



## BLACKBURN VILLAGE RESIDENTS GROUP INC.

Protecting the distinctive features of Blackburn since 1987

# BULLETIN

**Bulletin 89**

**November 2015**

### **End of year Function.**

**Diary Note:** Sunday 15<sup>th</sup> November, 12:00 to 15:00 - BVRG end of year members and friends BBQ at The Blackburn Lake visitors Centre.

Contact Anne Payne on 9878 1152 for more details.

The 2015 AGM was held at the Field Naturalists Hall, 1 Gardenia Street on Thursday 29 October. We thank those who attended and heard reports on yet another exceptionally busy year engaging with the many planning issues which have involved Blackburn, most of which have been reported on in this and previous Bulletins.

In summary, 2015 has seen BVRG engaged in submissions on ten development proposals and involved in six appeals to the Victorian Administrative and Planning Tribunal (VCAT). This is in addition to attendance at formal and informal meetings and in representations on a number of planning issues.

We are pleased to report the re-election of all office bearers and of those Committee members as shown at the end of this Bulletin.

The end of year function is a social occasion for members to meet others from the local community and enjoy a BBQ lunch at Blackburn Lake. See above for details.

### **Level Crossing Removal.**

#### **Pre-construction condition reports.**

Meetings with the Level Crossing Authority and residents have taken place and households have been letter boxed with an offer by a building consultant and architectural firm, BSS Group to conduct a pre-construction condition report. The report will form the basis for any claims for damage to property resulting from the works. The BSS group will also arrange for an arborist report, **upon request**. The arborist report will indicate the condition of trees at the time of the survey. There is potential for long term decline of backyard trees along the rail corridor as the cutting and works will intercept ground water flow and will likely reduce availability of ground water for deeper roots.

We suggest that property owners adjacent to the rail corridor should arrange for both a pre-construction survey and an arborists report to protect their interests. BSS can be contacted on 93773000.

### **Property Owners left out.**

BVRG expressed concern to the Authority that owners of unoccupied properties or interstate or overseas landlords or owners on extended holidays were not afforded a reasonable opportunity to request pre-construction surveys that may protect their future interests should damage result.

The Authority has not advised property owners directly but has relied on a generic letter to each residence. In our view the Authorities reliance on the tenant or agent forwarding the letter to the owner in a timely way to meet a 14 day deadline is naive.

### **Heavy traffic in residential streets.**

With each meeting between the Level Crossing Authority and residents more details are provided. At a recent meeting with Oliver Avenue residents it was revealed that Oliver Avenue will be used for routing heavy trucks either to or from the rail works and that the significant trees on public land at the railway end of the street will be removed to allow for truck movements. Glen Ebor Avenue at the Morton Park end and feeder streets off Central Road such as Parkside Street will be similarly affected as trucks move to and from the level crossing work site.

There is resident concern about heavy trucks negotiating these streets around parked cars and at the Morten Park entrance, school drop off and pick up traffic.

### **Night work and road closures.**

Preparatory works for the Blackburn Road level crossing removal have changed up a gear. Fencing has been installed along the northern side of the track between Blackburn Road and beyond Oliver Avenue in preparation for relocating services from the south to the north of the track. The first of the more intensive night work commenced on 5<sup>th</sup> November with work conducted between the last night train and the first morning train. Blackburn road will be closed for the weekend 14<sup>th</sup> and 15<sup>th</sup> November.

### **Location of the shared use bike path.**

As part of the level crossing works a shared use bike path will be built between Laburnum and Nunawading. This path is proposed to be generally on the southern side of the railway line. The southern side is problematic and BVRG and the Whitehorse Cyclists Club have raised issues with Council and Transport Minister. The most strategic alignment of the path is to the north of the railway line.

The unresolved issues are:

**West of Blackburn Station to Laburnum** - The proposed paved route between Laburnum and Blackburn Stations follow along the northern footpath of Laburnum Street and through Elmore Walk and past the Blackburn station entrance. A paved path is required that would see loss of green verge along Laburnum Street and tree removal and paving through Elmore Walk to accommodate safe cycling.

