



## BLACKBURN VILLAGE RESIDENTS GROUP INC.

Protecting the distinctive features of Blackburn since 1987

# BULLETIN

[www.bvrg.org](http://www.bvrg.org)

**Bulletin 94**

**June 2018**

### 2018/19 Subscriptions Due.

The financial year is ending, and we enclose notice for 2018/19 subscription. The annual \$5 fee is retained. We are grateful for additional donations. Life membership is available at a one-time payment of \$100

### Need a street tree?

Don't wait for Council, request one to be planted. Call 9262 6333 or email [customer.service@whitehorse.vic.gov.au](mailto:customer.service@whitehorse.vic.gov.au). Request an indigenous tree.

It has been some time since we updated members of BVRG's activities through our Bulletin however we have been very active working with residents impacted by overdevelopment.

Over the past 6 months BVRG has supported active resident groups presenting 3 submissions at VCAT hearings and preparing submissions for a further two hearings that were withdrawn at the last minute.

Hearings at VCAT have varied from 1 to 4 days. The 2-day VCAT compulsory conference for 3-9 Frankcom Street resulted in a compromise that both residents and developer were happy with and a better development outcome. A 2nd VCAT appearance in 2 years against a child care centre at 199 Canterbury Road Blackburn had 2 days of compulsory conference and a further 4 days of hearings that resulted in the development being stopped. For 20 Masons Road there was a 1-day hearing.

Multi day hearings for 21 Laurel Grove and 10 Eustace Street didn't eventuate as the developers withdrew. At 10 Eustace Street the applicant wanted to remove numerous significant trees and erect an industrial garage at the back of the block. We anticipate that this proposal will be presented to Council again.

# The Bigger Picture

## Box Hill Master Plan - C175 Planning Amendment Panel Hearing

BVRG's submission to the panel hearing for the above planning amendment raised inadequate setbacks, excessive site coverage, pedestrian amenity, inadequate sustainability provisions and the need for better active transport connectivity – walking, cycling and accessibility.

Our primary concern is the future amenity at street level - the human or pedestrian scale referred to in the amendment that, on our analysis was not adequately addressed in the C175 amendment. Currently there are about 40 high rise developments between 4 and 36 stories completed, under construction or planned at Box Hill adding about 5000 dwellings not counting hotel or hospital rooms.

The Panel report that was released on 6<sup>th</sup> October 2017 was less than charitable in its assessment of the proposed amendment.

In referring to the Design and Development Overlay component of the amendment (meant to improve certainty to the scale and type of Box Hill development) the Panel stated in its Executive Summary:

*..... 'the drafting of the Amendment is poor. Leaving aside the inconsistencies and ambiguities in the numbers in the controls that need to be fixed, there is the fundamental wisdom of applying a control with:*

- *51 general objectives*
- *80 precinct objectives across nine sub-precincts*
- *51 general requirements*
- *108 precinct requirements across nine sub-precincts.'*

The Panel went on to recommend that Whitehorse Planning Scheme Amendment C175 be adopted as exhibited with proposed changes to Clause 21.07 and Clause 22.07, but the Design and Development Overlay be abandoned.

Council will respond to the panel report at its June 25 meeting.

To get a sense of Box Hill development in the pipeline link to: [Box Hill Projects](#)  
Or visit the News section of BVRG web site – BVRG.org.

## High Rise in Blackburn.

Blackburn is also feeling the pressure of High rise development but restricted to 8 and 6 levels in 4 towers on the old Leader site on Whitehorse Road. The approved development will consist of 263 apartments, plus 3,663sqm\* of high profile ground level commercial space suiting various tenancy configurations. The site with planning approval is now up for sale.



## Walk the talk! - Decline in Street Trees.

The 2018 Whitehorse Budget reinforced the view that Council espouses the values of the tree canopy heritage however through its actions is wilfully allowing its decline on public and private land - through unprecedented development approvals, light touch enforcement and declining resources for street trees and parks.

In its recent Budget submission to City of Whitehorse, BVRG advocated for an appropriate formula to adjust future funding to ensure that new planting addresses the widening deficit in street tree planting.

In 1997 Council street tree database had 64000 trees. During the period when Council was managed by an administrator, Peter Seamer, a further 8000 street trees were planted. Peter Seamer claims that one of his achievements of that time was *'The greening of the City through a massive program of street tree planting and parks redevelopment programs.'* Peter was recently awarded an AO in the Queen's birthday honours for *'significant service to urban and regional planning and design, to public administration, and to local government.'*

Council's web page on 'street trees' refers to the 72000 trees cited in a 2002 report that implies that there has been little change in tree numbers in the past 17 years while the number of dwellings and population have grown significantly in Whitehorse. A casual walk through Whitehorse streets highlights that many of our street trees are in decline and gaps show that replacement and replanting is not keeping up.

The values of street trees include:

- Improved amenity through visual softening to the built form.
- Passive cooling by way of shade and
- Corridor linkages used by birds and wildlife connecting linear parks such as the Creeklands to other parks and reserves in the municipality.

The Whitehorse Planning Scheme, The Streetscape Strategy and Policy 2002, and Council web site highlight policy that supports a more realistic approach to managing street trees. Yet as seen from the table below funds allocated for street trees has been static for many years and fallen by almost a quarter in terms of funds available to Council from rates and other income.

