



BULLETIN

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May 2015

A Frantic Start to 2015.

BVRG committee has been so involved in major planning disputes and submissions that the February Bulletin never saw the light of day. As discussed later in this Bulletin we highlight the 7 day VCAT hearing regarding the Seventh Day Adventist (SDA) retirement village proposal with the community response led by BVRG. A submission was also prepared and presented to a state panel hearing reviewing the schedules that should apply to new zones gazetted in October 2014. The absence of these schedules has unleashed a rash of inappropriate planning applications that is also generating a significant load on the committee.

End of Year Function

Fine, warm conditions prevailed for the informal function held in the courtyard of the Blackburn Lake Information Centre on the afternoon of Saturday 22 November. Between thirty and forty attended, including foundation members and members of the original committee. President Mike Taafe extended seasonal greetings to those present and later welcomed Councillors Daw, Massoud and Munroe. Incompatible electronic systems unfortunately prevented the advertised screening of a power point presentation which highlighted some of the Group's activities over the years and this was later circulated to members. Hard copies are available from the Secretary for those without internet facilities.

C174 Review of Schedules that support New Zones.

The C174 panel hearing was held between 7th and 9th April 2015. Submissions were made by community groups, residents, business and owners of large institutional sites. Mike Taafe presented the submission on behalf of BVRG.

The Victorian Government's new residential zones came into effect in the City of Whitehorse on 14 October 2014 with the gazettal of Amendment C160 to the Whitehorse Planning Scheme. However the accompanying schedules were not included.

On 6 October 2014, the Minister for Planning requested that the Residential Zones Standing Advisory Committee (the Committee) review the Neighbourhood Residential Zone schedules proposed in Amendment C160.

This appointment of the standing committee implied that there were fundamental deficiencies in Schedules 1, 2, 3, 4 and 5 to the Neighbourhood Residential Zone presented by Council in its C160 Amendment of 2014.

One implication was that Whitehorse should provide for a far greater proportion of the estimated future total Melbourne population. Mike Taafe in the BVRG submission submitted that the new Whitehorse Zones already provide for a greater proportional increase of the anticipated Melbourne population than approved elsewhere. For example, within Blackburn areas designated for higher density development such as Queen Street, have seen dwelling density increased substantially through the erection of a number of apartment blocks. In other areas of Whitehorse such as Box Hill (also designated for higher density development) large apartment developments that have been approved, including that on the corner of Station Street and Carrington Road, (417 apartments) will have a major impact on urban densification in Whitehorse. More recently an application for 118 units on the corner site between Middleborough and Whitehorse Roads has been submitted.

A matter of concern that came up during the hearing was the questioning of the strategic work by City of Whitehorse over the past 15 years supporting Neighbourhood Residential Zoning (NRZ) for nominated large sites on Central Road – Regis, St Thomas's and SDA. The NRZ ensures sympathetic development respective of any environment or landscape overlays.

The Panel is expected to make a report by early May 2015.

Healesville Freeway Reservation.

We congratulate the Friends of The Healesville Freeway Reserve for a successful outcome after five years of community advocacy. The change of state government in November has ensured the protection of the freeway corridor as open space.

On 27 November Amendment C200 was approved, rezoning approximately 17 hectares of VicRoads land (in two parcels) along the Freeway Reservation between Springvale Road, Vermont South, and Boronia Road, Vermont to Public Park and Recreation Zone.

The remaining land is zoned Residential Growth Zone (RGZ) however the State government announced recently in a press release dated 14th April 2015 that:

'The Andrews Government has begun the process to transfer the land from VicRoads to the Crown, so it can become crown land reserved for public purposes.

Once this transfer is complete, the Government will work with the Department of Environment, Land, Water and Planning; and Parks Victoria on land management arrangements.

The Andrews Government will make sure that the community is involved in the future management of the Reserve.'

Friends of Healesville Freeway Reserve advise that they are also holding discussions with Council regarding Councils promised financial commitment.

Rail Crossing Removal.

BVRG has continued discussions with the VicRoads project manager and Council regarding progress of the rail crossing project. An announcement is expected shortly from VicRoads regarding the preferred contractor for the project. Preparatory work would be carried out ahead of the rail closure over the 2017 Christmas period when the major work will be done.

BVRG will be calling a public meeting for affected residents in the near future and VicRoads will be invited to address the meeting.

In the meantime BVRG has formalised the need for community consultation and its concerns and suggestions about impacts on residents during and after construction with a letter to Council, Vic Roads and local member, Robert Clark, who has agreed to raise our concerns with the transport minister.

Submission: Proposed Planning and Environment Regulations 2015.

The Department of Environment, Land, Water and Planning sought comments on the proposed Planning and Environment Regulations 2015 (Proposed Regulations) *BVRG made a written submission on the proposed regulations. A summary of issues addressed in the submission include:*

- Avoid making resident objection more onerous
- Restore balance between developers and community
- Provide the Responsible Authority adequate time/resources to respond to complex development applications
- Tightening compliance issues for permits granted
- Ensuring due process is followed in the provision of documentation to interested parties to a planning application.

Planning Applications Update.

