

TRANSCRIPT

LEGISLATIVE ASSEMBLY ENVIRONMENT AND PLANNING COMMITTEE

Inquiry into Apartment Design Standards

Melbourne—Tuesday, 15 February 2022

MEMBERS

Ms Sarah Connolly—Chair

Mr David Morris—Deputy Chair

Mr Will Fowles

Ms Danielle Green

Mr Paul Hamer

Mr Tim McCurdy

Ms Cindy McLeish

WITNESSES (*via videoconference*)

Ms Bronwen Hamilton, Design Manager and Principal Urban Designer, and

Ms Lavanya Arulanandam, Senior Urban Designer, City of Melbourne;

Ms Amy Hodgen, Senior Coordinator, Statutory Planning, City of Yarra;

Ms Rachel Ollivier, General Manager, City Sustainability and Strategy, and

Mr Munir Vahanvati, City Designer, City Development, City of Darebin; and

Ms Karen Bayly, Principal Strategic Planner, Moreland City Council.

The CHAIR: I advise that the sessions today are being broadcast live on the Parliament's website, and rebroadcast of the hearing is only permitted in accordance with Legislative Assembly standing order 234. Thank you, everyone, for joining us here today for this public hearing for the Inquiry into Apartment Design Standards.

On behalf of the committee, I acknowledge the traditional Aboriginal owners of this land, and we pay our respects to them, their culture, their elders past, present and future and elders from other communities who may in fact be joining us here today. I also again extend a very warm welcome to members of the public and the media who may be watching.

This is one of several public hearings that the Environment and Planning Committee is conducting to inform itself about the issues relevant to the inquiry. Before we begin, I need to point out just a couple of things to you. All evidence taken today will be recorded by Hansard, and it is protected by parliamentary privilege. This means that you can speak freely without fear of legal action in relation to the evidence that you give. However, it is important to remember that parliamentary privilege does not apply to comments made outside this hearing, even if you are simply restating what you said here today. You will receive a draft transcript of your evidence in the next week or so to check and approve. Corrected transcripts are published on the committee's website and may be quoted from in our final report.

So thank you all, again, for taking the time out of your busy schedule to meet with the committee today. I think we are all used to this after a couple of years on Zoom meetings, but can I just remind everyone to mute microphones when not speaking in order to minimise any electronic interference.

I will start by introducing the committee and then hand over to witnesses from the councils. My name is Sarah Connolly. I am the Chair of the Environment and Planning Committee and the Member for Tarneit.

Mr MORRIS: And I am David Morris, the Member for Mornington and the Deputy Chair of the committee.

Mr HAMER: I am Paul Hamer. I am the Member for Box Hill.

Ms GREEN: I am Danielle Green, and I am the Member for Yan Yean and Parliamentary Secretary for Regional Victoria and for sport.

The CHAIR: Okay. I am going to call on the City of Melbourne to introduce themselves.

Ms HAMILTON: Thank you, Chair, and thank you to the committee. My name is Bron Hamilton. I am the Principal Urban Designer and Design Manager in City Design. I will be chairing and corralling the group of presentations today and directing the submission from the City of Melbourne. We have adopted a slightly different agenda which seeks to remove duplication of issues.

The CHAIR: Bron, can I just interrupt you there? I am going to come back to you. Just for Hansard and broadcasting, for their purposes, I just need the City of Yarra to introduce themselves, with your full name and position.

Ms HODGEN: Hello. My name is Amy Hodgen. I am a Senior Coordinator in the Statutory Planning department.

The CHAIR: Thank you, Amy. The City of Darebin.

Ms OLLIVIER: Hi, everyone. I am Rachel Ollivier, the General Manager of City Sustainability and Strategy, and joined by Munir Vahanvati.

The CHAIR: Thank you. And the City of Moreland.

Ms BAYLY: Hi. I am Karen Bayly. I am a Principal Strategic Planner.

Ms ARULANANDAM: And apologies—I did not introduce myself earlier. My name is Lavanya Arulanandam. I am from the City of Melbourne, Senior Urban Designer and Coordinator of Urban Design Referral Advice.

The CHAIR: Thanks, Lavanya. Okay. I am going to hand over to you, Bron.

Ms GREEN: Chair, just a moment. I think that maybe the witnesses might have misheard. I think that the witnesses for Moreland and Darebin have been transposed. I think they might have misheard. I think when you called Darebin, Moreland responded, and vice versa—to be able to check for Hansard later.

The CHAIR: Okay.

Ms GREEN: I heard differently to what the response of the witnesses was.

Ms HAMILTON: Would you like me to just repeat the people? Would that be useful?

The CHAIR: Yes.

Ms GREEN: It was just Moreland and Darebin, I think, that needed repeating.

Ms HAMILTON: Yes. So we have from the City of Melbourne, Bronwen Hamilton and Lavanya Arulanandam. Moreland is Karen Bayly, and Yarra is Amy Hodgen. Does that clarify?

The CHAIR: Are you happy with that, Danielle?

Ms GREEN: Yes. Thank you.

The CHAIR: All right. Bron, if you want to start just with no more than a 5-minute statement, and then we will run through the councils on the list.

Ms HAMILTON: Great. Thank you very much. So my name is Bronwen Hamilton. I am Principal Urban Designer and Design Manager at the City of Melbourne. We have already done introductions from the council. We understand the terms of this parliamentary inquiry: that is focused on issues of amenity for residents and therefore the livability of apartments and the terms of reference stated. I thought it might be useful just to talk about our approach. The councils here today represent some of the densest areas in inner Melbourne, with common development patterns and considerations, and in light of this and the fact that the officers that have informed the submissions are also expert designers and planners with a deep understanding of design and planning assessment of apartments, clause 58 controls and the value of denser housing typologies that are well designed, we thought it would be good to do a combined approach. These four councils represented here today have discussed and have reached some consensus and correlation on the key matters for discussion. The issues are commonly identified as those which have the most potential to be impactful on apartment design standards and livability. While there are common issues identified, each council has also drafted its own submission and submitted this through the formal process, and they will also talk to the context and particular situation in their municipality.

So to the summary of issues today—and again I should reiterate that I have not drafted this; I have only recently joined the City of Melbourne. I did not draft our submission, but I am pulling this together today. In summary, there is consensus that the *Better Apartments Design Standards* has catalysed a significant shift and improvement in the standard of residential apartments in new projects generally; however, there is more to do

to protect residents' amenity and to improve the quality of apartments. Overall there is a theme for the need for clearer metrics and often more generous minimum standards for the size of apartments and for open space and also consensus about the need for stronger or mandatory controls. There are also some gaps that have been identified by these different councils that need to be addressed, with clearer thresholds in consideration of neighbouring amenity between apartment buildings and improved environmental performance and standards for open communal and private open space.

Also, the terms of reference asked for examples of benchmark controls from other jurisdictions, such as in New South Wales, where it is commonly cited that strong guidance has been provided to improve design standards and livability, and the individual councils will address this. There is also the mandated involvement of an architect in New South Wales. I think in particular Darebin will assess that.

