

Council

Meeting No 9

Tuesday 5 October 2021

Notice No 9/1634

Notice Date 1 October 2021

minutes

Index to Minutes

ITEM	PAGE NO
1. Disclosures of Interest	4
2. Sydney New Year's Eve 2021	5

Present

The Right Hon The Lord Mayor - Councillor Clover Moore (Chair)

Members Deputy Lord Mayor - Councillor Jess Scully, Councillor Craig Chung, Councillor Christine Forster, Councillor Robert Kok, Councillor Jess Miller, Councillor Professor Kerryn Phelps AM, Councillor Linda Scott, Councillor Professor Philip Thalys and Councillor Angela Vithoukas

At the commencement of business at 5.04pm, those present were:-

The Lord Mayor, Councillor Scully, Councillor Chung, Councillor Forster, Councillor Kok, Councillor Miller, Councillor Phelps, Councillor Scott, Councillor Thalys and Councillor Vithoukas.

The Chief Executive Officer, Chief Operating Officer, Chief Financial Officer, Director City Projects and Property, Director People, Performance and Technology, Director City Planning, Development and Transport, A/Director Legal and Governance and Director City Life was also present.

Councillor Miller left the meeting of Council at 6.47pm, and did not return.

Remote Meeting

The Chair (the Lord Mayor) advised that the meeting of Council was being held via audio visual links, with Councillors (and relevant staff) attending the meeting remotely.

Opening Prayer and Acknowledgement of Country

The Lord Mayor opened the meeting with prayer and an acknowledgement of country.

Webcasting Statement

The Chair (the Lord Mayor), advised that in accordance with the City of Sydney Code of Meeting Practice, Council meetings are audio visually recorded and webcast live on the City of Sydney website. The Chair (the Lord Mayor) asked that courtesy and respect be observed throughout the meeting and advised those in attendance to refrain from making defamatory statements.

Item 1 Disclosures of Interest

No Councillors disclosed any pecuniary or non-pecuniary interests in any matter on the agenda for this meeting of Council.

Item 2 Sydney New Year's Eve 2021

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

It is resolved that:

- (A) Council note that the City will work towards delivery of a New Year's Eve event including 9pm and midnight fireworks, coordinated with the NSW Government, subject to:
 - (i) the City achieving agreement with NSW Government that should the requirements of any Public Health Orders and/or the Covid Safe Plan for New Year's Eve not be able to be met by the City whilst also meeting Work Health and Safety obligations, then:
 - (a) the NSW Government will take responsibility for the delivery and management for all elements of the Sydney New Year's Eve event for 2021; and
 - (b) the City will be responsible for the delivery of the fireworks displays including barges, pylons and lighting projections only;
- (B) authority be delegated to the Chief Executive Officer to negotiate and enter into a Memorandum of Understanding with the NSW Government, and Agency Agreements with relevant NSW Government Agencies, for the 2021 Sydney New Year's Eve event;
- (C) Council note that if the above is not resolved before 4 December 2021, the City will continue with the delivery of the midnight fireworks display only; and
- (D) Council note that the Chief Executive Officer will continue to provide regular updates as to the progress on the negotiation of the Memorandum of Understanding by way of CEO Update.

Variation. At the request of Councillor Phelps, and by consent, the motion was varied such that it read as follows:

It is resolved that:

- (A) Council note that the City will work towards delivery of a New Year's Eve event including 9pm and midnight fireworks, coordinated with the NSW Government, subject to:
 - (i) the City achieving agreement with NSW Government that should the requirements of any Public Health Orders and/or the Covid Safe Plan for New Year's Eve not be able to be met by the City whilst also meeting Work Health and Safety obligations, then:
 - (a) the NSW Government will take responsibility for the delivery and management for all elements of the Sydney New Year's Eve event for 2021; and
 - (a) the City will be responsible for the delivery of the fireworks displays including barges, pylons and lighting projections only;
 - (ii) the City consulting with appropriate medical experts, including OzSAGE, to ensure all appropriate measures are being taken to protect employee and patron health and safety at the New Year's Eve event;
- (B) authority be delegated to the Chief Executive Officer to negotiate and enter into a Memorandum of Understanding with the NSW Government, and Agency Agreements with relevant NSW Government Agencies, for the 2021 Sydney New Year's Eve event;

- (C) Council note that if the above is not resolved before 4 December 2021, the City will continue with the delivery of the midnight fireworks display only; and
- (D) Council note that the Chief Executive Officer will continue to provide regular updates as to the progress on the negotiation of the Memorandum of Understanding by way of CEO Update.

Variation. At the request of the Chair (the Lord Mayor), and by consent, the motion was further varied such that it read as follows:

It is resolved that:

- (A) Council note that the City will work towards delivery of a New Year's Eve event including 9pm and midnight fireworks, coordinated with the NSW Government, subject to:
 - (i) the City achieving agreement with NSW Government that should the requirements of any Public Health Orders and/or the Covid Safe Plan for New Year's Eve not be able to be met by the City whilst also meeting Work Health and Safety obligations, then:
 - (a) the NSW Government will take responsibility for the delivery and management for all elements of the Sydney New Year's Eve event for 2021; and
 - (b) the City will be responsible for the delivery of the fireworks displays including barges, pylons and lighting projections only;
 - (ii) the City continuing to seek advice from NSW Health and appropriate medical experts, including OzSAGE, to ensure all appropriate measures are being taken to protect employee and patron health and safety at the New Year's Eve event;
- (B) authority be delegated to the Chief Executive Officer to negotiate and enter into a Memorandum of Understanding with the NSW Government, and Agency Agreements with relevant NSW Government Agencies, for the 2021 Sydney New Year's Eve event;
- (C) Council note that if the above is not resolved before 4 December 2021, the City will continue with the delivery of the midnight fireworks display only; and
- (D) Council note that the Chief Executive Officer will continue to provide regular updates as to the progress on the negotiation of the Memorandum of Understanding by way of CEO Update.

The motion, as varied by consent, was carried unanimously.

X083142

Point of Order

During discussion of this Item, Councillor Scully raised a point of order, stating that Councillor Chung was not showing appropriate respect to the Chair.

The Chair (the Lord Mayor) upheld the point of order.

Adjournment

During discussion of Item 2, at 6.04pm, it was moved by the Chair (the Lord Mayor), seconded by Councillor Thalís –

That the meeting be adjourned for approximately 10 minutes.

A show of hands on the motion resulted in an equality of voting as follows –

Ayes (5) The Chair (the Lord Mayor), Councillors Kok, Miller, Scully and Thalís

Noes (5) Councillors Chung, Forster, Phelps, Scott and Vithoukas.

The Chair (the Lord Mayor) exercised her casting vote in favour of the motion.

Motion carried.

All Councillors were present at the resumption of the meeting of Council at 6.20pm.

Procedural Motion

At this stage of the meeting, it was moved by Councillor Scott, seconded by the Chair (the Lord Mayor) –

That Items 3.1 and 3.2 be withdrawn as the matters had already been dealt with at Item 2.

Carried unanimously.

At 6.48 pm the meeting concluded.

Chair of a meeting of the Council of the City
of Sydney held on Monday 18 October 2021 at which
meeting the signature herein was subscribed.