

**Submission
No 31**

INQUIRY INTO APARTMENT DESIGN STANDARDS

Organisation: Hobsons Bay City Council

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The Committee Manager
Legislative Assembly Environment and Planning
Committee
Parliament House
Spring Street
EAST MELBOURNE VIC 3002

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Dear Sir/Madam

**Submission to the Inquiry into Apartment Design Standards
Victorian Legislative Assembly Environment and Planning Standing Committee**

Hobsons Bay City Council welcomes the opportunity to make a submission to the above inquiry into Apartments Design Standards, a copy of which is attached.

As apartment living is now a more common option for people, the adoption of appropriate apartment design standards should ensure apartments are liveable, feel like home and contribute to a sense of community.

Should you wish to discuss this submission further, please contact Chris Willard, Coordinator Major Projects on [REDACTED] or email [REDACTED]

Yours sincerely

Arthur Vatzakis
Manager Planning Building & Health

Submission on behalf of Hobsons Bay City Council to the Inquiry into Apartment Design Standards

Introduction

Hobsons Bay City Council welcomes the opportunity to make a submission to the Victorian Legislative Assembly Environment and Planning Committee's Inquiry into Apartment Design Standards.

Background

The City of Hobsons Bay is an inner urban municipality located between seven and 20 kilometres south-west of central Melbourne. It has a projected 2021 population of 100,359 and, like the rest of metropolitan Melbourne, has an ageing population. The city includes three major activity centres in Altona, Altona North and Williamstown, supported by a network of neighbourhood and local centres.

Despite the proximity to central Melbourne, Hobsons Bay has experienced less apartment development compared to other inner urban municipalities such as Maribyrnong, Yarra, Moreland and Port Phillip. Most apartment development has so far occurred in the suburbs of Altona and Williamstown and, to a lesser extent, in Newport and Spotswood. More isolated examples occur in Altona Meadows and Altona North. Further apartment development is anticipated as former industrial land in Altona North, South Kingsville and Spotswood is redeveloped for residential purposes.

Submission

The following comments have been prepared by and are based on the experience of Council officers in dealing with planning applications for apartment buildings and in using the previous and current Planning Scheme provisions for apartment developments. The submission has not been presented to or considered by the Council.

Summary of Key Points

- The inclusion of apartment design standards in the Planning Scheme is supported and assists in the assessment of planning applications for apartment developments.
- Improvements that could be made to the standards can be broadly summarised as falling within the topics of daylighting, cross-ventilation, storage, internal amenity - both dwellings and communal internal spaces, communal and private open space, equitable development, dwelling diversity, accessibility, waste, sustainability, site services, public realm impacts, wind impacts, landscaping, noise and adapting to the changes to living and working arising from the COVID19 pandemic.

Current apartment living standards in Victoria

- Most of the apartment applications considered by Council were assessed against the Planning Scheme provisions which applied prior to the preparation of the Better Apartments Design Standards (BADs) and the introduction of Clauses 55.07 and 58 into the Planning Scheme.
- For those applications assessed under the current controls, we have found them very useful in guiding our assessment of applications and are an improvement on the previous *Guidelines for Higher Density Residential Development*.
- We support the inclusion of the relevant provisions into the Planning Scheme rather than them being dealt with via reference documents that sit outside of the Scheme.

- We also support a review of the Standards in Clauses 55.07 and 58 on the basis any changes or additions to the standards will contribute to the improved amenity and liveability of apartments so occupants want to live there and call their apartment home, rather than just being 'bare minimum' standards.

Improvements that can be made to the liveability in apartments and apartment building developments, including communal areas

