

VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL

PLANNING AND ENVIRONMENT LIST

VCAT REFERENCE NO. P1498/2020
PERMIT APPLICATION NO. 281/2019/11AP/A

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| APPLICANT | Fiago Trust |
| RESPONSIBLE AUTHORITY | Nillumbik Shire Council |
| SUBJECT LAND | 18 Brisbane Street, 19 Bridge Street & 19A Bridge Street, Eltham |
| HEARING TYPE | Hearing |
| DATE OF HEARING | 7 December 2020 |
| DATE OF ORDER | 7 December 2020 |

ORDER

Decision set aside

- 1 The decision of the responsible authority dated 19 May 2020 is set aside.

Permit amended

- 2 Planning permit 281/2019/02P is amended and an amended permit is directed to be issued for the land at 18 Brisbane Street, 19 Bridge Street & 19A Bridge Street, Eltham. The permit is amended as follows.
 - (a) For condition 1(c), substitute:

Addition of a customer and goods lift with minimum internal dimensions of 1.35 metres in width, 1.4 metres in depth and 2.3 metres in height, providing access between the proposed car park and the proposed building materials and landscape yard.
 - (b) For condition 5(d), substitute:

Clarification as to how deliveries and unloading of goods to the site will occur in conjunction with customer vehicles entering and exiting the building
 - (c) For condition 5(e), substitute:

Clarification as to how waste will be collected from the site in conjunction with delivery vehicles and customer vehicles entering and exiting the building
 - (d) After condition 5(l), insert:



- (m) Process for collection of customer purchases, including the operation and management of the customer lift and drive through facility to avoid using the public footpath to transport bulky or large items to the undercroft car park.

Geoffrey Code
Senior Member

APPEARANCES

By videoconference

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| For Fiago Trust | Mr Michael Meyer, town planner, Urbis Pty Ltd |
| For Nillumbik Shire Council | Mr David Di Giovanni, town planner |

INFORMATION

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| Brief description of proposal | Construction of a 'building materials and landscape yard and timber yard' Bunnings warehouse |
| Nature of proceeding | Application under section 77 of the <i>Planning and Environment Act 1987</i> – to review the refusal to grant an amended permit |
| Planning scheme | Nillumbik Planning Scheme |
| Zone and overlays | Industrial 3 Zone |

REMARKS

- 1 I gave oral reasons for this order at the conclusion of the hearing.

Geoffrey Code
Senior Member

