



City of Cockburn  
Special Council Meeting  
**Minutes**

For Wednesday, 22 August 2018

These Minutes are subject to confirmation

Presiding Member's signature

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Date: 13 September 2018

## CITY OF COCKBURN

### SUMMARY OF MINUTES OF THE SPECIAL COUNCIL MEETING HELD ON WEDNESDAY, 22 AUGUST 2018 AT 6:00 PM

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## CITY OF COCKBURN

### MINUTES OF SPECIAL COUNCIL MEETING HELD ON WEDNESDAY, 22 AUGUST 2018 AT 6:00 PM

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**PRESENT:****ELECTED MEMBERS**

Mr L Howlett	-	Mayor (Presiding Member)
Ms L Smith	-	Deputy Mayor
Mrs C Reeve-Fowkes	-	Councillor
Mr K Allen	-	Councillor
Mr M Separovich	-	Councillor
Mrs C Terblanche	-	Councillor
Ms L Kirkwood	-	Councillor
Mr P Eva	-	Councillor
Mr S Pratt	-	Councillor
Ms C Sands	-	Councillor

**IN ATTENDANCE**

Mr S Cain	-	Chief Executive Officer
Mr D Arndt	-	Director Planning & Development
Mr S Downing	-	Director Finance & Corporate Services
Mr D Green	-	Director Governance & Community Services
Mr C Sullivan	-	Director Engineering & Works
Miss D Maxwell	-	PA to CEO
Mrs B Pinto	-	Governance & Risk Support Officer
Ms M Nugent	-	Media & Communications Officer
Mr S Cecins	-	Media & Communications Officer

**1. DECLARATION OF MEETING**

The Presiding Member declared the meeting open at 6.02pm.

“Kaya, Wanju Wadjuk Budjar” which means “Hello, Welcome to Wadjuk Land”

The Presiding Member acknowledged the Nyungar People who are the traditional custodians of the land on which the meeting is being held and pay respect to the Elders of the Nyungar Nation, both past and present and extend that respect to Indigenous Australians who are with us tonight.



**2. APPOINTMENT OF PRESIDING MEMBER (IF REQUIRED)**

Nil

**3. DISCLAIMER (READ ALOUD BY PRESIDING MEMBER)**

Members of the public, who attend Council Meetings, should not act immediately on anything they hear at the Meetings, without first seeking clarification of Council's position. Persons are advised to wait for written advice from the Council prior to taking action on any matter that they may have before Council.

**4. ACKNOWLEDGEMENT OF RECEIPT OF WRITTEN DECLARATIONS OF FINANCIAL INTERESTS AND CONFLICT OF INTEREST (BY PRESIDING MEMBER)**

Nil

**5. APOLOGIES & LEAVE OF ABSENCE**

Nil

**6. PUBLIC QUESTION TIME**

**John Condon, Banjup**

Q1. Can you please advise the cost of the Special Council Meeting called for by Cr Sands on the 28 November 2017 to rate payers?

A1. That particular question is not relevant to this Special Council Meeting.

Q2. What is the estimated cost of tonight's Special Council Meeting called for by Cr Sands?

A2. The question is not relevant to tonight's Special Council Meeting.

Q3. Can those questions be asked at an Ordinary Council Meeting and expect an answer?

A3. You can ask the questions, yes.

Q4. Could the business listed for tonight's meeting been included in the next Ordinary Council Meeting?

A4. The Local Government Act provides for an Elected Member to put forward a request for a Special Council Meeting as long as they receive



the requisite number of signatures from other Elected Members and that has occurred.

Q5. Are all Elected Members expected to uphold the same set of standards that are expected to be upheld by the person that is holding the position of Deputy Mayor?

A5. All Elected Members are required to abide by the Code of Conduct and the Rules of Conduct.

**Catherine Pritchard, Treeby**

Q1: Has a defamation claim been served on Cr Kirkwood in relation to her behaviour against the Deputy Mayor and if so shouldn't Cr Kirkwood be excluded from tonight's vote for reasons of prejudice.