So to the individual councils, and in considering these common issues each council will address a theme and then some particular issues. The five common themes that will be addressed are environmentally sustainable development, and Karen Bayly from the City of Moreland and others will address that; daylight and outlook will be addressed by Munir from the City of Darebin; apartment sizes and minimum dimensions will be addressed by Lavanya from the City of Melbourne; open space by Amy Hodgen from the City of Yarra; and landscape, again Karen Bayly from the City of Moreland.

So I might just hand now to Karen Bayly from the City of Moreland to provide some direction about the needs around environmentally sustainable design and issues of sustainability and energy efficiency, including control mechanisms other than policy.

Ms ARULANANDAM: Bronwen, I think each council might want to introduce some contextual basis for their submission before we get into the specific topics.

Ms HAMILTON: Sure. Okay.

Ms ARULANANDAM: I might begin with the City of Melbourne's submission. As introduced before, my name is Lavanya. I am an urban designer at the City of Melbourne, and my role is fundamentally overseeing urban design advice provided to statutory planners about development. I was one of the officers involved in the submission, so I can provide some contextual background on how we approached it.

The City of Melbourne is the highest density municipality in Victoria. It has more apartments than any other municipality, so we review the design quality, livability and urban design impact of apartment developments on a regular basis alongside statutory assessments against clause 58. The City of Melbourne's submission was primarily structured on this experience of assessing applications by statutory planners and urban designers. Statutory planning officers are not represented today, but I can obviously take back any questions from the panel.

One thing I did want to mention is that urban design also involves assessing apartment designs against other considerations such as ground plan safety, design quality—key matters that also impact livability. We strongly support recent amendments to the apartment design standards, including materials, design quality, matters that impact neighbourhood character, and just commend to the panel amendment C308, which is DDO1, urban design in the central city, which is a City of Melbourne policy which was recently gazetted. It has a number of minimum standards around ground plan safety, material quality, which we recommend for consideration.

Another key recommendation of the City of Melbourne's submission is the use of a more directive model—the 'is to' 'are to' model raised in the Smart Planning process. The Smart Planning process was a recent reform to make Victoria's planning regulations more efficient, and through our submission we noted where a scheme within a standard is quite regularly challenged within planning applications, and in these cases we sometimes recommend where relevant that these particular requirements should be mandatory—for example, minimum ceiling heights. We can discuss this in more detail as we progress through this discussion.

The CHAIR: Thanks, Lavanya. I will go to Amy from the City of Yarra.

Ms HODGEN: Thank you. In the City of Yarra we have experienced quite significant growth within probably the last five or 10 years, a lot of that being apartment development of varying success. We have drafted our submission around an assessment of what we are experiencing in assessing the apartment standards.

We have picked up a number of areas where we feel there is deficiency. I will not take you to all those points, but I am more than happy to discuss those if there are any particular items.

Covering off on the open space, one of the shortfalls we see with the most recent amendment that has occurred to the apartment standards is that communal open space now may be provided indoors as well as outdoors, which leaves quite a concern from an amenities perspective if in these apartment developments you are not having sufficient open space, noting that many of them only have quite small balconies. So that is quite a concern for amenity from an open space perspective. We feel that there should be both internal and also communal areas, noting that it is an improved amenity outcome if you have larger areas for people to come together, meet their neighbours et cetera. I will leave it to others to speak to landscaping as that is not my area of expertise, but again, happy to address any of the specific points. We have gone in quite detail in terms of the particular standards and where we feel deficiencies are, so I will leave it at that for now. Thank you.

The CHAIR: Thanks, Amy. We love detail, so never apologise for that. We have got the City of Darebin with Rachel.

Ms OLLIVIER: Thank you very much. I think I met a number of you 18 months ago at the open space parliamentary inquiry. I think at the time I did not necessarily expect this one to be virtual as well, but I guess we are all making sense of the world still, so it is good to see you again. I would like to also acknowledge the traditional owners of the land that I am on today. I am in Box Hill today on Wurundjeri Woiwurrung land. Darebin is also on Wurundjeri Woiwurrung land. I would like to pay my respects to elders past, present and emerging. We do have a few slides. Are we able to share a couple of images to illustrate our words?

The CHAIR: Yes, that is fine.

Ms OLLIVIER: I will make a start in any case, and if we get some illustrations I will be able to show you some pictures. I just want to acknowledge that Darebin, as Bron mentioned before, is projected to grow fast. We know it is a place where lots of people want to live. It is close to all sorts of things that make cities livable. It is close to parks, it is close to creeks, it is close to great arts and sports and entertainment facilities. It is close to schools. It is accessible to jobs, hospitals, public transport and all of those things.

Visual presentation.

Ms OLLIVIER: We know that is what people want, and we know that from a planning perspective it is a smart place to put people into, because you do not have to build entirely new infrastructure for the new population. You have already got a foundation to work from, so it is kind of cheaper for government.

Mostly what I want to do is illustrate what we are talking about today with a live example that is on foot. Munir, can you move to the next slide? We have got a large strategic site at the moment in the heart of Preston which centres around the Preston market. It is right next to Preston train station. The market was built 50 years ago or so, and you cannot see it from these images because these are inside it, but it is surrounded by car parks actually. For a long time it has been identified as a good place to put new population, right next to shops and jobs that will help the local economy thrive, and it has got this sort of cultural community asset right at the heart of it. We are in a context though where the VPA has recently put plans out which propose really high density on this site, and the sort of density that is proposed is greater than what has gone into Fishermans Bend. So what we are wanting to illustrate is that the design standards for apartments relate really importantly to how the precincts around those apartments are designed. Some of the things—Munir will talk to it in a little bit—are things like the need for daylight into apartments. That is actually only possible if you are designing a livable precinct as a whole and you are getting the densities right. There has got to be space in the neighbourhood for open space. There has got to be space in the neighbourhood for community to connect and for people to live.

This particular site has really become a focus for community. We have certainly seen over 10 000 people sign a petition. It has attracted a huge number of submissions to the VPA, over 90 per cent of which have been opposing the level of change that is on that site. What we are really hoping is that gets caught at this stage of the planning process and rethought through the planning panel that is going to come up about that site. We do think it is a good place for population. We have done quite a lot of work to look at how you might do it well and create that livable neighbourhood. We are suggesting that a dwelling yield of a bit over a thousand properties compared to a dwelling yield of a bit over 2000 properties is where you strike that livability balance. We absolutely think these suburbs can be good places for homes for generations into the future.

I might also just mention that another key thing we are seeking on a site like Preston market is that it is a spot for social housing. The thing I would like to draw your attention to is that currently the voluntary social housing provisions in the planning system are not working for us. We have tried really hard to negotiate voluntary contributions from developers, and I do not think we have succeeded once. We think that if developers are going to build social housing they have to be required to. We think mandatory inclusionary zoning is really important, and it connects back with design of apartments, because that is what allows everyone to live in good locations. The building is part of what creates livability, but the other part of livability is ‘Am I close to things?’, and at the moment we are on a track for people who can afford it to live in good locations and people who cannot afford it to live in locations that make it really hard to access jobs. I will stop there and ask Munir to jump into a few specifics briefly.

Mr VAHANVATI: Thanks, Rachel. I will quickly go through some of the work that Darebin is doing and how it relates to the submission and what Bronwen mentioned earlier, at the start, as well. Darebin is quite active in promoting design excellence. We have a full-fledged design excellence program that has got a range of initiatives. The *Darebin Good Design Guide* is one of them, where we seek to promote better design outcomes through guidelines, and we look at medium-density and high-density development for that.

