



City of Cockburn  
Special Council Meeting  
**Minutes**

For Thursday, 16 April 2020

These Minutes are confirmed

Presiding Member's signature

A handwritten signature in black ink, which appears to read "Logan Hewitt". The signature is written in a cursive style and is positioned above a horizontal line.

Date: 14 May 2020

**CITY OF COCKBURN**  
**SUMMARY OF MINUTES OF THE SPECIAL COUNCIL MEETING HELD ON**  
**THURSDAY, 16 APRIL 2020 AT 7.00 PM**

---

---

	<b>Page</b>
1. DECLARATION OF MEETING .....	3
2. APPOINTMENT OF PRESIDING MEMBER (IF REQUIRED).....	5
3. DISCLAIMER (READ ALOUD BY PRESIDING MEMBER).....	5
4. ACKNOWLEDGEMENT OF RECEIPT OF WRITTEN DECLARATIONS OF FINANCIAL INTERESTS AND CONFLICT OF INTEREST (BY PRESIDING MEMBER) .....	5
5. APOLOGIES AND LEAVE OF ABSENCE .....	5
6. PUBLIC QUESTION TIME .....	5
7. DEPUTATIONS .....	5
8. DECLARATION BY MEMBERS WHO HAVE NOT GIVEN DUE CONSIDERATION TO MATTERS CONTAINED IN THE BUSINESS PAPER PRESENTED BEFORE THE MEETING .....	5
9. PURPOSE OF MEETING .....	5
10. COUNCIL MATTERS .....	6
10.1 (2020/MINUTE NO 0080) CONSIDERATION OF A CONFIDENTIAL STAFF MATTER .....	6
(2020/MINUTE NO 0081) SUSPENSION OF STANDING ORDERS .....	8
(2020/MINUTE NO 0082) RESUMPTION OF STANDING ORDERS.....	8
(2020/MINUTE NO 0083) EXTENSION OF MEETING .....	9
11. CONFIDENTIAL BUSINESS .....	9
(2020/MINUTE NO 0084) CONFIDENTIAL STAFF MATTER.....	9
11.1 (2020/MINUTE NO 0084) CONFIDENTIAL STAFF MATTERTC .....	9
(2020/MINUTE NO 0085) REOPEN MEETING TO PUBLIC.....	9
12. (2020/MINUTE NO 0086) RESOLUTION OF COMPLIANCE .....	10
13. CLOSURE OF MEETING .....	10



---

**CITY OF COCKBURN**  
**MINUTES OF SPECIAL COUNCIL MEETING**  
**HELD THURSDAY, 16 APRIL 2020 AT 7.00PM**

---

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

Mr L Howlett	-	Mayor (Presiding Member)
Ms L Kirkwood	-	Deputy Mayor
Mr K Allen	-	Councillor
Mr M Separovich	-	Councillor
Ms P Corke	-	Councillor
Ms L Smith	-	Councillor
Dr C Terblanche	-	Councillor
Mr P Eva	-	Councillor
Ms C Stone	-	Councillor
Mr T Widenbar	-	Councillor

**IN ATTENDANCE**

Mr S Downing	-	Acting Chief Executive Officer
Mr D Green	-	Director Governance & Community Services
Mr D Arndt	-	Director Planning and Development (Dep 7.48pm)
Mr C Sullivan	-	Director Engineering and Works (Dep 7.48pm)
Mr B Fellows	-	Manager Information Services (Dep 7.48pm)
Mrs S D'Agnone	-	Minute Officer (Dep 7.48pm)
Ms R Harding	-	Jackson McDonald
Ms B Swanson	-	Jackson McDonald
Mr M Reid	-	Jackson McDonald
Mr R Murphy	-	Department of Local Government, Sport and Cultural Industries (Observer)

**1. DECLARATION OF MEETING**

The Presiding Member declared the meeting open at 7.02pm and welcomed everyone to the e-meeting, to be held under the recently proclaimed Regulations 14C, 14D and 14E of the *Local Government (Administration) Regulations 1996*.

“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.



