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**LOCAL GOVERNMENT (GENERAL) AMENDMENT
(MEETINGS) REGULATION 2026**

The *Local Government (General) Amendment (Meetings) Regulation 2026* (**the Regulation**) has the stated goals to improve Council transparency and increase public confidence in the decision making of local government.

The NSW Government had previously introduced a new 2025 Model Code of Meeting Practice which took effect on 1 January 2026 to introduce a raft of changes to the conduct of meetings and associated briefings. The 2025 Model Code was disallowed on 26 May 2026 by the Legislative Council, following broad criticism from the local government sector as being overly restrictive and impractical.

As such, Councils must resume compliance with the earlier 2021 Model Code of Meeting Practice.

In order to overcome the disallowance and the 4 month prohibition on the introduction of a new model code of meeting practice following disallowance, some aspects from the disallowed 2025 Model Code have now been reintroduced into the Regulation. This includes:

1. Meetings are required to be live streamed/recorded and available on the Council website. Recordings must be available for the balance of the Council term or 12 months, whichever period is longer;

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2. Councillors cannot meet with staff before a meeting to discuss matters that are or will be listed on the agenda;
3. Councils are required to determine post-election who is authorised to remove Councillors by exercising the power of expulsion;
4. A Councillor who fails to remedy disorder in a meeting can be expelled until this is done; and
5. County Council meetings can be attended remotely as long as all members can hear each other.

Whilst some of the unworkable aspects of the disallowed Model Code are not contained in the Regulation, a number of aspects will challenge Councils in their operations.

In particular, the ban on pre-meeting briefings can be expected to create impracticalities for staff. Councillors are required to submit questions in writing, and staff are expected to provide information in writing, and if practical, publish the information on the Council website prior to the meeting. This may create logistical difficulties in staff having to administer a formal question and answer process, develop new website functionality, and create impracticalities for staff to provide clarifying information to Councillors in a timely fashion. This may also lengthen meetings where questions are raised during the meeting which might previously have been dealt with at a briefing.

The ban may have other unintended consequences, as the phrasing does not carve out other meetings between staff and Councillors which are open to the public (such as meetings with resident groups or other resident information sessions). On a strict interpretation of the Regulation, Councillors would need to leave such a meeting if staff wished to brief the residents about a matter which is or will be listed on the Council agenda.

In general, the role of the mayor is strengthened through the amendments. Unlike other Councillors, the mayor or chairperson of the Council meeting is permitted to receive briefings. The amendments also contain stronger powers for the mayor to expel Councillors for disorderly conduct.

Councils may adopt their own Code of Meeting Practice, so long as there are no inconsistencies between their Code and the Model Code. As such, Councils will need to ensure their Code of Meeting Practice is consistent with the 2021 Model Code, as well as reflecting the amendments contained in the Regulation concerning briefings and expulsions.

For more information about this update, please contact Kristyn Glanville.

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