

## Extra Ordinary Meeting

**Meeting Date:** Tuesday, 16 June, 2026  
**Location:** The Studio, Shoalhaven Entertainment Centre, Bridge Road, Nowra  
**Time:** 5.30pm

### Membership (Quorum – 7)

#### Clr Patricia White – Mayor

#### Ward 1

Clr Matthew Norris  
Clr Peter Wilkins - Deputy Mayor  
Clr Selena Clancy - Assist. Deputy Mayor  
Clr Brett Steele

#### Ward 2

Clr Ben Krikstolaitis  
Clr Bob Proudfoot  
Clr Jemma Tribe  
Clr Luciano Casmiri

#### Ward 3

Clr Denise Kemp  
Clr Gillian Boyd  
Clr Karlee Dunn  
Clr Debbie Killian

**Please note:** The proceedings of this meeting (including presentations and debate) will be webcast, recorded and made available on Council’s website, under the provisions of the Code of Meeting Practice. Your attendance at this meeting is taken as consent to the possibility that your image and/or voice may be recorded and broadcast to the public.

Shoalhaven City Council live streams its Ordinary Council Meetings and Extra Ordinary Meetings. These can be viewed at the following link

<https://www.shoalhaven.nsw.gov.au/Council/Meetings/Stream-a-Council-Meeting>.

### Statement of Ethical Obligations

The Mayor and Councillors are reminded that they remain bound by the Oath/Affirmation of Office made at the start of the council term to undertake their civic duties in the best interests of the people of Shoalhaven City and to faithfully and impartially carry out the functions, powers, authorities and discretions vested in them under the Local Government Act or any other Act, to the best of their skill and judgement.

The Mayor and Councillors are also reminded of the requirement for disclosure of conflicts of interest in relation to items listed for consideration on the Agenda or which are considered at this meeting in accordance with the Code of Conduct and Code of Meeting Practice.

## Agenda

1. Apologies / Leave of Absence
2. Confirmation of Audio-Visual Attendance
3. Declaration of Interests
4. Reports

#### City Performance

CL26.119 Code of Meeting Practice - Rescission of December 2025 Code - Re-instatement of June 2025 Code - Proposed 2026 Draft..... 1

## CL26.119 Code of Meeting Practice - Rescission of December 2025 Code - Re-instatement of June 2025 Code - Proposed 2026 Draft

**HPERM Ref:** D26/237462

**Department:** Business Assurance & Risk  
**Approver:** Katie Buckman, Acting Chief Executive Officer

**Attachments:**

1. To be Reinstated - June 2025 Code of Meeting Practice - POL24/97 (under separate cover) [↗](#)
2. Draft - 2026 Code of Meeting Practice - Based on 2021 Model (under separate cover) [↗](#)

### Purpose:

Following a carried disallowance motion of the Legislative Council of NSW on 26 May 2026 regarding the **Local Government (General) Amendment (Model Code Of Meeting Practice) Regulation 2025**, and upon the basis of advice received from the Office of Local Government (OLG), this report seeks:

- The rescission of the 16 December 2025 resolution to adopt the Code of Meeting Practice (POL25/120), based upon the 2025 Model Code of Meeting Practice and related Public Forum Policy.
- Confirmation of the arrangements following the immediate re-instatement of the 17 June 2025 Code of Meeting Practice (POL24/97), based upon the 2021 Model Code of Meeting Practice (**attachment 1**), for an interim period.
- The endorsement of the draft 2026 Code of Meeting Practice (**attachment 2**) for public exhibition, as required by section 361 of the *Local Government Act 1993*.

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### Recommendation

That Council,

1. In accordance with advice from the Office of Local Government, rescind the Council's Code of Meeting Practice (POL25/120) and Public Forum Policy (POL25/106) which were adopted on 16 December 2026 (MIN25.642) which will thereby reinstate the previous Code of Meeting Practice (POL24/97) provided as **Attachment 1** to this report.
2. The adoption of the following Ordinary Meeting schedule up to and including August 2026 with meetings commencing at 5.30pm:
  - i. Monday, 29 June 2026 – The Studio, Shoalhaven Entertainment Centre
  - ii. Tuesday 28 July 2026 – Council Chambers, Nowra Administrative Centre
  - iii. Tuesday 25 August 2026 – Council Chambers, Nowra Administrative Centre
3. For the period until such time the Council has adopted a new 2026 Code of Meeting Practice or September 2026 (whichever is first), put in place the following Ordinary Meeting Order of Business:
  1. Acknowledgement of Country
  2. Moment of Silence and Reflection

