



BLACKBURN VILLAGE RESIDENTS GROUP INC.

Protecting the distinctive features of Blackburn since 1987

Bulletin No. 68

October 2009

Now is the time for all who live, work or have any interest in the future of Blackburn, to make their voices heard.

You will see from the item below (Future Development Study of MegaMile and Blackburn) that our local area is once more under the spotlight and if you don't make clear your preferences now as to its future shape and use it may be too late to protest when a new planning regime is in place.

**Council invites residents to a Community Briefing
on Tuesday 13th October, 7:00pm at the Council Offices in the Waratah Room.**

Another way that you can support our efforts to keep the interests of Blackburn residents paramount is to attend our AGM at 7:30pm on Thursday 12th November 2009 at the Blackburn Lake Visitors Centre (see note below).

Also, we would be delighted if you can join us at our Annual Dinner on 5th December. We have had to move to a new venue able to provide a separate area from other diners and capacity is limited – so please book early to avoid disappointment.

Finally, if you have been reminded that you have an outstanding subscription, please make payment as soon as possible.

Annual General Meeting

Members, friends and neighbours are all welcome.

7:30pm on Thursday 12 November at the Blackburn Lake Visitors Centre, Blackburn Lake Sanctuary, Centre Road, Blackburn.

A nomination form for Committee Members and Office Bearers is attached.

Items for consideration at the meeting should be submitted to the Secretary at above address or bvrg@optusnet.com.au no later than 29 October 2009.

Annual dinner at Le Calvados 2 Vicki Street, Blackburn



7 for 7.30pm Saturday 5 December 2009
We have booked a private room at this renowned French restaurant.

There is a choice from two items on the menu (entrée, mains, dessert) coffee and corkage included. Cost \$50 pp and BYO wine

RSVP Allison 0413 188 049
or Elaine 9878 1328

Le Calvados has a BYO wine licence and for many years has remained one of the most highly recommended restaurants in suburban Melbourne.

Future Development Study of MegaMile and Blackburn Neighbourhood Centre –

Residents are invited to a Community Briefing where Council will present relevant information to the Whitehorse community about the background to and objectives of the future development study - Urban Design Framework (UDF) for Megamile West and the Blackburn Activity Centre.

Community Briefing on Tuesday 13th October, 7:00pm at the Council Offices in the Waratah Room, at the rear of the Civic Centre in Nunawading.

Residents can also sign up for regular email updates from council by registering with Claire Merlo (Phone during business hours 9262 6180). The web site also includes information about the study: http://www.whitehorse.vic.gov.au/megamile_blackburn.html

Council has changed its position considerably in relation to community consultation for the study due to pressure from BVRG and other community representatives. There is now a real chance for the community view to be expressed.

The initial process started with only one weeks notice to the community who were invited to a consultative Workshop on 1st September 2009 to provide input into a future development study for Blackburn Activity Centre and The Mega Mile Major Activity Centre (east along Maroondah Highway to Nunawading). Despite the short notice some fifty local residents attended on the night. Unfortunately they were only informed in the most general terms of the purpose of the Study and only after protest were allowed an additional week in which to supplement their views put at the workshop. The workshop was to be followed six months later by one further meeting to review the consultant's proposal.

BVRG requested copies of the tender documents and details of the aims, objectives and scope of the project but were refused on the grounds of commercial confidentiality. After further community pressure Council did release the Project Brief on their web site. The brief confirmed that MegaMile (West) was proposed as a Major Activity Centre, evidently making the project eligible for assistance funding through the Activity Centres Expert Assistance Program (EAP). We were later advised that the Blackburn Neighbourhood Centre would benefit from this exercise in that it would inform the structure plan process when that was undertaken.

Amongst other objectives, the project brief seeks to establish strategies and actions that address:

- Key redevelopment sites
- Opportunities in available land
- Options for the Belgrave/Lilydale rail reserve if works occur to lower and/or expand the rail line
- Infrastructure for utility provision, and waste management
- Sustainable transport modes, particularly walking and cycling
- The gaps of community facilities and services
- Options for environmentally sustainable development
- Interface issues

