



Hay Shire Council

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Hay Shire
COUNCIL

26th February 2025

Office of Local Government
Governance Team

Email: olg@olg.nsw.gov.au

Dear Governance Team,

Re: Submission on Draft New Model Code of Meeting Practice

I refer to Minister Hoenig's letter dated 17th December 2024 inviting feedback on the proposed amendments to the Model Code of Meeting Practice for Local Councils in NSW (Model Meeting Code).

In general, Hay Shire Council is supportive of change that improves the integrity and trust in local government.

Council discussed the proposed amendments to the Model Meeting Code at its meeting 25th February and resolved to make a submission. We comment as follows:

- Clause 3.10 – Notice of Motion: The removal of the requirement of the General Manager to make comment on a Notice of Motion could result in Council making decisions without all the information, particularly around legal, strategic, financial or policy implications. This is considered dangerous at best.
- Clause 3.27 – We are unclear the intent of this clause nor how it would be applied, and we seek clarification.
- Clause 5.44 – Attendance by Other Staff: The amendment of this clause to allow Council to determine which other staff is to attend a Council meeting is in breach of the Local Government Act (1993). Council is unable to direct staff.
- Clause 7.1 – Council supports the requirement to stand, where possible, when addressing Council. The stipulation to stand when the mayor enters the room is unnecessary and may cause division in Council. The mayor is among equals and any, in what could be considered special treatment, may result in resentment from other Councillors.

- Clause 9.10 – Mayoral Minutes: The removal of the requirement to defer any mayoral minute decision if it requires expenditure of funds, again, could be problematic and have unintended consequences.
- Clause 9.5 – Again, we are unclear the intent of this clause nor how it would be applied, and we seek clarification.
- Clause 10.7 – Foreshadowed Motions: The removal of the ability for a Councillor to propose a foreshadowed motion may stifle debate on a motion.
- Clause 13.7 – it is unclear why reference to the Council’s Code of Conduct would be removed from this clause.
- Clause 20.8 – Again, it is unclear why this clause has been removed. Councillors should be held accountable to attend committee meetings of which they are the official Council delegate.

Thank you for your consideration of our comments. We iterate that we are supportive of changes that promotes debate and informed decision making by Council.

We are more than willing to discuss our submission further if required. In the meantime, if you have any queries, please do not hesitate to contact me on telephone [REDACTED] email [REDACTED]

Yours faithfully,

[REDACTED]
GENERAL MANAGER