

**Submission to the Office of Local Government
on the Development of a Model Code of Meeting
Practice for Local Councils in NSW**

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Introduction

Local Government NSW (LGNSW) is the peak body for local government in NSW, representing NSW general-purpose councils, associate members including special-purpose county councils, and the NSW Aboriginal Land Council. LGNSW is the organisation for all things local government in NSW. LGNSW facilitates the development of an effective community based system of local government in the State.

LGNSW thanks the Office of Local Government (OLG) for the opportunity to provide a submission concerning the development of a Model Code of Meeting Practice *for Local Councils in NSW* ("Code").

Purpose

This submission is made in response to the OLG's request for input into the review of the Code, made via Circular No. 16-46. Feedback was requested on:

- how the current meeting rules prescribed by the Regulation can be improved;
- any areas of meeting practice that are not currently prescribed that should be prescribed; and
- any examples of better practice that may be incorporated in the non-mandatory provisions of the model meeting code.

The OLG also sought examples of better practice meeting rules contained in councils' adopted codes of meeting practice.

Background

Local Government NSW (LGNSW) believes that it is essential to have a uniform, unambiguous plain English Code. Such a Code supports the operation of the sector overall, and importantly, ensures good public decision making, sector credibility and community confidence. The conduct of effective meetings is an indicator of good governance. Well run meetings reflect an effective partnership and relationship between the governing body of council and council administration.

The development of a model Code incorporating mandatory and non-mandatory provisions supported by the *Local Government Act 1993* as amended ("the Act") and the Local Government Regulation 2005 as amended ("the Regulation") will ensure meeting practice uniformity across the sector.

LGNSW has consulted with the sector about the Code and in preparing this submission, and included the feedback provided. The Code of Meeting Practice adopted by the Council of the City of Ryde was circulated to all councils as an example of a comprehensive and compliant code and is included with this submission. Specific attention is drawn to the highlighted "PRACTICE" notations included in various clauses and appendices to give clarity and guidance in the application of the Council's code.

Recommendations

The submission identifies no meeting rules prescribed by the Regulation that require improvement and no areas of meeting practice that are not currently prescribed that should be prescribed. LGNSW supports the current provisions of the Regulation being included in the Code as mandatory provisions, but does not support the inclusion of any additional or new mandatory provisions.

It is recommended that clarity be provided with respect to the operation of clause 241 of the Regulation to remove doubt about the inability of councillors and members of the public to ask "questions without notice" at meetings.

Public participation at council meetings should be restricted to agenda items with a prohibition on questions without notice from councillors and members of the public.

The submission identifies the "PRACTICE" notations and appendices contained in the Council of City of Ryde's Code of Meeting Practice as examples of better practice that should be incorporated in the non-mandatory provisions of the model meeting code. This example is succinct and user-friendly.