

# Council

Meeting No 6

Monday 15 August 2022

Notice No 6/1643

Notice Date 11 August 2022

*minutes*

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**Present**

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

Members Deputy Lord Mayor - Councillor Jess Scully, Councillor HY William Chan, Councillor (Waskam) Emelda Davis, Councillor Sylvie Ellsmore, Councillor Lyndon Gannon, Councillor Shauna Jarrett, Councillor Robert Kok and Councillor Linda Scott.

At the commencement of business at 10.03am, those present were:

The Lord Mayor, Councillors Scully, Chan, Davis, Ellsmore, Gannon, Jarrett, Kok and Scott.

The Chief Executive Officer and Director Legal and Governance were also present.

**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.

**Apologies**

Councillor Yvonne Weldon extended her apologies for her inability to attend the meeting of Council.

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

That the apology from Councillor Weldon be received and leave of absence from the meeting be granted.

Carried unanimously.

**Item 1        Disclosures of Interest**

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

## Item 2 Post Exhibition - Code of Meeting Practice

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

It is resolved that:

(A) Council adopt the City of Sydney Code of Meeting Practice as shown at Attachment A to the subject report, subject to the following amendments:

(i) *the heading immediately above clause 4.20 (page 16) be amended to read:*

Attendance by councillors at meetings by audio-visual link (hybrid meetings)

(ii) *clause 4.23 be amended to read:*

4.23 Where the request of a councillor to attend a meeting by audio-visual link has been agreed, the Lord Mayor shall determine whether the meeting shall be a hybrid meeting or held by audio-visual link. This determination should be provided to all councillors as soon as practicable prior to the relevant meeting.

(iii) *the definition of “audio-visual link” in Part 21 Definitions be amended to read:*

|                   |  |
|-------------------|--|
| audio-visual link | means a facility that enables audio and visual communication between persons at different places and includes facilities enabling a hybrid meeting |
|-------------------|--|

(iv) *the following definition be inserted in Part 21 Definitions:*

|                |  |
|----------------|--|
| hybrid meeting | hybrid meeting means a meeting where some participants attend in person and others participate by way of audio-visual link |
|----------------|--|

(B) Council fix the order of business of meetings of council as the following:

- (i) opening of the meeting;
- (ii) prayer and acknowledgement of country;
- (iii) apologies and applications for a leave of absence by councillors;
- (iv) confirmation of minutes;
- (v) disclosures of interest;
- (vi) minutes by the Lord Mayor;
- (vii) memoranda by the Chief Executive Officer;
- (viii) matters for tabling;
- (ix) reports of committees;

- (x) reports to council;
  - (xi) questions on notice;
  - (xii) supplementary answers to previous questions;
  - (xiii) notices of motion;
  - (xiv) confidential matters; and
  - (xv) conclusion of the meeting; and
- (C) authority be delegated to the Chief Executive Officer to make minor administrative amendments to the Code of Meeting Practice, as required from time to time, subject to all Councillors being informed of any such changes.

Amendment. Moved by Councillor Ellsmore, seconded by Councillor Scott –

That clause (A) of the motion be amended such that it read as follows:

It is resolved that:

- (A) Council adopt the City of Sydney Code of Meeting Practice as shown at Attachment A to the subject report, subject to the following amendment:

- (i) *addition of the following section in Part 8 (clauses 8.20-8.25)*

Addressing Council

8.20 Members of the public may address meetings of the Council on items on the Council agenda, subject to the approval of the Chair.

8.21 The Chair must take into consideration whether or not members of the public have already had a recent opportunity to address the Council on the item, or on a substantially similar item, including if the item has recently been considered at a Council Committee.

8.22 The Chair may ask members of the public to restrict their addresses to no more than three (3) minutes.

8.23 Speakers are asked to register their interest to speak to speak before 12noon on the day of the Council meeting.

8.24 Speakers are requested to declare membership of organisations or other interests relevant to consideration of the item that they wish to speak to.

8.25 If there are a large number of people interested in the same item, it is suggested a maximum of three (3) representatives be nominated to speak on behalf of a group and indicate how many people they are representing.

Note: Clauses 8.20-8.25 are supplementary provisions.

The amendment was lost on the following show of hands –

Ayes (2) Councillors Ellsmore and Scott.

Noes (7) The Chair (the Lord Mayor), Councillors Chan, Davis, Gannon, Jarrett, Kok and Scully.

Amendment lost.

