

Management report to Council

Agenda item 6.1

Records of Assemblies of Councillors

Council

Presenter: Marlo Emmitt, Director Governance

20 October 2020

Purpose and background

1. The purpose of this report is to present the most recent written records of assemblies of Councillors (records of assemblies) for Council to note.
2. In accordance with section 80A of the *Local Government Act 1989* (the Act), written records of assemblies are to be reported at an ordinary meeting of the Council as soon as practicable.

Key issues

3. The definition of an assembly of Councillors in the Act includes advisory committees where one or more Councillors are present, along with planned or scheduled meetings involving at least half the Councillors and an officer.
4. A Councillor who has a conflict of interest at an assembly of Councillors must disclose to the meeting that they have a conflict of interest, and leave the meeting while the matter is being discussed.
5. A written record is required to be kept of every assembly of Councillors including the names of all Councillors and staff at the meeting, a list of the matters considered, any conflict of interest disclosed by a Councillor and whether a Councillor who disclosed a conflict left the room.
6. Assemblies of Councillors that consider information that has been declared confidential under section 77 of the Act or defined as confidential information under section 3(1) of the *Local Government Act 2020*, require only the title of the written record to be disclosed. If the title of the written record is considered confidential, the written record will be reported upon in the closed session of the Council meeting.
7. Division 1A of Part 4 of the *Local Government Act 1989* is expected to be repealed on 24 October 2020. Section 80A of this Part requires the Chief Executive Officer (CEO) to ensure that any written record of an assembly of Councillors is, as soon as practicable, reported to an ordinary Council meeting. While the Governance Rules (adopted by Council on 25 August 2020) specify the CEO will retain all future records for a period of three years, this will be the last record of assemblies reported to Council.

Recommendation from management

8. That Council notes the written records of the assemblies of Councillors as detailed in Attachment 2 of the report from management.

Attachments:

1. Supporting Attachment (Page 2 of 6)
2. Records of Assemblies of Councillors (Page 3 of 6)

Supporting attachment

Legal

1. The written records of the assemblies of Councillors are presented in accordance with section 80A of the Act.
2. Under section 79 of the Act, a Councillor must disclose to an assembly that he or she has a conflict of interest and leave the assembly whilst the matter is being considered by the assembly. The penalty for not declaring a conflict of interest and leaving the assembly while the matter is being considered and decided includes a maximum fine of 120 penalty units.

Finance

3. There are no direct financial implications arising from the recommendation in this report.

Election Period

4. Noting Records of Assemblies of Councillors is not a prohibited decision for the purposes of the Election Period Policy.

Conflict of interest

5. No member of Council staff, or other person engaged under a contract, involved in advising on or preparing this report has declared a direct or indirect interest in relation to the matter of the report.

Health and Safety

6. No Health and Safety issues or opportunities have been identified.

Stakeholder consultation

7. There is no requirement to consult with external stakeholders.

Relation to Council policy

8. The recommendations within this report align with priorities and goals as identified in the *Council Plan 2017–21 (Goal – A Deliberative City)*.

Environmental sustainability

9. This proposal has no significant impact on environmental sustainability.

Records of Assemblies of Councillors: summary

Date	Meeting name	Matters discussed
22 September 2020	Councillor Forum	<ul style="list-style-type: none">• CEO Update• Caretaker Period
29 September 2020	Councillor Forum	<ul style="list-style-type: none">• Council items 29 September 2020• CEO Update
13 October 2020	Councillor Forum	<ul style="list-style-type: none">• FMC items 13 October 2020• CEO Update

RECORD OF ASSEMBLY OF COUNCILLORS



1. Time and Date of meeting:	11.30am, Tuesday 22 September 2020	
2. Name of meeting:	Councillor Forum	
3. Councillors present:	Lord Mayor Sally Capp, Deputy Lord Mayor Arron Wood, Cr Nicolas Frances Gilley, Cr Philip Le Liu, Cr Rohan Leppert, Cr Kevin Louey, Cr Cathy Oke, Cr Beverley Pinder, Cr Nicholas Reece, Cr Susan Riley, Cr Jackie Watts	
4. Officers present:	Justin Hanney, Alison Leighton, Katrina McKenzie, Linda Weatherson, Rob Adams, Jo Wandel, Keith Williamson, Michael Tenace, Fiona Ward, Voula Moutsos, Giulia Baggio, Jack Hanna, Angelo Grizos, Rachelle Jordan, Melisa McDonald, Kaye Estoesta,	
5. Matters discussed:	<ol style="list-style-type: none"> 1. CEO Update 2. Caretaker Period 	
6. Were there any conflict of interest disclosures by Councillors?	NO	
Matter No.	Names of Councillors who disclosed conflicts of interest	Did the Councillor leave the assembly?
7. Record produced by:	Name of Officer: Angelo Grizos Date: 22 September 2020	

RECORD OF ASSEMBLY OF COUNCILLORS



1. Time and Date of meeting:	11.30am, Tuesday 29 September 2020	
2. Name of meeting:	Councillor Forum	
3. Councillors present:	Lord Mayor Sally Capp, Deputy Lord Mayor Arron Wood, Cr Rohan Leppert, Cr Kevin Louey, Cr Cathy Oke, Cr Beverley Pinder, Cr Nicholas Reece, Cr Susan Riley, Cr Jackie Watts, Cr Nicholas Frances Gilley	
4. Officers present:	Justin Hanney, Alison Leighton, Katrina McKenzie, Linda Weatherson, Jocelyn Chiew, Louise Scott, Jo Wandel, Jack Hanna, Angelo Grizos, Rachelle Jordan, Melisa McDonald, Keith Williamson	
5. Matters discussed:	<ol style="list-style-type: none"> 1. Council items 29 September 2020 2. CEO Update 	
6. Were there any conflict of interest disclosures by Councillors?	No	
Matter No.	Names of Councillors who disclosed conflicts of interest	Did the Councillor leave the assembly?
7. Record produced by:	Name of Officer: Melisa McDonald Date: 29 September 2020	

RECORD OF ASSEMBLY OF COUNCILLORS



1. Time and Date of meeting:	11.30am, Tuesday 13 October 2020	
2. Name of meeting:	Councillor Forum	
3. Councillors present:	Lord Mayor Sally Capp, Deputy Lord Mayor Arron Wood, Cr Rohan Leppert, Cr Kevin Louey, Cr Cathy Oke, Cr Nicholas Reece, Cr Susan Riley, Cr Jackie Watts, Cr Nicholas Frances Gilley	
4. Officers present:	Justin Hanney, Fiona Ward, Alison Leighton, Katrina McKenzie, Jo Wandel, Angelo Grizos, Melisa McDonald, Sophie Handley, John Kanelopoulos, Leon Berry, Evan Counsel	
5. Matters discussed:	<ol style="list-style-type: none"> 1. FMC items 13 October 2020 2. CEO Update 	
6. Were there any conflict of interest disclosures by Councillors?	No	
Matter No.	Names of Councillors who disclosed conflicts of interest	Did the Councillor leave the assembly?
7. Record produced by:	Name of Officer: Melisa McDonald Date: 13 October 2020	