

**From:** Cr Chontelle Sands  
**Sent:** 16 Aug 2018 21:19:57 +0800  
**To:** Minute Clerk  
**Cc:** 15 Elected Members DL  
**Subject:** SCM 22 Aug - Alternative Rec  
**Attachments:** No Confidence motion LAS 30 July 2018 2.docx, ATT00001.htm

Hi,

Please note the following alternative recommendation:



**Cr Chontelle Sands**  
Councillor - Central Ward  
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PO Box 1215, Bibra Lake DC WA 6965  
M 0411 612 382  
E [csands@cockburn.wa.gov.au](mailto:csands@cockburn.wa.gov.au)



*Please note that this correspondence is a personal message from your Councillor and does not necessarily represent the position of the City of Cockburn.*

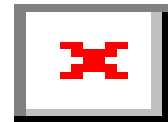


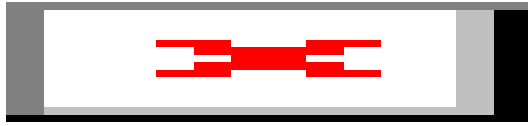
Kind regards,

**Chontelle Sands**  
Councillor - Central Ward

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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;
    - 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;
  - b) all Internal Reference Groups of Council to which she has been previously been 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.

Kind regards,

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