

13 January 2025

Council Governance Team  
Office of Local Government  
Locked Bag 3015  
NOWRA NSW

To whom it may concern,

### **Bogan Shire Council Submission: Model Meeting Code Amendments**

Bogan Shire Council agrees with the Minister for Local Government that it is important that Council meetings are effective, allow for robust, respectful debate and result in actionable outcomes for New South Wales communities.

Bogan Shire Council endorses the comments made by Local Government NSW in their submission on the Model Meeting Code amendments dated 24 November 2024.

We would like to address the following three matters in particular

#### **1. Promoting transparency, integrity and public participation**

On the matter of completely removing all pre-meeting councillor briefings, Council agrees that any material provided to councillors, other than the mayor, that will affect or impact or be considered by councillors in their deliberations or decisions made on behalf of the community must be provided publicly.

We acknowledge that, unless carefully controlled by the Mayor, regular pre-meeting briefings for Ordinary Council meetings may stray into de-facto decision making. However, there is merit in a forum for the free exchange of information between Councillors and staff – not restricted by the tight rules of meeting procedure - to build Councillors' understanding of key issues prior to robust debate at a Council meeting. Perhaps there is a need to clarify and simplify a mechanism to suspend the rules of debate and other formalities during meetings to facilitate this.

Furthermore, on this matter, we find our annual Operating Plan and Budget Workshops are essential to work through, in detail, all of the issues facing Council in the upcoming 12 months and we consider it vital that the option to have these workshops is retained. It seems that this is indeed contemplated as contained in the following point on page 9 of the Consultation Draft:

*Information to enable councillors to understand the function, service delivery standards, strengths, weaknesses, threats and opportunities of council operations should be provided in periodic workshop format (e.g. an annual strategic planning workshop)*

It is noted however that the comment above does not specifically include enabling councillors to understand Council's financial position / financial options which must, of necessity, be discussed at these workshops as finance forms a key component of the Integrated Planning and Reporting process and is integral to service delivery.

## **2. Depoliticising the role of the general manager**

We do not agree with conferring responsibility on the council to determine staff attendance at meetings. Whilst councillors are best placed to determine what support they require from staff at meetings, this should be a matter for discussion between Council and the General Manager so that they can make the necessary arrangements to provide this information.

It is the responsibility of the General Manager to provide information to Councillors. Currently it our understanding that, in response to a question from a councillor put through them, the General Manager may be in a position to respond to that question or may choose to refer the question to a member of senior staff in attendance.

Should a General Manager not be able to answer legitimate questions as a result of non-attendance of staff and therefore be unable to effectively discharge their responsibilities to councillors, there are mechanisms under the General Manager's contractual agreement to address this.

The Act makes it clear that only the General Manager may direct staff. This proposed change has the potential to undermine that principle.

Current Rules of Meeting procedure require questions to staff to be put through the General Manager who may exercise the option to not require the nominated member of staff to respond to the question. This has the potential to cause conflict.

The ability for Council to call on any staff member to attend Council meetings and respond to questions has the potential for weaponisation of these staff at Council meetings. In addition, not all staff are required, under their employment contracts which are determined by the Award and the General Manger, to attend Council meetings and respond to questions at this level.

## **3. Promoting the dignity of the council chamber**

Bogan Shire Council does not support the proposal to require councillors to stand when a councillor addresses the meeting, or when the mayor enters the chamber.

Inasmuch as it is important for the position of Mayor to be accorded due respect, it is also important for the Mayor as an individual to be seen as part of the team of Councillors making decisions for the community.

Bogan Shire Council believes that mandating the need for Councillors to stand when the Mayor enters the room detracts from this and should be a matter left to each Council to decide in accordance with their needs and culture.

Thank you for the opportunity to provide feedback on this important issue.

Yours sincerely



Glen Neill  
**Mayor**