



MINUTES

SPECIAL MEETING OF COUNCIL

Tuesday, 22 January 2019

Held at Swan Hill Town Hall
Council Chambers,
53-57 McCallum Street, Swan Hill
Commenced at 12:30 PM

COUNCIL:

Cr A Young – Mayor

Cr LT McPhee

Cr GW Norton

Cr C Jeffery

Cr L Johnson

Cr B Moar

Confirmed 19 February 2019

Chairperson.....

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SECTION A – PROCEDURAL MATTERS

- **Open**

Mayor, Councillor Ann Young assumed the chair and declared the meeting open at 12.32pm.

- **Acknowledgement of Country**

Mayor, Councillor Ann Young read the Acknowledgement of Country.

- **Prayer**

Cr Bill Moar read the prayer.

- **Apologies**

Cr Gary Norton

- **Declarations of Conflict of Interest**

Nil

SECTION D – NOTICES OF MOTION

D.19.1 RESCISSION OF MOTION 120/18 IN RELATION TO REPORT B18.103 PROPOSAL TO DISPOSE OF 71-77 BROMLEY ROAD ROBINVALE

Having given due notice, **Councillor Gary Norton MOVED that:**
Council rescind its motion number 120/18

120/18 Motion

MOVED Cr McPhee

That Council:

- 1. Determines the land 71 - 77 Bromley Road Robinvale to be surplus to requirements and commences the process of disposing of the land in accordance with the Local Government Act.**
- 2. That the Community Consultation goes until the end of February 2019.**

SECONDED Cr Johnson

The Motion was put and CARRIED

Resolved in response to report be B18.103 PROPOSAL TO DISPOSE OF 71-77 BROMLEY ROAD ROBINVALE at the ordinary Council meeting of 18 December 2018.

Preamble

The effect of motion 120/18 carried at the ordinary meeting of Council on 18 December 2018, is to cause a public submission process to occur providing the community with the opportunity to make submissions in relation to the sale of 71 to 77 Bromley Road, Robinvale.

This submission process will be conducted in accordance with Section 223 of the Local Government Act which provides some statutory protections for the community in ensuring that their voice is heard before Council makes a decision. I am concerned that the consultation period is too close to the Christmas breaks and that some individuals may be precluded from having their voices heard, given the timing of this decision by Council.

Given the number of letters and submissions that Councillors have already received on this issue it is clear that the disposal of 71 to 77 Bromley Road has the potential to

divide community. Before making a decision to consult further with the community I believe that a Strategy needs to be developed around the consultation on this issue.

Councils deliberations on this matter would be enhanced if a report were developed that explores the potential impacts of the proposed land sale.

Impacts on the Museum and any possible expansion and its displays, impacts on traveller parking on V-Line stops and ticket sales and the effect on the possible relocation of the Visitor Centre should all be considered.

Council should also hear VicRoads views on the overall impact to the Bromley Road Master Plan prior to Council proceeding any further on this matter.

19/1 Motion

MOVED Cr Les McPhee

That Council rescind its Motion number 120/18.

SECONDED Cr Lea Johnson

The Motion was put and LOST

Attachment

D.19.1 RESCISSION OF MOTION 120/18 IN RELATION TO REPORT B18.103 PROPOSAL TO DISPOSE OF 71-77 BROMLEY ROAD ROBINVALE

Responsible Officer: Director Development and Planning

File Number: S-32-27-16

Attachments: Nil

Declarations of Interest:

Heather Green - as the responsible officer, I declare that I have no disclosable interests in this matter.

Summary

Council has received a request by a developer to consider the sale of Council property, 71 - 77 Bromley Road, Robinvale to establish a commercial venture. This report details the results of the community consultation regarding a potential sale plus the process to be followed should Council wish to proceed. A resolution by Council of whether it wishes to offer the property for sale is being sought.

Discussion



The two properties were purchased by Council to be able to manage the future use of the land due to its strategic importance to the Retail heart of Robinvale. The demolition of the unsightly houses was also a key consideration. Both houses have since been demolished. Council had considered several options for the site, including an extension to the park, a car park, possible other community uses and potentially a relocation of the resource centre in combination with the Visitor information centre. None of these options had been scoped or funding planned

- **Zoning**

The properties are zoned General Residential (GRZ). This zoning allows for a range of commercial uses, mainly requiring a planning permit.

- **Access**

Regional Roads Victoria has been consulted and advises that, as the site is on an arterial road, treatment for entrance and egress will be needed and the exact nature will be dependent on the type of development

- **Cultural Heritage**

An email was received from an Aboriginal community member voicing a concern that there were burials in close proximity to the sites making 71-77 Bromley Road significant both in cultural and aesthetic values to the Aboriginal community and the wider community in general.