<b>Whitehorse Street Tree budget</b>					
	<b>14/15</b>	<b>15/16</b>	<b>16/17</b>	<b>17/18</b>	<b>18/19</b>
<b>Funds available (\$ million)</b>	165	173	183	193	201
<b>ParksWide total allocation (\$ million)</b>	8.243	8.859	10.33	10.47	10.67
<b>Street Tree allocation (\$ million)</b>	0.3	0.3	0.3	0.3	0.3
<b>% of available funds allocated to street trees</b>	0.182%	0.173%	0.164%	0.155%	0.149%

## **Increased Traffic Risking Pedestrians**

BVRG has approached Council and VicRoads to implement safer modifications to the pedestrian crossing and traffic flow at Canterbury Road and Main Street intersection.

In recent years traffic volumes along Canterbury Road and Main Street have increased significantly. Higher density development and greater population are putting more cars on our roads. Active transport is encouraged in government policy however requires safe infrastructure investment.

Residents have reported near misses and one recently required hospitalisation after he was hit by a car while crossing at Main Street near the Canterbury Road intersection.

The crossing at Canterbury Road is the only designated crossing on Main Street for almost 600 metres. Queuing traffic on Main Street at the intersection with Canterbury Road heading south is hazardous for pedestrians. The small traffic island means that the elderly, mums with young children and prams and people on mobility devices find it difficult to cross safely

A review of traffic speed and a safer crossing was proposed north of Norval Street that would provide good sight lines for drivers and a flat crossing point for pedestrians, cyclists etc. Most pedestrians are walking to/from Safeway supermarket or to nearby bus stops or shops.

## Local Planning Issues.

### Hotspot Cluster near Laburnum.

Residents are at the bleeding edge of urban consolidation at a few local hotspots. The rezoned former low density residential areas between Blackburn and Laburnum in the Residential Growth Zone (RGZ) and at Laburnum in the General Residential Zone (GRZ) gazetted by Matthew Guy, the former planning minister are undergoing unprecedented change.

New applications for developments have been constant. Cranes are operating on the Sargeant Street development for 105 apartments and works are underway at the Middleborough and Whitehorse road corner site for 115 dwellings. This as well as all the smaller apartment and medium density projects that are under construction. Laburnum residents have had enough and are pushing back.

Signs are now appearing around Laburnum. BVRG has received request for similar signs for Blackburn and while we have not been involved with the Laburnum signs we are happy to help residents obtain similar signs for Blackburn if we are contacted.



**3-9 Frankcom Street, BLACKBURN** – the initial application for an apartment building comprising 43 dwellings in 5 storeys plus a two-level basement car park was revised to 41 dwellings. A compromise was reached at a VCAT Compulsory Conference attended by BVRG and residents in November 2017 - apartment number was reduced by 6 with increased setbacks, revised landscape plan to include an indigenous palette, retention of some additional trees marked for removal and added additional street trees. Some balcony redesign to reduce overlooking was also agreed. David Berry (Tree Society) provided advice on the planting palette and the developer made changes resulting in a better outcome for amenity and habitat qualities of the Blackburn Creek floodway on the site.

**20 Downing Street** – In January 2018 Council granted approval for the development of a four storey, 19 unit residential apartment building on a single residential site in the residential growth zone with some changes to the proposed plan. These included reduced footprint to enable 5 additional indigenous canopy trees to be planted, retention of an additional tree marked for removal, modifications to improve neighbour's privacy and awnings for windows to reduce heat load. 17 residents objected and have since lodged an appeal to VCAT to review the Council decision. The VCAT Hearing is scheduled for 16 August 2018 (2 days) with a Compulsory Conference to take place on 20 June 2018.

## Another Cluster on the Eastern Flank.

**199 Canterbury Road, Blackburn** – In 2015 VCAT rejected a proposed large child care centre on this site. The site was subsequently sold, and the new owner lodged a planning application in early 2017 to build a slightly modified child care centre. The site is within a Significant Landscape Overlay area and backs onto the Masons Road retarding Basin. Tree loss and the capacity to grow canopy trees after development remained key resident concerns. The applicant applied for VCAT review before Council made a decision. 2 days of VCAT compulsory conference was held with the developer making small concessions on the scale that increased room for trees. However, residents were not satisfied that the proposed changes protected existing or future trees or would keep children safe and so a full 4-day hearing was held in April 2018. Residents mounted a strong case and the tribunal in its determination rejected the application for a second time. The applicant has since put the site up for sale.

Within 100m of that site residents have also been dealing with another 4 planning applications, 2 in Masons Road because of the illegal erection of a garage at 20-24 Masons Road which threatened the stability of a 23m Yellow Box tree and the subsequent applications to remove it because of the risk of falling. Residents again were arguing at VCAT in favour of the trees retention under SLO guidelines. VCAT ruled in favour of the tree, ensuring that it is stabilised and assessed annually for 10 years to ensure its safety and viability.

Two other applications - 201 and 203 Canterbury Road also within an SLO propose medium density multi-unit townhouses that would see most significant trees lost and inadequate space for replacement of canopy trees. The applicant for 201 has withdrawn and the 203 application is being considered by Council after a Forum held for residents and developer failed to find middle ground.

**Shared Use Path Blackburn to Laburnum.** - On 24th August 2017, after more than 2 years of consideration, VicRoads announced its revised plans. Residents were given 1 week to comment before VicRoads took their proposal to Council. There has been no word on the outcome almost 1 year later.

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

Get nearby residents active, lodge objections and 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
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