



Special Meeting of Council Minutes

Wednesday 22 August 2012

The meeting commenced at 6.45pm

in the

Council Chamber

1230 Nepean Highway, Cheltenham

Present: Cr John Ronke (Mayor)
Cr Ron Brownlees OAM
Cr Lewis Dundas
Cr Dan Moloney
Cr Paul Peulich
Cr Trevor Shewan
Cr Steve Staikos
Cr Rosemary West OAM

In Attendance: John Nevins – Chief Executive Officer
Rachel Hornsby – General Manager Environmental Sustainability
Phil DeLosa – Program Leader Governance
Stephanie O’Gorman – Governance Officer

Council was unable to provide public notice of the meeting in accordance with Section 89(4) of the Local Government Act 1989. Pursuant to Section 89(4A)(b) of the Act the circumstances for this matter to be considered urgently are that the matter may directly impact on further decision of Council.

1. Apologies:

Cr Athanasopoulos

Moved: Cr Brownlees

Seconded: Cr Moloney

That the apology from Cr Arthur Athanasopoulos be received and leave of absence granted.

CARRIED

2. Disclosures by Councillors, Officers or Contractors of any Conflict of Interest:

There were no disclosures submitted.

3. Items of Business:

O 135 Motion to Consider Notice of Motion

Moved: Cr Brownlees

Seconded: Cr Peulich

That Council resolves to determine the motion being Agenda Item O 136 at this Special Council Meeting.

CARRIED**O 136 Notice of Motion No. 23/2012 – Cr Peulich****Moved: Cr Peulich****Seconded: Cr Moloney**

That Kingston Council seeks an investigation and legal advice to mitigate against any financial and governance risk posed by conflicts of interest as raised by the letter from Ross Millard of the Local Government Investigations and Compliance Inspectorate.

Further, given that all facts pertinent to the investigation are not available to the council as per the attached letter dated 31/7/2012, and may be directly relevant to future decisions of council, the CEO promptly secure this advice to alleviate any doubts raised by the investigation.

Amendment**Moved: Cr West****Seconded: Cr Shewan**

That Kingston Council seeks an investigation and legal advice to mitigate against any financial and governance risk posed by conflicts of interest as raised by the letter from Ross Millard of the Local Government Investigations and Compliance Inspectorate or any other complaints to which the CEO's attention is drawn by any councillor/councillors.

Given that all facts pertinent to the investigation are not available to the council as per the attached letter dated 31/7/2012, and may be directly relevant to future decisions of council, the CEO promptly secure this advice to alleviate any doubts raised by the investigation.

The Amendment was Put and **LOST**The Motion was Put and **CARRIED****A Division was called (on the Motion)****DIVISION****FOR:** Crs Staikos, Peulich, Dundas, West, Shewan, Brownlees, Moloney
and Ronke (9)**AGAINST:** Nil.

The Chairperson declared the meeting closed at 7.24pm.

Confirmed.....

His Worship, The Mayor , 27 August 2012