What I would like to do now is probably address some of the key design issues that Bronwen mentioned, the five key issues, but in summary through an example of recent work that we did by comparing some similar-sized developments in Melbourne and in Sydney. Both these examples of Melbourne and Sydney are in the inner city looking at similar-sized sites and what kinds of outcomes we are getting. So this is, for example, a site in Melbourne, where you have got the road, you have got a big development and you have got a pretty big building with balconies facing sideways on all sides, small light courts and long, narrow, deep apartments. When you look at a similar-sized site in Sydney, for example—this is in Erskineville in Sydney—it is a similar squarish site, and you can see that the building is designed as an L-shape with a communal open space, balconies fronting the communal open space and shallow, wider apartments providing good-quality natural light and ventilation into the apartments, including quite a few numbers of corner dwellings with corner apartments which have good ventilation as well.

Now, if we compare some of the internal layouts of these apartments, for example, in Melbourne and Sydney, we can see that these are some of the one-bedroom apartments in Melbourne which have deep balconies with bedrooms and galley kitchens, which have been identified as a key issue as well. And if you look at some of the one-bedroom apartments in Sydney, for example, they are much wider, with the living room and bedroom side by side and much better kitchen layouts, and they are much more spacious. The same applies to the two-bedroom apartments. In the Melbourne ones the continuous trend is having the snorkel apartments or battleaxe apartments—our submission outlines some of the research that identifies the lack of natural light in some of these bedrooms—whereas in Sydney the apartments are much wider, shallower, with bedrooms having good access to natural light and with generous balconies as well. That kind of shows the differentiation between the quality that we are getting in Melbourne compared to Sydney.

Our submission also talks about other states as well, including South Australia and Western Australia, where the design standards are what we are trying to seek to have in Melbourne, including building separation, for example. I will finish with that and maybe let Rachel talk a little bit about the relationship between design standards and purchase price.

The CHAIR: Thanks, Munir. Lucky last but no less important, City of Moreland.

Ms BAYLY: Thank you, Chair and committee. The context for Moreland’s submission is similar to the other councils—that over the last probably 20 years we have seen quite significant apartment development, in particular in the Brunswick activity centre and to a lesser extent in Coburg focused around the redevelopment of Pentridge. Back in 1996, 2 per cent of Moreland households lived in apartments. By 2016 a growing population, 9 per cent of people, lived in apartments, and by 2036 it is forecast that apartments will be home to 17 per cent of the population of Moreland. So we are seeing quite significant growth in the proportions and the numbers of people living in apartments, and so livability of those apartments is really important.

Moreland City Council, like many councils, has declared a climate emergency and has turned its mind to the importance of climate change and urban heat in the way that we design apartments and their context. So in particular on the issue of environmental sustainability, the current clause 58 standards do contain some content

around energy efficiency, but many, many councils across Melbourne, Moreland included, have content within their local policies that is more ambitious on the things that clause 58 covers and is also much broader in the matters it considers within the scope of environmental sustainability. Moreland, and I know the City of Melbourne and many others, are working on next-generation ESD policies. So the crux of the matter is that we think that there need to be control mechanisms within the Victoria planning provisions that apply not just to apartments but to all development, and they need to be much more comprehensive and ambitious than the current requirements in clause 58 are.

The other issue that I would raise in terms of the climate emergency is that of the canopy tree planting requirements within the landscaping scheme of the apartment design requirements. *Plan Melbourne* in outcome 6, direction 6.4, includes the objective 'Make Melbourne cooler and greener', so the issue is understood. We are coming off a low baseline in terms of canopy tree coverage across our metropolitan area, and that is particularly evident in places like the Brunswick activity centre. DELWP has done some really good work on a project called Cooling and Greening. It has produced interactive mapping showing tree coverage, urban heat and the vulnerability of different populations to that urban heat. The state government and Moreland and many, many other councils have developed urban forest strategies. So there is really good strategic work that is being done.

In the suburban areas of Moreland, the residential areas of Moreland, we have a program of planting 5000 trees per year, and we have requirements for the planting of canopy trees on medium-density redevelopment sites. The issue is much, much more difficult to tackle in more urbanised areas, in particular in activity centres, and often activity centres in inner areas are linear in nature, running along main road corridors. So the ability to plant canopy trees within the public realm is quite severely constrained by overhead powerlines, tramlines and quite a lot of infrastructure running down underneath the pavements. Often these main roads are literally main roads under VicRoads management, and so the ability to find spaces to plant trees is difficult.

The issue with the landscaping requirements at clause 58.03-5 is that the things that they ask of developments are quite significantly deficient in actually addressing the issue of cooling and greening areas where we are funnelling increasing numbers of households to live. In particular this standard has recently been updated. It asks for trees of certain sizes, dependent on the lot size, but the width, the depth and the volume of soil that it is seeking is significantly deficient in actually supporting the growth of trees of the size envisaged. So it does not require many trees, and the trees that it does require will not grow to the sizes envisaged because they are being planted in above- or below-ground planters, often over underground car parks, and there is just not enough soil for them to reach their mature height.

To use the Brunswick activity centre just as an example, the Brunswick activity centre has seen quite significant apartment development over the past 10 years. I am sure if you have driven up Sydney Road or Lygon Street you will have seen it. We saw about 10 new apartment developments per year over the 10 years leading up to the pandemic. The tree requirements within the planning scheme would have resulted in 10 trees per year being planted in the Brunswick activity centre, and 75 per cent of those trees would have been only 6 to 8 metres in height had they actually reached their mature height by being planted in sufficient soil.

I think that our activity centres are amongst the hottest parts of our municipalities, and they are getting hotter over time. The way of mitigating that is through canopy tree planting, and the existing requirements do not actually address the issue. There is also allowance within the apartment design guidelines for equivalent greening in lieu of canopy trees, but there is no guidance on what a reasonable equivalent is. The City of Melbourne has done some good work on a tool called the Green Factor tool, which provides for green walls and green roofs and calculating the urban heat mitigation equivalent of the canopy tree requirements in clause 58, and we would really commend that tool to the committee.

The CHAIR: Thank you, Karen. That is great. Look, we are just going to jump straight into questions. I am going to kick off. Maybe we will do this: my questions I am happy for anyone to jump in and answer, but because we are doing it via Zoom link, how about if you just put your hand up and we can sort of manage it that way, taking you off mute.

Munir, the City of Darebin has just shown us those comparisons of size, going to livability—the comparison between Melbourne and Sydney. I just want to be very clear: is that research that the City of Darebin has conducted? Is that something that is national research, that type of comparison? And can you talk more about

that research that you undertook, just so we can understand if that is just a particular design in a particular building that you are putting before the committee today or if that is a true and proper comparison between New South Wales or Sydney and Melbourne apartment designs? Also, can you talk a bit more about why you think there is a difference in the size, and obviously your preference for those Sydney-New South Wales designs, and what you think the state government needs to do or could do to improve that. And also if you want to talk—I can see it in the submission—a little bit about WA and South Australian apartment design standards and what you think the government can take or learn from them.

Ms GREEN: Chair, on your question too, I was interested just in knowing if that Sydney example is actually a New South Wales standard.