A1. I am not aware of that particular matter myself.

The Chief Executive Officer: advised that the City is not aware of any of these issues that you are claiming.

Q2: In my understanding if Cr Lara Kirkwood has been served defamation claims against her made by Deputy Mayor Smith then in my opinion Cr Lara Kirkwood would have a prejudice in her vote tonight, so her vote should not be included.

A2. I said I am unable to comment.

**Robyn O'Brien, Munster**

Q1: Why didn't we get a copy of whatever the allegations are that are going to be discussed tonight and will you put the allegations up there so at least we have something in writing that we can see, and will you read them out aloud so we can all hear them?

A1. In the context the Special Council Meeting was advertised on the public notice boards and The City's website etc.

The advertisement was to the extent necessary for the calling of the Special Council Meeting that is and has been prescribed on the Noticeboard downstairs, it's been on the City's website etc and in terms of any allegations that are raised they may well be raised tonight during the discussion debate on the item.

Q2: I would like to know whether you are going to read it out in full because I am sure other people like me have got no idea what's happening?



A2. The City advertised this as its statutory requirement; I will be reading the purpose of tonight's meeting at the latter part of this meeting. I will be reading the purpose of the meeting which is on the noticeboard downstairs as well, before the debate and discussion occurs on the item itself.

Q3: When you say the purpose of the meeting, does that mean whatever the allegations are against her?

A3. The purpose of the meeting being called has been listed and in that listing is a number of different statements being made which are in regard to the notice of motion received from Cr Sands.

Q4: Can someone please show me how to look on my phone so I can see it?

A4. We don't have time at this point to do that for you, it is available on the City's website under the heading Special Council Meeting.

Q5: Can you tell me what the allegations are now, can you just read that out?

A5. I will be reading that shortly.

**Mike Pritchard, Treeby**

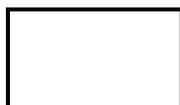
Q1. Are you aware after this afternoon a notice signed by over 100 citizens of Cockburn residents was lodged to trigger a Special Meeting of Electors? Since the last election why has community perception changed regarding the City's leadership and community engagement? Are you aware how negatively this has impacted residents leading them to successfully lodge a special meeting of electors to discuss the following:

Matter 1 - Do we believe the City is providing for good governance of all persons in the district?

Matter 2. – Do we believe the City represents the best interests of all rate payers and electors?

Matter 3. – We do not believe the City facilitates good communication or consultation with residents and the Council. Are you aware of that?

A1. Mayor Howlett advised he is not aware of that. This is not related to tonight's Agenda at all.



**Ray Woodcock, Spearwood**

- Q1. Will Councillor Sands be providing a full detailed account as to why the proposal of vote of no confidence in the Deputy Mayor Lee-Anne Smith?
- A1. This matter as you are aware will be discussed tonight and debated tonight and Councillor Sands will be expected to provide details of her notice of motion.
- Q2. Should the proposal of vote of no confidence in Deputy Mayor Lee-Anne Smith be successful, will Cr Sands nominate or accept a nomination of the position of the Deputy Mayor of the City of Cockburn?
- A2. The matter that is before Council does not relate to the position of Deputy Mayor. The current incumbent Deputy Mayor Smith will retain that position; there is no move to undo that. It is a requirement of the Local Government Act that the Council back at the October 2017, Council Meeting voted Councillor Lee-Anne Smith into that position and Deputy Mayor Lee-Anne Smith will retain that position through until at least October next year.

