



BLACKBURN VILLAGE RESIDENTS GROUP

25 Main Street, Blackburn 3130

Contact: R. Grainger

Phone: 9877 3348

Fax: 9877 3348

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BLACKBURN: RETROSPECT AND PROSPECT

I am sad to advise you that I can no longer be a part of the Blackburn Village Residents Group. For ...years... I made ... representation to Council in an effort to prevent commercial buildings swamping the north side of the railway line where residents had lived for many, many years in the belief that they were residentially protected. Unfortunately, where developers are concerned, money talks, and even the best of councils seem easily swayed to make room for commercial development. Suburban residents are, to them, small fry and hardly worth a voice. I wish you well, it can be done, they can be fought off, but of course they never give up and will return by another door. I wish you every success and congratulations for your untiring and determined front.

Extract from a letter sent by a former member on leaving Blackburn

Some of the history referred to in that letter was recalled when we recently argued against reduced parking rates for new development throughout central Blackburn and the provision for three storey buildings in the local shopping centre, two of the worst features of Amendment C40.

This meant appearing before the independent Panel which conducted a Hearing on 9 and 10 March (See **Blackburn First Again**). The whole process not only highlighted the many deficiencies in the Amendment but the failure - as evidenced by recent proposals for more inappropriate development immediately north of the railway line - to properly complete the task, started fifteen years ago, of applying suitable planning strategies to central Blackburn.

PANEL REPORT ON AMENDMENT C40

The Panel accepted much of our criticism of the deficiencies in the exhibited Amendment but, in charitable mode, only described it as '*... a somewhat confusing document...*'. They did not however entirely agree with our concerns about lack of consultation - only saying, in relation to the Business Plan, that it was '*... less than what may be expected of a planning document...*' and for the rest suggested that there had been enough opportunities for public comment and input. It seems that, at least in planning circles, consultation too often takes on a new meaning.

Somewhat unexpectedly the Panel, in recognition of '*... the extent of work and length of time involved...*' suggested changes which might allow key aspects of the Amendment to proceed. This approach requires Council to consider no less than twenty-five recommendations and although not all their recommendations meet the expectations of the BVRG they do include some common sense solutions - solutions which might have become more apparent had there been genuine consultation in the first place.

The proposals include; introducing metric height limits and other requirements for new buildings in the retail area south of the railway line, especially when they share a boundary with residential land; containing the shopping centre and central office areas within their respective business zones; having the proposed parking schedule apply only within the shopping centre area.

Not all of this is as straightforward as it might first appear. The Panel expressed their reservations about the suitability of the parking provisions and offer three options, including abandonment of the parking component (although they do not recommend this). The main concern for residents is that Council find a solution which gives more certainty about parking space requirements for new commercial development and limits the delegated power of Council officers to grant dispensation, an all too common practice which inevitably shifts the pressure for parking space into residential and community facility areas. We await the response from Council.

PANEL REPORT: BLACKBURN LAKE SURROUNDS:

This Amendment (C46 Part 2), the sequel to the Character Study and proposals for Planning Overlays around Blackburn, was the subject of an earlier Hearing, on 9 and 10 February, and the report and recommendations by the independent Panel appointed to consider it was completed, with commendable speed, before the end of March.

The Panel was generally supportive of the Amendment and of the recommendations made by the BVRG (See **Blackburn First Again**) and others. They favoured replacement of the Neighbourhood Character Overlay proposed for part of central Blackburn with a Significant Landscape Overlay (SLO) and Council assessment of that same precinct with a view to applying a Heritage Overlay(HO).

They also recommended that future Amendments extend SLO 2 to several streets (Sheehans Road etc.) and adjacent institutional properties (Seventh Day Adventist site etc.), modify some of the more onerous tree permit provisions and expand on others. In addition, it was recommended that Council supplement street tree planting in SLO areas. Most of these recommendations were similar to proposals in the BVRG submission. The only significant BVRG concern not specifically addressed in the Panel report was the inclusion, in Character Precinct brochures applicable to SLO areas, of references to front fences, certainly uncharacteristic of those areas.

The Panel also noted that the Amendment was part of an ongoing process which had continued with a Neighbourhood Character Study of the rest of the municipality and commented, in the light of their consideration of the Blackburn Lake Surrounds Study, that the Whitehorse Neighbourhood Character and Housing Studies should address new strategies to better integrate neighbourhood character with housing needs.

On 24 May Council recorded their continued support for the retention of NCO status in the nominated area but with new SLO 4 provisions for tree removal and protection. They did not support a further Heritage Assessment of the area. Council's response to other Panel recommendations (inclusion of additional SLO areas and changes to SLO conditions) was that for the most part they be noted for future review or consideration. The adopted Amendment, with changes as indicated, will be submitted to the Minister for approval.

