

VCAT Matter P1683/2020 145 Glenlyon Road and 6 Pitt Street, Brunswick
Moreland City Council Application MPS/2020/260
Submission regarding planning Amendment VC204

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1.0 Introduction

This submission is made in response to the Tribunal order of December 10th 2021 requesting submissions regarding the recent planning amendment VC204 and its relevance to the proposal for a Bunnings store at 145 Glenlyon Road Brunswick.

We submit that the changes made in VC204 Clause 18 have direct relevance to this matter and to the impact of the development on local bicycle transport infrastructure and its safety, and use now and in the future.

Amendment VC204 supports and reinforces those areas of existing policy at both State and local level that informed our objections to the proposed development. The increased emphasis on encouraging mode shift away from cars to more sustainable modes including cycling, the protection of the transport system within which bike lanes are explicitly recognised, and the emphasis on safety, all contribute to our submission that this amendment should be considered by the tribunal in their final determination.

In particular we note;

- A new definition (at cl 18.01-2S) of the “State Transport System,” which now includes the Principal Bicycle Network. As submitted by us the bike lanes currently on Glenlyon Road are part of the Principal Bicycle Network and hence are included within this definition of the State Transport System.
- The emphasis on encouraging mode shift and prioritising active transport and in particular cycling which we contend is incompatible with approval of this development.
- An increased emphasis on safety as a central theme, whereas the proposed development undermines the safety of people on bicycles (and other modes) in the area.

2. State Transport System

Amendment VC204 provides a new definition (at cl 18.01-2S) of the “State Transport System,” and explicitly mentions that it includes the Principal Bicycle Network (PBN). The bicycle lanes currently on Glenlyon Road are part of the Principal Bicycle Network and hence recognised as

part of the State Transport System through this amendment. The definition given does not extend to Glenlyon Road's role carrying motor vehicles.

Glenlyon Road's significance as a bicycle route was detailed in our earlier submissions with annual counts provided by Bicycle Network and Moreland's Council's decision to engage progress consultation on protected bike lanes on Glenlyon Road both supporting this.

As the PBN is part of the State Transport System we find Clause 18.02-2S; *Protect and develop the Principal Bicycle Network to provide high-quality cycling routes that are direct and connected, to and between key destinations including activity centres, public transport interchanges, employment areas, urban renewal precincts and major attraction* must be considered with respect to this section of Glenlyon Road and the bicycle lanes currently in place.

Clause 18.01-1S provides direction for development adjacent to the State Transport System, stating that planning and development *protect transport infrastructure and allow for the ongoing improvement and development of the State Transport System in the short and long term*, where the 'transport infrastructure' and 'State Transport System' in this case includes the PBN or bike lanes on Glenlyon Road.

This is directly relevant to the arguments made in our earlier submissions that the proposed development at 145 Glenlyon Road will be to the detriment of the bicycle lanes, or this section of the PBN, and their use. The integrity of the bike lanes and the willingness of people to use them will be adversely affected by the volume of traffic moving across the bike lanes into and out of the site, by the movement of heavy vehicles across the bike lanes and by the presence of any queuing heavy vehicles as frequently documented at other Bunnings stores throughout Melbourne.

This will not only affect the lanes as they exist now but is an issue that will continue to undermine the integrity of this section of the Principal Bicycle Network as it will be the case even after protected bike lanes are built, and hence this does not allow for the ongoing improvement and development of the State Transport System in both the short and long term.

2.1 Transport System in General

At Clause 73.01 the transport system is defined as including cycle paths.

In addition to direction about the State Transport System, there are various references guiding use and development adjacent to the "transport system," which as noted is now defined to include cycle paths, and "transport infrastructure."

Clause 18.01-1S has a strategy to;

Plan the use of land adjacent to the transport system having regard to the current and future development and operation of the transport system.

This is directly relevant to the concerns we raised in our earlier submissions detailing the negative impacts the traffic accessing the site at 145 Glenlyon Road will have on the operation of the bike lanes as they are now and as they are developed in the future. The transport system

(i.e. the bicycle lanes on Glenlyon Road) will not be able to operate as it does now nor as intended when they are so frequently occupied by vehicles moving across them, stationary vehicles propping over them or in the case of the bicycle lanes on the south side of Glenlyon Road, by vehicles occupying the bike lane to overtake vehicles queuing to access Bunnings.

3.0 Encouraging mode shift

Planning amendment VC204, especially Clause 18, emphatically states that sustainable personal transport, i.e., walking and cycling, must be prioritised together with public transport over the use of private motor vehicles. In designing development Clause 18.01-3S prioritises walking, cycling and public transport over cars. We note the following strategy in cl 18.01-3S – Sustainable and Safe Transport to:

Design development to promote walking, cycling and the use of public transport, in that order, and minimise car dependency

This makes explicit the priority to be given to walking and cycling that is already incorporated within the local Moreland Integrated Transport Strategy and it is our submission that the impact of the proposed development must be considered with respect to this.

The proposed development discourages cycling with its negative impact on the integrity of the bicycle lanes on Glenlyon Road and on the general safety of cyclists in the area. This strategy means that the bicycle facilities at the proposed development must be further examined as to whether or not they promote mode shift when they do not accommodate a range of bike designs and cannot be safely accessed from the bike lane.

4.0 Safety

An explanatory note from DELWP notes the increased emphasis on safety in the revised Clause 18 and stresses that the policy seeks to ensure the safe functioning and use of the transport system, that transport system defined as including the bike lanes on Glenlyon Road.

We submit that the impact on the safety of people on bicycles created by this development is elevated by this change in emphasis on safety in VC204. We refer in particular to the interactions we described in our earlier objections at the access points on Glenlyon Road and their intersection with the bicycle lanes, but also to the safety of those people using bicycles on Lygon Street, and in the surrounding residential streets which many cyclists use to avoid traffic.

Conclusion

We submit that new planning Amendment VC204 has significant implications for the proposed development and must be considered by the tribunal in its determination. It is our submission that it strengthens the case to reject this proposal.