- We are not convinced the current daylighting standards are acceptable in some instances. Examples include where habitable rooms are located off an inboard balcony where the depth of the balcony results in a substantial setback to the habitable room window.
- It would be preferable if there was a requirement for applicants to provide daylight modelling as part of the application information, particularly for south facing apartments and the circumstances referred to in the previous dot point. While we acknowledge Council can ask for this as part of a further information request, applicants are often unwilling to provide daylight modelling, so including a requirement would be desirable. (Refer Standards B47, B48, D25 and D26).
- The percentage of dwellings which achieve the cross-ventilation standards (Standards B49 & D27) at 40 percent is considered too low. Ideally all apartments would be provided with cross ventilation opportunities, but at a minimum the Standard should be increased to say 75 percent. This would ensure there is less reliance on needing to operate air conditioning systems.
- The storage requirements (Standards B44 & D20) are considered fairly basic, particularly compared to what requirements of the standard are compared to what is often shown on plans. The inclusion kitchen cupboards, bathroom and bedroom storage in storage area total seems unreasonable as these commonly provided anyway. Useable and suitably sized and located storage is considered as essential to the liveability of apartments. Storage space within an apartment needs to be adequate and functional for the purposes it serves (e.g. adequate kitchen cupboards) and for day to day or regularly used items. Storage space for larger items that are less regularly used or accessed and typically located within a basement, need to be of an adequate size, secure and ideally of a design where the items being stored are not visible to other occupants. The use of storage 'cages' should be avoided. Where external storage is provided in storage rooms or cubicles on the same level in the building as the apartments, located off communal corridors and the like, these should be suitably fire proofed. We understand there have been issues around Melbourne with theft of residents' personal items from basement storage cages/units.
- We have had experiences where the minimum room dimensions (Standards B46 & D24), particularly living rooms, encroached upon by circulation spaces for other rooms. The standards should make it clear that the minimum internal room dimensions should not include circulation spaces.
- Plans of apartment layouts should demonstrate that living and dining rooms can accommodate sufficient furniture for the likely number of occupants of an apartment. For example, for a three bedroom apartments there should be seating in a dining or living room for six people, or they should be capable of providing such seating.
- While probably more relevant to a further information request, ideally an application would be accompanied by diagrams, such as cross-section diagrams, which demonstrate the internal views

of Standards B23 or D15 are met. The standard should not only consider overlooking of *“private open space of a lower-level dwelling directly below and within the same development”* but also overlooking of private open space and habitable room windows of other opposite or adjacent dwellings in the same development.

- While the inclusion of standards (B36 & D7) relating to the provision of communal open space are supported, there is a disparity between minimum standard area of 250 sqm versus the area per dwelling area for developments comprising a large number of apartments. For example, Council has considered an application recently comprising 611 dwellings. Applying the per dwelling rate of 2.5 sqm per dwelling equates to 1527.5 sqm of communal open space whereas, based on the Standard, only 250 sqm needs to be provided. Perhaps the Standard should adopt a ‘sliding scale’ approach to cater for larger developments.
- The minimum balcony dimensions set out in Standards B43 and D19 where they are 2.4 metres or less are ‘tight’ and potentially affect their useability and may not meet the “reasonable recreation and service needs of residents” as required by the associated Objective. Ideally balconies would have a minimum depth of 3.0 metres, particularly for larger apartments. This should allow for an outdoor table and chairs to be placed on the balcony. Similarly, square balconies are preferable to narrow linear balconies in terms of their useability.
- Clause 58.04-1 and Standard D14 deal with building setback requirements and, while not explicitly stating it, equitable development. The concept of equitable development is an important one to ensure appropriate amenity outcomes are achieved, especially above podium level. Ideally the standard would be more prescriptive in terms of the setbacks that should be achieved. Typically Council aims for a 4.5 metre side setback above podium level or two levels so that if an adjoining site is developed similarly, there is no need to screen habitable room windows or balconies on the basis the 9.0 metre setback between buildings would meet the relevant overlooking standard. Such an approach should apply to not just between buildings within a development site but between buildings on adjoining sites as well as sites adjoining which have development potential for future apartment development. We appreciate there may be some difficulty or resistance in nominating a side setback requirement aimed at delivering equitable development outcomes, as all sites are potentially different in terms of their widths, aspect and orientation.
- Standards B41 and D17 require that at least 50 percent of dwellings should achieve certain accessibility standards. Ideally all dwellings would be designed to be accessible with a percentage of dwellings where the requirements are to a higher standard. An example of such an approach is the differing silver, gold and platinum standards Liveable Housing Design Guidelines.
- The standards (B3 & D3) should encourage the provision of more diverse apartment types to meet changing household needs. This may include families with children households and potentially multi-generational households. Apartment design should consider the efficient use of space for larger households and provision of associated amenity such as larger private or communal open spaces. Council appreciates this may depend on market and locational factors such that it may not be viable to provide such apartments in certain instances.
- In light of the recent COVID19 pandemic where people have been working from home, the apartment standards should include opportunities to consider the inclusion of studies and study nooks to cater for this. There should be encouragement for them to be provided in apartments

