



City of Cockburn  
Special Council Meeting  
**Minutes**

For Thursday, 26 November 2020

These Minutes are confirmed.

Presiding Member's signature

A handwritten signature in blue ink, which appears to read "Logan Spawell". The signature is fluid and cursive, written over a thin blue horizontal line.

Date: 10 December 2020

**CITY OF COCKBURN**  
**SUMMARY OF MINUTES OF THE SPECIAL COUNCIL MEETING**  
**HELD THURSDAY, 26 NOVEMBER 2020**

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	<b>Page</b>
1. DECLARATION OF MEETING .....	3
2. APPOINTMENT OF PRESIDING MEMBER.....	4
3. DISCLAIMER (READ ALOUD BY PRESIDING MEMBER).....	4
4. ACKNOWLEDGEMENT OF RECEIPT OF WRITTEN DECLARATIONS OF FINANCIAL INTERESTS AND CONFLICT OF INTEREST (BY PRESIDING MEMBER) .....	4
5. APOLOGIES AND LEAVE OF ABSENCE .....	4
6. PUBLIC QUESTION TIME .....	4
7. DEPUTATIONS.....	4
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 0242) ATTENDANCE AT MEETING BY INSTANTANEOUS COMMUNICATION - CR ALLEN, CR SMITH, CR WIDENBAR .....	6
11. CONFIDENTIAL BUSINESS .....	9
12. (2020/MINUTE NO 0243) RESOLUTION OF COMPLIANCE .....	9
13. CLOSURE OF MEETING .....	9



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## CITY OF COCKBURN MINUTES OF SPECIAL COUNCIL MEETING HELD THURSDAY, 26 NOVEMBER 2020

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**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
Mr P Eva	-	Councillor

**IN ATTENDANCE**

Mr D Arndt	-	Acting Chief Executive Officer
Mr D Green	-	Director Governance and Community Services
Mr S Downing	-	Director Finance and Corporate Services
Mrs G Bowman	-	Executive Manager, Strategy and Civic Support
Mr A Lees	-	Acting Director, Engineering and Works
Ms R Pleasant	-	Acting Director, Planning and Development
Mrs B Pinto	-	Governance Officer, Moderator
Ms L Spearing	-	Personal Assistant to the CEO
Mrs S D'Agnone	-	Council Minute Officer

**1. DECLARATION OF MEETING**

The Presiding Member declared the meeting open at 6.45pm.

“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 Aboriginal and Torres Strait Islander people who may be with us tonight either in person or viewing online.

This Council meeting will be electronically recorded and live streamed on the City’s website, except where Council resolves to go behind closed doors. All recordings are retained in accordance with the General Disposal Authority for Local Government Records, produced by the State Records Office. A copy of the recorded proceedings will be available on the website within two business days of this Council meeting.

Mayor Howlett advised that images of the public gallery are not included in the webcast, however the voices of people will be captured and streamed, and reminded everybody present to be mindful of their conduct during the recorded meeting.



Live streaming meetings is a Council initiative, aimed at increasing the City's transparency and openness, as well as making Council meetings more accessible to our community and those beyond.

Mayor Howlett advised that Cr Lee-Anne Smith, OAM, would be participating in the meeting via video link Cr Smith will be able to speak to agenda items and will appear on the screen facing the public gallery when she is addressing any matters.

Tonight Elected Members will be voting on Agenda Items, for the second time, by an electronic voting system that will display the vote of each member, and allow it to be recorded in the minutes of each meeting.

**2. APPOINTMENT OF PRESIDING MEMBER**

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 AND LEAVE OF ABSENCE**

Cr C Terblanche	-	Leave of Absence
Ms L Smith	-	Councillor
Ms C Stone	-	Councillor
Mr T Widenbar	-	Councillor

**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 applications from Councillors to attend a Special Meeting of the Chief Executive Officer Performance Review and Key Projects Appraisal Committee, followed by a Special Council Meeting, on Monday 30 November 2020, via instantaneous communication.