The CHAIR: We just want to be very clear. It is very important for research or anything put before the committee. Is that just a one-off comparison? Where have you gotten that?

Mr VAHANVATI: I am happy to answer all of that. Thank you very much. To the first question, the examples I shared were part of research that I did during my role at Moreland. I spent 10 years at the City of Moreland working as an urban design manager, and I recently moved to Darebin. When I was working on the *Moreland Apartment Design Code* and the apartment design standards, that is when we did a lot of research. The examples I shared were the tail end of that research—to try and determine what is needed to improve standards in Melbourne. So, yes, the Sydney example is the real application. There is more than one example. I just showed one, but we looked at a few different examples—different size sites—to see what are comparisons, for example. So the research is actually live planning applications that were there at the time.

The other question was around—

The CHAIR: Can I just jump in there. Sorry, Munir. There were a lot of questions in my actual question. But also just making it clear: that comparison that you have put forward—that is price for price. Is that the same cost of the apartment for what you are getting in Sydney compared to Melbourne? I just want to be very clear it is not skewed.

Mr VAHANVATI: We did not do a cost comparison; we did more a location comparison. So it was looking at inner city—similar distance to the CBD. Costs are affected by a few different things. Sydney prices are probably a bit higher than what Melbourne prices are, and that is not always because of the standards, it is the difference in cities well. So cost was not a factor in the comparison, it was more location specific. We were looking at examples that were within the inner city sort of range.

The CHAIR: Okay.

Mr VAHANVATI: The second question was around how does Sydney get those standards, I guess, more than anything else. Sydney has had a policy around apartment design almost since the year 2000. The *Residential Flat Design Code*, as part of Sydney's SEPP 65, was adopted in the early 2000s, so it has had an apartment design standard policy for quite a long time. A few years ago when we had the *Better Apartments Design Standards* that was the first real apartment design standard policy in Melbourne. So Sydney—New South Wales in general I guess—has had that culture around good design and apartment design standards for a long time, and that has influenced the quality of apartments significantly over the time frame that we have seen. I feel it is a much more mature apartment market, whereas Melbourne was developing and it is now maturing into a sort of a significant apartment market.

The other question was around different states and the relevant design standards. In our submission we compared Melbourne's apartment design standards with New South Wales, South Australia and Western Australia. All of those other states have specific standards around daylight, for example. Solar access or sunlight access as to a minimum of a certain amount of sunlight to apartments is kind of a requirement in all of those standards. The other key one is the building separation standards, and the crux of a lot of the improvements is appropriate separation between buildings. New South Wales, South Australia and Western Australia—they all have minimum building separation standards as a space between buildings. In my opinion I feel that affects significantly the quality and the amenity of the apartments because it directly affects the natural light that you get into dwellings—the sunlight you get into the dwellings—and the privacy concerns around some of the dwellings, people overlooking each other. So having those minimum standards is quite important. All of those standards have been in place in other states, whereas in Victoria we do not have those minimum

building separation standards. As part of the *Moreland Apartment Design Code*—the work I mentioned earlier—we proposed some of those standards. They are in Moreland’s local planning policy but they are not adopted statewide, so there is a bit of a differentiation there.

The CHAIR: Thanks, Munir. Is there anyone else that wanted to—I can see now. Amy.

Ms HODGEN: Thank you. I just wanted to add on to what Munir said in relation to the internal amenity, the internal size of apartments. One thing that appears to be missing from our guidelines is size requirements for the whole open space, for the whole internal living area. At the moment we have minimum standards for bedrooms and we have minimum standards for the actual living areas, but we do not have any standards for the kitchen or dining areas. As a consequence of that we end up with apartments that have quite good living—couch—areas, but then are missing a dining space, or alternatively a kitchen is sort of tucked away in a corridor. It would be helpful to have some greater guidance, looking to New South Wales or the other examples that Munir has identified which provide a bit more guidance around the total apartment size and not just those two particular room spaces.

The CHAIR: Thanks, Amy. Lavanya.

Ms ARULANANDAM: Thank you. I just wanted to add onto the conversation the matter about room depth, which also impacts the comparable apartments that many have presented to us. Minimum standards around the depth of an apartment and the floor-to-ceiling height also impact the amenity and daylight reaching these apartments. What we see a lot in the City of Melbourne is when a space becomes quite deep, the space central to the apartment, towards the core, tends to have spaces that may not even have a window, but there are no controls around that—for example, study areas, work-from-home areas—and we know how important those areas are now in the current climate of people being a bit more flexible in the way they work.

I just want to quickly add on to that that at the City of Melbourne we also strongly commend the *Morland Apartment Design Code* and the standards that it has put forward in terms of building separation. I think we can all agree that because of a lack of mandated requirements around building separation in the current apartment design codes it is a matter that is significantly varied in developments that we see and it is a significant contributor to apartment amenity. So we strongly recommend stronger standards around that are adopted.

The CHAIR: Thank you, Lavanya. Bron, I think you had your hand up.

Ms HAMILTON: Yes, thank you, Chair. I just wanted to add something in addition to Munir’s reference to the New South Wales apartment standards. An important part of those standards is the celebration of design excellence and processes that support design excellence, including design review. Chapter 5 of the New South Wales apartment standards details the process and value of design review. But, importantly, that guide also celebrates and mandates design expertise as part of apartment design.

Look, in the City of Melbourne it is rare for us not to have an architect design an apartment building. But I understand in other jurisdictions it is less rare and so much less design consideration goes into the process, not just the assessment. We really support the aspirations of a kind of an end-to-end design process that says design expertise and review is a really important way of getting to better apartment designs and internal and external amenity.

The CHAIR: Thank you. They are really important points. I am going to hand over to David. Sorry, I am just watching the screen to see if any more hands are going up. That is why it is all a bit a little bit strange from our end—we are looking at you all on the screen. David.

Mr MORRIS: Thanks, Sarah. Good morning, everyone. I just wanted to take a slightly different tack—a couple of things just looking at the submissions from the industry side. A number of submissions have sort of said, ‘Whatever you do, don’t go down the New South Wales path’. That is probably not going to surprise anyone on the screen this morning. But there is also some commentary suggesting that the New South Wales provisions have been recently reviewed and apparently were due for completion at the end of last year. I am not across the New South Wales guidelines at the moment; I will be before we complete the inquiry. But in terms of the changes that have been made, are any of you up to date with the changes, if any, that were proposed to the New South Wales guidelines, and how does that impact on your submission? No-one? Okay.

The second question I had on that subject is that there is an argument from the property council particularly around build-to-rent developments, suggesting that reduced car parking requirements could be applied, suggesting that more flexibility is required in terms of private open space, that the minimum standards for balconies are too high and particularly the storage area requirements within New South Wales are in fact a lot lower than Victoria and there should be some flexibility in those areas as well. I am just wondering what your thoughts are on those issues.

The CHAIR: I can see, Bron, you have got your hand up.

Ms HAMILTON: Thank you for your questions and clarifications, Deputy Chair. I actually just wanted to reference the previous point, just because it might be good to table it as part of the discussion. There is a really short summary on the web of what the draft review, so the *Draft Apartment Design Guide* revised 2021, addresses, and I think it is just important to table because it specifically says it has:

... been rigorously tested through economic modelling to ensure they are feasible and affordable in future designs.

