

**City of Kingston
Special Council Meeting**

Minutes

15 December 2008

A Special Meeting of the Kingston City Council was held at 8.30pm at 1230 Nepean Highway Cheltenham on Monday 15 December 2008.

Business was as follows:

1. **Apologies**
2. **Declaration by Councillors or Officers of any interest or conflict of interest in any items on the Notice Paper, pursuant to Section 79 Local Government Act 1989.**
3. **Reports by Officers**
 - K 197 Consider an appeal against the Ministerial decision regarding the proposed 'Concrete Crusher' facility: Planning Permit Application KP881/07, 295-315 Kingston Road, Clarinda**
4. **Urgent Business**
5. **Confidential Items in Camera**

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Minutes of the Special Meeting of the Kingston City Council held at 1230 Nepean Highway Cheltenham, on Monday 15 December 2008 at 8.39pm.

Present: Cr Arthur Athanasopoulos (Mayor)
Cr Donna Bauer
Cr Ron Brownlees
Cr Lewis Dundas
Cr Paul Peulich
Cr John Ronke
Cr Trevor Shewan
Cr Steve Staikos
Cr Rosemary West OAM

In Attendance: John Nevins – Chief Executive Officer
Paul Franklin – General Manager Corporate Services
Tony Rijs – General Manager Environmental Sustainability
Elaine Sowerby – General Manager Organisational Development and Governance
Rob Crispin, Acting General Manager Community Sustainability
Mike Petit – Manager Communications and Promotions
Jason Stubbs – Manager Governance and Performance Planning
Michael Fry – Team Leader Council Business

In accordance with the provisions of section 89(4A) of the Local Government Act 1989, the Council gave such public notice as was practicable to provide. It was noted that the urgent or extraordinary circumstances which prevented Council from providing at least seven days public notice of the Special Council Meeting was due to the receipt that afternoon of expert legal advice identifying a legal basis for, together with advice that, due to time limitations, Council had until 16 December to lodge an appeal to the Supreme Court in relation to the matter.

1. Apologies

Nil.

2. Declaration by Councillors or Officers of any interest or conflict of interest in any items on the Notice Paper, pursuant to Section 79 Local Government Act 1989.

Nil.

Adjournment

Crs Brownlees/Staikos

That the meeting be adjourned to a time not before 9.00pm.

Carried

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The meeting adjourned at 8.41pm.

Resumption

The meeting resumed at 10.50pm with all Councillors in attendance.

3. Reports by Officers

K 197 Consider an appeal against the Ministerial decision regarding the proposed 'Concrete Crusher' facility: Planning Permit Application KP881/07, 295-315 Kingston Road, Clarinda

Crs Brownlees/West

That the Council authorise the administration to initiate legal proceedings by lodging an appeal in the Supreme Court against the decision taken by the Governor-in-Council with respect to the 'Concrete Crusher' facility: Planning Permit Application KP881/07, 295-315 Kingston Road, Clarinda (also known as the Alex Fraser site).

Carried

4. Urgent Business

Nil.

5. Confidential Items in Camera

Nil.

There being no further business, the meeting closed at. 10.55pm

Confirmed.....His Worship The Mayor 22 December 2008.