**Lorna Hardy, Bibra Lake**

- Q1. Has there ever been any complaints from the following reference groups and the committees that the Deputy Mayor so proudly and diligently represents our City:
- Audit & Strategic Finance Committee,
  - Chief Executive Officers & Senior Key Projects Appraisal Committee,
  - Delegated Authorities, Policies & Position Statements, Committee
  - Grants & donations Committee,
  - Local Emergency Management Committee, ,
  - Cockburn Community Events Committee,
  - WALGA South Metropolitan Zone,
  - South West Metropolitan Regional Road Group,
  - South West Corridor Development Foundation Inc.,
  - South West Reference Group,
  - Jandakot Regional Park Community Advisory Committee,
  - Jandakot Airport Community Aviation Consultation Group,
  - Cockburn Disability Reference Group,
  - Cockburn Youth Advisory Collective Reference Group,
  - Cockburn Bushfire Advisory Reference Group,
  - Cockburn Sister Cities Reference Group,
  - Reducing Illegal Dumping Working Group,
  - Community Gardens Reference Group,
  - WA Local Government Association,
  - South West Corridor Development foundation,



- Citizenship Ceremonies,

have there been any complaints related to the way she welcomes residents and to the Director of Governance and her time as Deputy Mayor has Lee-Anne Smith fulfilled her duties?

A1. The City is not aware of any complaints from those respective committees.

Q2. So in that case wouldn't you say this was a witch hunt?

A2. No comment

**Megan Jaceglav, Spearwood**

Q1. Ok I am wondering given that this motion has been moved by those who have not yet earned our trust, what kind of City and what kind of leadership would such a charge, should it be successful imply, would it imply a courageous united and diverse council or would it imply a divided non representative and inadequately directed Council one that does not represent its people and inspiring to no one?

A1. No comment

**Jason Spanbroek, Bibra Lake**

Q1. The situation we are finding ourselves in tonight according to the notification of the meeting is the conduct of Councillor Smith, is that correct ?

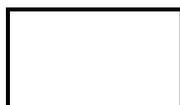
A1. Yes

Q2. Will other Councillors be held accountable for their conduct by the same reasons, all right because I find it paradoxical and hypocritical that we find ourselves in this situation that the conduct of other Councillors sitting at the table now? Is it appropriate for Councillors on social media to post questions, is it good to rape children for a cure for cancer?

A2. As stated at the beginning of the meeting in respect to the Code of Conduct and the Rules of Conduct under the Local Government Act all members are required to uphold those Codes of Conduct in their actions to do with their position on Council itself.

**Robyn O'Brien, Munster**

Q1. Has Councillor Sands ever breached the Code of Conduct and if so what was the breach or breaches? How has it been handled and was there any vote of no confidence taken against her?



- A1. It is not relevant to tonight's meeting.
- Q2. Why is it not relevant?
- A2. It is not a matter before Council tonight.
- Q3. Will the Deputy Mayor be able to answer in full the allegations that are being made against her tonight?
- A3. There is always an opportunity for an Elected Member or Elected Members to respond to allegations or questions, or ask questions relating to matters on the agenda.
- Q4. So she will be able to explain in full?
- A4. Any Elected Member including the Deputy Mayor Smith has a right of reply or response to questions or allegations that are made.
- Q5. Has there been any other vote of no confidence in an elected member?
- A5. Not that I am aware of.
- Q6. Mr Cain, has there been any other vote of no confidence in an elected member since you have been at the City of Cockburn?
- A6. No
- Q7. How are breaches of or alleged breaches of code of conduct handled in the past then?
- A7. The Chief Executive Officer advised that it is up to Council to deal with breaches of the Code of Conduct but normally the situation is if there is a breach of the Code of Conduct that information is presented to the individual concerned and as evidenced at the last ordinary council meeting which you may or may not have been at an elected member made a public apology to that meeting where as in a another particular case another elected member has also made a public apology in respect to breaches of the Code of Conduct.
- Q8. My question was in relation to breaches of code of conduct of other elected members how is it normally handled?
- A8. The Chief Executive Officer advised that in accordance with the requirements of the complaint received and there is recognition that there has been a breach of the Code of Conduct it is advised to the Elected Member and the Elected Member is encouraged then to consider how they will rectify that. So in the case of the two incidences that are referred to where the names of the Elected Members could be disclosed but my preference is not to, both of those parties made public



apologies for the breaches that they conducted, however, if an elected member refuses to take any action regarding the matter then it is only open to Council to deal with it, the Administration has no capacity under the Local Government Act for dealing with breaches of the Code of Conduct.

