

28 February 2025

Office of Local Government  
NSW Department of Planning, Housing and Infrastructure  
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Via email: [olg@olg.nsw.gov.au](mailto:olg@olg.nsw.gov.au)

### **Submission regarding A new model code of meeting practice – Consultation draft**

We refer to the review of the Model Code of Meeting Practice, and the associated discussion paper dated December 2024 published by the Office of Local Government (OLG).

As outlined in our submission to the review of the councillor conduct framework dated November 2024, we are supportive of reforms that would reduce the administrative costs of managing the conduct of, enhance procedural fairness for, and promote informed decisions making of elected officials.

However, as we also noted, we are not supportive of proposals that have the potential to create further layers of bureaucracy or impede effective decision making, inclusion or equality. Our rationale for this is outlined in the feedback below.

### **Promoting transparency, integrity and public participation.**

- It is universally agreed that under no circumstances should decisions be made at briefing sessions, however it is considered vital to inform decision making that staff can provide background information, some of which is commercial in confidence or confidential, to board members in a closed to the public briefing session. Often board members need time to digest all the information provided to them in order to make a considered decision
- Briefing sessions are an enormously helpful form for recently elected board members. to provide the time and environment to ask the obvious questions that are not afforded during board meetings.
- It is recommended that should these changes proceed that the definition of what a briefing session is, needs to be clearly articulated

Riverina Water

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- Riverina Water supports the proposal that recordings of meetings be published on the council website for the balance of the council term or in the case of an election year, for at least 12 months

### **Supporting effective decision making and efficient council meetings**

- The removal of clause 10.24, which would result in council being unable to shorten the duration of speeches, is not supported as its removal does not promote efficient meeting process and decision making

### **Public participation in council meetings**

- The additions to clause 9.13 which would allow for questions to be asked of council that do not concern the matter on the agenda if approved by council by resolution or if the mayor determines otherwise, are counterproductive to ensuring that the business and discussion at a meeting only relate to matters listed on the agenda

### **Promoting the dignity of the Council Chamber (Boardroom)**

- The proposed change that removes the option for councils to reduce the duration of speeches would appear to be problematic and will likely unnecessarily lengthen the duration of board meetings.
- Similarly the changes regarding attending meetings via audio visual link for both board members and staff seems to be a backward step in terms of the efficiencies that are provided by audio visual links which in the main, improve participation in the overall decision making process.
- Generally speaking, Riverina Water supports strengthening the deterrence against disorder that allows board members to be expelled from successive meetings where they fail to apologise for an act of disorder at an earlier meeting

### **Attendance at meetings via Audio Visual Link**

- We do not support the proposed changes to clause 5.19. For regional/rural councils and county councils with a large geographic footprint, diverse community and stakeholder base, the availability of an audio-visual link for meeting participation enables it to attract a more diverse and representative pool of members and support efficient business operations

- The change proposed in clause 5.19 are too restrictive and do not allow for other factors such as access to public transport to be taken into consideration. If these changes were to be implemented, a phased implementation period would be to manage the impact of the change. If these changes were also to be taken to apply to Audit, Risk and Improvement Committees, this would significantly impact the efficacy of this body and result in vacancies that would be challenging to fill with the requisite skills and experience.
- The proposal to remove clause 5.44, which allows staff to attend meetings via audio-visual link, lacks a rationale. We suggest this clause is retained as its removal is contrary to the principles of inclusion. There is also no clear reason as to why councillors should be permitted to attend by audio-visual link, but staff may not.

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

- Riverina Water supports the proposed change that the mayor, not the general manager, having discretion on whether council staff should respond to questions without notice
- Yes, in relation to the proposed protocol which confers responsibility on the council to determine staff attendance at meetings, Riverina Water suggests the chairperson and general manager should have shared responsibility in this regard

#### **Restricting Councils from holding briefing sessions**

- The proposal that the chairperson can receive more information than other board members is problematic and may divide the board. There is also a substantial risk that some chairpersons may limit the information provided to other board members in order to ensure a particular decision is made.
- Banning briefing sessions may also lead to decisions on more items on the agenda needing to be deferred, if questions posed by board members cannot be answered during the relevant board meeting

As a county council, we urge the OLG to consider the practicalities of implementing any proposals wholesale across a sector which is constituted of more than just general-purpose, metropolitan councils. The administrative costs required to navigate an already complex regulatory landscape is disproportionate to the costs of delivering infrastructure and services for smaller, less complex, Local Government entities.

[Riverina Water](#)

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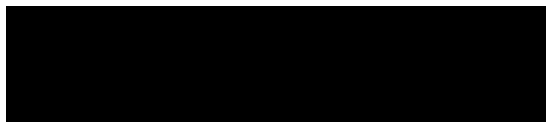
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Should you wish to discuss any of the matters raised in our submission further, please contact me directly at 02 6922 0600 or by email at [acrakanthorp@rwcc.nsw.gov.au](mailto:acrakanthorp@rwcc.nsw.gov.au).

Yours sincerely



Chief Executive Officer

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