

Circular to Councils

Subject/title	Local Government (General) Regulation Review
Circular Details	Circular 25-23 / 12 November 2025 / A971110
Previous Circular	N/A
Who should read this	Councillors / General Managers / All council staff
Contact	Council Governance Team / 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 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 The LG Regulation will be automatically repealed on 1 September 2026 unless remade before then.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 standalone regulations. This will make the regulations easier to apply and allow them to be reviewed and remade more regularly. As a first step, it is proposed to remake the election provisions as a standalone regulation.

What will this mean for council?

- The statutory review will occur in stages and will see the LG Regulation split into three stand-alone instruments:
 - Local Government (Elections) Regulation (LG Elections Regulation), (the subject of the current review),
 - Local Government (Council Governance and Operations) Regulation (LG Council Governance and Operations Regulation), and
 - Local Government (Approvals) Regulation (LG Approvals Regulation).

- The first step will focus on transferring the election provisions of the LG Regulation to a new standalone LG Elections Regulation. Reviews of the other two sets of provisions referred to above will occur in 2026.
- OLG is seeking feedback from councils, other stakeholders and the wider community on the proposed regulatory framework outlined in the Regulatory Impact Statement (RIS).
- The RIS examines the impact, including costs and benefits, of remaking the election provisions under Part 11 and Schedules 4–11 of the LG Regulation into a stand-alone LG Elections Regulation.
- The aim is to ensure that it is the best option available to deliver a responsive and accessible regulatory framework that provides clear and effective policy guidance on the conduct of local government elections.

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/wp-content/uploads/2025/11/Regulatory-Impact-Statement.pdf>

- Comments and suggestions may be provided using the Feedback Form. Submissions may be made:

Online: Via the NSW Government's 'Have Your Say' webpage at <https://www.nsw.gov.au/have-your-say>.

By email: olg@olg.nsw.gov.au, with the subject 'LG Elections Regulation'

By post: LG Elections Regulation
Council Governance Team
Office of Local Government
Locked Bag 3015
Nowra NSW 2541

- The closing date for submissions is close of business on Friday, 12th December 2025.

Where to go for further information

- 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 [Local Government \(General\) Regulation Review – Office of Local Government NSW](#).
- For further information please contact the Council Governance Team on 02 4428 4100 or by email at olg@olg.nsw.gov.au.

A handwritten signature in blue ink, appearing to read "Brett Whitworth".

Brett Whitworth
Deputy Secretary, Office of Local Government