Q9. Are you saying that at the last Council Meeting two other Councillors had in your opinion breached the Code of Conduct but we do not know who that was or the details of that because they have apologised?

A9. The Chief Executive Officer advised that at the last Council Meeting a Councillor formally publically apologised for breaches they had alleged to have made of the Code of Conduct and that was the advice provided to that Elected Member and in regard to the other breach that had occurred a number of years ago involved a current sitting member of Council and as part of their breach they also made a public apology to the individual concerned at the Council Meeting, however if a Councillor is aware of the breach and they refuse to take any action to address it, there is no capacity for the Administration to take any action. Only the Rules of Conduct can be reported to the Standards Panel for a breach. The only sanction that could be considered then for a breach of the Code of Conduct is by their peers which is currently tonight's matter.

Q10. You mentioned that you could have or someone could have gone to the Local Government Office and made a complaint to the Standards Panel and then would she have the right of reply through procedural fairness?

A10. The Chief Executive Officer advised that No, I will say this again clearly, only breaches of the Rules of Conduct can be reported to the Standards Panel. So while the Local Government Act requires a Council to have a Code of Conduct the breaches of the Code of Conduct are not sanctioned under the Rules of Conduct. The Rules of Conduct reference them but in other words it's almost a toothless tiger, so whereas for staff if they breach the Code of Conduct I deal with them from a disciplinary perspective but for an Elected Member who breaches the Code of Conduct the City's Administration has no capacity to deal with it. If the Elected Member concerned recognises the breach and makes a public apology that is the end of the matter, however if there are breaches of the Code of Conduct and the Elected Member won't take any action to make an apology or rectify it, the only option is for that matter to be considered by Council.

Q11. You said though that if there is a breach the Administration cannot take any action. How can you then speak to an Elected Member and ask them to make an apology and if they make an apology then that's ok and if they don't then they are subject to a vote of no confidence?

A11. The Chief Executive Officer advised that the Administration cannot direct an Elected Member to do any such action, however as the



Complaints Officer, all complaints that come into the City end up on my desk, whether they are complaints of the breach of Rules of Conduct whether a breach of the Code of Conduct every complaint ends up with the CEO. The CEO then having assessed it, if it is a breach of the Rules of Conduct, I advise the Elected Member and forward that breach on to the Department for its consideration. If it is a breach of the Code of Conduct that is also drawn to the attention of the Elected Member and will provide a recommendation as to how they can address it, however if the Elected Member doesn't wish to accept that advice that's their option but then the only option for the way forward for that matter to be dealt with is before Council - a Council or their peers.

Q12. Who then made the vote of no confidence if it's not you and the Administration? Are you saying it was Councillor Sands? Only an Elected Member can bring that action? Is that what you are saying?

A12. The Chief Executive Officer advised that for a breach of the Code of Conduct if its deemed to be a breach of the Code of Conduct and is recognised by their peers. Only Councillors can deal with this matter. In regard to tonight there has been a Special Council Meeting called not by the Administration but by the Councillors to deal with this issue.

Q13. You must have advised them if it's a breach, you just said if it's a recognised breach, so how would Cr Sands know it's a recognised breach unless she has got advice from you?

A13. The Chief Executive Officer advised that in regards to the breach if there is a recognised breach and it's a persistent breach then it's not often me that recognises it, it's the Councillors themselves. Advice can be provided by the CEO or by the Director of Governance and in this particular case advice has been provided by the Director of Governance into the forming of the words associated with the Special Council Meeting. However there are other issues that have played out prior to tonight but it is not up to me to disclose.

Q14. Who will disclose other issues then, that's the ratepayers right to ask those things, it's all about money?

