



Friends of Nillumbik Inc.

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Friends of Nillumbik and its 1,500 supporters have been working for more than 20 years in the public interest to protect biodiversity, rural landscape, neighbourhood character and good governance, in a sustainable Green Wedge shire.

OBJECTION TO DEVELOPMENT PROPOSAL 512/2022/03P 22 ARTHUR STREET AND 25 DUDLEY STREET, ELTHAM

On behalf of Friends of Nillumbik (FoN) I wish to lodge an objection to the proposed development indicated above.

The development is being proposed by G3 Projects relying, along with other materials, on a town planning report prepared by URBIS. These are the same entities involved, with others, in similar proposals that were rejected by a VCAT Major Projects Hearing in a decision dated 22 February 2019 cited as *G3 Projects Pty Ltd v Nillumbik SC [2019] VCAT 263*. FON made a submission to and was represented at that Hearing.

The site for proposed development is located on two blocks within the Eltham Activity Centre (Schedule 1, Precinct 1). We recognise that the Government's policy response to the growth of Melbourne's population is to try to contain that growth within Urban Growth Boundaries and that, within those boundaries, Activity Centres are identified as places for more intensive development.

So relatively more intensive development is to be expected on the two blocks in question and we recognise that the proponents have sought to respond to elements of VCAT's rejection of their earlier proposals.

Despite the changes, we remain opposed to this latest proposal. The particulars of our principal issues and objections are provided below.

HEIGHT AND MASS OF BUILDING

We consider the overall mass of the two buildings – see image below – to be inconsistent with the character of Eltham and the predominant character of the nearby buildings.

The applicants describe the proposed building as comprising four storeys above ground plus two basement levels. But, those four storeys exclude the rooftop gardens which make the

building effectively five stories high above ground. Added to that in some areas the overall heights of the buildings approach and exceed the preferred building height of 17.5m for the development site – Dudley Street building 17.2m and 18.2m in the case of Arthur Street.



A reduction in the ceiling heights of the apartments would reduce the bulk of the development. We read the ceiling heights as 3.0m probably as an architectural technique for making smaller spaces look more spacious. Reducing the ceiling heights to the current standard of 2.7m would reduce the overall building heights by 0.9m and would make the buildings everywhere fully compliant with the preferred 17.5m building height in this area.

BETTER APARTMENT DESIGN STANDARDS

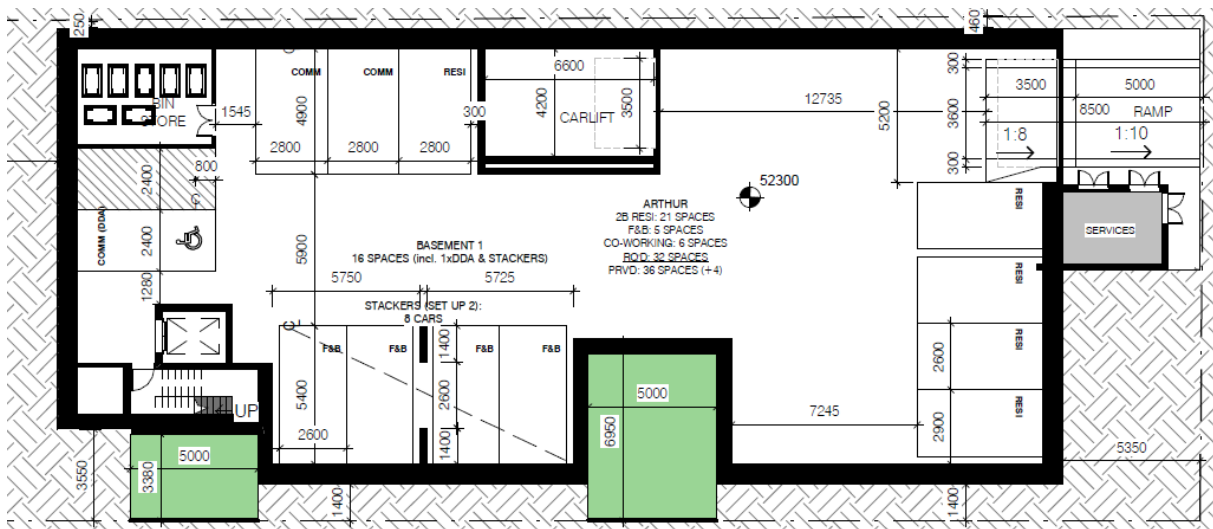
The Victorian Government introduced a set of Better Apartment Design Standards (BADS) in 2017 and updated those standards in 2021. In the most general terms, the BADS are intended to improve the liveability of apartments and the interface of apartment developments with their surroundings in part through the design of the buildings and their associated landscaping.

