



Australian Institute  
of Landscape Architects  
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Submission by:

**AUSTRALIAN INSTITUTE OF LANDSCAPE ARCHITECTS**

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To whom it may concern

**RE: AILA Submission regarding the Better Apartments - Draft Design Standards**

The Australian Institute of Landscape Architects (AILA) Victorian Chapter provides the following submission in response to the **Better Apartments - Draft Design Standards** (Draft Standards). Having previously made a submission in response to the Discussion Paper we value the opportunity to provide feedback at this critical stage.

AILA is the peak body for the landscape architecture profession in Australia. Representing over 2000 members, we champion a landscape of livability and quality design for our streetscapes, public open spaces, stronger communities and greater environmental stewardship. Our members include both Landscape Architects and Urban Designers who are experienced designers of apartment developments, as well as being owners, tenants, neighbours and visitors. We have therefore considered a range of Draft Standards beyond the realm of landscape architecture.

We applaud the Government for recognising that 'not all apartments being built are healthy places for people to live'. The Draft Standards set a positive direction for future apartment development and we are delighted to see that a number are in accordance with our earlier feedback. However, we believe that some of the proposed standards could be improved and added to, and we encourage the Minister for Planning to be bold in the continual pursuit of good design. We outline our position on the Draft Standards below.

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## **Implementing the better apartment provisions**

### ***New Planning Provisions***

AILA believes a combination of regulatory and performance-based mechanisms, supported by the opportunity for peer review, is required for the delivery of quality apartment design. We therefore generally support the intent that a standard should normally be met unless the responsible authority is satisfied that an application for an alternative design solution meets the objective. However, more information is needed regarding the proposed education and training to assist local governments in assessing such applications. This assessment is likely to be complex and require a combination of in-house staff and external review. Independent design review panels (such as that run by the Office of the Victorian Government Architect) are well placed to ensure all alternate solutions demonstrate design excellence and are rigorously defensible at VCAT.

We are concerned that the content of the supporting Apartment Design Guidelines has not been prepared and consulted on as part of the public review of the Draft Standards. The Design Guidelines will be a crucial assessment tool for local governments and these should be open to critical review in conjunction with the Draft Standards.

### ***Keeping designs on track at building approval (design verification)***

There is no stated requirement for the use of a registered architect during the design and planning process. This seems to be assumed as a given, but should be clearly stated in the Draft Standards as a requirement, in addition to introducing the checkpoint at the building permit stage.

More information is required on the advanced training course to determine whether or not a registered building designer would be as capable as a registered architect in assessing design at the building approval stage.

A registered landscape architect should be required during the design, planning, and building permit phases to ensure the architectural and engineering design incorporates appropriately supported and meaningful landscaped areas.

It should also be mandated for developments of a certain size that the registered architect and registered landscape architect (preferably who completed the original design) be engaged during the construction phase to maintain quality control until project completion. The landscape/public/communal realm is often the first thing to be 'value managed' and therefore it is critical that quality control be maintained at all stages.

### ***Developing consumer awareness***

AILA fully supports the development of a range of tools to better inform people about good apartment design. Included within this should be a duty of disclosure from developers and agents regarding apartment size and room dimensions. This is particularly important for off-the-plan sales.

## **The Draft Standards**

### ***Building Setback***

AILA supports the standards in their attempt to prevent over-development of narrow blocks.



There appears to be adequate flexibility to reduce setbacks where it can be demonstrated that an alternate solution is contextually appropriate and/or in accordance with the requirements of any design and development overlay (eg. where continuous street walls are desired). However, this relies on comprehensive development controls being in place in all areas, and adequate design review.

AILA notes that the standard only calls for setbacks from a habitable room, window or balcony. An unintended consequence of this may be buildings with very high, undesirable blank walls that do not adequately set back from neighbouring sites.

It should be clarified in the standard if an adjacent laneway (whole or in part) can be included in the minimum setback calculation.

### ***Light Wells***

AILA believe the Draft Standards are reasonable in regard to dimensions. Consideration should be given to the requirement to stagger windows to any habitable room as defined by the standard, not just bedrooms.

AILA understands that matte finishes may be preferable to reflective finishes, and surfaces may not always be painted. The standards should refer to finishes (including matte) without specifying the materials/method.

A guideline should be included to encourage the siting of light wells adjacent to any neighbouring building's light well(s).

### ***Room Depth***

AILA believes the Draft Standards are reasonable in principle. However, in the absence of overall minimum apartment sizes, an unintended effect of this standard might be the creation of many compact apartments.

If the intent of a minimum 2.7m ceiling height is to increase solar access, additional standards need to be included to guide window size and type (see next comment). If the intent is solely to increase the perception of space than any increase in ceiling height is welcome.

A reduction in height over a kitchen is reasonable but should be limited to 2.4m.

### ***Windows***

AILA believes access to daylight is critical to mental health and wellbeing and we fully support the intent of the standard that 'a habitable room should have a window in an external wall of the building that is visible from any point in the room'. AILA agrees that 'snorkel' and 'saddleback' rooms are generally poor outcomes and should be avoided.