A14. During the debate tonight Cr Sands may well refer to different allegations.

### **Stephen Greenwood, Hammond Park**

Q1. Due to the public interest in this matter can we have the public question time extended please?

A1. Public question time has been extended already.



**Ray Woodcock, Spearwood**

Q1. Will Cr Sands, consider withdrawing her proposal this evening?

A1. It is up for debate tonight that particular matter.

**Lorna Hardy, Bibra Lake**

Q1. Mr Cain you just said that the complaint came to you and you decide whether you talk to the Councillors and get them to either discuss the breach with them and then they choose to apologise. If you did that with Cr Smith how did Cr Sands get involved with that? Did you tell her about that complaint?

A1. The Chief Executive Officer advised that there have been numerous complaints lodged against Cr Smith during the course of the year, there have been complaints, a significant amount of complaints from staff and I am happy to disclose that, those matters have been drawn to the attention of all Elected Members. There have been complaints that have come to the City in writing. I am dealing with a resident's complaint currently in regard to a matter. So these issues often play out in public media where statements are made and it becomes quite clear that there are issues that have been reported, as I said prior to the calling of the Council Meeting a number of matters are being considered by Council. It is not my job to disclose those.

Q2. On those matters that have been played out in public, there are multiple things being played out on Facebook including such quotes as "put a funnel up your arse of a Japanese school girl". That is a direct quote from one of your Councillors. Why is there a not an inquiry into this? Why are certain issues addressed and other ignored?

A2. The Chief Executive Officer advised that those comments you are referring to are social media posts made by an Elected Member. If you read now the Minutes of the last Ordinary Council Meeting or attended the last Ordinary Council Meeting having had several meetings with the Council both the Mayor and myself having dealt with all of those complaints, the Elected Member recognised they had breached the Code of Conduct and at the commencement of the last Council Meeting issued a public apology unreservedly apologising for their actions and that is the course of action that we would normally recommend.

**7. DEPUTATIONS**

Nil



**8. DECLARATION BY MEMBERS WHO HAVE NOT GIVEN DUE CONSIDERATION TO MATTERS CONTAINED IN THE BUSINESS PAPER PRESENTED BEFORE THE MEETING**

Nil

**9. PURPOSE OF MEETING**

The purpose of the meeting is to consider:

- (1) a Motion of 'No Confidence' in Deputy Mayor Lee-Anne Smith;
- (2) the suspension of the Deputy Mayor from representing Council on specified Standing Committees, Reference Groups and external organisations' and
- (3) removal of the Deputy Mayoral allowance.

to be reviewed following a period of 6 months



## 10. COUNCIL MATTERS

### 10.1 (2018/MINUTE NO 0137) NOTICE OF MOTION

**Author(s)** D Green

**Attachments** 1. Proposed Draft of Motion [↓](#)

#### RECOMMENDATION

That Council considers the Draft Motion provided with a Notice of Motion submitted pursuant to Clause 4.9 (1) (a) of the City of Cockburn Standing Orders 2016, as shown in the Attachment to the Agenda

**TO BE CARRIED BY AN ABSOLUTE MAJORITY OF COUNCIL**

#### COUNCIL DECISION

MOVED Cr C Sands SECONDED Cr P Eva

That Council:

- (1) passes a vote of “no confidence” in Deputy Mayor Lee-Anne Smith as a result of her ongoing conduct which is considered to be unbecoming of an Elected Member and is alleged to have breached the Elected Members Code of Conduct and the general principles to guide the behaviour of council members, as specified in Regulation 3 of the Local Government (Rules of Conduct) Regulations 2007;
- (2) suspends Deputy Mayor Smith as:
  1. a member of the following Standing Committees;
    - Audit and Strategic Finance Committee
    - Chief Executive Officer and Senior Key Staff Projects Appraisal Committee,
    - Grants and Donations Committee,
    - Delegated Authorities, Policies and Position Statements Committee;
  2. all Internal Reference Groups of Council to which she has been previously been appointed;
  3. a delegate to any external stakeholder organisations to which she has previously been appointed by Council;
  4. assistant to the Mayor in the conduct of citizenship ceremonies, for a period of 6 months;
- (3) removes the allowance paid for Deputy Mayor to Deputy Mayor Smith for a period of 6 months; and



- (4) reviews the matters referenced in (2) and (3) above following the nominated period of 6 months.