There are really relevant things to the terms of this inquiry, which include internal amenity, including changes to cross-ventilation guidance. That has been:

... improved and clarified to ensure cross ventilation is delivered as intended in the current ADG.

There is new guidance on indoor common space types and ground floor uses that will:

... help new apartment buildings achieve an offer that is more than just the sum of its units

And:

a new mechanism will enable alternative solutions to design criteria that better suit the needs of the local area and the site.

So that is really about the external part of the building and also probably its side-to-side distances. There is also guidance provided on a diverse mix of apartments, which is something that has also been raised in a number of submissions here, and:

lower requirements for common open space for apartments on small blocks, and decoupling common open space from deep soil for more flexibility

So I think it is really probably very aligned with the sort of questions that are being raised by this committee.

Mr MORRIS: Thank you for that.

The CHAIR: Rachel.

Ms OLLIVIER: I actually might suggest you go to Karen first, if that is okay, Chair.

The CHAIR: Sure.

Ms BAYLY: Thank you. I just wanted to pick up on David's question about build to rent. Moreland in its submission to this committee, whilst understanding it is primarily about livability of apartments, do raise the issue of housing affordability and a decreasing affordability for an increasing number of households to both own a home or be able to afford to rent a home. At the last census—we are still waiting on release of the data from the census we all did last year, so back to the 2016 census—about a third of Moreland households lived in rental accommodation, and for a significant proportion of them that is a lifelong condition as opposed to a transitional phase. We are anticipating by the next census close to half of the households in Moreland will live in rental accommodation, and we have significant numbers of family households living in long-term rental accommodation. So I have read the property council's submission, but I had not picked up on the notion that build to rent was a justification for providing lesser standards of livability in homes that people might live in for a couple of years or many, many, many years.

On the issue of car parking, in the CBD there is a parking limitation policy, so you actually need a permit to provide more than the prescribed amount of car parking. Everywhere within a specified distance of the principal public transport network the column B reduced rates are applied, and Moreland and I imagine most of us have actually already applied reduced parking rates to the entirety of most of our activity centres. So we are already across the board reducing the amount of car parking that we require of all apartment development, and

there is very solid guidance within clause 52.06 on the criteria to be considered if you wish to further reduce or reduce to zero the amount of car parking.

David, you also mentioned that people who live in rental houses need smaller balconies than people who are paying a mortgage—not your contention, you say, the property council’s. My understanding of the build-to-rent model is it provides security of tenure. So it is not about providing cheaper housing, it is providing housing to people in the rental market and giving them some security of tenure so that they know they are able to live in their homes for a long time. So I think that we need to be pursuing both things in parallel. I think that we need to be addressing the absolutely critical issues of declining affordability of all tenures of housing within our city and the increasing disparity in equity between those who are able to afford to live in inner areas compared to outer areas, and we would reject the contention that rental accommodation is a justification for lower standards of livability.

Mr MORRIS: Thank you. That is useful.

The CHAIR: Rachel.

Ms OLLIVIER: Thank you. I just wanted to briefly mention parking. For us, access to parking is I guess one of the highest interest community topics that we deal with at a local level, and in areas where there is high parking pressure it is absolutely contested and a source of conflict. We have a strong view that if development is bringing you in population, then that development should provide for the parking that is needed, and that is because there are some real downsides with using streetscape for parking. So our strong preference is that if you need parking in an area, you are doing it in the developments that are being built. I would say that parking demand depends where an apartment is. So going back to that point about some locations being really well located to transport options or services, people living in those areas are likely to have lower levels of parking demand, and apartments in the outer suburbs of Melbourne are likely to have higher levels of parking demand. So it depends a bit is kind of that answer.

The other thing I just wanted to touch on is cost. I imagine one of the things the property council might be saying is that if we require all these things it increases the cost of apartments. The thing I wanted to draw to your attention really is that in Australia and Melbourne—I do not know regional Victoria the same, so someone else in the room will have a better sense of that—the cost of purchase of apartments as homes is largely dictated by what people can afford to pay, so it is not a sum of all the little costs. Actually what we are seeing happen is the underlying land prices are going up because people can afford to pay more. It is a bit perverse, but it also means that if you try and reduce the cost of build, you do not necessarily get a lower purchase price, what you just get is lower standards. Perversely, if you increase some of those standards, you do not necessarily increase the price either. I am just taking a guess at where some of that feedback might be coming from.

Mr MORRIS: Thank you for that. That is useful.

The CHAIR: Thanks, David. I will go to Paul.

Mr HAMER: Thanks, Sarah. Thanks all, for this forum. I have a few questions. What I wanted to talk about on the standards was in relation to the Moreland design guide. I would be interested to understand how that has actually impacted the development, so whether you found a good level of compliance, whether it has been perhaps in some cases difficult to enforce and you might have had to go through a VCAT process to get some of those standards enforced in particular buildings. Has that changed the demand? You might be looking over the border in Darebin, for example. Has there been a move away by the development sector in terms of the developments that they are perhaps building in Moreland because of it, or has there been basically no change? The purpose of the question is really looking at whether this is their approach from a council-by-council level or from a broader state perspective. Then I will go onto my other questions later.

The CHAIR: We have got Karen with her hand up.

Ms BAYLY: Firstly, just to acknowledge that I am here representing Moreland City Council, but Munir, as he has mentioned, has recently shifted from working at Moreland to Darebin, and a lot of the *Moreland Apartment Design Code* work was led by Munir. So I will just say a few brief things, and then allow Munir to speak also.

Moreland developed the *Moreland Apartment Design Code* at a time that the *Better Apartments Design Standards* within the Victoria planning provisions did not exist, and we then embarked on a process of putting the apartment design code in the Moreland planning scheme in its entirety. But what happened was that the state government embarked on the process of developing the *Better Apartments Design Standards*, and that work drew very heavily on the work that Moreland had done in its own apartment design code and, as I understand it, also some similar type of work that had been done at the City of Melbourne. So the *Moreland Apartment Design Code* in its entirety was never ever applied in the planning scheme or to the assessment of applications. Almost everything within Moreland's own apartment design code was picked up in the state standards, other than the issue of building separation. As Munir has already mentioned, those building separation standards out of MADC sit within a local policy within the Moreland planning scheme.

Yes, we have had reasonable levels of compliance, but it is often a contested space. Has it impacted on development? Absolutely not. The pandemic has seen a slowing of apartment development in Moreland, but there was no difference in the pace of development before or after the introduction of those building separation requirements. And has it displaced development out of Moreland and into surrounding municipalities? No. I think that the attractiveness of particular activity centres for development at different times is a combination of proximity to the CBD, the price of land and other factors that influence the attractiveness of the location to people who want to live there. In fact we have done research that shows that whilst all of the councils here—the suburban councils, if I can describe us in that way—have seen very strong apartment development over the last 10, 15 years, particularly in Brunswick it has been much stronger than in equivalent activity centres.

The CHAIR: Munir, did you want to add anything?

Mr VAHANVATI: Yes, quickly, just to add to what Karen said, I concur with Karen's thoughts I think. I do not feel that the apartment development rate has reduced in Moreland as a result of the standards. There has been a mixed level of compliance, I guess. Some of the developments were more easily working with the standards; some have been challenged a little bit and slight variation of the standards. I think that has been the case because it was more a local level standard rather than applied statewide.

