

28 February 2025

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Model Meeting Code amendments

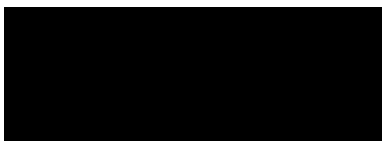
Introduction

Local Government Professionals Australia, NSW represents the professionals in NSW local government and welcomes the opportunity to provide feedback on the new model Code of Meeting Practice discussion paper.

The following comments have been prepared in consultation with our Governance Member Network representing Councils across NSW.

The Association would be pleased to provide additional feedback and/or implementation considerations should this be required.

Yours sincerely



David Tuxford
President

Clause	Support	Oppose	Neutral	Notes
3.1			X	This item will need a resolution of Council under the Code so why not keep it in the Code of Meeting Practice?
3.3	X			
3.8			X	
3.10			X	
Removal of 3.12 & 3.13		X		While Councillors should be able to submit NoM's to Council Meetings, there should be requirement that the NoM considers legal, financial and policy implications. The premise of the IP&R framework promotes financial responsibility and planning and removing this provision does not promote good decision making, good governance or financial sustainability.
3.13		X		Councillors should not be able to complain or imply wrongdoing against the General Manager and staff in such a public forum especially with no basis or proof required that wrong doing has actually occurred – the health and wellbeing of staff must be paramount and this could present many psychosocial hazards claims if permitted.
3.16			X	
3.18		X		The Business Paper is the responsibility of the General Manager, not the Mayor.
3.23			X	
3.28-3.32				These clauses need clarification as to the intent – there was confusion around new business and if this can be discussed and under what circumstances. The language in the document is confusing.
Removal of 3.33-3.38		X		<p>These forums provide a valuable method to ensure Councillors understand matters before the Meeting. Some Councillors have only a weekend to read and absorb papers before meetings.</p> <p>We disagree with the proposed removal, but support the introduction of</p>

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				guidelines/protocols around do's and don'ts of briefing sessions.
4.2-4.24			X	This item will need a resolution of Council under the Code so why not keep it in the Code of Meeting Practice?
5.7 and removal of 5.8	X			
5.19-5.20 and removal of 5.25 a & b		X		<p>If ill, the Councillor should not attend work due to WHS considerations.</p> <p>This provision is prohibitive especially for rural/regional councils where the travel requirements are greater and Councillors may live over 50km away from the place where the Council Meeting is being held, and Councillors may also have to travel outside of the local government area for work which would prevent many from running as a Councillor.</p>
5.37	X			
5.43		X		Council staff are employed by the General Manager, not the Governing Body and therefore the General Manager should determine who attends.
5.44		X		Staff should be able to attend via audio-visual if required to attend meetings.
7.1	X			Needs clarification if everyone stands when the Mayor is addressing the Meeting or when Councillors and staff are addressing the Mayor?
8.2			X	This Clause is contradictory – if setting by resolution, why not via the CoMP which is adopted by resolution?
8.4	X			
9.3-9.5			X	These clauses need to be made clearer as to the intent – there was confusion if new business can be discussed and the circumstances. We feel the language is confusing.

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9.7 and removal of 9.9-9.10		X		Mayoral Minutes should be in relation to areas that Council has jurisdiction over and should not be routine. The Mayor should always demonstrate financial accountability and lead Council in a responsible way.
9.14		X		Recommend the Mayor be removed to be consistent with 9.3
9.15			X	
9.17		X		There should be respect in the Chamber
10.3	X			
Removal of 10.9		X		This goes against accounting principles, financial sustainability and IP&R. We seek clarification on why this change is occurring.
Removal of 10.17		X		Not conducive to full and robust debate if this provision is removed.
Removal of 10.24		X		Disagree – Council Meeting made longer than it needs to be, Council should have the flexibility to determine.
11.11			X	
11.12	X			
11.13	X			
12.2			X	
13			X	
14.11			X	
14.11-17		X		This Clause needs a resolution so why not keep in Code and give guidance for Council to determine?
14.14	X			
14.18		X		What is the need for this change? If council determines it is not practicable then is it correct that Councils don't have to comply?
14.19-14.20		X		If implemented OLG must provide clear guidance on how this is to be implemented and designed, is it retrospective – how far back does Council need to review? The

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				resources required will be untenable for some Councils. This clause is also in conflict with existing rules around General Manager performance reviews and will result in a breach of clauses in the General Manager contract.
Removal of 15.2		X		Removing this clause is not supported
15.10			X	Request clarification and definition of what's in NSW Legislative Assembly and put this in the CoM. NSW Councils and staff are unfamiliar with this. Clarification on the removal on "or is likely to bring the council or the committee into disrepute". Why can't the Mayor determine what bring Council into disrepute.
15.12	X			
15.13	X			
15.15-15.17	X			
15.21	X			
17.3	X			
17.5	X			
17.10	X			
17.12-17.20	X			
18			X	This Clause needs a resolution so why not keep in Code and give guidance for Council to determine?
Removal of 20.8-20.9			X	Request clarification for the change.
20.20-20.21		X		If implemented OLG must provide clear guidance on how this is to be implemented and designed, is it retrospective – how far back does Council need to review? The resources required will be untenable for some Councils.

Clause	Support	Oppose	Neutral	Notes
20.24			X	