

From: [REDACTED]@nortell.com.au
To: [Strategic Planning Submissions](#)
Subject: FW: Miners Rest Township Plan Panel C235
Date: Friday, 21 April 2023 10:57:22 AM

From: [REDACTED]@nortell.com.au [REDACTED]@nortell.com.au>
Sent: Friday, April 21, 2023 10:55 AM
To: 'planning.panels@delwp.vic.gov.au' <planning.panels@delwp.vic.gov.au>
Subject: Miners Rest Township Plan Panel C235

Ballarat Planning Scheme Amendment C235.
Miners Rest Township Plan.

To the Panel C235.

My Name is [REDACTED], I have resided in the general area of interest of this matter for over 65 years. [REDACTED].

For approximately the last 35 years I have injected myself, as I could, and at every opportunity, into matters of Planning as they have arisen in my area – first with the Shire of Ballarat and then the amalgamated City, as a result I have been directly involved in a number of Panels. I actually participated in the construction (by the Shire) of the last piece of area planning work done in Miners Rest – the ODP of 1996.

I am not always directly opposed to Council but usually had a modification or additional proposal to put forward as matters came to light - Win some, Lose Some.

I was a member of the Committee for Miners Rest (CFMR) from its inception until the time when I was elected as a Councillor for the North Ward of the City (Inc Miners Rest) at the election before the last – unfortunately I was not re-elected at the last go around so I have had to revert to my former role of being a pest.

To be very Clear – I support the Council proposal as presented in 2019 document 100%. I am just a little miffed that the matter which, as a Councillor, I had the honour of being able to move the adoption of (which subsequently was carried unanimously by my Council Colleagues), has taken nearly 3 years to surface – I do really find it hard to believe Officers could have the legal capacity to sit on a formal motion of Council for that long – but now it's here.

The matter of the Township Plan took up a lot of my time as a Councillor because it had been apparent to me for a very long time prior to my election that there was a need for some variation of the existing 1996 ordinance. It was, it is needed, to provide protection for the Old Township, in the context of History, Neighbourhood Character and encroaching development, and for a while I was in a position to get some action.

The Community had experienced the trauma of the unprotected demolition of a very significant Heritage icon (or several) and there was need for much better understanding and protections across the area.

Historically, actually for around 10 years, I had been very aware there seemed to be a series of very opportunistic developments which had started appearing in and around old Miners Rest – the general chatter in the Township was these were being seen as “uncharacteristic” and actually “un-justifiable” in the context of “Old Miners Rest”.

The concerning developments primarily centred around extraordinarily small lot sizes, and were located around the North West of the Township and to the North near Clarke St. When compared with the norms to be seen in Miners Rest they did not Gel.

Historically Miners Rest was a Rural Town (now transitioning into the modern era) and just a bit of care is required. The Township was strategically placed just far enough from Ballarat that in a day the City could be reached on horseback (or buggy) for shopping and then the return to Miners Rest to overnight the horses for the journey North to Clunes etc. the next day. There were 8 Hotels 4 Blacksmiths shops a Flour Mill and multiple Horse trainers dating back to 1856. The first winner of the Melbourne Cup was trained in Miners Rest and travelled to and from the metropolis by train. – the house of James Scobie (the winning trainer) has been restored and takes pride of place in Creswick St.

Over the 10 year + period to which this document refers, much has changed within the totality of the region – the original township which was once quite isolated, now “by name” stretches from the Freeway in the South through to Clarke Street (Dowling Forest Racetrack) in the North. There is but one name “Miners Rest” but clearly there are two distinct parts – the Old and the New. Actually lots of people from the new section just refer to themselves by the subdivision name – Miners Rest is meaningless.

The division into OLD and NEW actually transpires at the alignment of Cummings Road – so we have, “Cummings Road to Freeway in the South” built in “modern new style - cheek by jowl” – “Cummings Rd. to Clarke St to the North” primarily old original 1800’s subdivision style with a bit of dignity and with lots of houses to match - a very quiet highly sought after location. The two sections are in fact very obviously severed, by say a 750mt stretch of the very important Flood Plain of the Burrumbeet Creek which clearly divides them. Because of that critical phenomenon (the Creek), there is no way the two halves can ever be brought any closer together without compromising the criticality of the waterway.

