

Office of Local Government
Locked Bag 3015
NOWRA NSW 2541
by email to olg@olg.nsw.gov.au

Re Model Meeting Code amendments

Dear Sir,

I spent just under 20 years as a councillor, deputy mayor and mayor of my local Council and on the Regional County Council, as well as on several local government bodies in NSW, particularly as a Country member of the LGSA. I am aware of issues that have led to a situation where many residents have little faith in decisions that are made by their Councils, and in particular, their Mayors and Councillors. When I read the [Councillor conduct and meeting practice: a new framework](#) I thought that finally most of the concerns that residents have, had not only been addressed but that it would establish local government in NSW as an exemplary local government organisation.

The proposals I commended in that Framework were as follows:

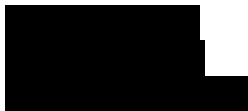
- the aspirational Code of Conduct
- the Code of Conduct being aligned to the Oath of Office
- the pecuniary interest framework
- extended investigation powers and remedies in regard to code of conduct complaints against councillors and staff
- the elaboration that the test of a conflict of interest is not in the mind of the individual who is subject to the test but whether a reasonable and informed person would perceive that the councillor could be influenced by a private interest when carrying out official functions
- the proposed legislation in regard to property developers and real estate agents although in my opinion these groups of people should not be permitted to be on a council
- that in addition to the existing two types of Councillor misconduct in public office the third limb of misbehaviour which allowed consideration of behaviour considered egregious or problematic
- that OLG was developing lobbying guidelines and a model policy
- abolishing the 'two steps' of dispute resolution
- OLG having the power to issue penalty infringement notices for minor conflicts of interest
- the process of the NSW Local Government Privileges Committee in dealing with misbehaviour and should be paid by individual councillors unless the costs were beyond their financial capacity. I also supported the proposed penalties
- additional powers proposed for mayors or chairs of meetings, particularly those to expel a councillor for acts of disorder, to demand an apology and to remove a councillor's entitlement to a sitting fee. However, as I pointed out, currently mayors and chairs of meetings already have the power to demand an apology and expel a councillor from a meeting
- the proposal to ban briefing meetings.

As you can probably imagine, whilst there are some changes that I do support, for example removing the capacity for Councillors to have closed briefing meetings prior to a meeting, yet I'm sure there will then be many Councillor workshops which are of course closed to the public. Frankly I'm deeply disappointed that little remains of a Framework I thought exemplary. Not only that, but in fact it increases the power of mayors and a council for example in determining which Council staff can attend meetings and reducing the power of General Managers, who generally have much more

experience of local government processes and requirements. In fact, to me this is a clear example of the power of mayors, developers and those with a strong interest in ensuring the outcome of council decisions are beneficial to them that in effect makes it even less likely for residents to trust their local councils. I urge you to reject this latest version and proceed with the original Framework.

I could say more but I am deeply disappointed.

Yours faithfully,

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27 February 2025