## 10. COUNCIL MATTERS

### 10.1 (2020/MINUTE NO 0242) ATTENDANCE AT MEETING BY INSTANTANEOUS COMMUNICATION - CR ALLEN, CR SMITH, CR WIDENBAR

**Author** D Green  
**Attachments** N/A

#### RECOMMENDATION

That Council approve Cr Allen, Cr Smith and Cr Widenbar attending the Special Chief Executive Officer Performance Review and Key Projects Appraisal Committee Meeting and Special Council Meeting on 30 November 2020 by instantaneous communication.

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

#### COUNCIL DECISION

MOVED Deputy Mayor L Kirkwood SECONDED Cr M Separovich  
 That the recommendation be adopted.

**CARRIED BY ABSOLUTE MAJORITY OF COUNCIL 6/0**

#### Background

A Special Council Meeting has been called by the Presiding Member (Mayor Howlett) to enable the Minutes of the Chief Executive Officer Review and Key Projects Appraisal Committee Meeting held immediately prior, to be formally considered by Council.

Cr Allen is unable to be in attendance personally at the meetings, as he is attending a conference in Margaret River as a delegate of the City, and is staying at the Margaret River Motel, 18 Farrelly Street, Margaret River. Cr Allen is able to ensure that his accommodation is secure and that privacy can be maintained for the duration of the meetings. Accordingly, he is seeking Council approval to attend these meetings via instantaneous communication.

Cr Smith is unable to be in attendance personally at the meetings, as she is working in Port Hedland. She is staying in a residence at Crowe Street, Port Hedland, where she has been based since June 2020, and has previously been granted approval to attend Council Meetings by instantaneous communication up until 12 November 2020. Accordingly, Cr Smith is seeking Council approval to attend these meetings via the same method.

Cr Widenbar is unable to be in attendance personally at the meetings, as he is currently in Gnarabup, near Margaret River. He is staying in a private residence at Marmaduke Point Drive, Gnarabup, and can confirm that he has access to a private portion of the residence to



securely participate in the meetings. Accordingly, Cr Widenbar is seeking Council approval to attend these meetings by instantaneous communication.

### **Submission**

N/A

### **Report**

*The Local Government (Administration) Regulations 1996* (Regulation 14A) provides for a member to be taken as being in attendance at a Council meeting, where the member has been granted the approval of Council to be in simultaneous audio contact with all other members who are personally present at the related Meeting.

Council approving the presence of a member at a meeting by such means is dependent on Council being satisfied that the requesting member is in a suitable place and it (the Council) is otherwise agreeable to the arrangements.

Given these circumstances and the supporting information relevant to the place at which each councillor will be located at the time of the meetings, it is recommended that Council approves the arrangements.

### **Strategic Plans/Policy Implications**

#### Listening and Leading

*A community focused, sustainable, accountable and progressive organisation.*

- Ensure good governance through transparent and accountable, planning, processes, reporting, policy and decision making.

### **Budget/Financial Implications**

N/A

### **Legal Implications**

Regulation 14A of the *Local Government (Administration) Regulations 1996* refers.

### **Community Consultation**

N/A

### **Risk Management Implications**

There is a "Low" level of "Brand Reputation" risk associated with this item on the basis of the security and privacy of the accommodation at which Cr Allen will be located for the duration of the meeting.



**Advice to Proponent/Submitter**

The proponents have been advised that this matter is to be considered at the 26 November 2020 Special Council Meeting.

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

Nil





**11. CONFIDENTIAL BUSINESS**

Nil

**12. (2020/MINUTE NO 0243) 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 P Corke SECONDED Deputy Mayor L Kirkwood

That the recommendation be adopted.

**CARRIED UNANIMOUSLY 6/0**

**13. CLOSURE OF MEETING**

The Presiding Member closed the meeting at 6.52pm.