3. Australian National Anthem
  4. Apologies/Leave of Absence
  5. Confirmation of Minutes
  6. Declarations of Interest
  7. Deputations
  8. Presentation of Petitions
  9. Mayoral Minutes
  10. Call Over of the Business Paper
  11. Report of Committees
  12. Officers Reports
  13. Addendum Reports
  14. Confidential Reports
  15. Notices of Motion and Questions on Notice
4. Place the Draft 2026 Code of Meeting Practice (**Attachment 2**) on public exhibition in accordance with section 361 of the *Local Government Act 1993* and receive a report back at the conclusion of the 42-day submission period.

**Community Strategic Plan:**

- 4 Transparent leadership with good governance
  - 4.2 Transparent leadership
  - 4.3 Effective collaboration and engagement

**Delivery Program / Operational Plan:**

- 4.2.1 Provide support to the elected Council to enable effective leadership
- 4.3.1 Develop community trust and respect through transparent interactions and reporting
- 4.3.2 Provide opportunities for the community to have genuine engagement on Council planning and decision making

**Background**

On 26 May 2026 the Legislative Council of NSW passed a disallowance motion on the **Local Government (General) Amendment (Model Code Of Meeting Practice) Regulation 2025** ([Link to Disallowance Motion](#)). What this means is that the 2025 Model Code of Meeting Practice is no longer the prescribed Model Code for NSW Councils, requiring Councils to revert back to the most recently adopted Code of Meeting Practice (COMP) which council adopted based on the 2021 Model Code of Meeting Practice. For Shoalhaven Council, this is the Code of Meeting Practice adopted on 17 June 2025 ([MIN25.310](#)).

In response to the Parliament's decision, the Office of Local Government (OLG) provided the following advice to NSW Councils on 28 May 2026 with respect to next steps for Council:

*"To minimise confusion about the applicable rules at future meetings and to ensure compliance with section 360 of the LG Act, as the first item of business at the next meeting, your council should **rescind its resolution adopting the 2025 Model Meeting Code. This will have the effect of reinstating your council's previous***

**adopted code of meeting practice containing the mandatory provisions of the 2021 Model Meeting Code.** Because more than 3 months have passed since your council adopted its current meeting code, the signatures of 3 councillors are not required to rescind the resolution adopting the code.

Meetings of the council and committees comprising only of councillors should be conducted in accordance with the reinstated version of council's meeting code until such time as it is amended.

**The disallowance of the Amendment Regulation does not prevent councils from including supplementary provisions in the reinstated version of their previous meeting code based on the provisions of the 2025 Model Meeting Code, provided they are not inconsistent with the mandatory provisions of the 2021 Model Meeting Code.** If your council wishes to make amendments to the reinstated version of its previous meeting code, it will be required to prepare and exhibit a draft code in accordance with section 361 of the LG Act.”

Recommendation 1 to this report provides for the rescission as outlined by the Office of Local Government. Given the links of the previous COMP and the Public Forum Policy, it is proposed that the Public Forum Policy also be rescinded, all be it temporarily, whilst other arrangements are finalised.

### **Reverting to the June 2025 adopted Code of Meeting Practice**

There are a number of differences between the June 2025 adopted Code of Meeting Practice (under the 2021 Model) and the most recent Code of Meeting Practice adopted by Council which took effect on 1 January 2026. In summary the major changes which will occur when returning to the June 2025 Code are the following:

- Deputations will be included in ordinary meetings themselves, rather than as separate public forums under the Public Forum Policy which will be rescinded (temporarily).
- Councillors may attend meetings remotely without limitation based on reason for doing so.
- No limitation on the holding of councillor briefings.
- Notices of motions and questions on notice must be submitted by councillors up to **7 calendar days** prior to the meeting. This removes the ability to publish business papers earlier than 4 full days before the meeting.
- Definitions/ wording of disorder provisions. Although the words change to remove clarification points added by the 2025 Model, the standard of behaviour expected in meetings is not changed.
- The order of business is not contained within the document and is required to be made by separate resolution.
- Removal of mayor's right to raise a Mayoral Minute on any matter or topic. A Mayoral Minute must be on a matter within the *“jurisdiction of Council”*. Additional provisions which gave the mayor opportunity to speak to certain procedural business items before voting, are no longer in place.
- Removal of altered process for urgency motions which depended on whether a full complement of councillors was present. The chairperson's ruling will be required in favour of any urgency motion to be debated.
- Remove new provisions allowing consideration of rescissions lodged at the same meeting.

