

## **Submission to Department of Transport and Planning – Blackburn Activity Centre**



# Executive Summary

This document is a submission from the **Blackburn Creeklands Advisory Committee (BCAC)** to the Department of Transport and Planning regarding the Phase 1 round of community consultations relating to its plans for a new Blackburn Activity Centre.

The **Blackburn Creeklands** park is a set of three bushland parks in central Blackburn which abut the proposed Activity Centre and also the Box Hill SRL zones. Our submission focusses on the park and its surrounding wildlife corridor and bio-links.

Key points in the submission are:

- The Blackburn Creeklands are part of important bio-links forming a wildlife corridor between Burwood – Box Hill South – Blackburn – Mitcham & Vermont.
- In Blackburn, the bio-links and habitat provided to wildlife are currently protected by appropriate Significant Landscape Overlays. They would be adversely affected by the proposed southern extent of the proposed *Housing Choice and Transport* zone - because the zone will override the SLOs.
- Redevelopments within any HCT zone are likely to significantly impact tree canopy and the bushland characteristics of the area. This in turn will severely diminish, if not negate, the ability of that area to form part of the wildlife corridor.
- Any areas rezoned as HCT will intrinsically lose their “bush character” protections because, in Whitehorse, bush character is defined by “schedules to the zone” – NRZ 1, NRZ 2, GRZ 1 etc.
- Vegetation within the SLO areas is often high-quality and mature. It cannot be replaced within 50 years or more. The State Government’s *Plan for Victoria* sets a target of 30% tree canopy cover in urban areas across Melbourne. This has to be achieved by protecting existing canopy trees as well as new plantings. It would be counter-productive to sacrifice the high quality canopy we already have – which is absolutely essential for bio-link purposes. Extending the HCT Zone into the SLO areas would be very counter-productive towards our meeting *Plan for Victoria*’s objectives.
- Several species, including the officially endangered Gang-gang Cockatoo, utilise the quiet SLO areas for breeding. As human population densities increase in Box Hill and Blackburn, these quiet refuges just outside the public reserves will become even more important.
- Part of the National Trust citation underlying today’s SLO1 was protection of “quiet, almost rural character unique in Melbourne”. It would be an absolute travesty to put the boundary between the HCT zone and the NRZ 1 zone down the middle of Linum Street – one of the two best streets nominated by the National Trust.
- Linum Street and other “National Trust” streets were historically private roads and do not always have infrastructure capable of supporting significant multi-unit developments. Installing new services would destroy what we have and what we value.
- We are not opposed to the Activity Centre per se. However, we strongly recommend that the SLO1, SLO2 and SLO4 areas should be excluded from the HCT zone.
- There should be a buffer between any HCTZ boundary and the Blackburn Creeklands.
- A fair share of development contributions should go to the Blackburn Creeklands.
- Ideas for alternative areas to provide more housing are presented.

## Introduction

This submission is made to the Department of Transport and Planning by the Blackburn Creeklands Advisory Committee.

The **Blackburn Creeklands Advisory Committee** (BCAC) advises and assists the Whitehorse City Council in maintaining and improving the Blackburn Creeklands bushland park in central Blackburn. BCAC is an active volunteer committee and has performed these functions since 1984.

