

Resolution of Council

17 May 2021

Item 4.1

Temporary Procedures for Attendance by Councillors at Meetings by Audio-Visual Link

Memorandum by the Chief Executive Officer

To Council:

As of 26 March 2021, temporary provisions in the Local Government Act 1993 allowing council and committee meetings to be held using audio-visual links during the ongoing Covid-19 pandemic expired. As a result, councils are now required under section 10 of the Local Government Act 1993 to hold meetings of the council and committees comprising only of councillors in physical venues and to permit members of the public to attend meetings in person, subject to the requirements of any Public Health Order in force at the time and social distancing requirements.

The Local Government (General) Regulation 2005 (the Regulation) has been amended to temporarily exempt councils from complying with the requirement under codes of meeting practice for councillors to be personally present at meetings in order to participate in them. The exemption expires on 31 December 2021 and the Office of Local Government is presently consulting on arrangements going forward.

On 1 April 2021, the Office of Local Government released circular 21-02 "Temporary exemption from the requirement for councillors to attend meetings in person". The circular provides suggested procedures governing attendance and encouraging councils to adopt similar procedures before implementing remote attendance.

The City has drafted interim procedures focused on the ongoing Covid-19 pandemic situation.

The procedures will apply only to councillors who are unable to attend due to matters relating to Covid-19, such as where a councillor has been requested to self-isolate by NSW Health, where a councillor has been unavoidably detained in another state or country due to border closures or where there is an outbreak impacting on the Sydney area such that increased health concerns give rise to a need for all councillors to attend the meeting remotely.

This memorandum recommends that Council approve the Temporary Procedures for Attendance by Councillors at Meetings by Audio-Visual Link and delegates authority to the Lord Mayor to determine requests for attendance at meetings by councillors by audio visual link and to determine that all councillors may attend meetings remotely in circumstances of increased public health risks relating to Covid-19 cases in the Sydney area.

Recommendation

It is resolved that:

- (A) Council note circular 21-02 Temporary exemption from the requirement for councillors to attend meetings in person as shown at Attachment A to the subject memorandum;
- (B) Council approve the Temporary Procedures for Attendance by Councillors at Meetings by Audio-Visual Link - Covid-19 Pandemic as shown at Attachment B to the subject memorandum to 31 December 2021; and
- (C) authority be delegated to the Lord Mayor to determine requests for attendance at meetings by councillors by audio visual link and to determine that all councillors may attend meetings remotely in circumstances of increased public health risks relating to Covid-19 cases in the Sydney area.

MONICA BARONE

Chief Executive Officer

Attachments

- Attachment A.** Circular 21-02 Temporary Exemption from the Requirement for Councillors to Attend Meetings in Person
- Attachment B.** Temporary Procedures for Attendance by Councillors at Meetings by Audio-Visual Link - Covid-19 Pandemic

Moved by the Chair (the Lord Mayor), seconded by Councillor Thalís –

That the memorandum by the Chief Executive Officer be endorsed and adopted.

The motion was carried on the following show of hands –

Ayes (8) The Chair (the Lord Mayor), Councillors Kok, Miller, Phelps, Scott, Scully,
 Thalís and Vithoukás

Noes (2) Councillors Chung and Forster.

Motion carried.

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