FoN has not made a detailed study of the extent to which the applicant's plans meet the BADS design standards for the individual apartments. We note however, that the applicant points to a failure of around 30% of the apartments to meet either one or both of the standards D17 and D27. Standard D17 is concerned with accessibility and D27 is concerned with ventilation.

.LANDSCAPING

We are concerned at the loss of vegetation involved in the building proposal and that the developers have not made any real effort to replace that vegetation consistent with what is possible along with the development of the sites.

In particular, we submit that the landscaping of the two buildings along their boundary with Circulatory Road is not consistent with the Better Apartments design standards which call for and emphasise the use of canopy trees in the landscaping of apartment developments.



While the submitted documents talk of wider setbacks, the submitted plans actually show the building envelope setback by only 1.40m (Arthur Street) and 1.48m (Dudley Street) from the site boundaries along Circulatory Road as shown above in the Basement Plan for Arthur Street.



Given that, as shown above the plans show only two trees set in narrow nooks in each of the two buildings on their side to Circulatory Road. Moreover, the nooks for the trees are not

large – on each building one is 28.6 sqm and the smaller nook only 19.3 sqm and almost certainly not large enough for larger trees. Moreover, the trees will be hemmed in on three sides by four story high walls.

It is difficult to be optimistic about the prospects for these trees shown in the drawings, especially for the trees planted in the smaller nooks.

We submit that along Circulatory Road the setbacks from the site boundary to the effective building envelopes should be increased to at least 3m. At that width there is some prospect for planting larger, taller canopy trees right along the Circulatory Road boundaries. Such plantings would help camouflage the bulk of the buildings, provide shade to the apartments and better combat heat island effects.

The camouflaging effects of the additional trees would also be significant in softening the interface between the proposed buildings and the much smaller scale differentiated frontage townhouses on the East side of Circulatory Road as shown below.



DRAINAGE

For onsite carparking the proposed buildings rely on two basements which will require extensive excavations on the site. We question whether the excavations will result in altered water flows that could damage nearby buildings. We also question whether drainage plans based on historical parameters will be able to cope with the requirements of a future affected by climate change.

According to the experts the effects of global warming will include more frequent and heavy rainfalls. Already this year Nillumbik Council has had to postpone the Eltham Rotary Festival

due to concern about the waterlogged state of Alistair Knox Park. Other councils and authorities have cancelled similar large foot trafficked events for similar reasons.

FOUR PARKING MATTERS

First, we question the adequacy of a single disabled car park in the basement car parks of each of the two buildings.

Because of their more compact size and location, the two buildings will have some attraction to older people seeking to downsize and the general aging of the community is likely to lead to greater demand and need for disabled parking generally. That aging and demand for downsizing suggest that more disabled parking should be provided in buildings such as proposed.

It is important to do more than just paint a disabled parking logo onto a standard parking space because there has to be room for disabled people to manage their disability aids, such as wheelchairs, on which they may be reliant.

The relevant details are not clear from the submitted plans. Accordingly, we seek reassurance that 1) the number of disabled parks in the basement parking will be increased and 2) that they will be of appropriate dimensions.