MELBOURNE 2030

We have written at length about this strategic plan for Melbourne but mostly about the potential affect on Blackburn of the proposed Nunawading/ Mega Mile Major Activity Centre. It was raised by us at both recent Panel Hearings because one of the reasons advanced by Council in support of Amendment C40 was that they viewed Blackburn as part of that Centre.

While it is no longer likely that Blackburn will be included in the Nunawading/Mega Mile there is little doubt that it will be affected by it. Although the extent of this is impossible to assess until well into the Nunawading/Mega Mile Structure Plan process the C40 Panel, for instance, has recommended that properties fronting Whitehorse Road be excluded from any C40 Amendment parking plan or policy and addressed as part of that Structure Plan.

The first part of their recommendation is a wise precautionary measure but the second seems to be jumping the gun - Council have indicated that the Study Area could extend along Whitehorse Road as far as Station Street, but like much else about the proposed Centre, nothing is certain. It is because of this uncertainty that residents should watch out for any information about the Centre and take every opportunity to record their views during the Structure Plan process. To this end, on learning that a Tender Brief was being prepared, we sought advice on public involvement in the process as it appears that no one other than Departmental and Council Officers will have any input before a tender is accepted and consultants appointed.

The Department places a lot of stress on the importance of what it calls community engagement at all stages of Structure Planning for Activity Centres but evidently that doesn't translate into meaningful consultation on the formative stages of this Plan.

BLACKBURN FIRST AGAIN - A DOUBTFUL HONOUR

If a Parking Precinct Plan (PPP) were adopted as a part of Amendment C40 Blackburn would not only be likely to have one of the first PPP's outside the City of Melbourne but the first of the seventy-eight centres in the City of Whitehorse.

Blackburn must attract armchair theorists as a good locality for planning experiments. Ironically, this seems to be because, as a local centre, it already works reasonably well, largely because successive generations have built on the sound foundations established by earlier settlers and development companies after the railway first came through in 1882. It retains many of those features, such as trees, open space and community facilities, which go to make up a desirable local centre and rather than spend time planning how similar features might be introduced to less fortunate centres it's easier to tinker around with what we already have. Unfortunately, much of this tinkering is in response to speculators who, less than one hundred years after the railway came through, were not as concerned about the surroundings as about making a quick buck and, as our former member wrote, money talks.

BLACKBURN FIRST AGAIN (cont.)

Some of that story is told in BVRG submissions to the two Panels mentioned above. These, as well as our submissions on RL8 (Blackburn Major Shopping Complex, 1988), L9 (Blackburn Station Shopping Centre, 1990), L26 (Blackburn Office Zone, 1992), SR4 (Whitehorse [New Format] Planning Scheme 1998) have all been placed in the Nunawading Library for reference and may one day provide someone with the sort of valuable background material which developers and Council tend to ignore, not least because of a shortage and quick turnover of experienced planning staff.

Our recent submissions on C46 (Blackburn Lake Surrounds) and C40 (Blackburn Station Shopping Centre) are also available on CD, at cost, to members using Microsoft Word 2000. See enclosed slip.

INVOLVEMENT

The limited resources of the Committee are devoted to helping shape the planning policies which affect Blackburn and to making the planning process easier for the ordinary resident who is confronted with proposals for new developments.

This means that for the most part we can't get involved in individual planning permit applications (except those combined with Amendments to the Planning Scheme). The only other exceptions are when we object to applications which demonstrably ignore the local scene. For instance, we recently registered opposition to several developments north of the railway station which would help set new precedents on building height and, once again, exceed the standard parking space requirements. In addition, we have joined in opposing recent applications for residential development which blatantly disregard the special features of their neighbourhood. We hope to report further on these in our next Bulletin.

However, whether the BVRG is involved or not, you must be active in protecting your own amenity. To this end members may obtain a copy of our *Notes on Opposing a Development* (please advise if we can send these to you via email) and low cost guides on planning matters, including appeals to VCAT (Victorian Civil and Administrative Tribunal) are available from Environment Defenders Office (EDO) 9328 4811; www.edo.org.au There are also notes on the VCAT website, www.vcat.vic.gov.au which explain their procedures in some detail. As we say in our *Notes* you are often faced with a steep learning curve when confronted by an unwelcome development but it is worth making the effort to protect what is often your biggest single investment.

CAN YOU HELP ?

You might have gleaned from the foregoing that we don't have enough arms and legs to undertake all our commitments without putting an unfair burden on a few. There is a limit on the amount an individual committee member can do and from time to time we need replacements on the committee as well as those we can call on to supplement our efforts on major tasks. We thank those who already help out in different ways but make no apologies for asking others if you can assist in preserving the special character of Blackburn. If you think you can, please contact us and talk it over.

NEIGHBOURS INTERESTED ?

SHARE THIS BULLETIN WITH THEM

ARRANGE FOR US TO CONTACT