- Re-introduction of provision directing councillors to refrain from mobile phone use in the chamber.
- No requirement for the publication on website of additional information provided to Councillors. This practice will continue despite not being required under the 2021 Model.

The main implications of those matters listed above were discussed and provided in summary to Councillors at a Councillor Workshop held on 3 June 2026.

The June 2025 Code will commence at the next meeting of the Council and remain in place until Council adopts a new COMP.

**Arrangements to be determined for upcoming meetings of Council under the June 2025 Code of Meeting Practice**

In order for Council to hold meetings which operate under the June 2025 Code of Meeting Practice the Council needs to:

1. Adopt a schedule for meetings

In January 2026, Council commenced a schedule of one (1) ordinary meeting per month which has been acknowledged by staff and councillors as an effective and efficient schedule. It is proposed on that basis for the interim period that the schedule of holding one (1) ordinary meeting on the fourth Tuesday of each month, commencing at 5.30pm, continue. In order to accommodate the time requirements for councillor submissions of items of business for the agenda at 7 calendar days ahead of the meeting, the ordinary meeting agenda will be published on the third Thursday of the month (4 full calendar days from the meeting.) Deputation arrangements will revert to previous arrangements (applications closing at 9.30am on the day of the meeting.)

Noting that June 2026 already had an altered schedule in place, the meeting calendar proposed for the period of June to August 2026 (after which it is anticipated that council will adopt a new COMP following exhibition) is as follows:

<b>Ordinary Meeting Date (including Deputations)</b>	<b>Councillor Notice of Motion deadline</b>	<b>Agenda Publication</b>	<b>Deputation applications close</b>
<u>JUNE</u> Monday 29 June 2026 – 5.30pm – Shoalhaven Entertainment Centre	5.30pm, Monday 22 June 2026	Wednesday 24 June 2026	9.30am, Monday 29 June 2026
<u>JULY</u> Tuesday 28 July 2026 – 5.30pm – Council Chambers	5.30pm, Tuesday 21 July 2026	Thursday 23 July 2026	9.30am, Tuesday 28 July 2026
<u>AUGUST</u> Tuesday 25 August 2026 – 5.30pm – Council Chambers	5.30pm Tuesday 18 August 2026	Thursday 20 August 2026	9.30am, Tuesday 25 August 2026

It is acknowledged that council meetings will need to operate efficiently to move through business within the limited time available, and the CEO will be providing notification to councillors of priority items of business which need resolution at each meeting in order to allow the council to reorder items accordingly. Where resolution of business is not achieved

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within a meeting, in accordance with meeting rules, items may be deferred to a later ordinary meeting or an extraordinary meeting may be called to deal with them.

2. Set the order of business for ordinary meetings

The following order of business has been outlined in part 3 of the recommendation for the next ordinary meeting of the council, and other meetings until such time as the council adopts a new COMP (expected for September 2026). Council is required to adopt the order of business by separate resolution in accordance with Part 8 of the June 2025 COMP.

This proposed order was discussed with councillors at the workshop held on 3 June 2026. It was agreed that priority is to be given to council business which is necessary to the organisation meeting its operational requirements. As such the following order of business is proposed:

*Order of Business:*

1. Acknowledgement of Country
2. Moment of Silence and Reflection
3. Australian National Anthem
4. Apologies/Leave of Absence
5. Confirmation of Minutes
6. Declarations of Interest
7. Deputations
8. Presentation of Petitions
9. Mayoral Minutes
10. Call Over of the Business Paper
11. Report of Committees
12. Officers Reports
13. Addendum Reports
14. Confidential Reports
15. Notices of Motion and Questions on Notice

**2026 Draft Code of Meeting Practice**

A Draft 2026 COMP has been provided as attachment 2 to this report for consideration of the Council. The intention is that interruption from arrangements that were in place before the disallowance motion be minimised and council works towards adopting a new code which reflects those provisions we had in place, unless a valid reason otherwise had been identified.

