

1995—No. 667

LOCAL GOVERNMENT ACT 1993—REGULATION

(Relating to council meetings)

NEW SOUTH WALES



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HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Local Government Act 1993, has been pleased to make the Regulation set forth hereunder.

ERNIE PAGE
Minister for Local Government.

The Local Government (Meetings) Regulation 1993 is amended:

- (a) by omitting clause 22 (4)–(7) and by inserting instead the following subclauses:
 - (4) Despite subclauses (1) and (2), a councillor may move that a motion or an amendment be now put:
 - (a) if the mover of the motion or amendment has spoken in favour of it and no councillor expresses an intention to speak against it; or
 - (b) if at least 2 councillors have spoken in favour of the motion or amendment and at least 2 councillors have spoken against it.
 - (5) The chairperson must immediately put to the vote, without debate, a motion moved under subclause (4). A seconder is not required for such a motion.
 - (6) If a motion that the original motion or an amendment be now put is passed, the chairperson must, without further debate, put the original motion or amendment to the vote immediately after the mover of the original motion has exercised his or her right of reply under subclause (1).
 - (7) If a motion that the original motion or an amendment be now put is rejected, the chairperson must allow the debate on the original motion or the amendment to be resumed.

- (b) by inserting in clause 25 (2) (a) and (c) after the word “apologise”, wherever occurring, the words “without reservation”;

- (c) by inserting after clause 23 the following clause:

Resolutions passed at closed meetings to be made public

23A. If a council passes a resolution during a meeting, or a part of a meeting, that is closed to the public, the chairperson must make the resolution public as soon as practicable after the meeting or part of the meeting has ended.

- (d) by inserting after clause 33 the following clause:

Committees to keep minutes

33A. (1) Each committee of a council must ensure that full and accurate minutes of the proceedings of its meetings are kept.

(2) As soon as the minutes of an earlier meeting of a committee of the council have been confirmed at a later meeting of the committee, the person presiding at the later meeting must sign the minutes of the earlier meeting.

- (e) by inserting after clause 36 (2) the following subclause:

(3) If a committee of a council passes a resolution, or makes a recommendation, during a meeting, or a part of a meeting, that is closed to the public, the chairperson must:

- (a) make the resolution or recommendation public as soon as practicable after the meeting or part of the meeting has ended; and

- (b) report the resolution or recommendation to the next meeting of the council.

EXPLANATORY NOTE

The object of this Regulation is to amend the Local Government (Meetings) Regulation 1993 so as:

- (a) to clarify the provisions in clause 22 (Limitation as to number of speeches) relating to motions designed to curtail debate on matters that are being considered at a council meeting; and
- (b) to require the chairperson of a council to make public resolutions passed during a meeting or part of a meeting that is closed to the public; and
- (c) to require committees of a council to keep minutes of the meetings of those committees; and

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- (d) to require the chairperson of a committee of a council to make public resolutions passed, and recommendations made, during a meeting or part of a meeting of the committee that is closed to the public and to report those resolutions and recommendations to the next council meeting; and
- (e) to make other changes of a minor nature.

This Regulation is made under the Local Government Act 1993, including section 748 (the general regulation making power).