**MOTION LOST DUE TO THE LACK OF AN ABSOLUTE MAJORITY  
OF COUNCIL 5/5**

### **Background**

By notice received on 2 August 2018, Councillor Sands submitted a Motion, as contained in the Attachment, for consideration by Council, for the reasons provided with the Motion. Subsequently, a Special Meeting of Council has been called pursuant to Clause 2.3 (a) (2) of the City of Cockburn Standing Orders 2016 to consider this matter.

### **Submission**

N/A

### **Report**

#### Legislative Context

Sub – recommendation 1

Section 5.103 of the Local Government Act 1995 (the Act) provides for all local governments to prepare or adopt a Code of Conduct to be observed by Council elected members and employees.

The content of the Codes of Conduct is currently effective only to the extent to which it is not inconsistent with Regulations. In this regard, the Local Government (Rules of Conduct) Regulations 2007 are in place to govern behavioural standards of individual elected members of Council, which appears to contradict the necessity for the existence of a Code of Conduct "to be observed" by elected members. This apparent anomaly was identified by Council and recommended, at its October 2017 Council Meeting, to be rectified by the State Government in the current review of the Local Government Act. It is understood that the review Bill currently before State Parliament contains provisions to strengthen the application of the Codes of Conduct adopted by local governments. In the meantime, the City of Cockburn Code of Conduct for elected members, which was recently reviewed and adopted by Council in May 2018, remains as a statement of behavioural ethics which, although technically unenforceable, provides for basic standards by which the actions of elected members may be measured. In addition, the Rules of Conduct (Regulation 3) provides further guidance on the manner in which elected members are expected to act when fulfilling their civic duties.



The information documented in both instances should provide sufficient cause for members to act with reasonable care in the performance of their public role and particularly in their interactions with others.

Accordingly, while there is no actionable outcome relative to a motion of “no confidence”, if carried by Council against an elected member, it could be seen as a symbolic message of disapproval by Council at the behavioural standards being demonstrated by any of its members not being prepared to comply with the “rules” adopted by the Council in the form of its Code of Conduct and those stipulated in the Rules of Conduct Regulations.

Sub – recommendation 2

Section 5.12(2) (b) of the Act provides for the local government to remove a person from any committee, as previously nominated and appointed under 5.10 (1) of the Act, subject to the person being able to remain on at least one such committee as decided by Council (Section 5.10(2)). The suspension, as proposed by the motion before Council, requires the support of an absolute majority of Council to be effective, as required by Section 5.10 (3) of the Act and Section 52 (1) (a) of the Interpretation Act 1984.

Neither internal Reference Groups established by Council nor delegates appointed by Council to external organisations have any specific legislative reference and it is within the capacity of Council to remove any member previously appointed from representing Council on these. Similarly, the role of the Deputy Mayor at Citizenship Ceremonies hosted by the City of Cockburn has no formal standing and is capable of being performed by any other councillor, in conjunction with the Mayor.

Sub – recommendation 3

Section 5.98A of the Act provides that Council may decide to pay the Deputy Mayor an allowance of up to 25% of the annual Mayoral allowance. Council Policy SC 14 “Mayoral and Deputy Mayoral Allowances” stipulates, in clause (2), that the allowance “should be paid as a reimbursement of the time commitment made to the position”. Notwithstanding that the Policy holds no legislative power, should the Council determine that the functions of the Deputy Mayor do not require a time commitment which warrants an allowance, it is competent for Council to withdraw the allowance paid to the Deputy Mayor.

