviour; levels of education or skills. Councils comprise a wide array of groups based on activities or functions. For example, there are groups associated with “outdoor staff” and “admin staff”. These groups are themselves a collection of groups based around work functions and similar levels of education. Thus, for example, distinctions emerge between planners depending on whether they develop policies or assess development proposals.

Since the early twentieth century, sociologists and anthropologists have sought to understand the common bonds that bind groups. Initially this was to explain nationalist or ethnographic groups. For example, what makes an Italian an Italian, an Australian an Australian, or a South Sea Islander a South Sea Islander. By the late twentieth century, this recognised the variety of groups that combined to define an “Australian” or “Italian”. These investigations increasingly turned to the “cultures” of these groups by looking at how language was used and shared meanings. The concept used and developed by anthropologists and sociologists in their investigation is *Weltanschauung*.

*Weltanschauung*, a German word meaning “world view”, deals with “the perspective and interpretation of the universe and its events held in a sustained way by an individual or by a group” [18]. The concept of “world view” recognises that groups and individuals use ideas, beliefs and values to interpret and give coherent meaning to the world that they inhabit. In this context, it captures how a group sees itself and the individuals within that group; how the group interprets the world around them; and how they see themselves operating and relating to the world around them. The world view of a group cannot be comprehensively understood because its ideas, beliefs and values are both unlimited and ever changing [20]. Moreover, its ideas, beliefs and values are shared unconsciously by members of the group to the extent that it “makes them difficult to discern, even for those that hold them” [21]. Of late, it has been recognised that an individual can have multiple world views to reflect the variety of roles they have in life [22]. For example, an individual has different and distinct worldviews in their role as an employer / employee, a parent, a spouse / partner, or a fan of a sport teams.

The investigations into Willoughby Council and Wollongong Council provide a good opportunity to explore the concept of the world view in the context of corruption prevention. This is because it involves a group that works in an area that the Commission receives the most complaints about: planning.

A comprehensive examination of the world view of planners is not possible for the reasons described above (that is, it is unlimited and is ever changing). Nevertheless, it is possible to explore the world view of planners (and others) by focussing on a specific issue. This exploration is possible by looking

at the words used by planners and planning organisations to gain an insight into the ideas, beliefs and values. It also means placing value on other sources, including anecdotes and observations.

Before proceeding, the fact that Mr Karkowski at Willoughby Council was a building surveyor, rather than a planner, is not a reason to dismiss this exploration. The Director of the Environmental Services Division within which Mr Karkowski worked was a planner. There is no suggestion that the Director acted corruptly or is corrupt. The Commission's report, though, did identify that the Director was responsible for delegations that gave Mr Karkowski the opportunity to act corruptly [23]. Indeed, given the discussion on rule avoidance above, it may be argued that the Director's actions in allowing the operation of a Fast Track Approval System further assisted Mr Karkowski in his corrupt conduct.

#### **4.2. The world view of planners**

When the Commission's Report into Wollongong Council was released in October 2008, the then NSW President of the PIA provided an opinion piece for the *Sydney Morning Herald* in which she said that:

*For town planners, the Wollongong affair is a shocking nadir. Corruption among planners is rare - perhaps surprisingly so considering their role in lucrative property development - and we planners are mortified by the corrupt few at Wollongong [24].*

The belief that corruption is rare amongst planners is, in my experience as a planner, one that is commonly held. So what is the basis for such a proposition?

It is possible that this proposition is derived from three previous investigations by the Commission that found planners acted corruptly (Waverley Council 1991, South Sydney Council 1992 and Randwick Council 1995). The Commission's investigations and reports only reflect a decision to proceed to investigate an allegation of corrupt conduct that is of a serious nature where there is evidence available to corroborate the allegation. Many of the allegations the Commission receives are referred back to the relevant public authority to deal with. In such cases, the outcomes are not publicly announced.

