

Public Exhibition - Draft 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 City's current Code of Meeting Practice has been in place since December 2024.

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.

The City of Sydney's existing Code of Meeting Practice will remain in force until Council adopts an updated Code of Meeting Practice. Council is required to exhibit a draft Code of Meeting Practice for at least 28 days and provide at least 42 days for submissions.

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

This report seeks Council approval for the public exhibition of the draft Code of Meeting Practice.

Recommendation

It is resolved that:

- (A) Council approve the draft Code of Meeting Practice as shown at Attachment A to the subject report, for public exhibition for a period of 28 days and specifying a period of not less than 42 days during which submissions may be made;
- (B) Council note that the draft Code of Meeting Practice, including any recommended changes, will be reported to Council for adoption following the exhibition period and that Council's current Code of Meeting Practice will continue to apply until a new Code of Meeting Practice is adopted; and
- (C) authority be delegated to the Chief Executive Officer to undertake minor editorial amendments for clarity or correction of drafting errors prior to the exhibition of the draft Code of Meeting Practice.

Attachments

- Attachment A.** Draft Code of Meeting Practice (marked up Model Code)
- Attachment B.** Current City of Sydney Code of Meeting Practice

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. 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.
4. The City's current Code of Meeting Practice has been in place since December 2024 (following a public exhibition period).
5. 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.
6. 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.
7. 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 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.
8. 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 A to the report, with supplementary and non-mandatory provisions indicated.
9. Where possible, non-mandatory and supplementary provisions have been included in a manner consistent with the City's Current Code of Meeting Practice.
10. The Office of Local Government have advised that rules and best practice guidelines for public forums will be made available imminently. The City will provide further information and seek input from Councillors once these guidelines are published. At this time, it is not recommended that any decisions be made other than adopting the draft Code for public exhibition ahead of the release of the foreshadowed Office of Local Government guidance.

Key Implications

Strategic Alignment - Sustainable Sydney 2030-2050 Continuing the Vision

11. 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.

Risks

12. 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.

Financial Implications

13. 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

14. Local Government Act 1993.
15. Local Government (General) Regulation 2021.

Critical Dates / Time Frames

16. All councils are required to adopt a code of meeting practice that contains the mandatory provisions of the updated Model Meeting Code by 31 December 2025.

17. Under section 361 of the Local Government Act 1993, before adopting a new code of meeting practice, councils must first exhibit a draft of the code of meeting practice for at least 28 days and provide members of the community at least 42 days in which to comment on the draft code.
18. In order to enable the required public exhibition period, Council must adopt an exhibition version of the Code of Meeting Practice at the 27 October 2025 Council meeting.

Options

19. If the City does not adopt the updated Model Code of Meeting Practice by 31 December 2025 any provision of its 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.

Public Consultation

20. Subject to Council approval, the draft Code will be exhibited for a period of 28 days, with public submissions sought over a concurrent 42 days as required under the Local Government Act 1993.

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