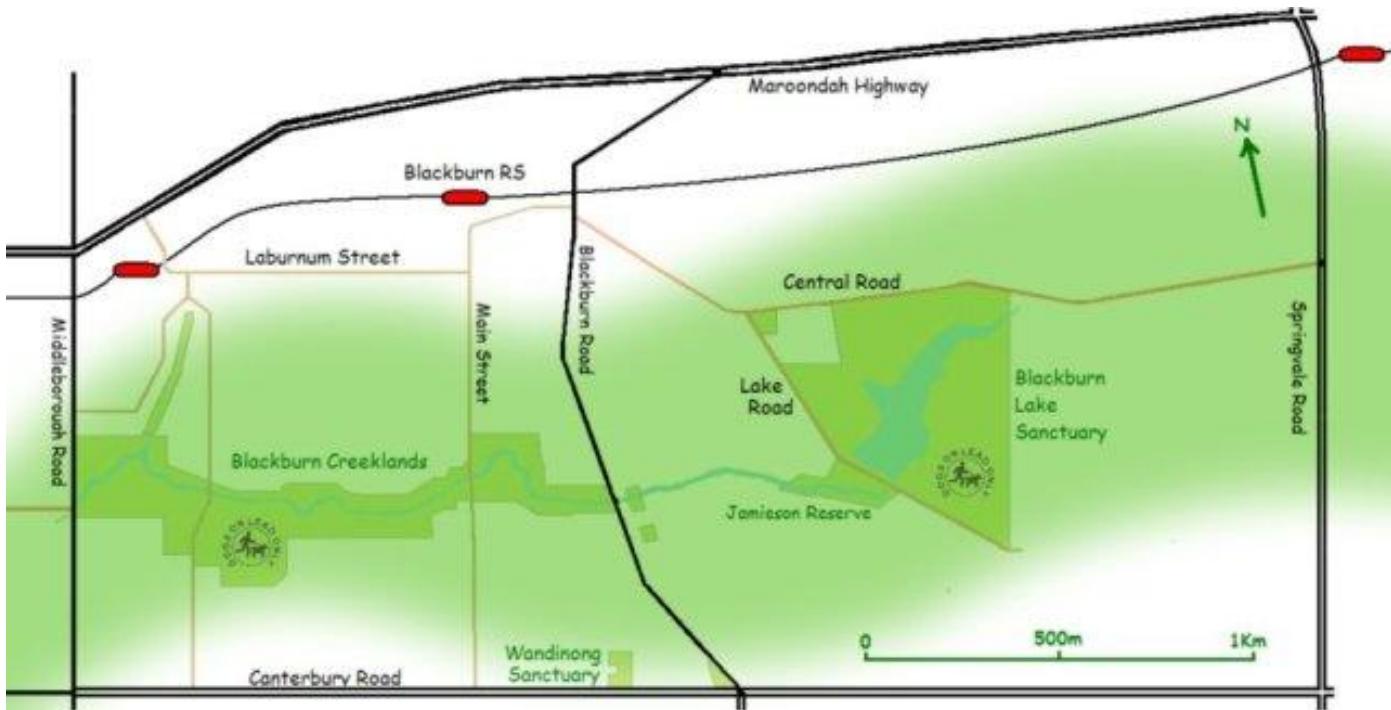
The **Blackburn Creeklands** is a set of three bushland parks in central Blackburn (Blacks Walk, Kalang Park and Furness Park) which abut the proposed Blackburn Activity Centre and also the Box Hill SRL zones.

The “investigation area” directly abuts the northern boundary of Furness Park without any buffer between them.

The park and surrounding area are well known for birdlife and mature remnant eucalypts. It is a linear park following KooyongKoot (Gardiners) Creek between Middleborough and Blackburn Roads. It also performs conservation functions – for example, for the endangered Gang-gang Cockatoo. With its older remnant canopy trees and high extant biodiversity values, the **Blackburn Creeklands park acts as a biodiversity factory** for the wildlife corridor.

# The Blackburn Creeklands – Part of a Wildlife Corridor

The **Blackburn Creeklands** park is managed by Whitehorse Council as one of several “**Bushland Parks**”. This park classification recognises the importance of the vegetation in the Blackburn Creeklands and its role in providing local habitat and contributing to a wildlife corridor.



Our park not only provides a wonderful resource for recreation, it is an important haven for biodiversity and forms part of a wildlife corridor linking to the Blackburn Lake Sanctuary and also with areas further afield - both eastwards to Mitcham and Vermont and to the southwest following Gardiners (KooyongKoot) Creek to Box Hill South, Burwood and Wattle Park.

**Our park is too narrow to form a viable habitat in its own right** for the diversity of species we have – the park depends on adjacent private land with compatible plantings to form effective bio-links.