A minimum window size is not stipulated and the intent of this standard could be severely undermined. Greater clarification is also required to define a corridor/hall. These are typically not separated by a door and are connected to an open-plan living area defined as a 'habitable' room under the Standards. Direct views to a window from open corridors may not be necessary and this should be clarified in the standard.

We note that a habitable room is defined as 'a bedroom, living room, dining room, kitchen area and study. It does not include a bathroom, laundry, toilet, pantry, walk-in wardrobe, corridor, stair, lobby, or any other space of a specialised nature.' We agree with this definition but are very concerned



that an unintended consequence may be the emergence of large 'walk-in robes' that could be converted into small second bedrooms or studies at a later date.

### ***Storage***

AILA believes the Draft Standards are reasonable. The standard should clarify the exclusion of any storage area in private open space from the minimum area required for private open space.

### ***Noise***

AILA believes the Draft Standards are generally reasonable. We do not believe differentiating between times of day for off-site noise mitigation is helpful. Noise mitigation needs to be consistent at any time of day regardless of its source.

### ***Energy Efficiency***

AILA believes the general requirements regarding site/apartment orientation are reasonable.

The Draft Standards do not fully address energy efficiency requirements. This may be acceptable if minimum industry standards are adequately incorporated into the building regulations.

We believe that every apartment should have individual metering to encourage ownership and reward for sustainable use.

### ***Solar Access to Communal Open Space***

AILA believes the Draft Standards are reasonable. Further consideration is required to protect communal open space from potential overshadowing from adjacent development.

### ***Natural Ventilation***

AILA believes the Draft Standards are a very positive change for new apartments. The maximum length of a breeze path under the SEPP65 guidelines is 18m. It may be reasonable to match SEPP65's guideline or further information is required. Window type and minimum size would need to be stipulated for this standard to have full practical effect.

### ***Private Open Space***

AILA strongly supports the minimum areas and dimensions set for private open space. We believe these improvements will add considerably to the livability of apartments, particularly in regard to the usability of balconies.

Winter gardens (i.e. semi-enclosed balconies with floor-to-ceiling external glass walls and adjustable glass louvre panels) are a suitable alternative to fully open balconies in Victoria's climate and they should be included in the Standards. If they are to be included, strict definition to what constitutes a winter garden must be outlined.

Air conditioning units on balconies are unsightly and negate open space benefits. Whilst AILA supports locating air conditioning units elsewhere, we agree that at a minimum the area they take up should not be calculated as part of the required private open space area.



There should be additional standards to ensure private open space is adequately protected from the wind.

### ***Communal Open Space***

The draft standard calls for 'developments with 20 or more dwellings should provide a minimum area of communal open space of 2.5 square metres per dwelling or 100 square metres, whichever is lesser.' This should be re-worked to ensure that the denser a development becomes the greater the communal open space offering. Under the draft standard a building of only 40 dwellings would have the same communal open space requirement as a development of several hundred dwellings.

If communal open outdoor space cannot be reasonably provided on-site, AILA supports a review and possible increase of the open space contribution required for apartment developments, with an emphasis on providing high quality, flexible and adaptable outdoor spaces in the immediate streetscape and/or neighbourhood. The current mechanism for funding open space and public realm improvements associated with apartment developments is inadequate. Many of the developer contribution and planning tools used in greenfield growth areas could be applied to urban renewal precincts to achieve improved community benefits.

There should be strict wind controls to ensure adequate protection of communal outdoor open space. If these spaces are to be successful they must have a great microclimate, access to sunlight, and be sheltered from the wind.

It is not clear what indoor communal facilities would be reasonably classified as 'communal open space'. AILA assumes that it includes facilities such as gyms, pools, and cinema rooms, but not entry lobbies which are generally unlikely to be used for social and recreational purposes. This should be better defined in the standards to avoid loop holes.

For the sake of clarity the Standards should clearly define communal indoor and outdoor space, rather than simply refer to it as 'open space'.

### ***Landscaping***

The Draft Standards require that a 'development should provide for the retention or planting of trees, where these are part of the character of the neighbourhood.' This should be extended to all neighbourhoods as it is desirable to retain and/or plant trees to combat the urban heat island effect, increase opportunities for carbon sequestration and provide other ecosystem services (such as plant pollination, air filtration, pollution reduction and storm water management). This is true even in the densest urban neighbourhoods where trees are not part of the existing neighbourhood character but are very much required (for example, the City of Melbourne's work to increase the urban forest including in Southbank).

AILA acknowledges that not every site can provide for natural deep soil areas. Where this is the case, canopy trees in appropriately-sized tree pits as outlined in the Draft Standards are an appropriate alternative. Whilst climbers over a pergola contribute to shading and cooling and can be an attractive component of a landscape, they are not an equal replacement for canopy trees. Where canopy trees cannot be accommodated on-site in natural deep soil or in constructed pits an equal off-site contribution would better serve the neighbourhood in terms of heat island reduction and carbon sequestration.