The other thing I would add to the earlier question around the New South Wales apartment design guide, to add to what Bronwen said, is the review of the New South Wales design standards replaced the *Residential Flat Design Code* with the *Apartment Design Guide*. As far as I am aware, from the last I looked, which was mid last year, they were still retaining all the standards that we are talking about here like building separation, minimum apartment sizes, size and shape of the balconies, access to daylight et cetera. Those standards are still retained as part of that review, so obviously they have done a bit of work around the impact of those standards and then still considering keeping them. Having said that, many other states like South Australia and Western Australia also have building separation standards as a minimum requirement as well, so it is worth considering that.

Mr HAMER: Thanks, guys. I have another question on a different matter. Most of the discussion today and indeed the focus of the terms of reference is particularly on apartment design and the concept of I guess the livability of those apartment designs. I am wondering if you have any thoughts on, I guess, the external aesthetics of the building, particularly as it applies to reflectivity. One of the things that strikes me, particularly in the Melbourne and Sydney apartments, is that they often, even externally, look quite different. I assume that is probably partly to do with the different climates and the different demand and what the buyer wants in the different cities. I am just wondering if there has been any discussion at any of the council levels about that sort of broader integration with the activity centre or the area where they are built, particularly in terms of that reflectivity issue.

The CHAIR: I can see Karen with her hand up.

Ms BAYLY: The quick point I wanted to make on this issue is that this is an area of the clause 58 requirement that has just been changed. [Zoom dropout]

The CHAIR: Karen, you have just dropped out—

Ms BAYLY: I think in DELWP's submission they talk about the review that has gone on to the *Better Apartments* [Zoom dropout]

The CHAIR: We can see you are back, Karen. No, she has dropped out. We might go to Lavanya until Karen is back.

Ms ARULANANDAM: Thank you. I think what Karen was just about to touch on—and I will let her elaborate—is that the recent update to the apartment design standard did include consideration of the external presence of a building and how it impacts neighbourhood quality. I guess at the City of Melbourne we look at that as urban precinct, urban design quality. I briefly mentioned we recently gazetted an update to the urban design policy in the City of Melbourne, which really starts to consider the external presence of a building in consideration of a few matters that you have already raised. Number one is context and heritage: how does a building relate better to that in terms of the grain of the facade? And the other one and a very important one is depth and detail to visible facade, so that relates to facade depth. We describe that as a balance of light and shadow on street walls and the use of balconies, rebates, the use of solid materials. And then another matter is minimising uncomfortable glare to the public realm. We still have some work to do in terms of defining what uncomfortable glare is, but that provision has really allowed us to advocate against those predominately glazed street wall facades not only because of the lack of interest in detail but also the impact that it is having on the broader public realm. And the last one is obviously ESD consideration. Through our assessment of development applications—and it would be great to have stronger policy around this as well—it is advocating for the benefit of having more solidity to the facade and how it can shade a facade better and its general ESD benefits.

The CHAIR: Okay. I am going to throw to you, Karen.

Ms BAYLY: Thank you. My apologies that my internet was a bit patchy there for a moment. I just want to acknowledge that I think if you spoke to most people in Melbourne and said, ‘What do you think about the way apartments look?’, people would say, ‘We’d like them to look better than they do’. But this is an area of work where DELWP has only just changed the Victoria planning provisions to pay greater attention to this issue. I do not think any of us have even assessed any development since those requirements were introduced, let alone seen any constructed. So I think we have got better tools now than what we did a couple of months ago.

The CHAIR: Amy.

Ms HODGEN: I just wanted to talk to the point that was raised about reflectivity glare. The new external wall materials objectives in clause 58 do not pick up on glare reflectivity. We do not have any guidelines in our urban design policies such as the City of Melbourne do. I think it would be good to have something like that in clause 58 or generally an urban design requirement, whether it be in the SPPF or PPF. We do have from time to time complaints about reflectivity, so I think that is quite important.

If I could also just address the street level, which has not really been picked up that much. During roundtable discussions we had with DELWP on the apartment guidelines there was discussion about the impact from substations, and fire boosters being the most significant. We are getting pushback from certain service providers that these things need to be front and centre, but sometimes there can be variations. It seems to depend on who the particular authority is that they are speaking to whether they will support some sort of variation, be it the substation within a basement and accessible internally or alternatively having fire boosters smaller, glazed et cetera. So it would be helpful if there can be some work in that space with the authorities together to achieve better outcomes, because we are experiencing certain facades that are dominated by services, and it is a pretty poor outcome from a streetscape level. Thank you.

The CHAIR: Thanks, Amy.

Mr VAHANVATI: Can I quickly just add to that around the appearance of the buildings. One of the key differences you will notice in the developments—more the mid-rise sort of developments in New South Wales and Melbourne—is external shading. So there are a lot of external shading screens around balconies and windows in certain facades, and Melbourne is only recently catching up to that. But that is a direct result of the apartment design standards that they have had around external sunshades for energy efficiency et cetera on the western and the eastern facades.

The CHAIR: Thanks, Munir.

Mr HAMER: Thank you for that.

The CHAIR: Thanks, Paul. Over to you, Dan.

Ms GREEN: Thank you. Just before I go to my question, Karen, you have referred to vegetation quite a bit in your presentation, and I just thought I would draw your attention to the previous report that this committee undertook, which was on environmental infrastructure. That might sort of go to some of your concerns and interests, and certainly out in the west, where Sarah is, some of those recommendations are already being enacted by government, so that might just give you some comfort. My question was just in relation—to all of you—to the impact of COVID-19. What do you consider some of the key lessons of the COVID-19 pandemic for Victoria's apartment design standards and how have councils responded to these challenges?

The CHAIR: Lavanya.

Ms ARULANANDAM: Thank you. I can respond from my experience with some development applications, but I think we will all have a very different experience. I think what we have seen is potentially some fewer apartment developments, but when they do come through we are seeing I guess more rigour in terms of the design strategy relating to COVID and how developers are looking to accommodate for work-from-home practices. But unfortunately, as a side note to that, I think something I mentioned before is apartment depth and the location of these spaces. We are seeing a lot of these flexible spaces being considered but potentially in those deep zones that do not necessarily receive as much daylight provision. So I think that an important consideration that has come out for us is if these spaces are to be included in apartment design and functional layout, the consideration of minimum dimensions and location and depth of these spaces should also be included in addition to some of those room depth and functional layout objective controls that Amy discussed a little bit earlier.

The CHAIR: Bron.

Ms HAMILTON: Thank you. This builds on what Lavanya has to say, and it is fair to say that my view on this is informed by my former role in state government at the OVGA leading the design review panel there and the review of lots of social housing. The particular design responses to COVID that we began to see particularly in the streamlined planning processes were the need for increased dimensions of communal circulation areas; the need for additional access points, including external stairwells; and greater consideration of cross ventilation and air quality generally and movement through apartments. That also had implications for the length of corridors and I guess real relevance to the sort of site layout that Munir showed previously, about not having really, really long corridors that are hard to ventilate and with kind of stagnant air. So they are all issues related to proximity of people and air quality.

