

Minutes

Special Meeting of Council

Tuesday, 13th March 2018

**City of Kingston
Special Meeting of Council**

Minutes

13 March 2018

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	<i>[Note that any Conflicts of Interest need to be formally declared at the start of the meeting and immediately prior to the item being considered – type and nature of interest is required to be disclosed – if disclosed in writing to the CEO prior to the meeting only the type of interest needs to be disclosed prior to the item being considered.]</i>	
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The meeting commenced at 7.06pm in the Council Chamber, 1230 Nepean Highway, Cheltenham.

Present: Cr Steve Staikos (Mayor)
Cr Tamara Barth
Cr Tamsin Bearsley
Cr Ron Brownlees OAM
Cr David Eden
Cr Geoff Gledhill
Cr Georgina Oxley
Cr Rosemary West OAM

In Attendance: John Nevins, Chief Executive Officer
Mauro Bolin, General Manager Community Sustainability
Paul Franklin, General Manager Corporate Services
Daniel Freer, General Manager City Assets and Environment
Jonathan Guttman, General Manager Planning and Development
Jaclyn Murdoch, Team Leader - Planning Appeals and Compliance
Megan O'Halloran, Manager Communications & Community Relations
Phil De Losa, Manager Governance
Joanne Creedon, Governance Officer
Lindsay Holland, Facilities Officer

It is recorded that Council was unable to provide public notice of the Special Meeting in accordance with Section 89(4) of the Local Government Act 1989. Pursuant to Section 89(4A)(b) of the Act the urgent or extraordinary circumstances which prevented Council from providing at least seven days public notice of the Meeting was due to the impending VCAT Compulsory Conference scheduled for 19 March 2019 (VCAT matter P2750/2017).

1. Apologies

An apology from Cr George Hua was submitted to the meeting.

Moved: Cr Gledhill

Seconded: Cr Bearsley

That the apology from Cr Hua be received.

CARRIED

2. Foreshadowed Declaration by Councillors, Officers or Contractors of any Conflict of Interest

There were no Conflicts of Interest submitted to the meeting.

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Moved: Cr Brownlees

Seconded: Cr Gledhill

That in accordance with the provisions of section 89(2) of the *Local Government Act 1989*, the meeting be closed to members of the public for the consideration of the following confidential items:

3.1 Mentone Hotel VCAT Matter

This agenda item is confidential in accordance with the Local Government Act s89(2) as it relates to proposed developments (s89 2e)

LOST

3.1 Mentone Hotel VCAT Matter

Moved: Cr Brownlees

Seconded: Cr Bearsley

That Council:

1. Not proceed with the resolution for "Item 14.2 – KP17/419 – 95-97 Beach Road, Mentone – Directions for VCAT Appeal Required" of the Ordinary Meeting of Council on 26th February, 2018.
2. In response to correspondence dated 9th March, 2018 from Mills Oakley in relation to the compulsory conference on the 19th March, 2018 regarding the VCAT matter P2750/2017 and confirm the following position:
 - a. Council in attending the Compulsory Conference would support a request by the Applicant for Review to amend the Application before the VCAT to seek to substitute plans to include a ground floor licensed food and drink premises of 227m2.
 - b. Council will list this item at its Planning Committee Meeting on the 18th April, 2018 to form a position in relation to the Amendment Application and convey this position immediately to all parties.
3. Immediately make these resolutions public and to advise all parties in the VCAT Proceeding P2750/2017 by instructing its legal advocate to do so.

LOST

The meeting closed at 7.49pm.

Confirmed.....

The Mayor 26 March 2018