**Wildlife Corridors** are critical for ecological processes including the movement of animals and the continuation of viable populations. By providing links to larger areas of habitat, corridors enable migration, colonisation and interbreeding thereby increasing biodiversity.

Species that migrate seasonally can do so more effectively and safely when they can use protected pathways through human activity. Also, animals and plants are able to migrate to new areas when food or water are lacking in their normal habitat (eg due to drought or fire). Plants and animals can breed with counterparts in neighbouring regions so that genetic diversity for the overall population improves.

Population increases also require animals to move to obtain adequate food and water.

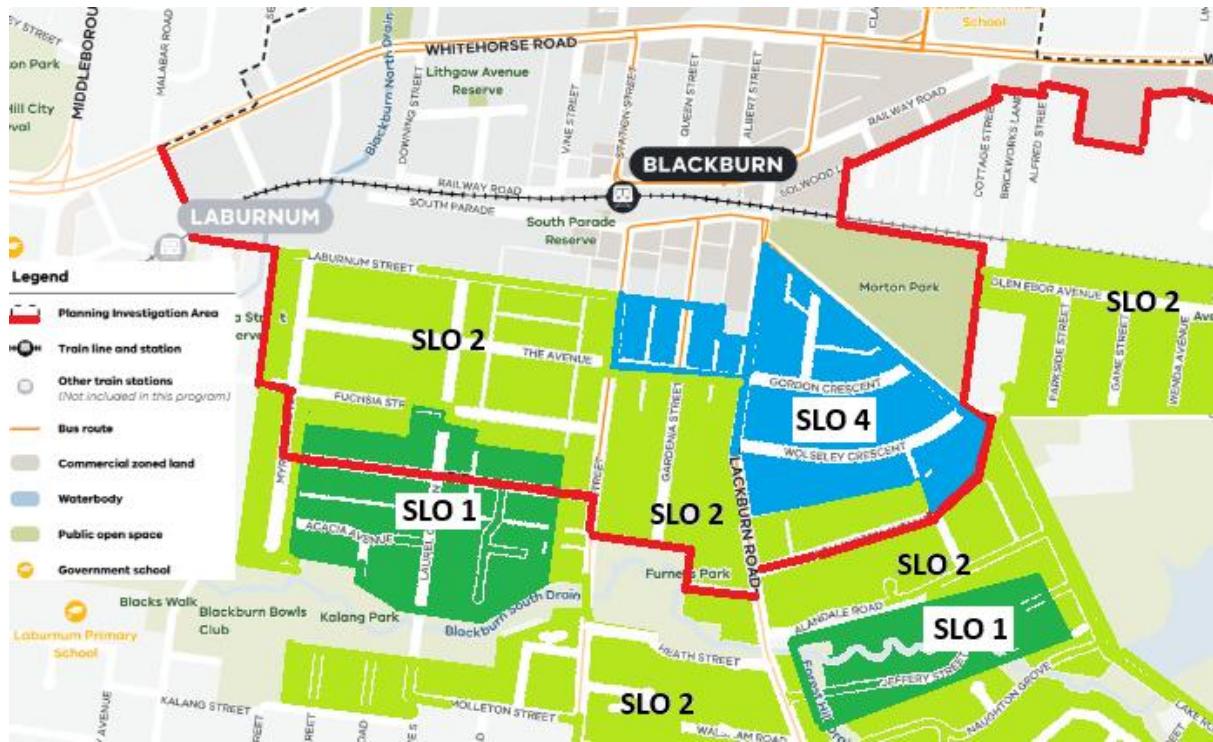
# Zones and Overlays



The Planning Investigation area suggests that a new Blackburn **Housing Choice and Transport (HCT) zone** would cover much of the area north of the Blackburn Creeklands (Blacks Walk, Kalang Park and Furness Park shown above in the bottom left). Currently, the area south of Laburnum Street is zoned Neighbourhood Residential with Schedule 1 (NRZ 1 - Bush environment) with additional protections provided by the “bush” Significant Landscape Overlays – SLO 1, SLO 2 and the SLO 4 “early settlement” overlay south of Morton Park.

