

24 February 2025

Your ref:

Our ref: ARC22/5482

Office of Local Government
Locked Bag 3015
Nowra NSW 2541

Dear Sir/Madam,

Councillor Conduct and Meeting Practices Framework – Second Submission

I am writing to reinforce the points raised in our previous submission regarding the proposed Councillor Conduct and Meeting Practices Framework. I thank you again for the opportunity to provide feedback and wish to reiterate our significant concerns about the proposed changes.

As previously stated, Armidale Regional Council maintains that the discussion paper does not offer sufficient detail or justification to support the wholesale changes proposed. While we acknowledge that the current complaint process is ineffective, administratively burdensome, and costly, we also believe that any changes to the conduct framework must be thoroughly considered and backed by a clear rationale. The general principles of the framework are supported by Council; however, the shift of further administrative burden onto Councils is a significant concern that has not been adequately addressed in the discussion paper.

In particular, I strongly oppose the recommendation to disallow pre-meeting briefing sessions held in the absence of the public. These sessions play a critical role in ensuring Councillors can make informed decisions that affect the community. Our view is that the existing framework for transparent decision-making is adequate, as Council decisions are made only in the Chamber during Ordinary and Extraordinary Council meetings. Section 232(1)(b) of the Local Government Act 1993 requires Councillors to make "considered and well-informed decisions." This often necessitates further explanation or context, which is precisely the role of the briefings.

Briefings are not Council meetings, but rather forums designed and controlled by the General Manager to help Councillors meet their obligations under the Act. These briefings are purely informational and do not involve debate or decision-making. Allowing the public to attend these forums would risk reducing the openness of Councillors' questioning, thereby reducing the overall quality of their decision-making. If Councillors feel

constrained in their ability to ask questions and seek clarification in a private setting, they may not fully grasp the necessary context to make informed decisions during public meetings.

Furthermore, it is important to note that these briefings foster a safe environment for Councillors to explore complex issues, gain historical context, and receive explanations that help them engage constructively in Council meetings. These sessions enhance decision-making and, in turn, improve governance by ensuring that all Councillors are equally informed and equipped to participate effectively.

1. Enhancing Informed Decision-Making

Pre-meeting briefings provide essential opportunities for Councillors to receive detailed information on complex issues. Without these sessions, Councillors may lack the context necessary to effectively address community concerns. The briefings are conducted in a controlled and structured manner, with the General Manager ensuring that no political debate or personal agendas are introduced. This one-way information flow is crucial to ensuring that Councillors have the clarity and understanding needed for well-reasoned decision-making.

2. Promoting Transparency and Accountability

These briefings also contribute to transparency and accountability in local governance. By ensuring that Councillors are well-informed, the briefings facilitate more meaningful discussions in public meetings, which in turn enhances the clarity of decisions communicated to the community. Disallowing such sessions would risk undermining the connection between Councillors and their constituents, eroding trust in the local government process.

Armidale Regional Council has taken steps to ensure that these sessions are transparent and accountable. Briefing sessions are recorded and minuted, with a preamble provided by the General Manager at the beginning of each session to reinforce the purpose of the briefing and the need for Councillors to refrain from debate. If any attempt at decision-making or discussion is made, it is immediately shut down. These practices further support the objective of maintaining a transparent and accountable framework.

Conclusion

In closing, I urge the Office of Local Government to reconsider the recommendation to disallow pre-meeting briefing sessions. These sessions are essential for promoting informed decision-making, enhancing transparency, fostering collaboration, and supporting the ongoing education of Councillors. Removing this vital tool would diminish the effectiveness of our elected officials and undermine the quality of governance in our communities.

Thank you for considering this submission. We remain hopeful that the governance framework will support the continued engagement and effectiveness of our Councillors, ensuring a robust and transparent local government system.

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Sincerely

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James Roncon
General Manager