The advice from the Office of Local Government on 28 May 2026, included the following advice with respect to additional provisions being added to the 2021 Model Code, “*The disallowance of the Amendment Regulation does not prevent councils from including supplementary provisions in the reinstated version of their previous meeting code based on the provisions of the 2025 Model Meeting Code, provided they are not inconsistent with the mandatory provisions of the 2021 Model Meeting Code.*” In accordance with this advice, staff have worked on drafting a 2026 COMP which aligns with the 2021 Model Code, whilst also including provisions from the 2025 Model COMP which are not considered to conflict with the provisions of the 2021 Model Code, as seen at **attachment 2**. The Draft includes for reference colour-coding which appears in key table at the front of the document.

It is expected that the Office of Local Government will produce a new Model Code in coming months and councillors will be provided further information and advice as received.

As councillors review the draft 2026 Code, the following important points are highlighted for consideration:

1. Additional provisions included

The provisions from the 2025 Model which have been included in the Draft (in blue text) are considered to provide additional clarifications and effective improvements for council meeting processes. It is noted that a primary area of concern for the parliament regarding the 2025 Model Code were the provisions restricting councillor attendance via audio-visual link, which have not been recommended for retention.

Further, it is proposed to maintain the additional Shoalhaven City Council COMP provisions previously adopted which do not reflect either the 2021 or the 2025 Models (in green text), to reflect the views of the Council when those matters were last considered in December 2025.

2. Public forum

As discussed with councillors at the workshop held on 3 June 2026, based on the experience of the working arrangements from January to May 2026, it is proposed that council maintain public forums as separate to ordinary meetings (as recommended practice by the Office of Local Government) and when adopting the Draft 2026 Code of Meeting Practice in August 2026, to re-adopt the Public Forum Policy to work alongside the new COMP.

3. Timeline for business papers

To accommodate additional publication time for business papers, noting the benefit to councillors and community from earlier publication, it is proposed that council include a deadline for councillor's submission of items of business for the agenda 14 calendar days ahead of the meeting.

Additional documentation about individual provisions and considerations were provided to councillors at the councillor workshop.

### **Public Exhibition Requirements**

Section 361 of the *Local Government Act 1993* requires a 42-day public exhibition period for the purpose of receiving submissions from the public on the draft COMP before adoption.

Following the public exhibition period, a further report will be provided to council outlining the submissions received. If Council decides to amend the draft COMP following public exhibition, it may be required to re-exhibit the code depending on the significance of the amendments. Section 362(2) the *Local Government Act 1993* states the following: *"If the council decides to amend its draft code, it may publicly exhibit the amended draft in accordance with this Division or, if the council is of the opinion that the amendments are not substantial, it may adopt the amended draft code without public exhibition as its code of meeting practice."*

### **Risk Implications**

**Reputational risk:** Delay in implementing the advice of the Office of Local Government (OLG), or confusion around meeting governance arrangements could lead to reduced trust in council.

**Compliance risk:** Council has received clear advice from the OLG on the required next steps in order to ensure compliance with the Parliaments decisions to disallow the 2025 Model Code of Meeting Practice. Failure to implement the advice of the OLG, and revert back to the previous COMP, could result in Council being non-compliant with the prescribed 2021 Model Code, and section 360 of the *Local Government Act 1993*.

Additionally, there is a compliance risk should Council fail to follow the statutory process for adopting a new draft COMP, including public exhibition in accordance with Section 361 and Section 362 of the *Local Government Act 1993*.

**Legal risk:** Misinterpretation or inconsistent application of provisions from the 2021 Model Code and any additional provisions included by Council (e.g. Acts of Disorder, expulsion powers, planning decision requirements) may expose Council to procedural challenges, disputes or complaints.

**Operational risk:** Lack of clear guidance and information regarding the impacts of reverting back to the 2021 Model Code may result in inconsistent application of rules around meeting behaviour, planning decisions, or procedural changes.