Local wildlife uses both the park's and also private resources to go about normal life. We believe **our park is too narrow to form a viable habitat in its own right** for the diversity of species we have – the park needs a buffer of private land with compatible habitat and also wildlife corridor links to habitat further afield.

The approximate SLO boundaries are shown on the map overleaf.



The red line highlights the boundary of the investigation area south of Whitehorse Road. The SLO1 areas are shown in dark green, the light green shows the SLO 2 and blue the SLO 4. The investigation area, which could become the high density HCT zone, completely envelopes the SLO4 zone, clearly impinges on SLO 2 areas and one of the SLO 1 areas - so important for nature.

While we understand there is no plan to remove the SLOs, the HCT Zone and SLOs are intrinsically opposed to each other. The **HCT zone is all about facilitating urban densification** projects whereas the **SLOs are about preservation** of significant landscapes. Under Planning rules/practice, we understand that the Zone is the predominant consideration as compared to overlays – in other words, the Zone trumps Overlays.

**Any areas rezoned as HCT will intrinsically lose their “bush character”** protections because, in Whitehorse, bush character is defined by “schedules to the zone” – NRZ 1, NRZ 2, GRZ 1 etc. For example,

- NRZ 1 = Bush environment areas
- NRZ 2 = Formal bush suburban areas
- NRZ 3 = Traditional bush suburban areas
- GRZ 2 = Bush suburban precinct 2 (etc).

Clearly, these bush characters “disappear” if a property is rezoned to HCTZ.

While retention of the SLOs may assist in management of vegetation etc in existing properties, **it is inevitable that significant destruction of our precious landscapes and habitat would occur with HCT redevelopment proposals.**

Logically, the SLOs cannot be guaranteed to be fully applied unless they are outside the HCT Zone. **We therefore conclude that the SLO1, SLO2 and SLO4 areas should be excluded from the HCT zone.**

## Park Impacts

Another reason we recommend that the SLO regions are left out of the potential HCTZ is that the investigation area directly abuts the park on the northern side of Furness Park. There needs to be a buffer between the park and the HCTZ so as eliminate overshadowing and overlooking – also to reduce the level of human disturbance on the park (pets, noise, light pollution etc).

No building heights should be higher than the tree canopy in the area.

## Impact on Catchment Zones

We realise that an impact of our recommendation would be to reduce the catchment zones to the south of the Blackburn Railway station “core”. However, this is required for the essential protection of the local environment and biodiversity.

It seems there is precedent for “core” areas not to taper-off via inner and outer catchments. For example, the area to the east of Auburn Railway station shows this on the Activity Centres around Hawthorn which are further developed :