The 2003 NSW Industrial Relations Commission (IRC) judgement *Boers and South Sydney Council [2003] NSWIRComm 105* provides a rare public glimpse of this. Involving a planner who claimed wrongful dismissal, the IRC's judgement noted that council had determined that the appellant had engaged in misconduct and had advised the Commission. It would appear that Council's investigation and termination of the appellant's employment contract did not necessitate the launching of an investigation by the Commission.

The small number of investigation by the Commission is not due to a lack of complaints about development applications and planning. In its 2009-2010 Annual Report, the Commission identified that 207 public complaints (21%) involved development applications and rezoning and that "development applications are consistently among the most frequently complained about activities in the public sector" [25]. In the 9 previous annual reports, development applications and rezoning were ranked first or second in number of complaints and averaged about 16.2% of all complaints.



Instead, it is the difficulty in planning matters of discerning corrupt conduct in decisions that rely on merit assessments.

Another key element in the world view of planners is that they have a strong belief in technocratic principles. That is, technical decision making should be left to the relevant technical experts. The existence of this belief amongst planners is demonstrated by both government planning authorities and the PIA discussing the need for planning decisions to be “depoliticised”, made more independent, and made by qualified experts [26]. This belief is most likely assisted by the fact that they are required to make decisions on their merit, that is objectively and without favour:

*a scientific planner undertakes a detailed survey, analyses the available data and establishes the local steps to achieve instrumental or desired urban outcomes [27].*

This is described as a rational comprehensive model of planning and there is much to suggest that the model has been adopted and incorporated into the worldview of planners. There is a concern with planners having incorporated a rational technocratic belief in their worldview, though, and that is it can downplay complex interrelationships and make it “incapable of dealing with perverse actions such as corruption” [28].

The investigations at Willoughby Council and Wollongong Council show evidence of this attempt to downplay these “perverse actions”. Willoughby Council’s Director of planning demonstrated this at the inquiry into Willoughby Council when asked about implementing a no gifts and benefits policy. The Director’s answers overly focussed on the offense to the gift giver if council were to implement a policy that prohibits gifts and benefits [29]. His statement contradicted evidence at the inquiry that gifts and benefits otherwise allowed by Council’s policy were used to reward Mr Karkowski for corrupt actions [30]. Moreover, they were also a means by which Mr Karkowski could solicit gifts.

Similarly, the Wollongong Council investigation showed attempts to downplay perverse actions. At the inquiry, for example, the interference in development applications by the General Manager Mr Oxley was reconstructed by Mr Gilbert as a means of looking “at things a more alternative way” [31]. Similarly, the adoption of the phrase “level 10 factor” within Wollongong Council’s planning department was itself an attempt to downplay the perverse action of interference on development applications by Mr Oxley. This is evident in two ways by looking at the phrase and the words used. Firstly, the phrase is clearly a euphemism, which by definition is “the substitution or a mild, indirect, or vague expression for a harsh or blunt one”. In this case, “level 10” was a reference to Mr Oxley whose officers were on Level 10 of Council’s administrative offices. Secondly, the word “factor” in the euphemistic phrase attempts to legitimise Mr Oxley’s interference and make it something that is worthy of consideration in the assessment of a development application.

The observation of Commission officers at recent engagements involving planners has been to confirm that planners downplay attempts by others outside of council to influence them. The 2009 NSW Parliamentary inquiry showed the consequence of this belief in two ways. Firstly, it identified two occasions in which senior planning officers felt suitably comfortable to meet with a lobbyist outside of the Department’s offices. Secondly, it provided the following views of the lobbyist Graham Richardson, which suggests that some are aware and attempt to take advantage of a planner’s belief in their rationality:

*I took the view that by that stage, in the last 18 months of his [Frank Sartor] tenure [as NSW Planning Minister], and with Kristina Keneally [as NSW Planning Minister], these Ministers see themselves really as being involved in policy settings more than anything else and not in the detail of developments. They tend to rely on their departmental advice. So there is not much point in talking to them. You might as well go to the department [32].*