The meaning of a canopy tree needs to be clearly defined in the standards to avoid any misinterpretation. Small, medium and large canopy trees also need to be clearly defined for the same reason.

Areas constrained by easements should be excluded from any deep soil area calculation. A minimum deep soil area should apply to lots less than 750m<sup>2</sup> as well as those greater than.

The Draft Standards requires developments to replace any significant trees that have been removed in the 12 months prior to the application being made. We question why this is limited to a short period of 12 months, given that most development sites are acquired well in advance of 12 months of an application being made. Substantial penalties must apply for non-compliance. Greater definition is required to define and value a 'significant' tree.

AILA supports green infrastructure in all forms. We suggest all vertical planes and voids may be appropriate for additional landscape opportunities in developments small and large, but should not be considered an equal replacement for horizontal planes as they do not provide the same open space benefits.

### ***Accessibility***

AILA supports this standard as we strongly believe that all apartments should be designed for everyone, regardless of age or ability. It is not clear why the standard should exclude 25% of all 2 bedroom apartments. Consideration needs to be given to the detail between apartment interior and balcony/courtyard to ensure all-abilities access.

It may be too restrictive to require all one bedroom/one bathroom apartments to have a hob-less shower, which would almost always preclude space for a bath. A more flexible standard would allow the choice of a bath with shower over, so long as the bathroom dimensions can accommodate an accessible hob-less shower at a later date.

A standard should be included for reinforced walls in bathrooms to allow retrofitting with grab rails at a later date.

The draft Standard should also apply to all communal open space areas and facilities.

### ***Dwelling entry and internal circulation***

AILA believes the Draft Standards are reasonable. Our initial concerns as raised in our previous submission regarding this matter have been addressed, though strong consideration should be given to requiring a window at either end of a hall and a maximum hall length.

AILA suggests this standard should be flexible to respond to sites where building entries open directly on to a mixed use/commercial street or laneway. In these locations the character of the lobby and its extent of frontage and openings should be carefully adjusted to suit the overall experience and rhythm of that street or laneway.

### ***Waste***

AILA supports the standard that developments should include 'bin and recycling enclosures that are located for convenient access by residents'. However, the meaning of convenient access is not clearly defined in the standard. The diagram suggests that a recycling chute should be provided on each floor of a building (which we support as a general rule), supplemented by ground floor/basement facilities close to a frequent path of travel for items that cannot be placed in a chute.



Consideration should be given to compost collection for use in private and communal open space, and/or adjacent off-site public open space. This should be similarly located close to frequent paths of travel, with due consideration to the management and convenience of transferring compost to garden areas without unduly impacting the amenity of lobbies and other entries.

### ***Water management***

AILA believes the Draft Standards are reasonable.

## **Other issues**

### ***Adaptability***

The Discussion Paper included a section on 'adaptability'. This has not been covered by the Draft Standards. AILA advocates that some measures should be mandatory, including:

- Allowance to convert redundant car parking areas to new apartments and/or other communal facilities (this makes floor to ceiling heights an important design consideration). This was recently successfully completed at QV Apartments, Melbourne.
- Car parking areas should allow for electric charging stations to be installed now or in the future.
- All new developments regardless of size to be adaptable to incorporate new technologies in regard to utility supply.

Other measures, albeit more ambitious, might include:

- The ability for two adjacent apartments to be combined at a later date.
- A partial or full re-fitting of the building to a mixed use, commercial, or other use.
- For developments of a certain size, a percentage of their roof must be able to be retro-fitted with an extensive and/or intensive green roof.

### ***Minimum apartment sizes***

AILA agrees with the Australian Institute of Architect's published position that 'there are minimum sizes given for bedrooms, balconies and bathrooms, with no overall minimum. An unintended consequence might be that you end up with very small living spaces'. AILA strongly believes that there is an inherent minimum area required to properly accommodate basic living activities and to ensure proper access for people of all abilities. These should be included as regulatory minimum standards.

### ***Car Parking***

The Discussion Paper included a section on car parking.

Poorly designed car parking facilities can significantly impact the public realm. Where possible, single entries should be provided to car parking, parking areas should be concealed behind active building frontages, and mechanical ventilation should be located away from public areas.

Furthermore AILA suggests that car spaces are not required for each apartment in a development that has, or likely to have within a set timeframe, adequate access to public transportation, and good access to services.



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Improved solutions include:

- Increasing the number of car share vehicles within private car parks and on public streets.
- Minimum two bicycle parks per bedroom (allowing for couples to live in a one bedroom), located in convenient and secure areas.
- Convenient and secure areas for scooters and motorcycles.
- Generous facilities for bicycle repair.
- Facilities for electric charging.

Thank you for the opportunity to provide feedback on the Draft Standards. Should you wish to arrange a time to discuss please contact Felicity McGahan AILA Victoria State Manager on 0401 811 976 or [vic@aila.org.au](mailto:vic@aila.org.au) .

Yours sincerely

**Felicity McGahan**  
AILA Victorian State Manager