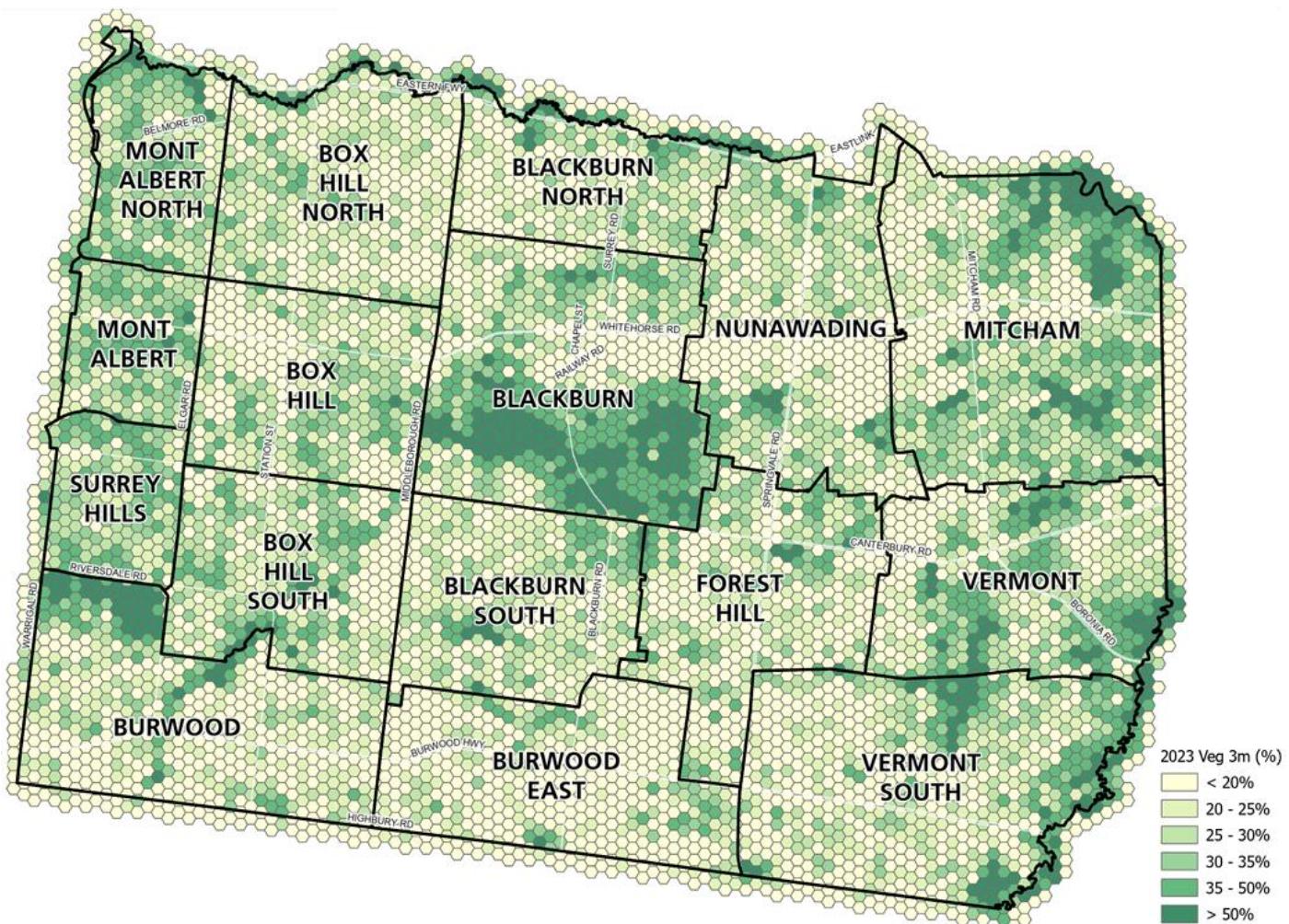
Note that there is no tapering off through inner/outer catchment areas to the east of the Auburn station core.

## Canopy Cover

The State Government's **Plan for Victoria** sets a target of **30% tree canopy cover in urban areas** across Melbourne. The goal is tied to broader state planning policies on urban forests, sustainable environments and reducing urban heat for public health. This is to be achieved, in part, by **protecting existing canopy trees** (through new permit requirements).

The latest data for Whitehorse (2023) shows Box Hill at 22.2%, Blackburn at 34.5% and the municipality average at 25.8%. So Blackburn is currently OK – but we note that ordinary multi-unit and large new homes developments must be causing all the figures to decline in time.

The following diagram shows the tree canopy cover of the Whitehorse municipality:



City of Whitehorse canopy cover (2023) – for vegetation above 3 metres  
(Reproduced with the permission of Whitehorse City Council)

Blackburn Creeklands, Blackburn Lake / Wandinong Sanctuaries and surrounds comprise the central beating green heart of the municipality. In particular, the southern half of the Blackburn suburb is critical to our maintaining biodiversity in the municipality and our natural defences against climate change. **We note many trees are mature and already providing significant habitat having developed natural tree hollows etc.** These take 50-100 years to develop.