Over the years there has been the opportunity for clashing between the residents of the Old (in the North East) and the rapidly developing and very critical Equine precinct to the North but lately this has been well controlled by the Dowling Forest Precinct Master Plan which has maintained the equilibrium.

This plan itself is not without flaw and it clearly needs review, but it is critical it be maintained going forward. It must be noted here that in the Equine Precinct - the amalgamation of all of the businesses which operate from within the precinct, in amalgamated form create about the 5th or 6th largest condensed employment area of the City of Ballarat. Further this facility which is highly subsidised by the State plays a vital role in the tax gathering capacity of the State of Victoria, via betting Turnover Tax generation.

At this point I would just touch on issues surrounding the Burrumbeet Creek, as the Creek impacts on this Amendment and both of the Miners Rest’s, Old and New more than people know.

Factually this Creek has some very critical issues associated with it which are really concerning but which are not really directly involved with this Amendment. However I believe for reasons of completeness matters of the Creek deserve a brief mention.

My knowledge of the creek in the vicinity of Miners Rest and Mount Rowan goes back for 70 years and as a result I believe I can be confident when I say there are some very perplexing

issues which arise with the Burrumbeet Creek, about which no one seems to want to properly understand, or be involved with.

I would specifically draw your attention to the submission to this Amendment from Glenelg Hopkins Catchment Management Authority, particularly paragraph 4 of that communication. I have to say that I disagree almost totally with the claims made in that submission. I would further draw your attention to the submission which relates to nos. 1-13 Victoria St – some concern might exist there.

In both of these instances further reference to the Creek either by this Panel or Council might be beneficial.

Apart from all of the above the task of this Panel is to decide whether the ordinances should be changed to provide for some protection as to Character to be provided in the current Planning Scheme.

There has been some discussion as to why there are very few submissions from locals - there is a very clear reason for this – the Community of Miners Rest accepted the proposition (without objection) in 2019 - they debated it for three full years through the Committee for Miners Rest and a lot of work went in - they had settled in their minds on the outcome which suited them, maybe not quite what the Council wanted but they did not care – but most of all they wanted no Panel hearing.

During the meetings which went on at the time (at which I attended as a Councillor) it was thrashed it out that the Community had to “act as one” in this matter or else potentially face the turmoils of a Panel Process which they wanted no part of – that is what you have, basically a Community with its mind made up..

The reason they took that line and make no mistake, as a Councillor, I both supported and encouraged the stance, was that – “Miners Rest had been hurt”.

Miners Rest has had its share of Panel Hearings over “stuff” across recent years, starting with the greatest fiasco of all times, the fall out from which, is still resonating in the Community and on Face Book very regularly.

I refer of course to the Saleyards Hearing where the Panel rejected all of the objections of the 100 strong community group who attended - every day of the hearing.

Factually the Community were effectively “ganged up on” by the Barrister for the Proponent, in full cahoots with the Barrister for the Council, supported by the Panel - and it was a rout.

The upshot was the proponent got its way, however alas the result was to ultimately reveal that “in operation” the facility failed on every one of the rejected Community points - the Community was proven to have been “%100 on the Money”, and had been totally justified in their attempts for justice.

The End result is the EPA are , to this day, are struggling trying to find compromises.

The actual finality of the hearing was when the Chair insulted the Community for daring to have their own views and the intestinal fortitude to persist in presenting them. (a Bunch of Cranks, he very publicly dubbed us as he closed the hearing.)

The second event was the Panel into the Dowling Forest Precinct Master Plan again where the Panel totally rejected some of the critical Community submissions – the Community view proved to be right – notwithstanding, the Panel went against community wishes, the project has proved its worth in reserving adequate land to allow for peaceful co-existence between citizens and equi-phobians . Unfortunately the averse outcome was that some local land holders were sent insolvent – which did not have to happen..

The third event the Panel into the Mount View development where the panel resisted the Community submissions on flood control – only to find that at the first serious rain event the fancy approved system failed.

Should there be any issues which require further expansion or if there are any glowing omissions, please feel free to contact me.

Very respectfully

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[REDACTED]