There is sufficient room for a dedicated path on the railway reserve north of the existing line that would provide a safer more direct route as well as avoiding loss of trees and green verge and would avoid the conflict between cyclists and commuters at the South Parade station entrance. Linkages could also be made to Frankcom and Sergeant Streets and all the streets running off Railway Road where higher density apartments are encouraging residents without cars.

**East of Blackburn Station to Nunawading** - The proposed 3 metre concrete path between Blackburn and Nunawading is on the south of the railway line. The more strategically supported option is to the north. A northern alignment would better link to the industrial, commercial and residential areas along Whitehorse Road and join the Nunawading to Mitcham leg without cyclists conflicting with pedestrians entering or leaving Nunawading Station. A northern alignment would also reduce the need to remove significant protected vegetation from residential properties adjoining the rail reserve on the south and the associated loss of amenity.

Further comments from the community on these proposals can be sent to local Councillors, members of parliament or the Level Crossing Authority at: [levelcrossings@ecodev.vic.gov.au](mailto:levelcrossings@ecodev.vic.gov.au)

### **No Final Design for Blackburn Station yet.**

The proposed design concept for the railway station was underwhelming, and residents and traders are unhappy with what has been proposed. It failed to take the opportunity to better link north and south of the railway line. The existing small tunnel was to remain and the new Blackburn Road overpass offers little more access than is currently available via the existing crossing.

In 2009 Whitehorse Council commissioned a forward looking strategic review of [MegaMile \[West\] Major Activity Centre and the Blackburn Neighbourhood Activity Centre](#) titled Urban Design Framework.

In relation to pedestrian and cycling access the report stated '*The primary focus of the Urban Design Framework is to create an accessible public realm that encourages pedestrian movement and connections. This is in line with state and local government policy that recognises the importance of encouraging more sustainable forms of transport and compact urban forms. This can be achieved by recognising and enhancing the key pedestrian connections and destinations such as the Blackburn Station Shopping Centre, Blackburn and Nunawading Railway Stations, bus stops, the Blackburn Library and key retailers within the MegaMile. In particular, improving connections between the north and south sides of the railway line and Whitehorse Road. Throughout the two Activity Centres the pedestrian environment should be attractive, safe and inviting.*'

The Premier, Daniel Andrews, when approached by traders at the announcement of the project contractor agreed to have aspects of the plans reviewed. At the time of printing there has been no update on the status of station plans.

## **Residential Zones Schedules – Where are they?**

The inordinate delay in announcing a decision on the content of the Whitehorse Neighbourhood Residential Zone (NRZ) schedules continues to allow development applications to be considered without reference to preferred neighbourhood character. Areas zoned NRZ without overlay protection are the most vulnerable.

The resultant delay is the antithesis of sound planning which is supposed to embody clarity and certainty and to encourage confidence in using the system.

A panel report on the schedules was expected in May 2015.

It is extraordinary that General Residential Zones have schedules with site cover & permeability standards that are better than the Rescode requirements still being applied to Neighbourhood Residential Zones.

## **Plan Melbourne Revisited.**

As previously advised this review of the Plan was foreshadowed by State government and on 22 October they released a [Plan Melbourne refresh discussion paper](#) to encourage feedback and discussion with the community, key stakeholders and planning experts on the way our city will grow and change up to 2050.

[Submissions](#) are now open until 18 December 2015. More details are given on the [Plan Melbourne refresh website](#)

As with the original Plan some things are already underway, for example the Melbourne Metro Rail Project - although actually committing to improved public transport infrastructure is something we would in principle agree with.

Unfortunately the time allowed for comment is limited although it is pleasing to note that the review process is not intended to comprehensively revise all the strategies of Plan Melbourne 2014.

Unfortunately, and again not unlike the actions of the previous government, the current review might be seen as an excuse for the new government to introduce policies of its own, without waiting to hear the views of the community which it is purporting to seek. In particular that 70% of new housing should come from established areas and that the objective of applying the Neighbourhood Residential Zone (NRZ) to 50% of residential land be reviewed.

BVRG will be making a submission and we urge individual members to do so if they wish to record their views.

## **Local Planning Issues.**

### **60 Main Street. - Back to VCAT for a second time!**

A VCAT hearing is scheduled for 14<sup>th</sup> December 2015 to hear, for the second time, an application for 3 double storey dwellings and tree removal.

