ITEM 7.1 **Public Exhibition of the Code of Meeting Practice**

AUTHOR **Corporate**

SUMMARY

- Councillors would be aware at last month's Ordinary Meeting; Council considered a report on the *Disallowance of the 2025 Model Code of Meeting Practice*.
- In the main – the purpose of the report was to note that in May 2026, the NSW Legislative Council determined to disallow the *Local Government (General) Amendment (Model Code of Meeting Practice) Regulation 2025* (Amendment Regulation), which prescribed the 2025 Model Code of Meeting Practice for Local Government Councils in NSW.
- As a result of the disallowance, all NSW councils were required to rescind its most recent resolution adopting Council's Code of Meeting Practice (CoMP/Code) and reinstate/revive its previous Code, as adopted at its Ordinary Meeting in October 2024.
- In the interim, the NSW Government has enacted the *Local Government (General) Amendment (Meetings) Regulation 2026* (Amendment Regulation) to secure some of the policy objectives of the *2025 Model Meeting Code.* The changes are mandatory provisions, which Council is lawfully required to apply.
- Information outlining the changes as provided by the Office of Local Government were circulated to Councillors – including Council's amended Code which reflected the new Regulation – for Councillors information.
- This report is to note the changes and consider a further amendment – being to allow Councillors to also attend Council Meetings by way of audio-visual link.
- Section 361 of the Act requires the amended draft CoMP be placed on public exhibition before it can be adopted.

RECOMMENDATION That -

1. Having regard to the Local Government (General) Amendment (Meetings) Regulation 2026, Council notes the relevant changes to its Code of Meeting Practice.
2. Council, in principle, endorses the Draft Code of Meeting Practice and proceed to publicly exhibit the proposed changes, in accordance with the Local Government Act 1993.
3. A further report be submitted to Council, following the conclusion of the public exhibition period for Councillors consideration.

ATTACHMENTS Click here for attachment

1. Draft Code of Meeting Practice

INTEGRATED PLANNING AND REPORTING ALIGNMENT

- Section 360 of the Act requires Council to have in place a CoMP that provides a set of meeting rules to ensure accessible, orderly, effective and efficient meetings of Council and Committees of which all the members are Councillors.

- This requirement aligns with the *Leading and Engaged* destination of the CBCity 2036 Community Strategic Plan.

STRATEGIC IMPACT

- The CoMP ensures Council:

  - abides by good governance practices;
  - meets its legislative obligations;
  - decisions are made in a way that is open and accountable; and
  - meetings are well organised, effectively run and skilfully chaired.

- There are no financial impacts associated with the draft amendments to the CoMP.

DETAILED INFORMATION

Purpose

- The purpose of this report is to note the recent legislative changes to the CoMP requirements for all NSW Council's and consider further amending Council CoMP to allow Councillors to also attend Council Meetings and Public Forums by way of audio-visual link.

Background

- *The Local Government (General) Amendment (Model Code of Meeting Practice) Regulation 2025* (2025 Amendment Regulation) was published 5 September 2025 (taking effect 1 January 2026) prescribing the OLG's then new 2025 Model Code. In accordance with requirements under Section 360 of the Act, Council adopted an updated CoMP to comply with the 2025 Model Code at its Ordinary Meeting on 2 December 2025.

- The OLG's 2025 Model Code, and Council's previous CoMP as adopted on 2 December 2025, ceased to have effect when the NSW Legislative Council disallowed the 2025 Amendment Regulation in May 2026.

- Following the disallowance of the 2025 Amendment Regulation Council resolved at its Ordinary Meeting on 16 June 2026 to:

  - Rescind the 2 December 2025 resolution adopting Council's 2025 CoMP;
  - Reinstate its previous CoMP, as previously adopted at its Ordinary Meeting on 22 October 2024; and
  - Continue to livestream its Council Meetings.

- Separately, Council further resolved - by way of a notice of motion - to publicly exhibit amendments to the CoMP that re-introduce live webcasting of public forums and council meetings.

- Following the Ordinary Meeting on 16 June 2026, the *Local Government (General) Amendment (Meetings) Regulation 2026 (*2026 Amendment Regulation) came into effect on 26 June 2026.

- The 2026 Amendment Regulation supplements the OLG's reinstated 2021 Model Code by reintroducing livestreamed recordings of Council meetings, prohibiting briefings between Councillors (other than the Mayor) and Council staff on agenda items and strengthening powers of the Chairperson to address disorderly conduct.

- The provisions in the 2026 Amendment Regulation are mandatory and automatically prevail over any inconsistent terms in the OLG's reinstated 2021 Model Code.

- The CoMP was recently updated to include the prevailing provisions as prescribed in the 2026 Amendment Regulation so that all mandatory provisions were consolidated into the CoMP. As these updates to the CoMP were made as prescribed in the 2026 Amendment Regulation, public exhibition of the updated CoMP was not required.

Discussion

- The OLG's 2021 Model Code contains both mandatory provisions, as prescribed by the *Local Government (General) Regulation 2021*, and non-mandatory provisions. The non-mandatory provisions operate to set a benchmark by the OLG on best meeting practices in local government.

- Whilst the mandatory provisions in the 2021 Model Code must be adopted in the CoMP, Council may resolve to adopt non-mandatory provisions and other supplementary provisions to suit the specific needs of Council so long as they are not inconsistent with the mandatory provisions of the 2021 Model Code.

Attendance by Councillors at Meetings and Public Forums by Audio-Visual Link

- The 2021 Model Code provides a comprehensive suite of best practice non-mandatory provisions concerning attendance by Councillors at meetings by audio-visual link that are consistent with the principles of the 2021 Model Code.

- To date, Council's current Code has reflected all relevant non-mandatory provisions with the exception of the provisions governing councillor attendance and conduct at Council meetings and Public Forums by way of audio-visual link.

- Several Councillors have expressed a desire that the option be now reflected in Council's Code to provide the flexibility to attend Council Meetings and Public Forums, particularly in certain cases which may prevent them from attending the Chamber.

Council Resolutions from 16 June 2026 – Live Webcasting of Meetings and Public Forums

- Prior to the enactment of the 2026 Amendment Regulation Council had resolved at its Ordinary Meeting on 16 June 2026 to publicly exhibit amendments to the reinstated CoMP that re-introduce live webcasting of meetings and public gallery forums.

- Whilst the 2026 Amendment Regulation reintroduces the live webcasting of Council meetings, both the 2026 Amendment Regulation and 2021 Model Code do not prescribe the live webcasting of public forums. On that basis, its proposed to make amendments in accordance with the mandatory provisions for the live webcasting of Council meetings only.

Prospective new Model Code of Meeting Practice

- Under section 8 of the *Subordinate Legislation Act 1989*, a new model meeting code cannot be prescribed in the 4 months following the disallowance of the 2025 Regulation.

- The OLG is expected to prescribe a new model meeting code via amending legislation after the four-month period following the May 2026 disallowance of the 2025 Regulation lapses. However, the exact timeframe for when the OLG will introduce a new model meeting code is currently unknown.

Recommended Approach

Subject to its consideration, it is recommended that Council:

- Endorses the Draft Code of Meeting Practice for the purpose of public exhibition; and
- A further report be submitted to Council, following the conclusion of the public exhibition period.