

Circular to Councils

Subject/title	Local Government (General) Amendment (Meetings) Regulation 2026
Circular Details	Circular No 26-09 / 25 June 2026 / A1009885
Previous Circular	<u>Circular No 25-20 - 2025 Model Meeting Code</u>
Who should read this	Mayors / Councillors / General Managers / Joint Organisation Executive Officers / Council governance staff
Contact	Council Governance Team / 02 4428 4100 / olg@olg.nsw.gov.au
Action required	Council to Implement

What's new or changing?

- The Local Government (General) Amendment (Model Code of Meeting Practice) Regulation 2025 (**2025 Regulation**) which prescribed the 2025 Model Code of Meeting Practice for Local Councils in NSW (**2025 Model Meeting Code**) was disallowed by the Legislative Council on 26 May 2026.
- The disallowance of the 2025 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.
- OLG has issued guidance to councils recommending that they rescind the resolution adopting the 2025 Model Meeting Code. This will have the effect of reinstating their previous adopted code of meeting practice containing the mandatory provisions of the 2021 Model Meeting Code.
- Under section 8 of the *Subordinate Legislation Act 1989*, a new model code of meeting practice cannot be prescribed in the 4 months following the disallowance of the 2025 Regulation. The Local Government (General) Amendment (Meetings) Regulation 2026 (**Amendment Regulation**) has therefore been made to secure some of the policy objectives of the 2025 Model Meeting Code.

- The Amendment Regulation prescribes measures to improve the transparency of council meeting practices, equip chairpersons at meetings with more effective tools to address disorder at meetings and allow greater flexibility for meetings of county councils.

What will this mean for council?

- The Amendment Regulation contains the following measures:
 - Meetings of councils and committees whose members are all councillors must be livestreamed. Recordings of meetings must be retained on councils' websites for the balance of the council term or 12 months, whichever is the longer period. This requirement will not apply to joint organisations or to county councils. However, it remains open to joint organisations and county councils to resolve to livestream their meetings and publish the recordings if they choose to do so.
 - Councillors other than the mayor or a chairperson of a meeting are prohibited from meeting staff before meetings of the council or committees of the council to discuss matters that are or will be listed on the agenda. Councillors may ask staff questions or seek further information about items on the agenda for meetings, but this information must be provided in writing and, if practicable, published on the council's website before the meeting, unless it relates to a confidential matter under section 10A of the LG Act.
 - Councils will be required to determine at the first meeting following each ordinary election and after the adoption of a new meeting code to authorise the person presiding at meetings under section 10(2) of the LG Act to exercise the power of expulsion for acts of disorder by councillors or disorderly conduct by members of the public.
 - A councillor who has failed to remedy an act of disorder at a meeting in accordance with a requirement by the chairperson, may be expelled from successive meetings until they take the necessary action to remedy the disorder.
 - Like joint organisations, county councils will have the option of holding meetings where some or all members attend remotely by audio-visual device. Where a meeting is held by these means, it must be conducted in a way that all members are able to hear each other.

Key points

- The Amendment Regulation takes effect on its publication on the NSW Legislation website.

- The Amendment Regulation provides that a provision of a council's code of meeting practice that is inconsistent with the Local Government (General) Regulation 2021 (**LG Regulation**) is void and of no effect to the extent of the inconsistency. This will not void a council's whole meeting code where it contains provisions that are inconsistent with the LG Regulation, just the relevant provision.
- In practice, this means that councils do not need to amend their code of meeting practice for the new provisions in the Amendment Regulation to apply. When the Amendment Regulation is published on the NSW Legislation website, the provisions contained in it will automatically prevail over any provision of a council's meeting code that is inconsistent with them.

Where to go for further information

- For further information, please contact OLG's Council Governance Team on 02 4428 4100 or by email at olg@olg.nsw.gov.au.

A handwritten signature in black ink, appearing to read "Erica van den Honert".

Erica van den Honert
Acting Deputy Secretary, Office of Local Government