

Post Exhibition - Code of Meeting Practice

File No: S051923

Summary

On 29 August 2025, the Office of Local Government released a new Model Code of Meeting Practice for Local Councils (the "model code") which will come into effect on 1 January 2026. Amendments supporting this new model code were made by the Local Government (General) Amendment (Model Code of Meeting Practice) Regulation 2025 on 5 September 2025.

In accordance with the Local Government Act 1993, councils must adopt a code of meeting practice that incorporates the mandatory provisions of the model code prescribed by the Local Government (General) Regulation 2021. The model code prescribes a uniform set of meeting rules for councils across NSW to ensure meetings of councils and committees of councils comprising only of councillors are open, accessible, orderly, effective and efficient.

All councils are now required to adopt a code of meeting practice that contains the mandatory provisions of the updated model code by 31 December 2025.

The revised City of Sydney Code of Meeting Practice incorporates the mandatory provisions of the model code along with some of the non-mandatory provisions of the model code and supplementary provisions relevant to the City of Sydney.

Council endorsed the public exhibition of the City of Sydney's draft Code of Meeting Practice on 27 October 2025. The draft Code of Meeting Practice was on public exhibition for a period of 28 days (29 October 2025 to 26 November 2025 with public submissions sought over a concurrent 42 days (29 October 2025 to 10 December 2025) as required under the Local Government Act 1993.

We received 7 submissions during the public exhibition period. All submissions opposed the changes. Note that public submissions are sought to 10 December 2025 and an additional report providing details of any submissions received between 27 November 2025 to 10 December 2025 will be prepared and provided to Council.

Given that the feedback received related primarily matters which are governed by the mandatory provisions of the model code, largely public forums and members of the public addressing Council and Committee meetings, no further changes are recommended to the exhibited Code of Meeting Practice.

The Office of Local Government and the Minister for Local Government are clear that council and committee meetings are exclusively for councillors to discuss and make decisions. Under the mandatory model code, community members will no longer be allowed to speak on agenda items during committee meetings. This is a change from the current, longstanding City of Sydney practice. The revised Code of Meeting Practice includes new mandatory provisions which state that Council may hold public forums before meetings.

Public forum guidelines have been drafted for Council consideration. These propose that public forums be held immediately prior to committee meetings.

This report seeks Council adoption of the revised City of Sydney Code of Meeting Practice, the fixing of the order of business of council by resolution and Council endorsement of public forum guidelines.

Recommendation

It is resolved that:

- (A) Council note the submissions received from the community on the draft Code of Meeting Practice as outlined in the engagement report shown at Attachment A to the subject report;
- (B) Council adopt the revised City of Sydney Code of Meeting Practice as shown at Attachment B to the subject report, subject to any amendment of section 422 of the Local Government (General) Regulation 2021 to defer the time of commencement of the new Model Code of Meeting Practice for Local Councils;
- (C) Council endorse that if section 422 of the Local Government (General) Regulation 2021 is amended to defer the mandating of the new Model Code of Meeting Practice for Local Council, Council's current Code of Meeting Practice remain in force until further resolution of Council;
- (D) Council fix the order of business of meetings of council as the following:
 - (i) opening of the meeting;
 - (ii) acknowledgement of country;
 - (iii) prayer at the discretion of the Chair;
 - (iv) apologies and applications for a leave of absence by councillors;
 - (v) confirmation of minutes;
 - (vi) statement of ethical obligations and disclosures of interest;
 - (vii) minutes by the Lord Mayor;
 - (viii) memoranda by the Chief Executive Officer;
 - (ix) matters for tabling;
 - (x) reports of committees;

- (xi) reports to council;
 - (xii) questions on notice;
 - (xiii) supplementary answers to previous questions;
 - (xiv) notices of motion; and
 - (xv) conclusion of the meeting;
- (E) authority be delegated to the Chief Executive Officer to make amendments to the Code of Meeting Practice in order to correct any minor drafting errors and finalise design, artwork and accessible formats for publication;
- (F) Council endorse the City of Sydney Public Forum Guidelines as shown at Attachment C to the subject report;
- (G) Council note that the Public Forum Guidelines can be amended from time to time by Council; and
- (H) Council note that public notification and communications will be undertaken in early 2026 (unless deferred) to advise members of the public of the Public Forum Guidelines and how they can address Council going forward.

