



BLACKBURN VILLAGE RESIDENTS GROUP INC.

Protecting the distinctive features of Blackburn since 1987

BULLETIN

Bulletin 90

June 2016

The Level Crossing Removal works having a significant community impact.

Cranes on the Blackburn skyline as the new planning zones attract apartment developments.

A community win at VCAT.

2016/17 Subs Due – still \$5 per member.

In this edition of the Bulletin are details of the level crossing removal works that are now having a significant impact on residential amenity and of the amenity of the Blackburn Village Shopping centre.

Blackburn, it seems is under siege from all directions. The impacts of changes to zones in the planning scheme brought in by the last government on 30 June 2014 are starting to have a significant impact on Blackburn. The zone change to Residential Growth Zone of the area north of the rail line up to Whitehorse Road has seen many development commencements and planning applications for multistorey apartment buildings submitted to Council and cranes on the Blackburn skyline.

Amenity loss through level crossing removal works has seen the decimation of iconic Blackburn vegetation along South Parade, near the library and Morton Park. The scale of tree loss has been shocking to many. Improvements to the road system with a new rail overpass at Blackburn Road will leave little added value for the Blackburn community. There will be cosmetic changes to station entrances but the links north to south remain generally the same, same station and same subway. The hard edged industrial vista of apartment buildings, cranes and railway yards will likely be a permanent feature as open ground available for planting trees is unlikely to support many large canopy trees.

In the Neighbourhood Residential Zone, areas of minimal change with significant landscape overlay protection of the tree canopy has seen planning applications on residential blocks small and large approved by Council or VCAT for large format houses or subdivisions resulting in significant loss of vegetation. BVRG have made 3 submissions to VCAT hearings since our last Bulletin.

The end of the financial year has also arrived and we ask our supporters to again renew their subscription so the BVRG can continue to make a difference.

Ron Grainger calls it a day.

At our last meeting The Committee accepted the resignation of Ron Grainger from the committee. Ron has made a significant community contribution since BVRG formed in 1987 to fight a large shopping centre proposal at Blackburn. Ron was a founding member of BVRG and joined its first committee. In 1990 he became the Secretary, a role he held until 2004. He has been active on the committee ever since, providing content for bulletins and planning information in support of the submissions and objections prepared by the committee. Ron has been a walking encyclopaedia for planning matters going back 30 years, well before Council amalgamations saw Box Hill and Nunawading Councils join. The committee pass on their best wishes to Ron and Kay.

End of year Function

The fine warm weather on the afternoon of Sunday, 15 November, was ideal for the annual BVRG function, held again at the Blackburn Lake Visitors Centre, where some 30-40 members and friends shared informal lunch or afternoon tea with the committee. Local member, Robert Clark and Ward Councillor Andrew Munroe also attended and all were welcomed by President Mike Taafe who extended thanks to members for their support during another busy and demanding year.

Australia Day: Council Honours

We were delighted to learn that Whitehorse Council had named our Committee member Anne Payne as Citizen of the Year – her service to the Blackburn Lake Sanctuary Advisory Committee and this group being only two of the local community groups she has served with enthusiasm and dedication over many years. Amongst many others are the Red Cross Blackburn Branch, of which she is Vice President, and membership of the Whitehorse Historical Society.

Level Crossing Removal

Much of the period since our November Bulletin has been taken up with involvement in the Blackburn Road Level Crossing removal which remains one of the major issues for the BVRG. Information sessions held in December allowed the community to view and comment on the plans presented for level crossing removal and shared use path alignment, but Blackburn Station plans were not available.

Although the BVRG and individual residents have put their views on the proposals it seemed that VicRoads were reluctant to openly consider any changes of substance unless those met their pre-determined preferences, regardless of whether or not these were of value to the local community. With regard to an alternative route for the shared path, VicRoads decided that this was unviable. However in recent days VicRoads has invited community representatives to join a path liaison group (PLG) for the Middleborough Road to Blackburn Station leg that '*will invite consultation to seek input from all members of the community to*

understand their thoughts on the options for this section. We are hopeful that consultation is genuine.

BVRG has representation on the Level Crossing Removal Stakeholders Liaison Group Chaired by Shaun Leane MLC. One of the functions of the Group being to '*ensure a broad range of community perspectives are considered in project development and delivery.*'

An active subgroup made up of representatives of various community groups including Blackburn Traders, Blackburn Tree Society and residents of Oliver Avenue, Glen Ebor Avenue and Cromwell Court has also been busy raising public awareness of issues and lobbying Politicians, Councillors and VicRoads. Activities have included handing out flyers at the station in support of a better subway and running an information stand at the Blackburn Market Days. A public meeting attended by over 100 community members was held in the Jaycee Centre at Silver Grove, Nunawading on 11 February.

We have kept BVRG members and those interested in the level crossing removal with email addresses up to date by way of Level Crossing Removal Updates (We recently sent out edition 4.).

The issues that the community are most concerned about continue to be those highlighted to the Level Crossing Authority from very early in the project:

- A wider underpass that has good amenity is better connected, safe, and meets disability needs. The latest proposal falls short of expectations, it retro fits 2 lifts into the old subway.
- Minimising the loss of vegetation on public and private land.
- Meaningful community discussions with VicRoads on acceptable alignment options for shared use path.

The community was invited to help send a message to the Transport Minister by wearing something yellow and attending a photo shoot at the southern underpass entrance at South Parade on Saturday 4th June. Time - 11:30 for 12:00 photo.

C174 Approval

On 18 October 2015 the Minister advised Whitehorse Council that he had approved the schedules for the Neighbourhood Residential Zones as recommended by the Advisory Committee, subject only to changes applying to side and rear set-backs. The approval was to come into effect when gazetted, which was on 12 November 2015. Unfortunately we were not notified of the Minister's decision until the evening of the day when our last Bulletin had been issued (10 November 2015) but in the interim attempted to inform those members most closely concerned.