The quality of the existing Blackburn canopy is extraordinary and deserves robust protection. It is significant for the entire municipality. Extending the HCT Zone into the SLO areas would be very counter-productive towards our meeting *Plan for Victoria's* objectives.

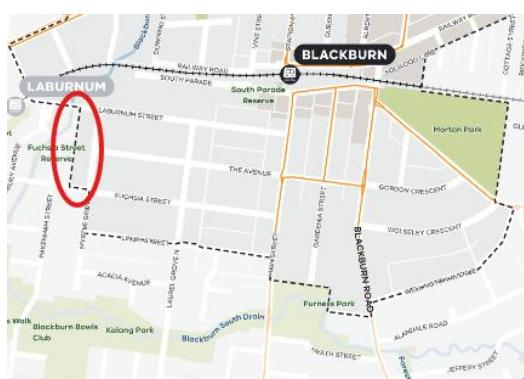
## Streetscapes

Part of the National Trust citation underlying today's SLO1 was protection of "quiet, almost rural character unique in Melbourne" streetscapes with Jeffery Street and **Linum Street** nominated as the best examples. **It would be an absolute travesty** to put the boundary between the HCT zone and the NRZ 1 zone down the middle of Linum Street.

While it would be preferable to end the HCT zone at Laburnum Street so as to preserve the SLO areas, as already recommended, if you do nothing else, PLEASE put the boundary roughly one property to the south of the Fuchsia Street properties so as to preserve the Linum Street streetscape. Where there are laneways, the laneways should also remain zoned NRZ 1. The proposal could be something like this (whether kept linear or stepped at the property level):



We note the draft HCT Zone proposal already takes a back-of-property approach along parts of Myrtle Grove – as the SLO boundaries sometimes do:



## Infrastructure

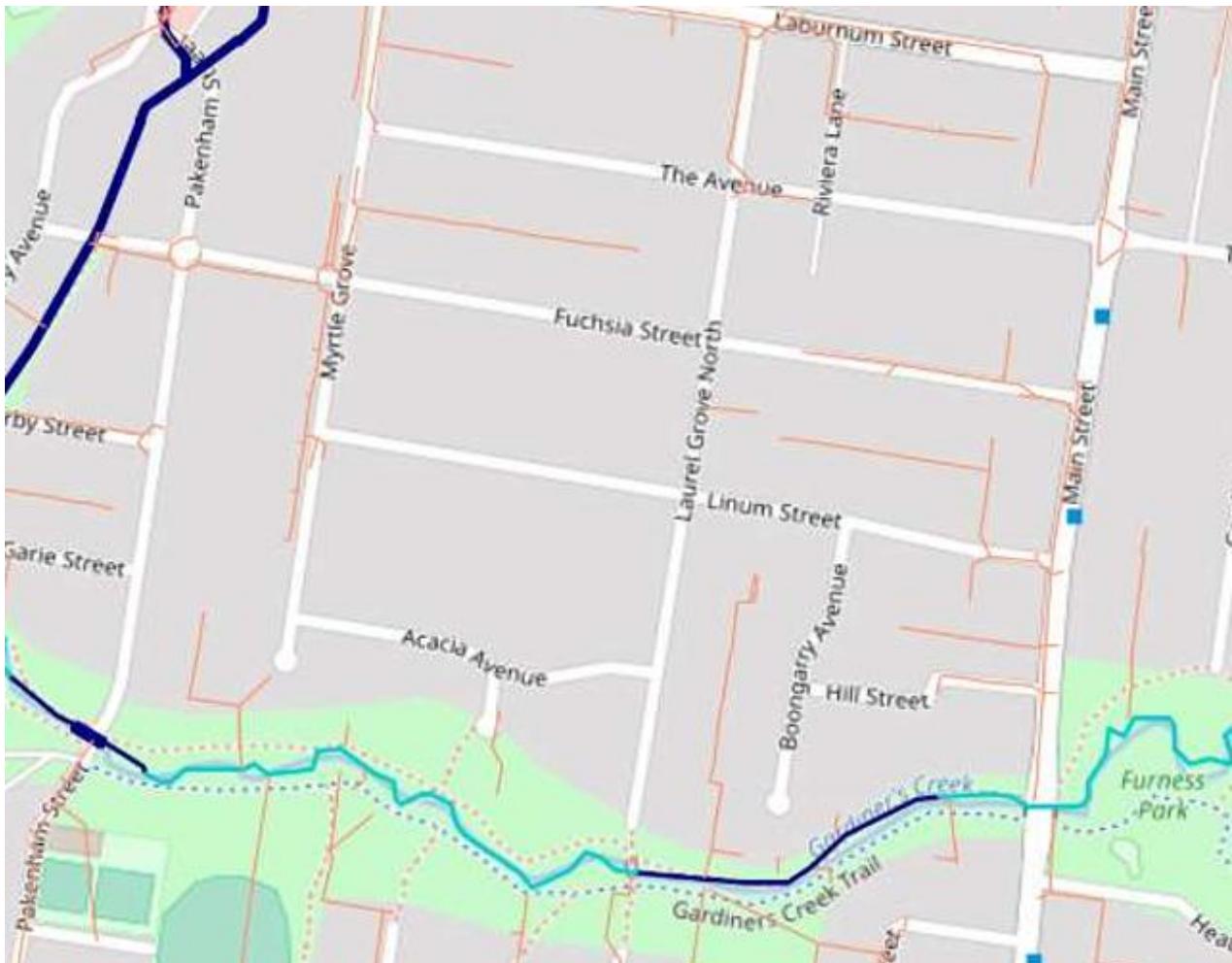
### Plan for Victoria and Burndap Birrarung Burndap Umakoo