### **Internal Consultations**

Internal consultation occurred with the Executive Leadership Team on 3 June 2026 to inform them of the impacts and the Draft COMP.

On 3 June 2026, a workshop was held with councillors on the disallowance motion of the parliament, the advice provided by the OLG, and the changes to the Code of Meeting Practice.

### **External Consultations**

The OLG released their advice to Councils on 28 May 2026, which was also forwarded to Councillors.

### **Community Consultations**

Before adopting a new Code of Meeting Practice, under section 361 of the Local Government Act 1993, Councils are required to 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.

### **Policy and Statutory Implications**

The report outlines the requirement to rescind the existing COMP and arrangements required.

The adoption of a revised Code of Meeting Practice is required under Part 2, Division 1 of the *Local Government Act 1993*.

### **Financial Implications**

There are no direct financial implications associated with this report. The process of placing the draft Code on public exhibition and subsequently adopting a final version is part of Council's standard governance and legislative compliance functions.

This work was not expected and not in Council's work plan. Other work priorities have been adjusted to meet these requirements.

## LOCAL GOVERNMENT ACT 1993

### Chapter 3, Section 8A Guiding principles for councils

#### (1) Exercise of functions generally

The following general principles apply to the exercise of functions by councils:

- (a) Councils should provide strong and effective representation, leadership, planning and decision-making.
- (b) Councils should carry out functions in a way that provides the best possible value for residents and ratepayers.
- (c) Councils should plan strategically, using the integrated planning and reporting framework, for the provision of effective and efficient services and regulation to meet the diverse needs of the local community.
- (d) Councils should apply the integrated planning and reporting framework in carrying out their functions so as to achieve desired outcomes and continuous improvements.
- (e) Councils should work co-operatively with other councils and the State government to achieve desired outcomes for the local community.
- (f) Councils should manage lands and other assets so that current and future local community needs can be met in an affordable way.
- (g) Councils should work with others to secure appropriate services for local community needs.
- (h) Councils should act fairly, ethically and without bias in the interests of the local community.
- (i) Councils should be responsible employers and provide a consultative and supportive working environment for staff.

#### (2) Decision-making

The following principles apply to decision-making by councils (subject to any other applicable law):

- (a) Councils should recognise diverse local community needs and interests.
- (b) Councils should consider social justice principles.
- (c) Councils should consider the long term and cumulative effects of actions on future generations.
- (d) Councils should consider the principles of ecologically sustainable development.
- (e) Council decision-making should be transparent and decision-makers are to be accountable for decisions and omissions.

#### (3) Community participation

Councils should actively engage with their local communities, through the use of the integrated planning and reporting framework and other measures.

### Chapter 3, Section 8B Principles of sound financial management

The following principles of sound financial management apply to councils:

- (a) Council spending should be responsible and sustainable, aligning general revenue and expenses.
- (b) Councils should invest in responsible and sustainable infrastructure for the benefit of the local community.
- (c) Councils should have effective financial and asset management, including sound policies and processes for the following:
  - (i) performance management and reporting,
  - (ii) asset maintenance and enhancement,
  - (iii) funding decisions,
  - (iv) risk management practices.
- (d) Councils should have regard to achieving intergenerational equity, including ensuring the following:
  - (i) policy decisions are made after considering their financial effects on future generations,
  - (ii) the current generation funds the cost of its services

### **Chapter 3, 8C Integrated planning and reporting principles that apply to councils**

The following principles for strategic planning apply to the development of the integrated planning and reporting framework by councils:

- (a) Councils should identify and prioritise key local community needs and aspirations and consider regional priorities.
- (b) Councils should identify strategic goals to meet those needs and aspirations.
- (c) Councils should develop activities, and prioritise actions, to work towards the strategic goals.
- (d) Councils should ensure that the strategic goals and activities to work towards them may be achieved within council resources.
- (e) Councils should regularly review and evaluate progress towards achieving strategic goals.
- (f) Councils should maintain an integrated approach to planning, delivering, monitoring and reporting on strategic goals.
- (g) Councils should collaborate with others to maximise achievement of strategic goals.
- (h) Councils should manage risks to the local community or area or to the council effectively and proactively.
- (i) Councils should make appropriate evidence-based adaptations to meet changing needs and circumstances.