of certain sizes without the study space being an enclosed room so as to not affect car parking requirements. Also, as working from home may potentially be a longer term trend, apartment rooms could be designed to be multiple purpose spaces to accommodate for this. As people may be spending more time during the day in the apartment while working from home, the standards should ensure the study spaces receive sufficient sunlight or daylight.

- Greater attention should be paid to corridors in apartment buildings. Often they are excessively long with little or no articulation or visual interest, are of an insufficient width and lack access to natural light and ventilation. Consideration should be given to introducing standards which address such issues. Typically we ask for corridors with a minimum width of 1.5 metres with localised widening to 1.8 metres at dwelling entries and 2.1 metres for lift lobbies. This allows for greater ease of moving furniture without damaging walls as well as improved amenity. Consideration should also be given to including design standards to deal with air circulation and ventilation in public areas such as corridors, particularly in light of issues arising from the COVID19 pandemic. We acknowledge issues of such detail might be better dealt with as part of the building permit process. However, getting the design 'right' in the first instance at the planning stage will at least ensure it is more achievable at the building permit/construction stage.
- Standards B35 and D6 should be enhanced to require greater inbuilding of more sustainability initiatives such as solar power, battery storage, provision EV vehicle charging on site and the like, such that such items become 'business as usual' rather than add-ons.
- Provide well-planned pedestrian/cyclist permeability and sufficient storage/parking facilities within large development to encourage active travel by people living in apartments
- While the waste provisions in Standards B45 and D23 are positive, they could be enhanced to nominate a minimum number of floors or dwellings where a waste chute is required. While the Standards refer to the *Waste Management and Recycling in Multi-unit Developments* (Sustainability Victoria, 2019) which is a useful and detailed document, it is very lengthy and does not set out specific requirements. Ideally the Standards would include spatial requirements for bin storage areas, as well as for hard waste collection areas. The current provisions do not account for the more recent recycling practices whereby glass is recycled separately from other recyclables, thus generating a requirement for additional bins and waste collection vehicles/trips.
- Council has experienced many occasions where certain site services have not been adequately provided for and added to a development as an afterthought. Typically these include electricity substations, fire services cupboards, and common or multiple metering for gas and water services where often the service authority requires the meters to be in an unsightly cage. It is acknowledged the detailed design for such services usually occurs as part of the building permit and construction process. However, Standards B34 & D22 should be updated to require information to be provided earlier in the process at the planning application stage so space can be provided for the services, in locations where they will meet the service provider's requirements, and to ensure they are designed to be integrated into the architecture of the building.
- While the car parking requirement in Table 1 to Clause 52.06-5 of the Planning Scheme accounts for the provision of accessible parking, it is our experience there rarely enough accessible

parking provided in developments in suitable locations, whether for residents or visitors on site or in the public realm.