Mayor Howlett requested that each Elected Member acknowledge their presence at the e-meeting by responding to their name when requested to do so. All Elected Members responded that they were present.

Mayor Howlett requested Elected Members confirm the place from where they were connected to the e-meeting was safe and secure for the purposes of ensuring the integrity of the meeting procedures are retained, with a 'thumbs up'. All Elected Members provided confirmation with a 'thumbs up'.

Mayor Howlett outlined the procedure for the meeting as follows:

In accordance with Standing Orders Clause 8.8, could all Elected Members please turn off their mobile phones or any other electronic devices that may distract them from the procedures at tonight's meeting. It is important that all members concentrate on the agenda to ensure that the meeting proceeds in an orderly manner.

If an Elected Member or a staff member is disconnected, the meeting will be adjourned until connectivity is re-instated.

During the meeting, if any Elected Member needs to contact Mayor Howlett urgently, due to technical difficulties, they are required to use the 'bubble' function to send a message. The 'bubble' function should not be used for any other purpose, such as raising a question or wishing to speak. All member will be given adequate opportunity to participate in the meeting by raising their hand in the requested manner

7.09pm Mayor Howlett granted permission to Cr Stone's request to use her mobile phone to access the run sheet during the meeting.

When a vote is to be taken, each Elected Member will be asked for their vote – either a 'thumbs up' in front of their for a FOR vote , or a 'thumbs down' in front of their face for an AGAINST vote. Mayor Howlett will then announce a summary of votes and the outcome.

Elected Members are reminded of the protocols for participating in this e-meeting, as outlined in the City's e-Meeting Guide, which was distributed to all Elected Members electronically and via the HUB portal. In essence, this follows the WALGA Electronic Council Meetings Guide, which has been adapted to follow City of Cockburn processes.

To obtain Mayor Howlett's attention during the meeting for any purpose, Elected Members should show a 'thumbs up' on the screen. Should an Elected Member wish to exit the meeting for any purpose, other than for a declaration of financial interest, this should be indicated by a 'thumbs up' on the screen.



**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)**

Cr Lee-Anne Smith - Impartiality Interest - Item 11.1  
Cr Kevin Allen - Impartiality Interest – Item 11.1

Cr Kevin Allen was disconnected from the e-meeting at 7.14pm.  
Cr Kevin Allen was reconnected to the e-meeting at 7.17pm.

Cr Michael Separovich departed the e-meeting at 7.17pm.  
Cr Michael Separovich returned to the e-meeting at 7.18pm.

**5. APOLOGIES AND LEAVE OF ABSENCE**

Mr S Cain, Chief Executive Officer - Leave of Absence

**6. PUBLIC QUESTION TIME**

Nil

**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 a Confidential Staff Matter.



## 10. COUNCIL MATTERS

### 10.1 (2020/MINUTE NO 0080) CONSIDERATION OF A CONFIDENTIAL STAFF MATTER

**Author(s)** D Green  
**Attachments** N/A

#### **RECOMMENDATION**

That Council:

- (1) considers the matters contained in the Report provided to Elected Members under separate confidential cover behind closed doors, pursuant to Clause 7.2 of the City of Cockburn Standing Orders 2016; and
- (2) nominate Ms Renae Harding, Ms Brenna Swanson and Mr Matthew Reid (Jackson McDonald), Messrs Don Green, Daniel Arndt and Charles Sullivan (City of Cockburn) to remain in the Chamber during consideration of the matters behind closed doors.

#### **COUNCIL DECISION**

MOVED Cr P Eva SECONDED Cr C Terblanche

That Council:

- (1) considers the matters contained in the Report provided to Elected Members under separate confidential cover behind closed doors, pursuant to Clause 7.2 of the City of Cockburn Standing Orders 2016; and
- (2) nominate Ms Renae Harding, Ms Brenna Swanson and Mr Matthew Reid (Jackson McDonald), Messrs Don Green, Daniel Arndt and Charles Sullivan (City of Cockburn) and Mr Ron Murphy (Department of Local Government, Sports and Cultural Industries (DLGSCI)) to remain in the Chamber during consideration of the matters behind closed doors.

