

Attachment B

**Temporary Procedures for Attendance by
Councillors at Meetings by Audio Visual
Link – Covid-19 Pandemic**

Temporary Procedures for Attendance by Councillors at Meetings by Audio-Visual Link – Covid-19 pandemic

These temporary procedures are supplementary to the City of Sydney Code of Meeting Practice and expire on 31 December 2021 unless revoked earlier.

For the purposes of these procedures, an audio-visual link is a facility that enables audio and visual communication between persons at different places.

The temporary procedures will apply only to councillors who are unable to physically attend committee and council meetings 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 the Sydney area such that increased health concerns give rise to a need for any or all councillors to attend the meeting remotely.

Approval for councillors to attend meetings by audio visual link

1. The Lord Mayor may, in response to a request made by a councillor, permit the councillor to attend one or more meetings of the council or committee remotely by audio visual link where they are satisfied that the councillor will be prevented from attending the meeting/s in person due to matters relating to Covid-19.
2. Requests by councillors to attend meetings remotely by audio-visual link must be made in writing to the Chief Executive Officer 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 and the reason why the councillor will be prevented from attending the meeting/s in person. When circumstances arise after 12 noon that would prevent a councillor from attending in person all attempts will be made to facilitate remote attendance if possible, subject to technical capacity to do so.
3. The Chief Executive Officer will advise the Lord Mayor of any requests by councillors to attend meetings remotely by audio-visual link and request that a determination be made.
4. The determination permitting a councillor to attend one or more meetings by audio-visual link must provide the following information:
 - (a) the Chief Executive Officer's confirmation that she is satisfied that the request is made on valid grounds related to Covid-19, and
 - (b) details of the meetings the determination applies to.
5. The Lord Mayor may decide, where a request has been granted for remote attendance by one councillor, that it is appropriate for all councillors to attend remotely. This advice should be provided to all councillors as soon as possible on the day of the relevant meeting.
6. A determination in relation to an application to permit a councillor to attend a meeting remotely by audio-visual link is at the discretion of the Lord Mayor.
7. The Lord Mayor is under no obligation to permit a councillor to attend a meeting remotely by audio-visual link where the technical capacity does not exist to allow the councillor to attend a meeting by these means.

8. The Lord Mayor is to advise the council or committees of the council comprising wholly of councillors of all applications and determinations made in relation to those applications at the outset of the relevant meeting.

Attendance by councillors at meetings by audio visual link

9. Where a councillor attends a meeting by audio-visual link with the approval of the Lord Mayor they are to be taken as attending the meeting in person for the purposes of the City of Sydney code of meeting practice and will have the same voting rights as if they were attending the meeting in person.
10. The City of Sydney code of meeting practice will apply to a councillor attending a meeting remotely by audio-visual link, in the same way it would if the councillor was attending the meeting in person.
11. Councillors must give their full attention to the business and proceedings of the meeting when attending a meeting by audio-visual link.
12. Councillors must be appropriately dressed when attending meetings by audio-visual link and must ensure that no items are within sight of the meeting that are inconsistent with the maintenance of order at the meeting or that are likely to bring the council or the committee into disrepute.
13. Where a councillor attends a meeting of the council or a committee of the council by audio-visual link, the minutes of the meeting must record that they attended the meeting by audio-visual link.

Requirement for all councillors to attend a meeting using audio visual links due to Covid-19

14. The Lord Mayor may, in response to a heightened public health risk situation involving Covid-19 cases impacting the Sydney area, determine that increased health concerns give rise to a need for all councillors to attend the meeting remotely. In such situations the Lord Mayor will advise that the meeting will be held entirely remotely using audio visual links.
15. The Lord Mayor will advise councillors of the determination to hold a meeting entirely remotely using audio visual links as soon as practicable prior to the relevant meeting. It is noted that under section 10 of the Local Government Act 1993 members of the public are entitled to attend such a meeting in person and facilities to do so will be provided, subject to compliance with any applicable public health orders.
16. Should the Lord Mayor determine that all councillors are permitted to attend the meeting entirely remotely, relevant City staff will also be permitted by the Chief Executive Officer to attend the meeting remotely.
17. Should the Lord Mayor determine that all councillors are permitted to attend committee meetings entirely remotely, members of the public will be permitted to address the meeting remotely, including from the public meeting if they have attended in person.

Conflicts of interest

18. Councillors attending a meeting by audio-visual link must declare and manage any conflicts of interest they may have in matters being considered at the meeting in accordance with the City of Sydney code of conduct.

19. Where a councillor has declared a pecuniary or significant non-pecuniary conflict of interest in a matter being discussed at the meeting, the councillor's audio-visual link to the meeting must be terminated and the councillor must not be in sight or hearing of the meeting at any time during which the matter is being considered or discussed by the council or committee, or at any time during which the council or committee is voting on the matter.

Confidentiality

20. Councillors attending a meeting by audio-visual link must ensure that no other person is within sight or hearing of the meeting at any time that the meeting has been closed to the public under section 10A of the Local Government Act 1993.

Maintenance of order

21. Where a councillor is attending a meeting by audio-visual link, the chairperson or a person authorised by the chairperson may mute the councillor's audio link to the meeting for the purposes of enforcing compliance with the council's code of meeting practice.
22. If a councillor attending a meeting by audio-visual link is expelled from a meeting for an act of disorder, the chairperson of the meeting or a person authorised by the chairperson, may terminate the councillor's audio-visual link to the meeting.