Circular to Councils

Subject/title	Local Government (General) Regulation Review
Circular Details	Circular No 26-21 / 9 October 2026 / A1008927
Previous Circular	N/A
Who should read this	Councillors / General Managers / All council staff
Contact	Sector Policy and Frameworks / 02 4428 4100 / olg@olg.nsw.gov.au
Action required	Response to OLG

What's new or changing?

- The Local Government (General) Regulation 2021 (LG Regulation) is one of the largest statutory instruments in NSW.
- Under the *Subordinate Legislation Act 1989* (the SL Act), the Office of Local Government (OLG) is required to periodically review and remake the LG Regulation as part of an automatic repeal program. The LG Regulation will be automatically repealed on 1 September 2027 unless remade before then.
- OLG is undertaking a statutory review of the LG Regulation under the SL Act and is proposing to split it into three stand-alone regulations, the:
    - Local Government (Elections) Regulation
    - Local Government (Approvals and Orders) Regulation, and
    - Local Government (Council Governance and Operations) Regulation.
- This will make the regulations easier to apply and allow them to be reviewed and remade more regularly.
- The proposal to remake the election provisions into a stand-alone Local Government (Elections) Regulation was circulated for public consultation via a Regulatory Impact Statement (RIS) in November 2025, marking the first step in the review process.

- The second and final step is to remake the remaining provisions, the approvals and orders provisions and council governance and operations provisions, as two stand-alone regulations.

What will this mean for council?

- OLG is seeking feedback from councils, other stakeholders and the wider community on the remaking of the approvals and orders provisions and council governance and operations provisions of the LG Regulation into two new stand-alone LG (Approvals and Orders) Regulation and LG (Council Governance and Operations) Regulation.
- The RIS outlines the proposal and examines the impact, including costs and benefits, of remaking the approvals and orders provisions under Part 2 (Approvals) and Part 3 (Orders) and Schedules 1 and 2 of the LG Regulation to a stand-alone LG (Approvals and Orders) Regulation.
- This RIS also examines the impact, including costs and benefits, of remaking the council governance and operations provisions, which are currently dispersed across multiple parts of the LG Regulation to a stand-alone LG (Council Governance and Operations) Regulation.
- The aim is to ensure that the remake proposal is the best option available to deliver a responsive and accessible regulatory framework that provides clear and effective policy guidance on approvals and orders, and council governance and operations for the local government sector.

Key points

- The RIS, Feedback Form and other supporting information are available on the NSW Government's 'Have Your Say' webpage at https://www.nsw.gov.au/have-your-say and the OLG's 'Local Government (General) Regulation Review' webpage at https://www.olg.nsw.gov.au/councils/policy-and-legislation.
- Comments and suggestions may be provided using the Feedback Form. To have your say on this statutory review, you may:

  Online: Complete the online feedback form at https://www.olg.nsw.gov.au/councils/policy-and-legislation

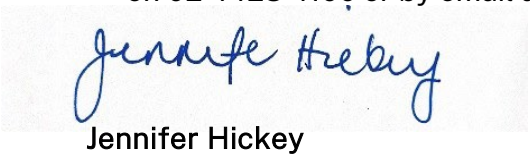
  By email: Complete the Word version of the feedback form available at https://www.olg.nsw.gov.au/councils/policy-and-legislation and email it to olg@olg.nsw.gov.au, or

By post: Send it by post to:
Local Government (General) Regulation Review
Sector Policy and Frameworks
Office of Local Government
Locked Bag 3015
Nowra NSW 2541

The closing date for submissions is 5pm, Friday 6th November 2026.

Where to go for further information

- Information is available on the NSW Government's 'Have Your Say' webpage at https://www.nsw.gov.au/have-your-say and the OLG's 'Local Government (General) Regulation Review' webpage at https://www.olg.nsw.gov.au/councils/policy-and-legislation
- For further information please contact the Sector Policy and Frameworks Team on 02 4428 4100 or by email at olg@olg.nsw.gov.au.



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