- With the increase in the occurrence of online shopping, apartment developments, especially larger scale developments, should include mail rooms which allow for parcel deliveries and secure storage of parcels and other deliveries.
- Similarly, apartment developments should include provision for pick up and drop off spaces for Uber and taxi drivers, food and parcel deliveries.
- Greater consideration needs to be given to the impacts of apartment developments on the existing or proposed public realm. Such impacts may be on the amenity, walkability, pedestrian and vehicular movements. Of particular concern is the amenity of the spaces and how pleasant they are to be in based on possible wind impacts and overshadowing of public realm spaces including footpaths.
- It is noted that the updates to the Better Apartments Design Standards include provisions relating to wind impacts, with a new clause to be added to Clause 58 and a draft Practice Note has been prepared as a precursor to introducing controls into the Scheme. This is supported. Wind modelling including wind impacts and a wind tunnel assessment should be an upfront application requirement, particularly in the case where there are groups of buildings. Any modelling or assessment needs to consider impacts on public realm. A difficulty for Council planning officers is we are not experts in this field so may need to get any submitted information peer reviewed which adds cost and time to Council's process.
- Where landscaping is provided in planter boxes, they need to be of sufficient size and depth to allow adequate provision for the landscaping and buildings designed so the floors slabs can accommodate the weight of the planters. Standards B38 & D10 should be updated to reflect this. It is noted the 2021 BADS updates do address this to some extent. Landscaping should be an upfront integral part of a development rather than being left to an afterthought. If the detailed design cannot be provided upfront, development should at least allow suitable space for landscaping.
- To better address urban heat island effects and/or less than ideal building orientation, developments should provide for more tree planting and other landscaping outcomes such as vertical gardens and the like.
- Where landscaping is provided in planter boxes, provision should be made for the irrigation of the planters and for the ability to be connected to a non-potable water supply, such as from on site stormwater harvesting.
- A practical issue with the use of planter boxes, especially on balconies, is the ability for them to be easily and safely maintained. If a planter box forms the balcony balustrade, it should be easier to maintain. Where it becomes more difficult is where overlooking screens are also required. If the planter boxes are located on the outside of the screen, to soften the appearance of the building, they may not be readily or safely accessible for maintenance purposes. If they are located on the inside of a screen, while they can be more easily maintained, the landscape effect is lost.
- The standards should be updated to require the use of robust and long-lasting building materials, especially wall cladding, to avoid future difficult and costly maintenance issues and

the deterioration of materials and the appearance of buildings. While potentially more a building permit matter, the standards should also require that materials are suitably fire safe and the use of flammable cladding is avoided.

- The noise provisions in Standards B40 and D16 only refer to LAeq criteria rather than the Lmax criteria. The current controls deal with the LAeq noise limits for dwelling interiors which is the equivalent continuous sound level in dB(A) experienced during a particular period. The impact on sleep disturbance should also be considered and recommend an internal noise level of 55dB(A)Lmax be adopted.
- The noise provisions in Standards B40 and D16 should be updated to consider noise transmission between adjoining dwellings and between adjoining floors/levels of dwellings, acknowledging this does start to crossover into the building approval realm. However, stronger acoustic controls are required to achieve improved internal amenity impacts as the building controls are in many respects pretty basic.
- The provisions should also be updated to require post construction and post occupancy acoustic assessments.
- While possibly beyond the scope of the Committee's terms of reference, it would be a useful exercise for someone, such as DELWP, to carry out post-occupancy surveys of people living in the apartments to detail their experiences and how they find living in an apartment environment as a way to monitor and review the apartment standards.
- While the *Planning & Environment Act 1987* now includes a definition for affordable housing, the provision of affordable is still on a 'by negotiation' or voluntary basis. State planning policy in Clause 16 does seek to deliver more affordable housing closer to jobs, transport and services. Ideally planning scheme policy would be updated to include a requirement for the provision of an affordable housing contribution from large apartment developments. The rate of the contribution and the point at which it applies based on the number of dwellings would need to be determined, perhaps with an ability for councils to introduce a schedule to vary these at the local level subject suitable strategic justification.

Initiatives undertaken by other states or nations that have improved apartment design standards.

- In addition to the functional layout provisions in Standards B46 and D24, consideration should be given to requiring minimum floorspace sizes for apartment dwellings based on the number of bedrooms they comprise to ensure well-designed and adequate space for living in high density development. The United Kingdom introduced a similar standard for new dwellings in 2015 (Space Standards for Homes, #HomeWise, Royal Institute of British Architects December 2015).

Other comments

- A requirement should be included that applications of a certain class must be prepared by suitably qualified professionals (e.g. architects) and specify the level of information to be provided, especially for mid-tier developments of 3 to 6 storeys for example.
- Ideally there would be an ability for Councils to refer applications for design advice from a panel of suitably qualified professionals. Currently Council has to spend significant amounts of money on urban design and architectural advice in its assessment of apartment applications. The role of the Office of the Victorian Government Architect could possibly be expanded to offer such a service to local government and other organisations for smaller scale projects.