The *Plan for Victoria* already recognises the need to protect and enhance our open space, biodiversity corridors and green linear connections holistically (Action 21 in relation to Birrarung). Gardiners (KooyongKoot) Creek is, of course, a significant tributary of Birrarung so maintaining bio-links and also water quality are directly relevant to those aims.

### Water Sensitive Urban Design (WSUD)

The park already hosts three WSUD facilities. Two serve to control stormwater from the “investigation area” to the north of the park via Laurel Grove North and Waratah Crescent. They are not scaled for higher density developments in the now SLO 1/SLO 2 areas. We fear that increasing their capacity may not be simply done due to space constraints and would cause significant disruption to the park and neighbours. Flooding has already been an issue at the end of Laurel Grove North.

Linum Street and other “National Trust” streets were historically private roads and may not have typical suburban infrastructure.



For example, **Linum Street** mostly does not have underground stormwater infrastructure (orange lines above) or concrete kerbing. On the other hand, it does have underground power to protect trees. Roads sometimes go around trees also.

Clearly, this lack of infrastructure would not support significant multi-unit developments. Responding to demands for infrastructure improvements, whether road “improvements” or storm-water etc facilities, would likely destroy the streetscapes so highly regarded by the community and endorsed by the National Trust.

## The Natural Environment

### Biodiversity

The Blackburn Creekands park and surrounds are well known for their high level of biodiversity - especially birdlife - but also including marsupials such as **Krefft's Glider**, invertebrates such as the **Imperial Blue** butterfly and **Rakali** in the creek itself.

Birdlife Australia recently conducted a nationwide survey of the most popular native birds which resulted in #1 **Tawny Frogmouth**, #2 **Baudin's Black-Cockatoo** and #3 the **Gang-gang cockatoo**. Two of the three reside in, or regularly visit, the area. Although we don't see WA's critically endangered Baudin's Black-Cockatoo, the **Yellow-tailed Black Cockatoo** regularly visits the park...