Our policy of avoiding every battle in every street has been stretched over recent months with many significant developments seeking dispensations from the planning scheme. This has meant an increased involvement by BVRG in an effort to encourage decision makers to hold to policy and to achieve better outcomes. There are many developments impacting on Blackburn amenity and influencing policy is more critical than ever.

Seventh Day Adventist Retirement Village Development.

The application is for six 3 and 4 storey aged care residential apartment blocks with underground carpark on the old Seventh Day Adventists campground. The applicant bypassed council and went directly to VCAT. Amended plans (mostly cosmetic) were submitted to a mediation hearing at VCAT on 27 January, however no agreement could be reached between objectors and the applicant.

The seven day VCAT hearing commenced 23rd March 2015. Community groups (Friend of Blackburn Lake and the Blackburn and District Tree Preservation Society) neighbouring residents and other locals presented their submissions under a BVRG team coordinated by David Morrison.

Ahead of the hearing numerous meetings were held to discuss strategy and to allocate content to be covered so that the community presentation was coordinated and efficient. In an unusual show of respect for the community submitters they were invited by the Tribunal, through BVRG advocate, David Morrison, to comment on possible permit conditions, without prejudice, to be applied should the tribunal approve the proposed development.

The tribunal could reject the application, accept the proposal with conditions or recommend significant changes that could see further appearances at the tribunal.

A determination is expected by the end of May.

20 – 24 Masons Road.

We understand that this property has been bought by local resident who intends to maintain the property in its current status.

60 Main Street.

The VCAT Hearing held on 12 September for an application to build three dwellings, resulted in the application being refused.

In the VCAT determination Senior Member Laurie Hewet, concluded that ‘the provisions of the Whitehorse Planning Scheme are relatively clear in relation to the built form outcomes encouraged for this locality. In broad terms, these provisions contemplate development which is of a design, scale and siting that is respectful of the character of the neighbourhood and responds to the landscape character of the area. The site’s physical context is also influenced by its proximity to Kalang Park, which is part a significant environmental, recreational and community resource. An acceptable development of the site, needs to be responsive and sensitive to the site’s interface with the reserve.’

Subsequently an amended planning application was lodged with the City of Whitehorse. BVRG submitted an objection on 12th January 2015 and City of Whitehorse is still considering the application. We await a decision. Subsequently the developer has placed the site on the market.

102 Main Street.

Council has approved the development application on this site with conditions.

16 Main Street.

A planning forum was held 13th November where issues were raised with the developer. Council has approved the development application on this site with conditions.

1 Salisbury Avenue, Laburnum.

A forum meeting was held on 26th February to discuss revised plans from a 3 to two storey development and a waiver of the car parking requirement. The amended plans proposed the refurbishment of the existing building as a shop with the addition of a second storey as an office which is a reasonable outcome. Council approved the development application on this site with conditions.

8-10 Queen Street.

The application seeks approval for a five storey building of fifty-one apartments with the usual reduction in specified car parking space. We await the Council decision.

35 Main Street Blackburn

Redevelopment of the site with a large house requiring the removal of 2 significant trees was proposed. Amended plans which included the retention of Trees 1 and 2 were later received by Council and these were to form the basis of discussion at the forum meeting held on 14th April. We await a decision.

208 Canterbury Road.

BVRG submitted an objection on 12th January 2015. Council on 20th February refused the permit application.

3 Whitehorse Road Laburnum.

An application for 118 unit development ranging in height from 2 to 5 storeys has been submitted. This site is to the north and east of the Shell service station located on the corner of Middleborough and Whitehorse Roads. BVRG doorknocked affected residents to determine local sentiment and has submitted an objection.

All the details are available on-line at the Council's website:

<http://www.whitehorse.vic.gov.au/Whitehorse-Planning-Applications.html>

Closing date for objections was April 10, late objections are usually considered.

A review of the plans indicate that:

- The scale of the application is an over development of this site.
- The built form dominates the streetscape.
- Heights exceed the 4 storeys specified in clause 32.07 of the planning scheme.
- Inadequate setback to Whitehorse Road for at least one dwelling.

- There are limited landscaping and tree planting opportunities because of the scale of the development.
- The required number of car parking spaces is not provided, parking in nearby streets will occur.
- Traffic flow onto Whitehorse Road heading west during peak times will be difficult.
- Private open space is inadequate.

3 Whitehorse Road Laburnum.



Looking north from Whitehorse Road

Hot Off the Press

An article in the latest Leader (Final nail as retail turns tail 27/4/2015) highlights the demise of the Blackburn Chamber of Commerce and the loss of retail shops. The loss of the Chamber is a further blow to community advocacy. A quote from outgoing president of the Blackburn Chamber of Commerce Janet Gardner that 'Retailers gave up because of poor parking, and I think that has been a lack of foresight on Council's part' highlights what BVRG have been advocating for more than a decade.

Regrettably new development over recent years in the centre (north and south) has sought and received parking dispensation from Council. BVRG has been somewhat a lone voice in objecting to this erosion of amenity.

When parking is so easily obtained at any of the major shopping centres why would locals shop locally.

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