

## Circular to Councils

Subject	Commencement of Mutual Recognition Scheme
Circular Details	Council Circular 25-21 / 5 September 2025 / A952303
Previous Circular	<u><i>Council Circular 24-18 Mutual Recognition – Councils’ Local Approvals for mobile businesses</i></u>
Who should read this	Councillors / General Managers / All council staff / Environmental Health teams / Local business approval teams
Contact	OLG Sector Policy and Frameworks Team / 02 4428 4100 / <a href="mailto:olg@olg.nsw.gov.au">olg@olg.nsw.gov.au</a>
Action required	Information / Council to Implement

### What’s new or changing?

- The Mutual Recognition Scheme is now available to all NSW councils, facilitated by amendments to the *Local Government Act 1993* and *Local Government (General) Regulation 2021*.
- The Mutual Recognition Scheme has been designed to simplify the approval process and reduce the administrative and cost burden on councils and mobile businesses.
- Instead of requiring a mobile business to obtain separate ‘Section 68’ approval from each council where they intend to operate, holders of eligible approvals may seek to have a current approval recognised by other councils.
- Council participation in mutual recognition is non-mandatory; however, councils are encouraged to recognise approvals to reduce the administrative burden associated and improve economic outcomes in their area.
- The Mutual Recognition Scheme contains the following provisions:
  - Authorise councils to recognise an approval issued by another council under Part D or Part F7 of Section 68 of the *Local Government Act 1993*
  - Prescribe particulars to be inserted by a council on a Recognition Certificate
  - Apply any enforcement powers for Section 68 approvals to recognition of approvals

- Establish an offence that can be applied against a person that has had an approval revoked and has not notified the councils who have recognised the approval.
- To support the new Mutual Recognition Scheme, the Office of Local Government (OLG) has developed Mutual Recognition Guidelines (Guidelines), FAQ's, explanatory videos, best practice forms and a model council policy template.
- The Guidelines and supplementary suite of resources can be accessed via the OLG website <https://www.olg.nsw.gov.au/programs-and-initiatives/mutual-recognition/>

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## What will this mean for council?

- The Mutual Recognition Scheme has commenced. All current and new approvals issued under Section 68 Part D or Part F7 of the *Local Government Act 1993* are eligible for mutual recognition requests.
- Councils are not required to formally opt-in to participate in the Mutual Recognition Scheme and have discretion to participate in the Mutual Recognition Scheme.
- Councils who participate in the Mutual Recognition Scheme may need to review suitability of existing forms, processes, policies and fees for managing mutual recognition requests.
- Guidelines and supporting material is available on the OLG website: <https://www.olg.nsw.gov.au/programs-and-initiatives/mutual-recognition/>.

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## Key points

- Mutual recognition is immediately available to all councils and holders of eligible approvals (Section 68 Part D or Part F7).
- OLG has developed Guidelines and a suite of resource materials to assist councils and businesses interpret, implement and use the Mutual Recognition Scheme.
- The development of the Mutual Recognition Scheme and the supporting Guidelines has been a collaborative effort, informed through engagement with various NSW Government agencies, local councils and the mobile business sector.

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## Where to go for further information

- For further information go to <https://www.olg.nsw.gov.au/programs-and-initiatives/mutual-recognition/>, or contact the Sector Policy and Frameworks team on 02 4428 4100 or via email at [olg@olg.nsw.gov.au](mailto:olg@olg.nsw.gov.au)



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