

CONTENTS

1.	APOLOGIES.....	3
2.	DECLARATION OF INTERESTS	3
3.	NOTICE OF RESCISSION – 5.1 COUNCIL PLANNING REPORT 20 FEHRING LANE ECHUCA VIC 3564, PLN324/2017, 20 MARCH 2018 COUNCIL MEETING	4
4.	MEETING CLOSE	5

Attachments

Nil

AGENDA



For a Special meeting of the seventh Campaspe Shire Council to be held on Tuesday, 3 April 2018, commencing at 9:00am at the Echuca Civic Centre.

OPENING PRAYER

We pray to Almighty God that our decisions as a Council be in the best interest of the people, culture and the environment of the Shire of Campaspe.

Amen

The Campaspe Shire Council acknowledges the traditional owners of the land upon which we meet and pay our respect to their elders both past and present.

MEETING PROCEDURES

Please ensure that all electronic devices are turned off or switched to silent.

Council meetings are broadcast live via the internet. During the meeting, members of the public may be recorded, particularly those speaking to an item. By attending this meeting, you are consenting to the possibility that your image may also be broadcast to the public. Any personal and health information voluntarily disclosed by any person at Council meetings may be broadcast live, held by Council and made available to the public for later viewing.

Those people who have requested to speak to an item will be allowed five minutes to address Council. Speakers will be notified with a bell when there is 60 seconds remaining. Speakers must only speak in relation to the subject stated on their application and shall not debate the issue with Councillors and officers. Councillors are able to ask questions of the speaker on points of clarification.

Speakers are advised that they do not enjoy any special protection from defamation arising from comments made during their presentation to Council and should refrain from voicing defamatory remarks or personal defamatory statements against any individual. Speakers will be treated with respect when addressing Council. I ask that the same respect is extended to Councillors and officers.

BUSINESS

1. APOLOGIES

2. DECLARATION OF INTERESTS

Disclosure of Conflict of Interests are to be made immediately prior to any relevant item being discussed.

Local Government Act 1989 Section 79

- (1) If a Councillor or member of a special committee has a conflict of interest in a matter which is to be considered or discussed at a meeting of the Council or the special committee, the Councillor or member must, if he or she is attending the meeting, disclose the conflict of interest in accordance with subsection (2).
- (2) A Councillor or member of a special committee who has a conflict of interest and is attending the meeting of the Council or special committee must make a full disclosure of that interest:
 - (a) by either
 - (i) advising the Council or special committee at the meeting of the details required under paragraphs (b) and (c) immediately before the matter is considered at the meeting; or
 - (ii) advising the Chief Executive Officer in writing of the details required under paragraphs (b) and (c) before the meeting; and
 - (b) classifying the type of interest that has given rise to the conflict as either:
 - (i) a direct interest; or
 - (ii) an indirect interest and specifying the particular kind of indirect interest under section 78, 78A, 78B, 78C, 78D or 78E; and
 - (c) describing the nature of the interest; and
 - (d) if the Councillor or member advised the Chief Executive Officer of the details under paragraph (a)(ii), the Councillor or member must make a disclosure of the class of interest only to the meeting immediately before the matter is considered at the meeting.

3. NOTICE OF RESCISSION – 5.1 COUNCIL PLANNING REPORT 20 FEHRING LANE ECHUCA VIC 3564, PLN324/2017, 20 MARCH 2018 COUNCIL MEETING

NOTICE OF RESCISSION

I hereby give notice that it is my intention to move at the Special Meeting of Council on 3 April 2018 that the following motion adopted at the Ordinary Meeting of Council on 20 March 2018 under Item 5.1 COUNCIL PLANNING REPORT – 20 FEHRING LANE ECHUCA VIC 3564, PLN324/2017 as follows:

“That Council as the Responsible Authority under the Planning and Environment Act 1987:

- *Having caused notice of Planning Application No. PLN324/2017 to be given under Section 52 of the Planning and Environment Act 1987 and or the planning scheme:*


And

Having considered all the matters required under Section 60 of the Planning and Environment Act 1987 decides to Refuse to Grant a Permit under the provisions of Clause 52.02 of the Campaspe Planning Scheme in respect of the land known as Volume 10201 and Folio 010 and described as 20 Fehring Lane, Echuca, for the Removal of Restrictions (Clause 6 "Erect or cause or suffer to be erected on the land any building less than 20 metres from the road frontage boundary of the land" and Clause 7 "Subdivide or cause or suffer the land to be subdivided in any way whatsoever" on the Plan of Subdivision Pursuant to Clause 52.02 with the application dated 1 December 2017, subject to the following grounds of refusal:


1. *The proposal does not satisfy the requirements set out in Section 60(5) of the Planning and Environment Act 1987.*
2. *The owners of the land benefitted by the restriction are likely to suffer perceived detriment as a consequence of the removal of the restrictions on the plan of subdivision.*
3. *The removal of restrictions will have an unreasonable impact on the interests of the affected people pursuant to Clause 52.02 Easements, Restrictions and Reserves of the Campaspe Planning Scheme.*
4. *The removal of the restrictions will have a negative impact on the character of the area contrary to the provisions of the Planning and Environment Act 1987 and Campaspe Planning Scheme.*
5. *The removal of restrictions is contrary to the relevant decision guidelines of Clause 65 of the Campaspe Planning Scheme.”*

be rescinded.

I move this motion on the basis that some vital information regarding the grounds in which Council must make its decision was misstated in the report presented to Council and therefore the vote may not have been appropriately informed.



Cr Neil Pankhurst
Deakin Ward
22 March 2018

Received 11:53am
22/3/18


Endorsed by: 

• Cr Leigh Wilson

4. MEETING CLOSE

.....

JASON RUSSELL

CHIEF EXECUTIVE OFFICER