The CHAIR: Thanks, Bron. Munir.

Mr VAHANVATI: Just to add to Bron and Lavanya, I think probably the biggest realisation out of COVID is the quality of apartments has been more important than ever because we ended up spending so much time in our homes. It is not a place where you go at the end of the day just to sleep, for example. We are working there, living there. I think the need for space, quality natural light, ventilation et cetera has been highlighted, and it is significantly important right now, more than ever.

The CHAIR: Thanks, Munir. Karen.

Ms BAYLY: Thanks for your question, Danielle. I imagine that your question is coming from some of the things coming through in the HIA, UDIA and property council submissions about downturn in the apartment market. Moreland was starting to see—

Ms GREEN: No.

Ms BAYLY: No?

Ms GREEN: No, no. I am just really interested in—

Ms BAYLY: In design?

Ms GREEN: Yes.

Ms BAYLY: So Moreland was starting to see a bit of a cooling of the apartment market just prior to the pandemic, and as you would expect with the slowing of migration, it has really slowed down quite markedly.

The one thing I just wanted to highlight is there has been a number of references throughout our discussion about the depth of apartments and deep zones and getting natural light into the depth of the apartment. The thing that I wanted to highlight is one thing that happens with long, deep apartments is there is a strong contrast in the different level of daylight between areas near the window and areas deeper into the apartment, and so the human eye reads the whole space as needing to turn lights on, even on a bright day in the middle of summer. So issues of long, deep apartments and natural light affect not just the deep parts of apartments, but they actually affect the whole of that open plan living space.

The CHAIR: Thank you. Bron.

Ms HAMILTON: Thank you, and thank you for coming back around, Chair. There is an interesting piece of research which has real relevance to the question around post-COVID design that the Smith Family did, and it relates broadly to Lavanya's submission and the City of Melbourne's submission, about the need for more generosity in minimum sizes of communal areas and in particular the ability of those areas to adapt. What the Smith Family found is a kind of compounding of that, particularly in housing in poorer areas and for people in lower socio-economic demographics—that in COVID there were more people with more demands on the internal environment, with more children homeschooling with less access to desks. That has a kind of really tangible correlation to the flexibility of spaces. I will try and track down that research, but pretty much the message was that with more kids at home, less adults employed and loss of employment—so more kids in more crowded conditions—they were not able to learn well. So the potential for intergenerational disadvantage being compounded by apartment design was significant.

The CHAIR: Thanks, Bron. Danielle, did you have anything else you would like to ask?

Ms GREEN: No. That was really good. All of you, thank you.

The CHAIR: I am just interested in hearing your opinions. The committee has heard from previous witnesses, where we have talked about the impact of investors helping drive the apartment designs. The investors are not going to be owner-occupiers, so they are not investing and buying and building apartments to live in. They are thinking about the rental market. Maybe it is singles or couples living there. They are not thinking about families. They are not thinking about people at different stages of their lives that may live in the apartment, which has a flow-on ripple effect, because what we know is that once you build, particularly, apartment towers they are there for a very long time and they are very difficult to alter or fix.

Do you have any comments about your municipalities and what you are seeing? Obviously you have got a lot of renters in apartments. Would you say that it is true to say that investors are driving a type of design, or are you seeing better designs, a better thought out process by owner-occupiers who are building off the plan but really thinking about if they want a window in their bedroom, the size of their kitchen, the size of their living room, because they are in fact going to live there? Rachel.

Ms OLLIVIER: It is a really great question. I do not have a lot of data at hand, and it is something that, if you are interested, I could certainly follow up. I think some of the colleagues on the call have a little bit more. What we are conscious of at the moment is we think there is something going on where people are in apartments longer than they had intended to be. We know that people who have been saving for a house in fact are further away than they were two years ago in saving for the sort of deposit that they need for it in some cases, so life is kind of overtaking some of those judgements. Your question is a little bit more specific than that. I will see if my colleagues have got some more to add first.

The CHAIR: Munir.

Mr VAHANVATI: Thank you. Yes. I think it is right to say that depending on the purchaser, whether it is the investor or home occupier, I think they would have a different requirement. And Melbourne has been an investor-led apartment market for a long time. It is slowly shifting where more and more homebuyers are now moving in, and they probably demand things that are different to what an investor would seek, which would be more just related to the purchase price versus the rent and the relationship between that becomes the key driver, not the amenity or the quality of the apartment. Because in certain locations, as we have seen, it was hard to

find apartments sometimes—or at least before COVID—and that meant that it was not very difficult to get renters.

But more and more we are seeing a bit of a change—and I do not have any hard and fast data around it—but more and more different there are types of apartment models where if home occupiers are involved with the size of the apartments, generally they would ask for something bigger because they intend to live there for the next 10, 15, 20 years. So it does influence, and it would really depend which way the market is demanding, and if there is a significant shift, it could result in a shift in the quality indirectly like that.

The CHAIR: Thanks, Munir. Lavanya.

Ms ARULANANDAM: Thank you. I can speak to the City of Melbourne's experience, which would be slightly different from some of the other inner-city suburbs, and that is that we deal with quite a large scale of development, and because of that they are generally developer led, so we deal with the developers in terms of the orientation, the size, the design. And what we are seeing, especially in the build-to-rent proposals but maybe in all the proposals in general, is a larger proportion of one-bed apartments, and it is something that we always bring up in these development application meetings, with the counterargument often being that this need for one-bedroom apartments is driven by housing market conditions. And so I guess one of the points we did bring up in our submission is that a lot of the things that we are learning about apartment developments is either from the developer or from our own assumptions on what good design is. We really need to assess what people are experiencing in apartments and what the market conditions are and potentially post-occupancy surveys of apartments built under current standards just to potentially provide some greater guidance to councils on what an appropriate mix of apartments would be, what do people actually need.

And I think another thing to consider, which is kind of separate, is—and that could be a fix to it all—apartments should be designed so they are flexible. So even if an apartment development has a lot of one-bedroom units, should the need arise a person could purchase a unit next to them and demolish it or remove walls to make it adaptable for their uses.

The CHAIR: Thank you. Karen.

Ms BAYLY: Thank you. Within Moreland's submission we provide a link to some of the housing research that we have done and in particular I point you to the research that we have done that is titled *A Home in Moreland*, and what that shows is that in Moreland there is declining household size. By 2036 lone-person households will actually outnumber family households. So both within the apartment space and the medium-density space the majority of what we are seeing is one- and two-bedroom townhouses and apartments, but that is against a backdrop of a significant number of three- and four-bedroom homes that already exist within the municipality.

The other thing that goes within the dynamics of pricing within Moreland is Moreland runs from Brunswick up to the Western Ring Road, just at the northern end of Glenroy. Your question is particularly about family households. Families have a choice about whether they are buying a two- or three-bedroom apartment in Brunswick or for the same price they are able to buy a two- or three-bedroom townhouse with a courtyard in the north of Moreland. We see quite a significant number of family households choosing medium-density townhouses, but we really do not see the same trend in apartments.

The CHAIR: Thanks, Karen. David, I will come back around to you. We have just got probably 10 more minutes allocated.

Mr MORRIS: I am just wondering. I think in the Darebin submission there is some commentary around light wells in reference to Western Australia effectively banning them outright. I think Western Australia is the only location that does that. What are thoughts of the panel on light wells? It looks like Karen is ready to start.

