

Proposal for Bunnings Warehouse on Glenlyon Road

How to Submit Your Objection (Statement of Grounds) to VCAT

UPDATED: For those objecting to amended plans (released March 2021)

Proposed Bunnings Warehouse at 145 Glenlyon Road and 6 Pitt Street, Brunswick 3056

VCAT case number is P1683/2020.

Statement of Grounds due in by April 6, 2021. (Note that the developer put April 7 on some notices. You can put that date if it was on your notice.)

Objectors need to submit a Statement of Grounds to VCAT

You may have submitted an objection to Moreland Council. However, the developer has lodged at VCAT. VCAT don't look at objections sent to Council. VCAT only considers submissions from individuals, community groups and companies who submit a Statement of Grounds. Only individuals, groups and companies who submit Statement of Grounds will have their evidence considered. If they choose to be a party, they can speak at the hearing if they wish and can be kept informed at each step of the VCAT process.

You may have already submitted a Statement of Grounds to VCAT. If you don't wish to change this, then you don't need to do anything.

If you now wish to submit a Statement of Grounds (including becoming a party) or wish to modify your Statement of Grounds, then read on.

What if I didn't submit an objection to Council (or submitted late)?

That's okay. See below.

Why it is important to submit a Statement of Grounds

Numbers matter. VCAT will consider the number of people who submit a Statement of Grounds as evidence of a significant social effect. If you don't submit one, VCAT will assume you are not opposed to the development.

To join the fight, you can simply submit a short Statement of Grounds and not appear at the hearing. That way there is no fee.

Or you can submit and also pay a fee (\$20.70, or \$10.40, or apply for fee relief). That way you can speak at the hearing and be kept informed.

How to Fill in the Statement of Grounds Form

Go to <https://www.vcat.vic.gov.au/respondplanning>

About half way down, under item 4 "Respond to the application" you see "Submit Statement of Grounds Online". Click on this, or Download the PDF Form. If your Statement of Grounds is long, you are better off using the PDF version. You should then attach your Statement of Grounds in a separate document.

The PDF version should be opened in a PDF reader. You can type on the form and then save it. (We suggest you check the saved version to ensure it saves your changes.)

Fill in the following:

- Date the statement of grounds must be received by VCAT: April 6, 2021
- VCAT reference number: P1683/2020
- Site address: 145 Glenlyon Road and 6 Pitt Street, Brunswick
- Your Full Name

Tick one of the following boxes. If you objected very late or not at all, and haven't received details of the application in the mail, you should tick the second one:

- A person who objected to the original application to the council
- A person who did not object to the original application to the council but now wants to object

Then fill in other personal details.

You don't need to fill in anything under IS THIS A JOINT STATEMENT OF GROUNDS?

Under WHAT GROUNDS DO YOU INTEND TO RELY UPON? you need to State Your Grounds.

What to fill in under STATE YOUR GROUNDS

You must fill in this section. You need to state why you object to the development in your own words.

The form has room for only a few lines. If your Statement of Grounds is long, create a separate document. In the section of the form, write that the Statement of Grounds is in an attachment, and include the name of that document.

If you submitted an objection to Moreland Council, you can cut and paste your original objection into the form. Or you can just summarise or update your previous objection points and put them in the box provided. Or you could include new reasons for objection.

If you did not lodge an objection with Moreland Council, here are some ideas for you. Write these in the box or in an attached document.

At the end of your reasons you may wish to add at the end something like "I reserve the right to add to or change my reasons for objection." This keeps your options open.

Example Only: Using your own words is more relevant and more powerful. If you want help with specific issues not covered here, please email us. The section that relates to Bunnings' amended plans is in **green**.

This application should be refused on the following grounds:

Traffic Issues: The introduction of significant and excessive additional heavy and light truck movements into both Pitt Street (a no-through road) and Glenlyon Road (single-lane road each way) shared by pedestrians, bicycles, and cars, creates additional safety hazards, traffic congestion, noise and air pollution. The addition of an excessive number of customer cars also adds unreasonable impacts.

The Council's peer review of the traffic report found the developers' traffic modelling to be "deficient and unacceptable in a number of critical aspects". The developer's amended plans have failed to address these deficiencies. Thus residents have NOT been provided with a realistic assessment of the traffic impacts.

Sense of place: Proposed use and development does not match the area's preferred or emerging activity or character, and does not contribute to our sense of place.

Amenity: This site abuts residential neighbours in the surrounding apartments and dwellings. This building will impose (to an excessive degree) on residents from additional shadowing, loss of sky, and a loss of openness in their private open space. The operating hours of 6am to 10pm are unreasonable in a residential area. In addition, the massive box-form is at odds with Moreland Council's vision for our neighbourhood.

Safety: This project has significant social effects, which will be detrimental to the community at large. These effects include the safety impact on pedestrians, cyclists and existing road users.

Impacts on local business. A nursery and café in close proximity to our local nursery and café village strip impacts adversely on existing businesses.

Environmental impacts: the use and development are not environmentally sustainable and will unreasonably contribute to urban heat in a vulnerable residential area, and shows no initiative in reducing carbon or water waste.

I reserve the right to add to or change my reasons for objection.

Participation in Hearings

Under YOUR PARTICIPATION IN HEARINGS, indicate whether you would like to participate in hearings or not. You can choose not to participate in the hearings. Then there is no fee.

If you participate, there is a fee of \$20.70 (with concession and fee relief available). We recommend that you pay the fee, to ensure that you are kept informed, especially when Bunnings changes their plans.

If you want to speak at the VCAT hearing, you can indicate how much time you need (e.g. 5 minutes, 30 minutes – whatever you need. But you do not need to fill this in. You can change your mind later.

You don't need to fill in the bit on expert witnesses (unless you are calling some!)

Hearing Assistance

We have been told that the hearing will be held online. (Date: 26, 27, 28, 29, 30 April and 3, 4, 5 May 2021; time 10:00 am – 4:30 pm)

Complete this section if you want to be a party and you require special assistance.

Certification

Fill in the date that you send the forms. (This should be on or before April 6, 2021.)

Acknowledgement

Tick both boxes. Fill in your full name and the date you are signing.

Statement of Grounds Fee

If you want to become a party, there is a small fee (\$20.70 for an individual or not-for-profits; half price for concession card holders; \$29.60 for corporate objectors).

There are various options for paying the fee. We recommend doing it by phone after you have submitted the form. Call 1300 01 8228 to pay with a credit card (9am – 4.30pm). You may need to wait on the phone for a while or request a call back.

Send the form to VCAT, the developer's lawyers and Moreland City Council to reach them by April 6, 2021

Send the form to the following:

- VCAT. Include the payment page if paying a fee.
By email to admin@vcat.vic.gov.au
OR via post (in plenty of time) to:
The Registrar, Planning and Environment Division,
Victorian Civil and Administrative Tribunal, GPO Box 5408, Melbourne VIC 3001

OR in person hand in: VCAT service counter, ground floor, at 55 King Street Melbourne between 8.30am and 4.30pm.

- The developer's lawyers
by email to admin@pppartners.com.au
OR via post (in plenty of time) to:
Mark Naughton
Planning and Property Partners
13/1 Collins Street, Melbourne VIC 3001
- Moreland City Council
by email to info@moreland.vic.gov.au, with subject line: Attention Planning.
OR via post (in plenty of time) to:
Planning Department, Moreland City Council
Locked Bag 10, Moreland VIC 3058 Australia

Need any more help?

Email us at info@stopbunningsglenlyon.org