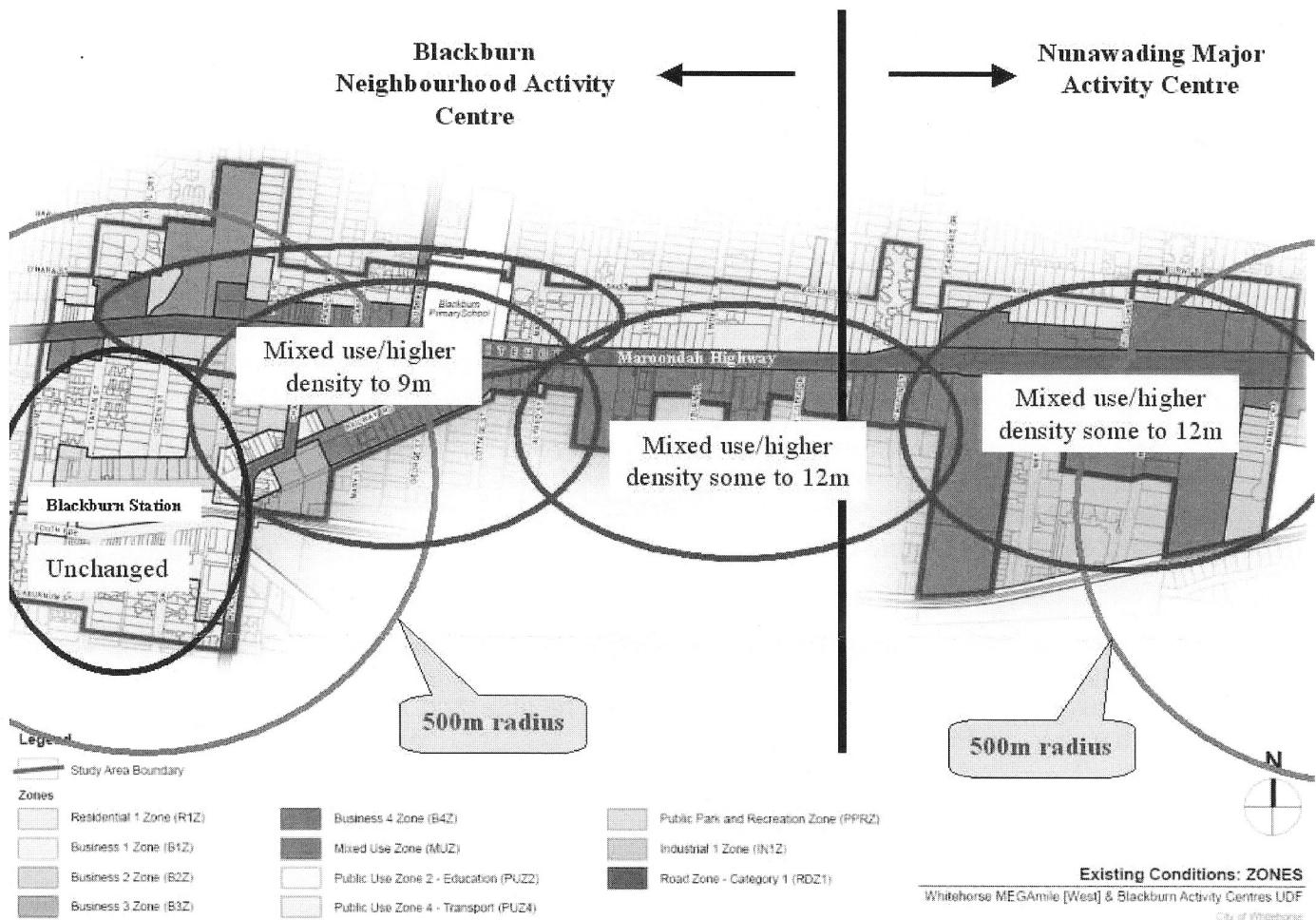
BVRG submitted preliminary comments on the Study and it is hoped that, if you haven't done so already, you will also record your views on the future of the Study Area generally, and central Blackburn in particular. It is probable that, following the Briefing Meeting on 13

October 2009, we shall survey members on the project and we would appreciate your considered and prompt response.

As mentioned in previous bulletins, most residents are restricted in what aspects of development they can object to in business zones. If as a result of this exercise the new 'Activity Centre Zone' is introduced anywhere in the areas under review it is likely that they will have even less right to do so (see New Zones for Activity Centres below).

It is in your interest to take every opportunity to contribute to policies that will help govern the future shape of your local centre and its environs. Make submissions as invited, tell your Councillors about your preferences, endeavour to attend future meetings relating to the project and, should you wish to represent the BVRG in some more active role, please contact President David Morrison.

The following diagram presents a possible development overlay for the study area which we have submitted on behalf of the BVRG. This incorporates the Blackburn Neighbourhood Activity Centre and the Nunawading Major Activity Centre. Nunawading Station (the new location) and Blackburn Railway stations are used as the centre of each transport node for the 500m-range ring.



Concept map of possible development overlay.

Other Items To Note -

Planning Minister Announces a New Zone for Activity Centres

The Planning Minister, Mr Justin Madden, announced the new zone early in September which was Gazetted mid month. It is yet another means of speeding up the whole development process especially in Principal, Major and Specialised Activity Centres but unfortunately comes with the default conditions specifying a further loss of third party rights.

It should also be noted that in certain instances this zoning might be considered for regional centres and large Neighbourhood Activity Centres, which potentially allows for wide application.

15 George Street Brothel

The BVRG has registered with VCAT an objection to the amendment of the permit conditions that apply to this property. In our view any improvements or extensions would only help maintain and expand a use that should never have been permitted in an area in such close proximity to children and adults engaged in everyday pursuits within a Neighbourhood Activity Centre. In fact, one of the BVRG submissions to the UDF Study is to consider the long-term return of this general area to residential, a use incompatible with the operation of brothels.