### Endangered Species



The Gang-gang Cockatoo is now formally classified as **endangered** following significant losses of its habitat due to bushfires destroying its habitat elsewhere in eastern Australia. As young have been seen being fed many times over the past years in trees in the area now under investigation, it appears that this species is breeding in the area. **It would be horrifying to think that insensitive rezoning to medium density might result in sending this beautiful bird closer to extinction.**

## Quiet Nesting Areas

A number of other bird species frequent the park for feeding etc - but nest in the adjacent, quieter SLO areas – such as this **White-faced Heron** nesting in Linum Street:



As noted earlier in this document, the park needs adjacent private land with compatible vegetation to provide adequate habitat and to form wildlife corridors further afield. The **HCT Zone would increasingly result in the loss of habitat and biodiversity** as animal and plant populations become more isolated.

## Effects of Urban Density

The Blackburn Creeklands is close to the Box Hill SRL precinct and so will become an increasingly important resource for the physical and mental health of the Box Hill community as well as Blackburn.

We need to remember that the park and surrounds will also be put under pressure from the State Government's SRL project in adjacent Box Hill. **As population density significantly increases in Box Hill and Blackburn, access to open space and the natural environment will be increasingly important for physical and mental health.** Increased demand for the park as a public resource underscores the continuing importance of there being quieter places in the private domain to maintain quality bio-links and hence biodiversity.

Increased usage will inevitably increase maintenance costs for the Creeklands. We understand that one reason Morton Park is within the investigation area is that its inclusion facilitates the application of **development contributions** to that park. Irrespective of where boundaries lie, development contributions should be invested in the Blackburn Creeklands.

# Ideas for improvements

To “compensate” for the loss of the SLO areas recommended in this document, we suggest the following alternatives:

## Industrial Land

Blackburn contains quite large industrial areas which reflect the area’s past - such as orchardists’ coolstores. These are now either vacant or re-purposed inefficiently as low-scale, run-down panel beaters etc – none of which deserve prime locations close to public transport. These would seem to be appropriate mixed residential/office sites as part of an urban renewal program. We understand that remediations (eg for lead) may be needed – but this would be a good thing in any event.

## Level Crossing Removal

The State Government missed an opportunity, back in the days of the level crossing removals, to unite Blackburn by choosing to retain the old Blackburn railway station above-ground. If the station were to be underground, a plaza could be built over the tracks and the immediate surrounding area utilized for low-medium rise (<10 storey) accommodation. This would eliminate the existing “north-south” divide and unite Blackburn in a much more free-flowing way. The Activity Centre reopens this opportunity.

## Conclusions & Recommendations

We reach the following conclusions and recommendations:

- The Blackburn SLO 1, 2 and 4 areas perform an essential function in effectively extending the Blackburn Creeklands to provide habitat and corridors for wildlife broadly along Gardiners (KooyongKoot) Creek. These areas provide significant tree canopy and are compatible with the bushland characteristics of the park.
- These private domain areas are extremely important for biodiversity, canopy cover, reducing the heat island effect and providing “quiet” areas for breeding. This includes providing habitat for an endangered species so should not be under-valued.
- We are not opposed to the Activity Centre per se. The SLOs cannot be guaranteed to be fully applied unless they are outside the HCT Zone. Furthermore, any areas rezoned as HCT will intrinsically lose their “bush character” protections because, in Whitehorse, bush character is defined by “schedules to the zone”. We conclude that the SLO1, SLO2 and SLO4 areas must be excluded from the HCT zone – otherwise they will lose the characters, tree canopy and other vegetation required for biodiversity and wildlife corridors.
- Although this recommendation would mean the potential for less inner/outer catchment area, there is precedent for core only boundaries - if it comes to that (eg Auburn).
- Ideas for alternative areas to provide more housing are presented – urban renewal of the run-down industrial area and more imaginative use of the Railway Station precinct.
- The “National Trust” Linum Street streetscape must be conserved and the street should be outside the HCT zone.
- There should be a buffer between any HCTZ boundary and the Blackburn Creeklands.
- A fair share of development contributions should go to the Blackburn Creeklands.