



28 February 2025

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Attention: NSW Office of Local Government's Council Governance Team

**Re: Model Meeting Code Amendments**

Thank you for the opportunity to make a submission in response to the proposed amendments to the Model Code of Meeting Practice for Local Councils in NSW.

Council has resolved to support the Northern Rivers Joint Organisation (NRJO) submission, as this provides a united front for the councils represented on NRJO, which has an approximate resident population in excess of 300,000 people.

In respect to the key points raised in the consultation, our feedback is consistent with the NRJO submission, as per the following.

**Will the proposed amendments made in the consultation draft of the Model Meeting Code achieve the policy outcomes identified in the paper?**

The desired policy outcomes identified in the consultation draft are supported, however we do not agree that all the proposed amendments to the Model Meeting Code will contribute to achieving these outcomes.

**Promoting transparency, integrity and public participation**

The following proposed amendments should contribute to promoting transparency, integrity and public participation:

- requiring meeting recordings to be published on council websites for longer (this is our existing practice)
- preventing councils from making final planning decisions without an appropriate staff report (this is our existing practice)
- requiring councils to give reasons where its decision on a planning matter departs from the staff recommendation (this is our existing practice)

The proposal to remove pre-meeting councillor briefings is not supported as the current Model Meeting Code already ensures that briefing sessions do not function as a forum for debate or decision-making by councillors.

Rather, these sessions enable more informed decision-making to occur at formal council meetings, which is a key meeting principle of the Model Meeting Code.

Pre-meeting briefings provide councillors an opportunity to clarify matters to be considered by the council and to ask questions of senior staff and other subject matter experts to make sure they receive the technical information needed to inform their decision-making during formal council meetings.

This type of blanket ban will only result in councils having meetings in some other form (i.e. informal gatherings) as it is always necessary for councillors to ask questions prior to the council meeting to ensure they are fully informed on the matter to be debated at the meeting.

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

- **Requiring councillors and staff to stand when addressing a meeting and when the mayor enters the chamber**

Introducing courtroom etiquette into the council chambers – such as standing when speaking and formal/reverent manners of address – is not supported.

Such practices/conventions are archaic and not befitting of a ‘modern’ model meeting code. Such reforms will only serve as a barrier to diversity and inclusion and fail to recognise that elected officials are not required to have any formalised or specialist training to hold or discharge their duties of office.

One of our current Councillors has significant constraints in respect to standing, and this type of antiquated practice will only result in embarrassment for this Councillor.

This should be an option for councils, noting the diversity of councils and councillors across the State.

- **Incorporating NSW Legislative Assembly standards into acts of disorder**

Given councillors are not members of the NSW Legislative Assembly, this proposed amendment will only serve to confuse and complicate the council chamber rather than promote its dignity.

Councillors (along with council staff) are already familiar with the standards under local government codes of conduct, which the Model Meeting Code rightly refers to currently.

The Legislative Assembly and a council chamber are completely different environments – with the most glaring difference being that councillors are not afforded Parliamentary Privilege.

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

This will not occur. The proposal to remove the requirement for general managers to prepare reports for notices of motion is not supported. This should at least be optional. Responding to notices of motion is good practice, ensuring councillors are openly and transparently provided with all the relevant information needed to inform their decision-making.

This is especially crucial where a notice of motion may have significant implications (financial or otherwise) for delivery of a council's already adopted program of projects, works and other initiatives under the Integrated Planning and Reporting framework.

### **Simplifying the Model Meeting Code**

Council supports the efforts to simplify the Model Meeting Code.

As always, any proposed amendments must either be accompanied by suitable safeguards or ensure existing checks and balances are not undermined.

### **Are there any other amendments you would suggest that will achieve these policy outcomes?**

Simplifying the Model Meeting Code would benefit from ensuring its terms and language are used consistently throughout to improve understanding and application.

For example, the Model Meeting Code currently refers inconsistently to both 'by resolution of Council' and 'as determined by Council'.

### **Will the proposed amendments have any unintended consequences?**

Consequences of the proposed amendments include those that will more than likely:

- increase the costs of council meetings and associated requirements
- unfairly impact rural and regional councils.

For example, administrative costs will increase sharply if the use of more formal committees is to replace councillor briefing sessions, with councils needing to dedicate added financial, executive leadership, staff and other resources to support such committees. Resources will also need to be added or diverted if multiple staff members are required to continually respond to individual requests from councillors that would normally be raised via briefing sessions. Without additional funding to overcome this added cost burden, other council services will suffer.

Another example is the proposal where councillors will only be permitted to attend meetings via audio visual link in the event of ill health, other medical reasons or unforeseen caring responsibilities.

While councillors should be encouraged to attend meetings in-person as much as possible, the proposed amendments restricting their access to remote attendance fails to properly appreciate the challenges faced by councillors in rural and regional areas.

Many councillors in these areas have to travel significant distances to participate in council or joint organisation meetings. Many also juggle full time employment, run their own businesses or regularly have to travel away from their local government areas for various work and other commitments.

These councillors should not be unfairly restricted from participating in council meetings when modern technology provides them the means to do so. It should be a matter for each council to decide based on its own circumstances the appropriate level of remote attendance at council meetings.

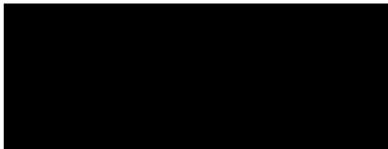
**Are there any other amendments the Government should consider?**

Other amendments relevant to the Model Meeting Code that should be considered include:

- maintaining order in the public gallery and dealing with unauthorised recordings and other etiquette issues
- the use of periodic councillor workshops as opposed to councillor briefing sessions.

The draft Model Code is yet another example of a Sydney centric model being drafted for the entire State, with a lack of understanding how regional and rural councils operate.

Yours sincerely



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**General Manager**