

Responsible Officer: EA

In reply, please quote:

UO/25/0163

15 January 2025

Mr Brett Whitworth
Deputy Secretary
Office of Local Government NSW

By email: olg@olg.nsw.gov.au

Dear Mr Whitworth

**Model Meeting Code Amendments –
A NEW MODEL CODE OF MEETING PRACTICE – CONSULTATION DRAFT**

I refer to the Minister's Consultation Draft for the New Model Code of Meeting Practice. I wish to comment on the proposal to prohibit Councils from conducting briefing sessions for Councillors in the absence of the public. I refer also to my earlier submission on the review of the Code submitted on 13 November 2024. This submission repeats the same concerns raised in the November submission regarding the proposed restriction on councils holding briefing sessions for Councillors.

The proposal to prevent General Managers and Chief Executive Officers from holding briefing sessions for Councillors is strongly opposed. Such a restriction would have a significant detrimental impact on robust and informed democratic decision making by local governments.

Councillor information sessions are regularly conducted at Uralla Council to ensure Councillors are properly informed before being required to make decisions on a wide range of matters. These sessions are exactly how they are described – information sessions only. They are not decision-making forums.

At the first Council meeting of the new Council term on 24th September 2024, Uralla Shire Council formally resolved to endorse a schedule of monthly Councillor information sessions based on these parameters as follows:

1. *Adopts the Ordinary Meeting cycle for 2024-2025 as follows:*

Tuesday 22 October 2024

Tuesday 26 November 2024

Tuesday 17 December 2024

Tuesday 25 February 2025

Tuesday 25 March 2025

Wednesday 22 April 2025

Tuesday 27 May 2025

Tuesday 24 June 2025

Tuesday 22 July 2025

Tuesday 26 August 2025

Tuesday 23 September 2025

2. *Endorses the schedule for monthly Councillor information sessions as detailed in this report, noting these are not decision-making forums.*
3. *Notes that informal weekly meetings are held between the Mayor and the GM, to which all Councillors are invited if available.*
4. *Notes that separate community engagement sessions/workshops will be scheduled from time to time to share public information and to gain community feedback.*

It is important that Councillor information sessions are conducted without members of the public being present for many reasons as summarised below:

1. **Confidentiality of Sensitive Information:** Many discussions involve sensitive topics, including financial matters, legal issues, or strategic planning that require confidentiality. Keeping these sessions for Councillors only ensures that sensitive information is protected and that Councillors can speak freely without the pressure of public scrutiny.
2. **Encouraging Open Dialogue:** Closed briefing sessions foster an environment where Councillors can engage in candid discussions. This openness can lead to more productive conversations, allowing for a deeper consideration of issues without the constraints of public opinion or media coverage.
3. **Focus on Complex Issues:** Certain topics may require detailed analysis and discussion that could be misinterpreted if taken out of context. By holding these sessions privately, Councillors can focus on the complexities of the issues at hand, leading to more informed decision-making.
4. **Building Trust Among Councillors:** Private sessions can help build trust and camaraderie among Councillors, as they can share their thoughts and concerns in a safe space. This trust is crucial for effective teamwork and collaboration on community issues. Councillors are able to ask questions or make comments freely and without public scrutiny, including those they may not be comfortable asking in a formal Council meeting.
5. **Enhancing Decision-Making:** When Councillors can discuss matters without external pressures, they can take a more analytical and mature approach to Council meetings and make more informed decisions. The review of complex and lengthy business papers alone is often a daunting process in the absence of earlier discussion with relevant technical officers. Again this is not to guide a particular outcome but rather to ensure Councillors can make informed decisions based on sound understanding.
6. **Commercial in confidence early briefings:** Uralla is in the heart of the New England Renewable Energy Zone REZ. Proposed REZ developers are encouraged to brief Council early in their concept phase so that Councillors and staff can provide guidance based on local knowledge and Council's expectations regarding minimising impacts, maximising community benefits and comprehensive community engagement. These sessions could not be conducted publicly until projects are at a more mature stage.

As noted above, Uralla Shire Council identifies formal and informal meeting program requirements for Councillors and notes that separate community engagement sessions/workshops can be scheduled from time to time to share public information and to gain community feedback.

This is in addition to formal public exhibition of policies and other documents such as development applications as appropriate when a range of communication channels are used including social media, Council's website, and other relevant identified platforms.

Information sessions for Uralla Shire Council are managed by the General Manager in consultation with the Mayor. There are no formal minutes, recommendations, or actions as these are not decision-making forums. Record keeping for information sessions is limited to attendance, declarations of interest and key issues discussed.

The information sessions are an opportunity to ensure Councillors are fully informed on complex matters that are not yet ready for public presentation; for example, commercial-in-confidence development proposals which are still in the negotiation stage, or legal matters. External presenters may provide information to Councillors at these sessions from time to time.

I appreciate your consideration of this proposal and would welcome the opportunity to discuss it further. I believe information sessions are an important tool to support our democratic system and informed decision making at the subsequent meetings. They are not decision-making forums.

Sincerely,



Toni Averay
General Manager