The CHAIR: Munir.

Mr VAHANVATI: Yes, I can address that in terms of light wells. I do not think that Darebin were looking at banning them outright, but it is about how they are used and what is the minimum size, and this again builds on the work—

Mr MORRIS: Sorry, the reference was to Western Australia not permitting them. But no, I agree, yes.

Mr VAHANVATI: Yes. I think there are less of them, but I think at the right size and also for the right type of rooms, for example. Apartments generally have a singular outlook—looking in one direction, through the living room and the balcony as an extension, and I think it is important that that outlook is generous enough that people feel that expansion of space when they are in their living room or their balcony. Light wells are by nature quite small and serve a very singular purpose around providing sufficient lighting to that particular room but not necessarily having that long-distance view or a certain space between the building. So we do specify a certain minimum size, and that builds into the work that was done as part of the *Moreland Apartment Design Code* around minimum local sizes, based on how much natural light it would get. There is a table which talks about the square-metre size of the light well based on the height of the building, mainly for bedrooms—or secondary outlook, as we call it—not for primary outlook. Primary outlook needs to have a bit more space, where you might have a courtyard, for example, which is bigger in an apartment—in a C-shaped building, for example—but not use light wells primarily for a living room.

The CHAIR: Thanks, Munir. Does anyone else have a comment on that? Paul, did you have any other—

Mr HAMER: I just had another question. You mentioned quite early in your presentation about housing affordability and the difficulty of providing particularly social housing in developments and that you were, I suppose, recommending that the committee look at more of a mandatory system that would require that in certain circumstances. I was just wondering if you could point to any, I suppose, other jurisdictions or other references where you would say that that was a good example of being able to actually deliver on some of those outcomes.

The CHAIR: Karen.

Ms BAYLY: A good example that I am aware of, Paul, is Pyrmont Ultimo in Sydney, which has had quite long-running mandatory affordable housing requirements.

Mr HAMER: Sorry, can you just repeat that one? Ultimo, did you say?

Ms BAYLY: Pyrmont Ultimo—

Mr HAMER: Oh, Pyrmont Ultimo, yes.

Ms BAYLY: in Sydney.

Mr HAMER: And that is as a local government area, is it?

Ms BAYLY: It is part of the City of Sydney. It is the area over beyond Darling Harbour.

Mr HAMER: And that has been introduced there by the municipality for buildings within that precinct, has it?

Ms BAYLY: That is correct, yes.

Mr HAMER: Okay. Thank you.

The CHAIR: Thanks, Karen. Danielle, did you have any questions?

Ms GREEN: I am good. Thank you. It has been very informative.

The CHAIR: We are just a couple of minutes early. I am just going to throw it open to all of you. Is there anything else that you really want to tell us, you want to get on record? I am sure there is a lot, but if you have something that you desperately want to get on record that you want to see as a policy recommendation or change, now is the time to raise it. Rachel.

Ms OLLIVIER: Look, I think the thing that I would like to sum up with is we think there is some real value in strengthening standards. We think you could lower operating costs. We think you could give developers more certainty. We think you could create better precincts. And it seems a bit perverse, but actually we think that certainty that you could give to developers could help get some of this stuff moving faster. At the moment

we know the development industry does quite a good job of saying it is planning for problems. We do not actually think that is the case, but the solution is not about lowering standards or retaining low standards. We actually think certainty can be achieved by high standards that deliver livability at the same time. Thank you for your time today, everyone.

The CHAIR: Thanks, Rachel. Amy.

Ms HODGEN: I would echo what Rachel said. I think it is about providing certainty for developers and also community and the future occupiers of these developments that may be purchasing off the plan and not really appreciating the amenity impacts that they might be in for without rigorous standards.

I also just thought of a point, going back to what Munir was saying about light courts and separation. One of the other shortfalls of the apartment standards is more specific guidance for overlooking for both internal and external. At the moment we are sort of borrowing a bit from the requirements due to that gap. I think it would be quite good if that could be looked at in terms of the expectations for overlooking, because at the moment it can be a bit of a fight with the developer. And also we have had calls from future occupants that were expecting something more that they have got, so I think that would be good to look at as well. Thanks again for your time.

The CHAIR: Thanks, Amy. Bron.

Ms HAMILTON: Lavanya might speak to this point as well, but I just wanted to reiterate Rachel's point about strength and definitiveness of standards. A lot of the discussion as I read through all of the submissions from this group was about the language and how instead of 'should' there should be clarity around the musts. That would also give the development industry clarity and indeed designers clarity. And just to reiterate that point around aspiring for design excellence, not minimum standards, and that being really embraced. Standards should not be the lowest common denominator.

The CHAIR: Thanks, Bron. Karen.

Ms BAYLY: Thank you. The final word that I wanted to raise is that a lot of us have done a lot of thinking on this issue, so it is not that we do not know what to do, it is that within the Victoria planning provisions and planning schemes there is nowhere for us to put all of this content. DELWP is moving towards a model looking first at ResCode clause 55 and then rolling out more broadly across the VPPs of 'If you meet a certain standard, then there is no consideration of policy'. So not just on ESD but on all of the topics that we have talked about today, we would like to see a mechanism within the VPP for local controls so that it is a control mechanism that triggers a permit consideration in its own right as opposed to being a side consideration within policy.

The CHAIR: That is a great point. Thanks, Karen. I will throw to Munir and then Lavanya.

Mr VAHANVATI: Thank you. Just echoing some of comments, I think the quality of the developments that we are building, it is going to matter for a long time. So it is really important that in Melbourne, as a livable city and a creative city, we have developments that are livable. I think it is really important to consider and have a detailed look at what some of the other states and internationally—cities like London, for example, and Auckland—are doing in terms of design standards, because it feels that Melbourne is really getting left behind when it comes to quality of developments.

The CHAIR: Thanks, Munir. Lavanya.

Ms ARULANANDAM: I agree with all the other councils on the requirement to strengthen standards around apartment design, because the ones that most impact livability are the ones that are frequently varied by developers. We table this throughout our assessment of development applications. This is based on feedback and research from our statutory planning team. I guess some of the few main issues around design quality are services, impact to the public realm and glare. There is local area policy in the City of Melbourne that covers those really well; building separation and light court dimensions—the *Moreland Apartment Design Code* and the City of Darebin. Good design covers that really well as well. Minimum room sizes, minimum space sizes for communal open space and private space—these are things that we really need to get right, especially in the COVID climate.

And then last of all, ESD and landscaping. I just want to reiterate something Karen brought up earlier, which is the City of Melbourne Green Factor tool. In an inner-city context sometimes achieving those requirements for canopy cover is not feasible considering the constrained sites, so we do need an equivalent to be put forward in the planning scheme and really commend the Green Factor tool, which puts forward other green infrastructure that could be achieved to achieve a certain Green Factor score. We really commend and put forward that tool and encourage that to be researched in more detail.

The CHAIR: Thanks, Lavanya.

On behalf of the committee, I want to thank all of you for attending today. You have raised some wonderful points. It has been a great discussion. You have given us a lot to think about. So on behalf of the committee, thank you very, very much.

Witnesses withdrew.