An assessment of the cultural heritage of the property has been carried out and it indicates that the location of 71-77 Bromley Road is within a built up area and is also positioned on a linear dune sub-dominant system. This means it is within an area of Aboriginal cultural heritage sensitivity but there are no recorded sites at that location.

Any development of the site will have to consider the requirements of the Cultural Heritage legislation.

- ***Bromley Road Masterplan***

Council endorsed the Bromley Road Streetscape Masterplan by consultant Urban Initiatives, in November 2013. Following Council's endorsement of the plan, a group called the "Friends of Bromley Road" (FoBR) formed.

The new road design was a concept by the FoBR, initially combining an idea from the original Bromley Road Streetscape Masterplan with the group's local knowledge, to create a road plan they considered to be more practical and simplified. Council's engineering department then developed the plan through consultation with the working group and VicRoads, to ensure compliance with road safety requirements.

The revised Bromley Road Masterplan identifies the subject area as a car park. Councillors will recall that members of the Robinvale Improvement Group identified the area as being suitable for truck and car parking on the recent visit to Robinvale. Therefore the MasterPlan may need to be modified to incorporate a new development - should Council be supportive of divesting of the land - as it is currently identified as possible car parking.

It is to be noted that most developments will be required to incorporate car parking facilities for customers in accordance with the Planning Scheme.

Consultation

Consultation has occurred with Robinvale Euston Business Association (REBA), Robinvale Improvement group (RIG) and the Friends of Bromley Road (FoBR).

Following the initial meeting, REBA and RIG (including the Friends of Bromley Road) held a meeting to discuss the proposal in length with their respective members and vote on the preferred recommendation to put forward to Council.

Council's CEO attended the REBA meeting and Director of Infrastructure attended the RIG meeting as the Council representative.

The meetings mentioned above provided Council with some mixed messages, RIG and FoBR advised that they supported the disposal of this land for the establishment of a Subway Restaurant whilst REBA initially advised that it did not support the proposal. Subsequent to the REBA meeting, further consultation continued amongst members and REBA further corresponded with Council indicating that that organisation now supported the disposal of the land.

Council has also received five letters expressing concern about the sale or about potential uses. These people have been thanked for their letters and advised that a further opportunity to express concerns will be provided when and if Council decides to proceed to sell the land.

If Council decides to sell the land, the successful buyer will most likely require a planning permit to develop a commercial venture. Referrals and public advertising will be triggered and any community members who believe they would be affected by the proposal can make further submissions to Council.

If Council decides to offer the land for sale a further and formal public consultation process pursuant to Section 223 to the Local Government Act must follow. This process will allow all members of the community the opportunity to make a written submission to Council. Individuals may also address Council in person to support their written submission.

Financial Implications

Increased rates for the property and income through the sale of land.

Social Implications

The creation of a new business will create more choices for residents and visitors. Depending on the type of business, this sale may increase the competition with existing businesses.

Economic Implications

Potential job creation and increased tourism and visitation.

Environmental Implications

Cultural heritage as discussed.

Risk Management Implications

The Local Government Act outlines the procedure to be followed to sell land. It requires public notice to be given. In this instance Council may choose to seek expressions of interest from potential purchasers prior to following the procedure as required by the Act.

Council Plan Strategy Addressed

Economic growth – Encourage and attract new business to our region.

Options

That Council determines the land 71 - 77 Bromley Road Robinvale to be surplus to requirements and commences the process of disposing of the land in accordance with the Local Government Act. This process may also include an expression of interest phase.

OR

That Council not sell 71 - 77 Bromley Road Robinvale Recommendation

Recommendation

That Council determines the land 71 - 77 Bromley Road Robinvale to be surplus to requirements and commences the process of disposing of the land in accordance with the Local Government Act.

Having given due notice, **Councillor Gary Norton MOVED that:**
Council rescind its motion number 120/18

120/18 Motion

MOVED Cr McPhee

That Council:

- 1. Determines the land 71 - 77 Bromley Road Robinvale to be surplus to requirements and commences the process of disposing of the land in accordance with the Local Government Act.**
- 2. That the Community Consultation goes until the end of February 2019.**

SECONDED Cr Johnson

The Motion was put and CARRIED

Resolved in response to report be B18.103 PROPOSAL TO DISPOSE OF 71-77 BROMLEY ROAD ROBINVALE at the ordinary Council meeting of 18 December 2018.

There being no further business the Mayor, Councillor Ann Young closed the meeting at 12.40pm.