## **8-10 Queen Street.**

Council has granted a permit for a five storey development of fifty-one apartments with parking dispensation for the specified number of car parking spaces.

## **208 Canterbury Road.**

VCAT refused an application for the construction of 8 apartments at 208 Canterbury Road on 25<sup>th</sup> September 2015. The presiding member accepted that... "... in a Bush Suburban 3 precinct where a preferred character is clearly enunciated. I accept that the review site with its main road and medical cluster context is not an obvious fit to the characteristics described in policy as applying to these areas. However the point of this policy is to direct housing growth in a manner that achieves an identified preferred character."

## **3 Whitehorse Road Laburnum.**

A planning permit for 115 units with amendments was granted at a Council meeting on 19th October. Modifications to the initial application included increased parking, reduction of two level townhouses from 15 to 12 resulting in 3 less units, increased setbacks and design changes to break up the bulk and massing of the development.

## **199 Canterbury Road Blackburn.**

The commercial planning application for a Long Stay Child Care Centre and tree removal at 199 Canterbury Road was refused by Council. The site is protected by a Significant Landscape Overlay. A VCAT appeal by the developer is anticipated.

## **2 Walsham Road Blackburn.**

An application for subdivision into 3 lots with double storey dwellings on each will be heard at VCAT 25 November. The site is protected by a significant landscape overlay.

## **20 Vine Street Blackburn.**

Whitehorse Council is considering a planning application for 17 apartments at 20 Vine Street, Blackburn. The 4 storey development with basement car parking is outside of the zone designated for such buildings. We await Councils decision.

## **74 Main Street.**

BVRG has lodged an objection to a proposal for two 2 storey dwellings that fails to conform to preferred neighbourhood character, setbacks from side boundaries and a protected tree and exceeds allowable site coverage by almost 25%. Concerned members should review the application (WH/2015/583).

## **Do you have a planning issue in your area?**

Encourage neighbours to join BVRG to ensure that the community retains its voice.

## **Committee Members**

President	Mike Taafe	Ph 0409 800 422	16 Eustace Street, Blackburn
Vice President	David Morrison	Ph 9894 2531	49 Glen Ebor Ave, Blackburn
Secretary	David Morrison	Ph 9894 2531	49 Glen Ebor Ave, Blackburn
Treasurer	Peng Lee	Ph 9878 4350	5 Patterson Street, Blackburn
Committee	Ron Grainger	Ph 9877 3348	25 Main Street, Blackburn
	Anne Payne	Ph 9878 1152	81 Central Road, Blackburn
	Brad Hogan	Ph 0419 131 224	129 Central Road, Blackburn
	Lyn Smith	Ph 8812 2282	2 Parkside Street, Blackburn



## BLACKBURN VILLAGE RESIDENTS GROUP INC.

*Protecting the distinctive features of Blackburn since 1987*

Email: [bvrg@ymail.com](mailto:bvrg@ymail.com)

Post: PO Box 406, Blackburn. 3130

Phone: 9894 2531

### First Time Member Application

*More than one family member can join.*

**Each applicant pays \$10 (\$5 Joining Fee and \$5 Annual Membership.)**

I/We. (Print full name(s)).....

Address ..... Postcode.....

Phone ..... Mobile.....Email.....

wish to be member(s) of the Blackburn Village Residents Group Inc. (A0049305U). If my application is accepted, I agree to be bound by the rules of the BVRG.

Signature of Applicant (1) ..... Date...../..... /.....

Signature of Applicant (2) ..... Date...../..... /.....

**Post or deliver with \$10 for each applicant, to:**

Blackburn Village Residents Group, PO 406, Blackburn 3130

**Checklist (tick)**

\$10 Joining/Membership Fee applicant 1	<input type="checkbox"/> .....
\$10 Joining/Membership Fee applicant 2	<input type="checkbox"/> .....
Sub-Total	.....
\$ Donation	<input type="checkbox"/> .....
Total	.....

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Official use only.

We ..... members of the BVRG support nomination

Signature of Nominator ..... Date ...../..... /.....

Signature of Seconder ..... Date ...../..... /.....