**LOST 4/6**



**COUNCIL DECISION**

MOVED Cr M Separovich SECONDED Cr C Stone

That Council:

- (2) considers the matters contained in the Report provided to Elected Members under separate confidential cover behind closed doors, pursuant to Clause 7.2 of the City of Cockburn Standing Orders 2016; and
- (2) nominate Ms Renae Harding, Ms Brenna Swanson and Mr Matthew Reid (Jackson McDonald), Mr Don Green (City of Cockburn), and Mr Ron Murphy (Department of Local Government, Sports and Cultural Industries (DLGSCI)) to remain in the Chamber during consideration of the matters behind closed doors.

**CARRIED 10/0**

**Reason for Decision**

There is no need for Mr Arndt and Mr Sullivan to remain in the meeting as it is not a planning or engineering matter.

**Background**

By notification from the Mayor, dated 8 April 2020, the Acting Chief Executive Officer has prepared an agenda for consideration by Council. For this purpose, it is recommended that Council proceeds behind closed doors.

**Submission**

N/A

**Report**

As contained in the reports provided to Elected Members under separate confidential cover.

**Strategic Plans/Policy Implications**Leading and Listening

Deliver sustainable governance through transparent and robust policy and processes.

**Budget/Financial Implications**

As contained in the reports provided under separate confidential cover.

**Legal Implications**

As contained in the reports provided under separate confidential cover.



**Community Consultation**

N/A

**Risk Management Implications**

As contained in the reports provided under separate confidential cover.

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

N/A

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

Nil

Council proceeded behind closed doors, the time being 7.48pm.

The Director Planning and Development Services, the Director Engineering and Works, the Manager Information Services and the Council Minute Officer departed the meeting at 7.48pm and did not return.

**(2020/MINUTE NO 0081) SUSPENSION OF STANDING ORDERS**

**COUNCIL DECISION**

MOVED Deputy Mayor L Kirkwood SECONDED Cr P Corke

That Council, pursuant to clause 22.1 of the Standing Orders, suspend the meeting procedures, for the purpose of enabling open debate on the confidential report contained in the agenda, the time being 7.55pm.

**CARRIED 10/0**

**(2020/MINUTE NO 0082) RESUMPTION OF STANDING ORDERS**

**COUNCIL DECISION**

MOVED Cr T Widenbar SECONDED Cr M Separovich

That Standing Orders be resumed for the purpose of formally considering the confidential reports contained in the agenda, the time being 9.50pm.

**CARRIED 10/0**





**(2020/MINUTE NO 0083) EXTENSION OF MEETING**

**COUNCIL DECISION**

MOVED Cr M Separovich SECONDED Cr C Stone

That Council extend the meeting for up to one hour in accordance with Clause 4.13 of Council's Standing Orders Local Laws.

**CARRIED 10/0**

**Reason for Decision**

Suspending Standing Order 4.13 will allow Council sufficient time to conclude the business of Council.

**11. CONFIDENTIAL BUSINESS**

**11.1 (2020/MINUTE NO 0084) CONFIDENTIAL STAFF MATTER**

This report and its attachments are CONFIDENTIAL in accordance with Section 5.23(2)(a) of the *Local Government Act 1995*, which permits the meeting to be closed to the public for business relating to the following:

(a) *a matter affecting an employee or employees.*

**(2020/MINUTE NO 0084) CONFIDENTIAL STAFF MATTER**

That Council adopts the actions agreed as specified in the Confidential Resolution made behind closed doors.

**(2020/MINUTE NO 0085) REOPEN MEETING TO PUBLIC**

**COUNCIL DECISION**

MOVED Cr L Smith SECONDED Cr K Allen

That Council reopen the meeting to the public, the time being 10.40pm.

**CARRIED 10/0**



## 12. (2020/MINUTE NO 0086) 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 K Allen SECONDED Cr L Smith

That the recommendation be adopted.

**CARRIED ON CASTING VOTE OF PRESIDING MEMBER 5/5**

## 13. CLOSURE OF MEETING

The meeting closed at 10.45pm.