Amendment. Moved by Councillor Ellsmore, seconded by Councillor Scott –

That clause (B) of the motion be amended such that it read as follows:

(B) Council fix the order of business of meetings of council as the following:

- (i) opening of the meeting;
- (ii) acknowledgement of country;
- (iii) a prayer at the discretion of the Chair;
- (iv) apologies and applications for a leave of absence by councillors;
- (v) confirmation of minutes;
- (vi) disclosures of interest;
- (vii) minutes by the Lord Mayor;
- (viii) memoranda by the Chief Executive Officer;
- (ix) matters for tabling;
- (x) reports of committees;
- (xi) reports to council;
- (xii) questions on notice;
- (xiii) supplementary answers to previous questions;
- (xiv) notices of motion;
- (xv) confidential matters; and
- (xvi) conclusion of the meeting.

The amendment was carried on the following show of hands –

Ayes (7) Councillors Davis, Ellsmore, Gannon, Jarrett, Kok, Scott and Scully.

Noes (2) The Chair (the Lord Mayor) and Councillor Chan.

Amendment carried.

Amendment. Moved by Councillor Jarrett, seconded by Councillor Gannon –

That clause (A) of the motion be amended such that it read as follows:

It is resolved that:

(A) Council adopt the City of Sydney Code of Meeting Practice as shown at Attachment A to the subject report, subject to the following amendment:

(i) *clause 4.23 be amended to read:*

4.23 Where the request of a councillor to attend a meeting by audio-visual link has been agreed, the Lord Mayor shall determine whether the meeting shall be a hybrid meeting or held by audio-visual link. In the first instance the Lord Mayor shall determine whether a hybrid meeting is the more appropriate form of meeting to be considered. This determination should be provided to all councillors as soon as practicable prior to the relevant meeting.

The amendment was lost on the following show of hands –

Ayes (3) Councillors Gannon, Jarrett and Scott

Noes (6) The Chair (the Lord Mayor), Councillors Chan, Davis, Ellsmore, Kok and Scully.

Amendment lost.

Amendment. Moved by Councillor Jarrett, seconded by Councillor Gannon –

That clause (A) of the motion be amended such that it read as follows –

It is resolved that:

(A) Council adopt the City of Sydney Code of Meeting Practice as shown at Attachment A to the subject report, subject to the following amendments:

(i) *clause 4.20 be amended to read:*

4.20 A councillor may notify the Lord Mayor in writing that they are prevented from attending one or more meetings in person and that they intend to attend those meetings by audio-visual link.

(ii) *clause 4.21 be amended to read:*

4.21 Notifications by councillors of an intention to attend meetings by audio-visual link must be made in writing to the Lord Mayor by 12 noon on the day of the relevant meeting/s wherever possible and must provide information about the meeting/s the councillor will be prevented from attending in person. When circumstances arise after 12 noon that would prevent a councillor from attending in person all attempts will be made to facilitate attendance by audio-visual link if possible, subject to technical capacity to do so.

(iii) *clause 4.24 be amended to read:*

4.24 The CEO must advise a councillor who intends to attend via audio-visual link as soon as possible if there are technical issues which will prevent such attendance.



(iv) *clause 4.25 be amended to read:*

4.25 This code applies to a councillor attending a meeting by audio-visual link in the same way it would if the councillor was attending the meeting in person. Where a councillor is permitted to attend a meeting by audio-visual link under this code, they are to be taken as attending the meeting in person for the purposes of the code and will have the same voting rights as if they were attending the meeting in person.

(v) *clause 4.26 be amended to read:*

4.26 A councillor must give their full attention to the business and proceedings of the meeting when attending a meeting by audio-visual link. The councillor's camera must be on at all times during the meeting except as may be otherwise provided for under this code.

(vi) *the following clause be inserted in Part 4, below clause 4.23 but above clause 4.24 to read:*

The Lord Mayor may determine, where a request has been granted for attendance by audio-visual link by not less than six (6) councillors, that it is appropriate for all councillors to attend by audio-visual link. This advice should be provided to all councillors as soon as practicable prior to the relevant meeting.

Note: Clauses 4.20-4.26 are non-mandatory provisions.

Variation. At the request of Councillor Ellsmore, and by consent, the amendment was varied such that clause 4.20, in (A)(i) read as follows –

4.20 A councillor may notify the Lord Mayor in writing that they are prevented from attending one or more meetings in person and that they request to attend those meetings by audio-visual link.

The amendment was lost on the following show of hands –

Ayes (4) Councillors Ellsmore, Gannon, Jarrett and Scott

Noes (5) The Chair (the Lord Mayor), Councillors Chan, Davis, Kok and Scully.

Amendment lost.

The substantive amended motion was carried unanimously.

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At 10.44 am the meeting concluded.

Chair of a meeting of the Council of the City  
of Sydney held on Monday 22 August 2022 at which  
meeting the signature herein was subscribed.