*[...]*

*As I said, in the case of the Department of Planning, I do not go to the Minister or the Minister's office. When I answered your questions I said that I had not spoken to anyone in the Minister's office to lobby for anything. It is a pretty blanket denial. I have tended to go to the department because that is where the decisions are made on developments [33].*

Beliefs can be used to ignore, whether purposefully or not, the possibility of corruption in others [34]. Clearly, then, these two elements in the worldview of planners are of concern. This concern becomes more troubling when noting that planners operate across the public and private sectors and that it is usual for planners to move between the two over the course of their employment. It is conceivable for planners to trust other planners more than non-planners in a public sector organisation such as a council, especially if there were prior working and social relationships. Such trust would be no different from the trust that Willoughby Council's managers had in Mr Karkowski. Therefore, public sector managers should avoid presuming that planners necessarily share the same values or beliefs.

## **5. CONCLUSION**

### **5.1. Into the Beyond: Lessons from Wollongong & Willoughby Councils**

The investigations into Wollongong Council and Willoughby Council point to 3 things. Firstly, public sector organisations need effective management and supervision. Secondly, there is the need to develop systems that ensure rules are understood and respected. Finally, all public sector organisations should better understand that employees do not necessarily share all or some of the beliefs and structures that management have. So, what are the meaningful lessons to be learnt from these three things?

The first lesson from both Wollongong Council and Willoughby Council is the need for internal auditing within councils. Internal auditing provides the means to identify and address risks associated with its governance and help reduce instances of rule avoidance. It is, therefore, an opportunity for councils to take active responsibility to minimise corruption. The Commission's investigation into Burwood Council recently showed the impact that a lack of internal audit functions had on facilitating the corrupt activities of the former General Manager of Burwood Council, Pat Romano [35]. Internal auditing is not common amongst councils, though, with a 2007 survey of public sector organisations by the Commission finding less than 40% of councils had an audit charter, less than 40% had an audit committee, and less than 35% had an internal auditor [36]. It is worth stressing, though, that having an internal audit function is not enough. Internal auditing needs to be effectively and fully implemented. Wollongong Council exemplifies this as, at the time of the

investigation, its Audit and Governance Committee had not met several times since 2004 due to the lack of a quorum [37].

The second lesson concerns continuing to expose corruption. Exposing corruption should look beyond finding corrupt individuals and systemic corruption within a public sector organisation. The existence of groups within a public sector organisation means that some focus needs to look at what role a group played in allowing corrupt conduct. Investigations that look at groups and their ideologies have the potential to have greater relevance to councils and other public sector organisations. This is particularly with councils where similar groups of individuals carrying out similar work roles.

As with internal auditing, there is an opportunity for councils to take greater responsibility in the exposure of corruption. One current model in use in NSW is that of Internal Ombudsman. Internal Ombudsmen have the capacity to investigate corruption and misconduct issues raised by either council officers or, importantly, members of the public. The development of a capacity to expose corruption at a local level does not represent a conflict with the Commission's role and responsibilities. This is ably demonstrated in the 2009 investigations involving Ku-ring-gai Council and Warringah Council. In these instances, the Commission received complaints via council's Internal Ombudsman. With the Ku-ring-gai Council investigation, the Commission followed normal practice and controlled the investigation. The Warringah Council investigation differed, though, in that the Commission worked with that council's Internal Ombudsman to expose the efforts of two members of the public who tried to bribe council officers [38]. Such a system, though, would be enhanced where the reports and findings of Internal Ombudsmen were publicly available.

Finally, the last lesson is that professional groups with members in public sector organisations need to recognise and take responsibility for combating corruption. These groups need to examine their values, beliefs, and ideology in the context of corruption and determine whether there is an accurate evaluation of their risk of corruption.

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