## **Strategic Plans/Policy Implications**

### Leading & Listening



Deliver sustainable governance through transparent and robust policy and processes.

**Budget/Financial Implications**

N/A

**Legal Implications**

Sections 5.103; 5.12; 5.10 and 5.98A of the Local Government Act 1995, Section 52 of the Interpretation Act 1984 and Clause 4.9 of the City of Cockburn Standing Orders Local Law refer.

**Community Consultation**

N/A

**Risk Management Implications**

There is a “Substantial” level of “Brand / Reputation” risk associated with Elected Members not complying with the adopted Code of Conduct and this issue being left unaddressed.

**Advice to Proponent(s)/Submitters**

N/A

**Implications of Section 3.18(3) *Local Government Act, 1995***

Nil



That Council:

- 1) passes a vote of "no confidence" in Deputy Mayor Lee-Anne Smith as a result of her ongoing conduct which is considered to be unbecoming of an Elected Member and is alleged to have breached the Elected Members Code of Conduct and the general principles to guide the behaviour of council members, as specified in Regulation 3 of the Local Government (Rules of Conduct) Regulations 2007;
- 2) suspends Deputy Mayor Smith as:
  - a) a member of the following Standing Committees;
    - o Audit and Strategic Finance Committee
    - o Chief Executive Officer and Senior Key Staff Projects Appraisal Committee,
    - o Grants and Donations Committee,
    - o Delegated Authorities, Policies and Position Statements Committee;
  - b) all Internal Reference Groups of Council to which she has been previously appointed;
  - c) a delegate to any external stakeholder organisations to which she has previously been appointed by Council;
  - d) assistant to the Mayor in the conduct of citizenship ceremonies,for a period of 6 months;
- 3) removes the allowance paid for Deputy Mayor to Deputy Mayor Smith for a period of 6 months; and
- 4) reviews the matters referenced in (2) and (3) above following the nominated period of 6 months.

TO BE CARRIED BY AN ABSOLUTE MAJORITY OF COUNCIL

#### REASON FOR DECISION

1. As the Local Government Act does not provide for a formal process for Council to sanction an Elected Member who breaches the City of Cockburn's Code of Conduct, the only way this can otherwise be addressed is for Council to pass a "no confidence" motion in that individual, in order to express its concerns at the behavioural standards being demonstrated.
2. As Council formally appoints Elected Members to positions that represent the City, both internally and externally, Council can also remove that representative role.
3. As Council formally adopts the value of allowance paid to the Deputy Mayor, the Council can also remove that amount.

The proposal in this motion is to do so for a period of 6 months, in order to send a clear message of the expectations that Council has of the individual performing the role of Deputy Mayor and reinforce that breaches to the Code of Conduct simply will not be tolerated.

The review period will also provide an opportunity for Deputy Mayor Smith to demonstrate that these concerns have been acknowledged, understood and will be addressed moving forward.

It is intended that the formal requirements related to appointments made to Standing Committees and other representative roles determined by Council, together with the allowance for Deputy Mayor, be reviewed by Council following the stipulated period of 6 months.

**11. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY MEMBERS OR OFFICERS**

Nil

**12. CONFIDENTIAL BUSINESS**

Nil

**13. (2018/MINUTE NO 0138) RESOLUTION OF COMPLIANCE**

**RECOMMENDATION**

That Council is satisfied that resolutions carried at this Meeting and applicable to items concerning Council provided services and facilities, are:-

- (1) integrated and co-ordinated, so far as practicable, with any provided by the Commonwealth, the State or any public body;
- (2) not duplicated, to an extent Council considers inappropriate, services or facilities as provided by the Commonwealth, the State or any other body or person, whether public or private; and
- (3) managed efficiently and effectively.

**COUNCIL DECISION**

MOVED Cr C Reeve-Fowkes SECONDED Cr S Pratt

That the recommendation be adopted.

**CARRIED 10/0**

**14. CLOSURE OF MEETING**

The meeting closed at 7.17pm

