

<b>Circular Details</b>	20-37 / 22 September 2020 / A723972
<b>Previous Circulars</b>	<p>20-09 <i>Compliance with social distancing requirements to limit the spread of the COVID-19 virus at council and committee meetings</i></p> <p>20-12 <i>Modification of statutory requirements in response to the COVID-19 pandemic</i></p> <p>20-28 <i>Rules on attendance at council and committee meetings during the COVID-19 pandemic as of 1 July 2020</i></p>
<b>Who should read this</b>	Councillors / General Managers / All council staff
<b>Contact</b>	Council Governance / 02 4428 4100 / <a href="mailto:olg@olg.nsw.gov.au">olg@olg.nsw.gov.au</a>
<b>Action required</b>	Information / Response to OLG / Council to Implement

## Status of special COVID-19 measures

### What's new or changing

- Amendments have been made to the *Local Government (General) Regulation 2005* (the Regulation) to:
  - extend the period during which the special COVID-19 pandemic provisions of the *Local Government Act 1993* (the Act) apply, and
  - postpone the repeal of the COVID-19 pandemic regulation-making power in the Act.
- The regulations made under the COVID-19 pandemic regulation-making power on 17 April 2020 prescribing the measures notified in [circular 20-12](#) expire on 18 October 2020.

### What this will mean for your council

- The Regulation extends the “prescribed period” for the purposes of sections 747A and 747AB of the Act to the end of **25 March 2021**.
- Section 747A provides that during the prescribed period, a requirement for councillors or others to attend a meeting is satisfied if the meeting is held in whole or in part remotely using audio visual links.
- Section 747AB limits the ability of councils to commence proceedings to recover unpaid rates and charges during the prescribed period unless certain steps have been taken to identify and address financial hardship.
- The measures prescribed on 17 April 2020 under section 747B of the Act in response to the COVID-19 pandemic notified in circular 20-12, automatically expire on 18 October 2020.
- The amendments made to the Regulation on 17 April 2020 removing requirements for newspaper advertising also notified in [circular 20-12](#) are ongoing and will continue to apply after the COVID-19 pandemic passes.

### Key points

- Councillors and council staff may attend council and committee meetings in person. However, councils must continue to allow councillors and staff to attend and participate in meetings by audio visual links where it is reasonably practicable to do so.

- Members of the public are permitted to attend meetings. However, councils must not allow persons to attend a meeting if the size of the meeting venue is insufficient to ensure there is 4 square metres of space for each person attending the meeting.
- Councillors and council staff are not to be counted when calculating the space available for each person at the meeting venue and the number of persons who are attending a meeting.
- Where councils exclude members of the public from meetings, they must livestream their meetings using audio-visual links to satisfy the requirement under section 10 of the Act for members of the public to be permitted to “attend” meetings.

#### **Where to go for further information**

- For further information please contact the Council Governance Team on 02 4428 4100 or by email at [olg@olg.nsw.gov.au](mailto:olg@olg.nsw.gov.au).



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