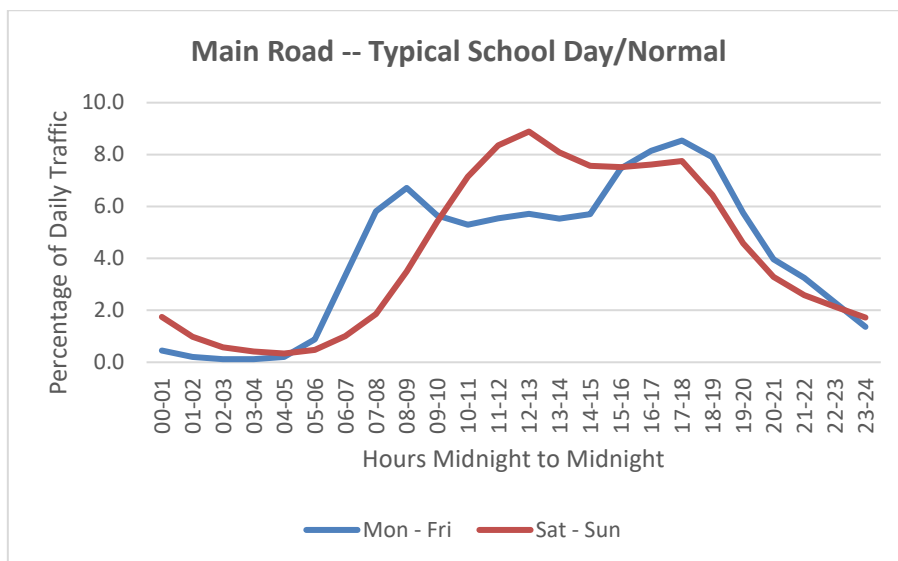
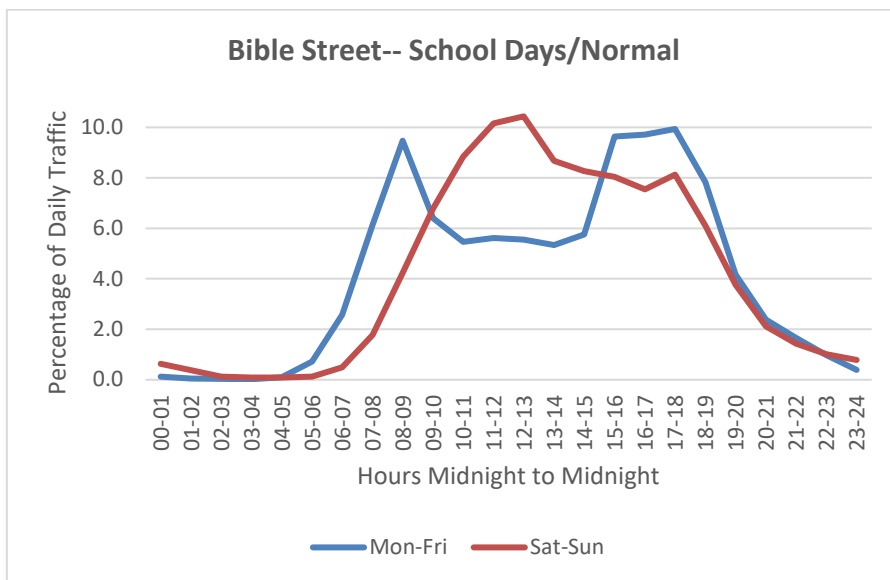
Second, for the reasons above and because of the terrain, if disabled people are not to be discriminated against in terms of their use of the public facilities provided by the two buildings, we submit some additional disabled parking should be provided in close proximity to the buildings.

Third, FoN is not convinced that space in nearby parking areas will be sufficient for the residents of the apartments – perhaps 80 people– and their visitors and the staff and clients of the commercial facilities on the ground levels. For example:

- Notwithstanding the proximity of public transport facilities, quite a few of the two-bedroom apartments are likely to be occupied by couples each of whom could have a car. In those cases, one car will need to be found street level parking. Circulatory Road is not available for that purpose because parking there requires a special Trader Parking Permit.
- Some of the apartment residents using their cars for multiple short-term trips through the day will seek to choose street level parking instead of going through the rigmarole of using their basement car storage.

Fourth, the timing of the traffic assessment by Traffix Group on 10 December 2020 at 12:30pm raises two issues.

- First is the issue of COVID. On 10 December 2020 the State was still “coming off” virus restrictions. FoN’s point is that the date of the survey is unlikely to be indicative of parking demand in more normal times when greater movement would increase parking demand. For example, from 30 November 2020, only up to 25% of workers were allowed to return to the office.
- Second is the time of day of the survey, 12:30 pm, because the volume and pattern of traffic also affect parking demand. The 12:30 time slot excludes the traditional “school pick-up time” of around 3 pm. As shown in the figures below, 12:30 pm is a low point for traffic and the volumes of traffic along Bible Street and Main Road – nearest roads for which data were available – climb rapidly in the period from 3 pm to 4 pm. With the increased traffic there will be an increase in parking demand as carers stop off at shops etc to do errands as part of the process of picking up their children from school.



The data for Bible Street have been provided by Nillumbik Council and refer to the period 28 May to 2 June 2018. The data for Main Road have been downloaded from VicRoads and are defined as “typical” traffic volumes. In both cases the charts show the proportion of the day’s traffic on the roads at the indicated times.

The point of the two charts is that overlooking the critical school pick up time from about 3 pm will understate the parking demand at a pinch point for the day.

NET COMMUNITY BENEFIT

The fundamental and overarching requirement of planning under the Nillumbik Planning Scheme is that planning decisions deliver a net community benefit.

We submit that – in its present form – the proposed development will not meet that requirement.

People are unlikely to buy the new apartments unless they see themselves better off as a result. So buyers of the new apartments should, other things constant, achieve benefits. But the extent of their benefits should only be counted as the difference – possibly relatively small – in the value they place on their new housing as a result of moving from their previous homes.

For everyone else there is likely to be a net loss. People living in the nearby differentiated frontage townhouses on the East side of Circulatory Road, and the rest of Eltham will lose if they are forced to look at the great mass of the new buildings without the camouflage of additional large, tall canopy trees.

The overall result will be a net loss to the community.

Henry Haszler (Treasurer)

On Behalf of Friends of Nillumbik Inc.

16 December 2022