

Item 2.1**City of Sydney Code of Meeting Practice 2025 – Rescission****File No: S051923****Memorandum by the Chief Executive Officer**

To Council:

On 15 December 2025 the Council resolved to adopt the 2025 City of Sydney Code of Meeting Practice, in accordance with the requirements of the Local Government (General) Amendment (Model Code of Meeting Practice) Regulation 2025 (Amendment Regulation) and the mandatory requirements of the 2025 Model Code of Meeting Practice for Local Councils in NSW (2025 Model Meeting Code).

On 26 May 2026, the Amendment Regulation which prescribed the 2025 Model Meeting Code and various other matters was disallowed by the NSW Legislative Council. This means that the 2025 Model Code is now repealed. Under the current requirements of the Local Government (General) Regulation 2021, all councils are now required to have a Code of Meeting Practice which complies with the provisions of the 2021 Model Meeting Code.

On 28 May 2026, the Office of Local Government (OLG) issued urgent advice to councils on the implications of the disallowance and the recommended actions and next steps.

The OLG advice provided that the disallowance of the Amendment Regulation means that the 2025 Model Meeting Code is no longer prescribed for the purposes of section 360 of the Local Government Act 1993 (LG Act) and the previous 2021 version of the Model Meeting Code now becomes the prescribed version.

The advice provided by the OLG was that councils should rescind the resolutions adopting their recently made Codes of Meeting Practice and that this would have the effect of reviving the previous version. Accordingly, this memorandum proposes that Council rescind the 2025 City of Sydney Code of Meeting Practice (adopted by Council on 15 December 2025) and revert to the 2024 City of Sydney Code of Meeting Practice (adopted by Council on 16 December 2024, based on the 2021 Model Code).

Practical implications/changes for June 2026

Given the recommendation to revert to the 2024 City of Sydney Code of Meeting Practice, it is proposed that commencing with the June 2026 cycle of meetings, Council and Committee meetings follow the previous operating procedure followed by the City of Sydney for many years (prior to the implementation of the 2025 Model Code).

This will also ensure that the June 2026 meetings of Council are undertaken in a way that is 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.

Practically this will mean:

- Council briefings could take place prior to Committee and Council meetings.
- Members of the public will address Council Committees at the relevant agenda item (not at a separate public forum prior to the meeting).
- The public forum will not take place (given that members of the public will address the Committee meeting as applicable) and Council Committees will therefore commence at 2pm.

Given the removal of public forums, it is recommended that the functions of Council Committees be revised to a 2pm commencement time. It is also noted that following these changes to how members of the community can speak to Council (reverting back to the previous operating procedure), public notification and communications will be updated to reflect this.

Next steps for the NSW Government

The OLG have advised that they have been examining feedback received on the 2025 Model Meeting Code and that work on an updated code will be completed shortly. Formal advice on a new code will be shared by OLG when the drafting is complete.

It is noted that Council will be required to adopt a new code of meeting practice that incorporates the mandatory provisions of the model code after it is made by the OLG (following a public exhibition period).

Recommendation

It is resolved that:

- (A) in accordance with the advice received from the Office of Local Government as shown at Attachment A to the subject memorandum, and following the disallowance of the Local Government (General) Amendment (Model Code of Meeting Practice) Regulation 2025, the Resolution of Council in relation to Item 6.5 - Post Exhibition - Code of Meeting Practice passed at the meeting of Council on Monday 15 December 2025 be rescinded;
- (B) Council note that, in accordance with the Office of Local Government advice at Attachment A to the subject memorandum, this will reinstate the 2024 City of Sydney Code of Meeting Practice (unanimously adopted by Council on 16 December 2024, based on the 2021 Model Code) as shown at Attachment B to the subject memorandum;
- (C) 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;
- (D) Council endorse and adopt the revised Functions, Delegations, Policies and Procedures of Council Committees, as shown at Attachment C to the subject memorandum; and
- (E) Council note that the Office of Local Government has advised that an updated model code is in advanced drafting and will be completed shortly. When the new model code is released, Council will be required to adopt a new code of meeting practice that incorporates the mandatory provisions of the model code in accordance with the process set out in the Local Government Act 1993.

MONICA BARONE PSM

Chief Executive Officer

Attachments

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| Attachment A. | Office of Local Government Advice – Meeting Code Disallowance Implications |
| Attachment B. | 2024 City of Sydney Code of Meeting Practice |
| Attachment C. | Revised Functions, Delegations, Policies and Procedures of Council Committees |