Members will recall that the new residential zones were originally to be introduced on 30 June 2014 but only came into effect in the City of Whitehorse on 14 October 2014 with the exception of the schedules for the Neighbourhood Residential Zones which were referred by the then Minister to the Residential Zones Standing Advisory

Committee. Then followed a change of government, and the Advisory Committee reported to the new Minister on 4 May 2015 with recommendations substantially in favour of adopting the schedules as originally proposed.

There has been no explanation as to why the decision was delayed some six months after completion of the report, the cumulative effect of which has been to prevent the application of the revised schedules for over eighteen months; we trust this does not set a precedent for the future processing of planning Amendments.

Plan Melbourne Revisited (and partly Refreshed)

As foreshadowed in the last Bulletin the BVRG in December made a submission on the changes being canvassed in a new metropolitan planning strategy. Over 400 submissions were received by the review panel. Unfortunately, like the curates egg, the proposed strategy was only good in parts; many of the worst features of the original Plan Melbourne were not singled out for change and, worse still, measures more detrimental to suburban living were foreshadowed.

Whitehorse Council's submission on the 'Refreshed' Plan can be seen as attachment 2. of the December Council meeting minutes. Among many views recorded they echoed those of the BVRG in urging greater acknowledgement of the need for improvements to the infrastructure and of environmental (including climate change) issues. Similarly, while approving in principle of the concept of 20 minute neighbourhoods the practical inability of achieving this in many cases was pointed out. Council also disagreed with the notion that 70/30 growth policy should be concentrated on the middle ring suburbs, stating that such a broad brush designation of housing is unfair to existing residents and to the neighbourhood character they value.

It is perhaps an ominous sign that the Chairman of the Ministerial Advisory Planning Committee, Professor Roz Hansen, has been quoted in February as saying that she thinks there are a number of situations where the Neighbourhood Residential Zone has been applied '...where in fact there is strong evidence that these areas are more suitable for medium density housing [of three to six storeys]' If that is so how have the responsible authorities, after three years of intense scrutiny and review, got it so wrong. Or is it yet another case of State planners moving the goal posts.

As a matter of interest we learn from a January 2016 'State of Play' report by the Managing Residential Development Taskforce that of the Middle Eastern Subregion municipalities Whitehorse already has the highest proportion of land zoned for Residential Growth (4.4%) and the next highest population density to Boroondara.

Plan Melbourne refresh submissions and a summary have been made available on the department's website:

<http://www.planmelbourne.vic.gov.au/plan-melbourne-refresh/plan-melbourne-refresh-submissions/refresh-submissions>

Local Planning Issues.

60 Main Street

On 4 February the Tribunal announced the decision to grant a permit which will allow removal of trees and construction of three double storey dwellings. This was after going back to VCAT for a second review on 14 December. This latest approval, not unlike that for 2 Walsham Road (see below) has set an entirely new standard for development within the Significant Landscape areas of Blackburn, in this case where it will dominate the hard won public parkland bordering Gardiners Creek. This is at odds with Senior Tribunal Member Hewett's earlier determination which found it inconsistent with neighbourhood character and one which would have had adverse impact on Kalang Park.

2 Walsham Road

This application for a subdivision of the site into three lots in order to build double storey dwellings on each was heard by VCAT on 11, 12 & 30 November & 18 December 2015. Despite the fact that the site is covered by a significant landscape overlay the Tribunal on 5 February approved the subdivision and removal of 32 trees to accommodate the proposed development.

199 Canterbury Road - VCAT rejects Child Car Centre.

This commercial planning application for a Long Stay Child Care Centre in a Neighbourhood Residential Zone with a Significant Landscape Overlay with a capacity of 120 children with a maximum of 20 staff and tree removal was rejected by Council in October 2015 and went to VCAT earlier this year.

Council in its refusal to grant a permit cited lack of compliance with the planning scheme, inconsistencies with SLO, excessive bulk and massing with inadequate provision for canopy trees. BVRG, Blackburn and District Tree Preservation Society and local residents presented submissions at the 4 day VCAT hearing held 10th – 15th February.

The case highlighted the need to provide sufficient space for the growth of canopy trees. The ratio suggested by the planning scheme is 1 tree capable of reaching 15m for every 150sqm of site area.

On March 22nd Member Sibonis rejected the application stating in his determination that '*The key issue for determination in this matter is whether the development is an acceptable response to the landscape and character of the area.... The spaces within which the proposed trees are to be planted do not achieve the area specified in the policy.*'

124 - 126 Blackburn Road

A large treed block, this 3300 sqm site on Blackburn Road is ripe for development. An application to subdivide the block and remove 48 of the 50 trees has generated significant concern for local residents. No subdivision or

building plans were submitted with the planning application. Council have yet to make a decision.

20 Vine Street Blackburn.

A planning application for a 4 Storey, 17 apartment block at 20 Vine Street Blackburn was supported by Council in March. The development site is one of a number recently granted approval for higher density apartments in the newly gazetted Residential Growth Zone between the rail line and Whitehorse Road, east of Middleborough Road. The zone changes make it easier for developers to gain approval for such developments by Council or through appeal at VCAT.

74 Main Street.

A planning forum was held on 11th May that enabled objectors and the applicant to discuss issues raised by objectors. The proposal is for two 2 storey dwellings and fails to conform to preferred neighbourhood character, setbacks from side boundaries, removal of a protected tree and exceeds allowable site coverage by almost 25%. The applicant has yet to be considered by Council.

Do you have a planning issue in your area?

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

Committee Members

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