Attachments

- Attachment A.** Engagement Report - Code of Meeting Practice
- Attachment B.** City of Sydney Code of Meeting Practice
- Attachment C.** City of Sydney Public Forum Guidelines

Background

1. On 29 August 2025, the Office of Local Government released a new Model Code of Meeting Practice for Local Councils (the "model code") which will come into effect on 1 January 2026. Amendments supporting this new model code were made by the Local Government (General) Amendment (Model Code of Meeting Practice) Regulation 2025 on 5 September 2025.
2. In accordance with the Local Government Act 1993 councils must adopt a code of meeting practice that incorporates the mandatory provisions of the model code prescribed by the Local Government (General) Regulation 2021. The model code prescribes a uniform set of meeting rules for councils across NSW to ensure meetings of councils and committees of councils comprising only of councillors are open, accessible, orderly, effective and efficient.
3. The City's current Code of Meeting Practice has been in place since December 2024 (following a public exhibition period).
4. All councils are required to adopt a code of meeting practice that contains the mandatory provisions of the updated model code by 31 December 2025.
5. It is noted that on 25 November 2025 the NSW Legislative Council debated a Notice of Motion from Dr Amanda Cohn, MLC which seeks to disallow the Local Government (General) Amendment (Model Code of Meeting Practice) Regulation 2025. There were numerous concerns raised in the debate on that notice of motion regarding aspects of the new mandatory model code. Debate on the matter has been adjourned until 2026 to enable the Minister for Local Government to consider matters raised in the debate. The City is required to adopt a new Code of Meeting Practice prior to 1 January 2026 and so must proceed ahead of the finalisation of the parliamentary process.
6. In the light of this unresolved disallowance motion, it is considered possible that the Minister may amend the Local Government (General) Regulation 2021 to defer the commencement of the new Model Code of Meeting Practice in order to further consider the issues raised in Parliament and by the sector generally. Recommendations have been drafted to preserve the City's current Code of Meeting Practice in the event that this happens prior to 1 January 2026.
7. There are mandatory and non-mandatory provisions contained within the model code. Non-mandatory provisions may be varied dependent on local circumstances and according to a council's requirements. The adopted meeting code may incorporate non-mandatory provisions and any other supplementary provisions adopted by council. A council's adopted meeting code must not contain provisions that are inconsistent with the mandatory provisions.
8. Key changes to the mandatory provisions in the model code include the following matters:
 - (a) extraordinary meetings may now be called by the Lord Mayor without the need for additional councillor signatures.
 - (b) urgent business may now be dealt with at a meeting at which all councillors are present without notice having been given, provided that the council passes a resolution to that effect.

- (c) briefing sessions may not be held on matters listed on the agenda for meetings of committees and council meetings and any information provided to a councillor about a matter listed on the agenda must be made available to the public.
 - (d) the definition of acts of disorder has been expanded under the regulations and the model code and there are new rules around when members of the public and councillors can be expelled from meetings.
 - (e) it is now mandatory that the code include provisions stating that councils may hold public forums. If public forums are to be held, they must be held separately to committee or council meetings.
 - (f) councillor attendance by audio-visual link is now only permissible in circumstances of ill-health or unforeseen caring responsibilities.
 - (g) minutes may be put by the Lord Mayor to the meeting without notice and on any matter or topic that the Lord Mayor considers should be put at the meeting.
 - (h) confidential information put to closed meetings is required to be published once it is no longer confidential. Administrative procedures will be developed following publication of guidelines from OLG on this matter.
9. There are a number of instances where the model code provides a choice in provisions, where applicable matters have been kept consistent with the City's current Code of Meeting Practice:
- (a) voting at meetings - the City is recommending the provision where all voting at council meetings, (including meetings that are closed to the public), must be recorded in the minutes of meetings with the names of councillors who voted for and against each motion or amendment (including the use of the casting vote) being recorded. This is consistent with current practice.
 - (b) the model code can confer a standing authorisation on all chairpersons of meetings of the council and committees of the council to expel persons (including councillors) from meetings. This is consistent with current practice and note that it does not limit the ability of the council or a committee of the council to resolve to expel a person, including a councillor, from a council or committee meeting, under section 10(2)(a) of the Local Government Act 1993.
10. The proposed City of Sydney Code of Meeting Practice incorporates the mandatory provisions of the model code, along with some of the non-mandatory provisions of the model code and supplementary provisions relevant to the City of Sydney. The proposed City of Sydney Code of Meeting Practice is Attachment B to the report, with supplementary and non-mandatory provisions indicated.
11. Where possible, non-mandatory and supplementary provisions have been included in a manner consistent with the City's current Code of Meeting Practice.
12. The changes to the model code have been mandated by the NSW Government, and councils cannot operate with codes of meeting practice that are inconsistent with the mandatory provisions.

13. The City made a number of submissions to the NSW Government advising that we were opposed to certain provisions/changes to practice now incorporated into the model code.
14. The City will continue to work with the community to ensure that its meetings are consistent, orderly and efficient; fair and respectful for all councillors and other meeting participants; and conducted with transparency and clearly defined rights and obligations for councillors.
15. In accordance with clause 8.1 of the Code of Meeting Practice, the general order of business is as fixed by a resolution of the council. Fixing the order of business by resolution of the council allows a future council to change the order of business by resolution of the council, without amending the Code of Meeting Practice..