City of Whitehorse

Meeting with General Manager, City Development

Representatives of your Committee met with the recently appointed General Manager, Julie Reid, together with Peter Panagakos, Manager of Development Strategy and Business Service, on Thursday 10 September and took the opportunity to discuss a number of matters of mutual interest.

Farewell to Gerard Gilfedder

Over the last ten years the BVRG has frequently been in contact with Gerard, latterly as Co-ordinator, Strategic Planning. While we may not always have been in agreement with him, it would be hard to find a more punctilious, reliable and approachable officer. We wish him well in his future endeavours.

Modernising Victoria's Planning Act

The response to submissions, including that from the BVRG, is now available on the Planning Department's website. In essence, there was little support for a major revision of the Planning Act and overall the Expert Panel recommends a limited amount of tweaking of the general process although they do suggest several substantive changes such as dividing applications into classes or streams and these would seem to require further scrutiny. Submitters are invited to make further comments.

Note - The submissions received in response to the original discussion paper are available online. The City of Whitehorse submission may be viewed at #089 and that of the BVRG at #093.

Amendments and Hearings

Vegetation Protection Overlay – Amendment C83

The proposed extension of protection for significant trees was considered by an independent Panel during the week commencing 27 July 2009 and their report is available on Council's website. Subject to their recommended removal from protection of certain specified trees the Report is generally in favour of the Amendment.

Whitehorse Public Open Space Policy – Amendment C99

As BVRG members will recall we supported the Amendment in principle but, as Whitehorse starts off from a low base in terms of public open space, believed that a greater proportion of development contributions should be directed towards making up the deficit and to help keep pace with the requirements of an increasing population. Together with other Concerned Residents of Whitehorse Action Group (CROWAG) members, we discussed with individual councillors the case for more generous contributions, especially from two lot subdivisions (presently exempt).

The Panel (see Report on Council website) was generally in favour of adopting the Amendment subject to certain nominated changes and it was moved at the September meeting of Council that the Amendment be adopted with the Panel's recommended changes.

Councillors Carr and Pemberton then proposed the addition of a report on how to achieve commitment to expeditious open space expansion from an allocation of 60% of collected funds. It was also proposed that plans for dual occupancy development contributions be prepared. These actions are to be the subject of progress reports and reviews as well as oversight by an Advisory Committee.

That addition was supported by Councillors Daw, Lane and Stennett but opposed by Councillors Chong, Ellis, Harris, Koutras and Munroe and finally lost on the casting vote of the Mayor, Councillor Harris.

It will be informative to see how open space fares in the face of more concentrated development over the next few years.

New Residential Zones

We await further announcements on the reaction to these proposals. We summarised our submission on the Consultation Draft in the April *Bulletin* (No.66) and the comment by the City of Whitehorse may be viewed as listed at #186 on the Department's website: <http://dsedocs.obsidian.com.au/planning/new-residential-zones2009/>

The Council, as might be expected, offers a less critical view of further streamlining the planning process. They do however offer sensible comment with relation to building heights and the use of linear measurement rather than the far less precise number of storeys.

Make Objectors Pay!

Planning Minister Justin Madden dragged this old skeleton out of the cupboard in a speech delivered on 9 September 2009. He echoed the well-worn complaint of developers that not only do frivolous and vexatious objections cause delays and cost increases but so do objections in general. In response, Save our Suburbs President, Ian Wood, made the point that it was usually the poorly planned proposals which drew the most objections while an *Age* editorial rightly mentioned that fees already attach to some VCAT appeals and that the Tribunal has the power to award costs against vexatious applicants.

What the Minister fails to appreciate is that the vast majority of ordinary objections are far from frivolous or designed to deliberately waste time. Most of us would be far happier getting on with more pleasurable activities and it is only with the greatest reluctance that one embarks on the formal process of lodging an objection and then only when an application is seen as significantly deficient or inappropriate.

The Minister also overlooks the fact that our taxes and rates help meet the costs of supporting what is, after all, one of the basic rights of an open and democratic system.

Blackburn Village Residents Group Committee

Correspondence or payments may be delivered to your nearest committee member. If there are any members interested in joining the BVRG committee, please contact the President and note enclosed Application Form.

If you wish to discuss any planning issues with the committee, please contact us by email at bvrg@optusnet.com.au or in person – contact details below.

Committee Members

President	David Morrison	Phone 9894 2531	49 Glen Ebor Avenue, Blackburn
Vice President	Ian Swann	Phone 9877 7084	15 Linum Street, Blackburn
Secretary	Elaine Atkinson	Phone 9878 1328	1 Laurel Grove, Blackburn
Treasurer	Aaron Baker	Phone 9877 1773	16 Ronley Street, Blackburn
Committee	Peng Lee	Phone 9878 4350	5 Patterson Street, Blackburn
	Ron Grainger	Phone 9877 3348	25 Main Street, Blackburn
Editor	Allison Summers	Phone 0413 188 049	4/53 Laburnum Street, Blackburn

Telephone 9878 1328 or email bvrg@optusnet.com.au

Enclosed

New Membership Application Form
Nomination Office Bearer, Committee Form