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### **Submission: Model Meeting Code amendments**

The Community Housing Industry Association NSW (CHIA NSW) welcomes the opportunity to provide feedback to the Office of Local Government on the new model code of meeting practice.

CHIA NSW represents not-for-profit community housing providers (CHPs) in NSW. Our members currently own or manage more than 54,000 social and affordable rental homes across NSW for individuals and families who cannot afford to rent or purchase a home on the private market.

Most registered CHPs are not-for-profit registered charities. Registered CHPs are also highly regulated under the National Regulatory System for Community Housing. This oversight provides confidence and assurance of a high standard of performance, including with regard to organisational governance. A higher level of oversight is applied to CHPs who regularly undertake development activity.

Local government is a key stakeholder and decision maker in the delivery of affordable rental housing. Increasingly, not-for-profit CHPs are partnering with local councils through strategy development, joint-advocacy, joint-investment in new affordable housing, and the operationalisation of contributions schemes. Depending on the preferred model of delivery, CHPs may own or manage affordable rental homes on behalf of local councils. Although partnership models will vary across local councils, this requires effective and in-depth engagement between CHPs and councils. This includes through briefings and meetings with councillors.

CHIA NSW is concerned that the proposed ban on councillor briefing sessions will result in councillors being less informed, leading to poorer decisions, and/or an increase in decisions being deferred at council meetings. This would jeopardise the delivery of much needed social and affordable housing at a time of unprecedented demand.

The focus on development applications as a reason for the banning of councillor briefings is misplaced. At many councils, those decisions are now made by planning panels implemented by the NSW Government, for which pre-meeting briefings continue to be permitted.

CHIA NSW recognises the importance of ensuring councillors act appropriately and make decisions transparently. However, briefing sessions are not decision-making forums. Instead, these sessions provide councillors with the opportunity to better understand matters on which they are not subject matter experts, *before* they make a final decision. It is difficult to provide the same level of understanding through written reports alone.

It is understood that many councils across the state have expressed strong support for the retention of councillor briefing sessions. CHIA NSW recommends that councils retain the discretion for stakeholders to hold informal briefings and workshops with councillors, as a

supporting mechanism to formal meeting and committee structures. This could be supported by a briefing code of practice to ensure they are conducted appropriately.

CHIA NSW notes the intention to amend the Local Government Regulation to prescribe acceptable pathways for the distribution of information to councillors. This includes through *“established training programs”* and *“periodic workshop format.”*

The regulations must be sufficiently clear on what activities would qualify for these pathways. The ability of stakeholders, including CHPs and not-for-profit peak bodies, to engage directly with elected representatives is critical to informed and proper decision making. This engagement may include the distribution of information to councillors through workshops, briefings or presentations.

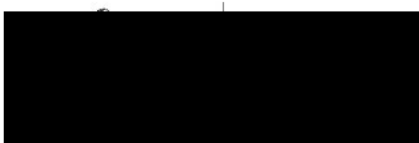
For example, CHIA NSW is currently delivering training to local councillors to improve their understanding of social and affordable housing and the steps that local government can take to support its delivery. This training responds to a growing desire amongst elected officials to better understand the role they can play in meeting local housing needs, and a lack of established training programs with such a focus. Restrictions on this activity being carried out would prevent councillors from acquiring the information they need to carry out their duties.

To ensure effective democratic processes, the regulations must not prevent meetings, briefings and workshops between councillors and stakeholders from continuing to occur in an appropriate manner.

CHIA NSW supports the introduction of lobbying guidelines and a model policy on lobbying for councils to improve the transparency, integrity and fairness of all lobbying activities. This framework needs to clearly distinguish between lobbying by for-profit interest groups and advocacy activities conducted by non-government organisations, such as CHPs and CHIA NSW.

CHIA NSW appreciates the opportunity to provide feedback on the draft model code of meeting practice. Please don't hesitate to get in touch if you require any further information about this submission.

Kind regards,



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