Public Exhibition - Code of Meeting Practice

16. Council endorsed the public exhibition of the City of Sydney's draft Code of Meeting Practice on 27 October 2025.
17. The draft Code of Meeting Practice was on public exhibition for a period of 28 days (29 October 2025 to 26 November 2025) with public submissions sought over a concurrent 42 days (29 October 2025 to 10 December 2025) as required under the Local Government Act 1993.
18. During the public exhibition period, the webpage was visited 261 times, and the consultation document was downloaded 29 times. The public exhibition of the draft Code of Meeting Practice was included in the November 2025 Sydney Your Say e-news sent to 4,056 subscribers. A notification email sent was also sent on 31 October to 38 stakeholders.
19. We received 7 submissions during the consultation period. This included 4 email submissions and 3 submissions via the online feedback form. All submissions opposed the changes.
20. An engagement report is provided at Attachment A.
21. Given that the feedback received related primarily matters which are governed by the mandatory provisions of the model code, largely public forums and members of the public addressing Council and Committee meetings, no further changes are recommended to the exhibited Code of Meeting Practice.
22. In accordance with the Local Government Act 1993, public submissions are sought to 10 December 2025. An additional report providing details of any submissions received between 27 November 2025 to 10 December 2025 will be prepared and provided to Council.

Opportunities for community members to address meetings

23. The Office of Local Government and the Minister for Local Government are clear that council and committee meetings are exclusively for councillors to discuss and make decisions. Under the mandatory model code, community members will no longer be allowed to speak on agenda items during committee meetings. This is a change from the current, longstanding City of Sydney practice.

24. The revised Code of Meeting Practice includes new mandatory provisions which state that Council may hold public forums before meetings. Committee and council meetings will be open for the public to observe either in person or online.
25. As noted above and in Attachment A, all submissions opposed the changes to members of the public addressing committee meetings.

Public Forum Guidelines

26. In October 2025, the Office of Local Government advised that rules and best practice guidelines for public forums would be made available imminently. To date, these guidelines have not been released.
27. In the absence of OLG guidance, the City has drafted public forum guidelines for Council consideration.
28. The City's public forum guidelines:
 - (a) Note that Council will hold a public forum prior to meetings of committees of the council for the purpose of hearing oral submissions from members of the public on items of business to be considered at the meetings of committees of the council.
 - (b) Where possible and practicable, enable similar practice to how members of the public currently address meetings of committees of the council.
 - (c) Are intended to be flexible and enable the chairperson to conduct the public forum in the most appropriate way given the particular matters for consideration and Council to vary the rules as required from time to time to ensure the efficient and effective conduct of the public forums.
29. It is recommended that the public forum guidelines be reviewed throughout 2026 and adjusted as required to ensure best practice and that members of the community are able to address Council appropriately. The OLG has confirmed that further public exhibition is not required of the public forum guidelines which will enable Council to adopt new guidelines by way of resolution if required.
30. Given the changes to how members of the community can speak to Council from 2026, public notification and communications will be undertaken in early 2026 (unless deferred) to ensure the community is made aware of the changed requirements ahead of the first meetings in February 2026.

Strategic Alignment - Sustainable Sydney 2030-2050 Continuing the Vision

31. Sustainable Sydney 2030-2050 Continuing the Vision renews the communities' vision for the sustainable development of the city to 2050. It includes 10 strategic directions to guide the future of the city, as well as 10 targets against which to measure progress. This report is aligned with the following strategic directions and objectives:
 - (a) Direction 1 - Responsible governance and stewardship - The Code of Meeting Practice has been designed to promote, as the principle object of meetings, the making of decisions by council that are in the best interests of the council and the community as a whole and to ensure all council meetings are:
 - (i) consistent, orderly and efficient;

- (ii) fair and respectful for all councillors and other meeting participants; and
- (iii) conducted with transparency and clearly defined rights and obligations for councillors.

Organisational Impact

32. The conduct of public forums will require staff coordination and organisation. City staff provide will provide secretariat and operational support

Risks

33. The adoption of an updated Code of Meeting Practice reflecting the new model code is consistent with our risk appetite which states:
- We are committed to conducting our activities in full compliance with applicable laws, regulation and relevant industry standards.
34. There is a risk that there will be further amendments to the model code arising from current advocacy and the revocation motion before the Legislative Council. If this occurs after the commencement of the new Code of Meeting Practice the City will be required to exhibit and adopt a new model code in accordance with the Local Government Act 1993.

Financial Implications

35. Management of the webcasting and recordings of council and committee meetings requires appropriate software licences. There are sufficient funds allocated within the current year's operating budget and future years' forward estimates for these services.

Relevant Legislation

36. Local Government Act 1993.
37. Local Government (General) Regulation 2021.

Critical Dates / Time Frames

38. All councils are required to adopt a code of meeting practice that contains the mandatory provisions of the updated model code by 31 December 2025.
39. The first meetings of the City of Sydney Council and Committees are scheduled for February 2026.

Options

40. If Council does not adopt the updated Code of Meeting Practice by 31 December 2025 any provision of the current code which is inconsistent with a mandatory provision of the new model code will be void and of no effect from 1 January 2026 under section 422 of the Local Government (General) Regulation 2021. The mandatory provisions of the model code will apply from 1 January 2026.

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