

TRANSCRIPT

LEGISLATIVE COUNCIL ENVIRONMENT AND PLANNING COMMITTEE

Inquiry into Climate Resilience

Emerald – Thursday 10 October 2024

MEMBERS

Ryan Batchelor – Chair

David Ettershank – Deputy Chair

Melina Bath

Gaelle Broad

Jacinta Ermacora

Wendy Lovell

Sarah Mansfield

Rikkie-Lee Tyrrell

Sheena Watt

PARTICIPATING MEMBERS

John Berger

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Rachel Payne

Richard Welch

WITNESS

Ben Selby-Hele, Director, Mountain Ash Developments Victoria Pty Ltd.

The CHAIR: Welcome back to the proceedings of the Legislative Council Environment and Planning Committee's Inquiry into Climate Resilience here in Victoria. We welcome a representative – Director – of Mountain Ash Developments, Ben Selby-Hele.

All evidence that we take today, Ben, is protected by parliamentary privilege as provided by the *Constitution Act 1975* and the provisions of the Legislative Council standing orders. Therefore the information you provide during the hearing is protected by law. You are protected against any action for what you say during this hearing, but if you go elsewhere and repeat these same things, those comments may not be protected by the privilege. Any deliberately false evidence or misleading of the committee may be considered a contempt of the Parliament.

All evidence is being recorded, and you will be provided with a proof version of the transcript following the hearing. Transcripts will ultimately be made public and posted on the committee's website.

My name is Ryan Batchelor. I am the Chair of this committee and a Member for Southern Metropolitan Region in the Legislative Council. I will ask other members of the committee to introduce themselves.

Gaelle BROAD: Hi. I am Gaelle Broad, Member for Northern Victoria.

Ben SELBY-HELE: Hello, Gaelle.

Wendy LOVELL: Wendy Lovell, Member for Northern Victoria.

Rikkie-Lee TYRRELL: Rikkie-Lee Tyrrell, Member for Northern Victoria.

The CHAIR: It is not a conspiracy, I swear.

Wendy LOVELL: It is all Northern Victoria.

Jacinta ERMACORA: Jacinta Ermacora, from Western Victoria Region.

The CHAIR: Thanks very much. For the Hansard record, if you are able to state your name and the organisation you are here on behalf of, that would be great.

Ben SELBY-HELE: Sure. My name is Ben Selby-Hele. I am a Director of a small building company called Mountain Ash Developments Victoria and operate out in the Dandenong Ranges.

The CHAIR: Thanks, Ben. We are really grateful for you coming along today and excited to have a builder coming to talk to us about the built environment. It is refreshing. We often get lots of policy people and government people and the like, but it is great to have a builder along.

Ben SELBY-HELE: Excellent. Good.

The CHAIR: The way these things work is we will extend an invitation for you to make an opening statement, should you so choose, and then we will get into a question session. But given there are five of us here, we will be pretty informal and relaxed and just try and have a conversation about some of the matters. I might hand over to you.

Ben SELBY-HELE: Sure. Yes, no worries. I have been a builder for my whole working life – 30 years – and lived up in the Dandenong Ranges, have had experience in both commercial and residential building, have seen changes in the industry and have been a member of the Master Builders Association of Victoria for that whole time. I did sit on the housing committee there for a period of time in my late 20s, so I got a good bit of exposure to behind-the-scenes-type things. As I have aged I am working a bit more geographically closer to where I live up in the Dandenongs, so that is really good.

I have seen a number of changes – a lot of changes, actually – with regard to the *Building Act*. With regard to climate, I live in the Dandenongs. We were affected by a tree incident about three years ago – this was before the main storms – so I have hands-on experience of that as a resident. I am also the president of our local football–netball club up at Olinda. Where that is situated is at the Olinda Recreation Reserve. The pavilion there is used by the Shire of Yarra Ranges as a recovery centre – not as a place of last resort but as a recovery centre – so we have had a little bit of experience with regard to that. We have received government money for solar and generators and those things. That was all triggered by that storm event that happened approximately two years ago. I am glad that I have been invited to this, because I think I can maybe give some good input. That is my introduction.

The CHAIR: Thanks very much. Wonderful. The committee has got pretty broad terms of reference, but we are trying to focus on how infrastructure in the built environment needs to adapt or become resilient to the changing climate. One of the things that strikes me is we have got both the risks that the external environment places to where we live and how we make those properties or pieces of infrastructure withstand increasing extremes of weather. We had some evidence yesterday from some pretty smart scientists about how weather patterns are changing and becoming more extreme. We had some evidence earlier today, some anecdotes on the ground here, about winds becoming more intense, fires becoming more intense and the like. The other thing I think that the committee is interested in is how people’s experience of living in their homes is changing due to it becoming hotter in summer and the like. I was wondering from your perspective what you might have noticed, in your professional experience, about the how and where of people living in their homes, how that is changing and what you are seeing in the industry as a result of those changes.

Ben SELBY-HELE: Yes, sure. Things like energy ratings have helped improve the quality of the buildings with regard to livability. That aspect is fantastic: it is cheaper to run your house, it is more comfortable to live in your house. It is a good thing. It comes at a cost, though. There is that aspect of it. With regard to, say, a building fabric, with regard to tolerance to fires and winds – mainly fires, especially up in our area – obviously we have a thing called a BAL rating, a bushfire attack level, and I am sure the people that you spoke to yesterday might have elaborated a bit more on that, and the previous people from the CFA. They are all good things. They are all good building fabric suggestions and ideas to help prolong the life of a building in the case of these events. They do, once again, add to the cost of the building. Up in the Dandenongs in particular any new building has to conform to all of these new requirements, which is good, but there is the cost associated with them. Alongside that is the affordability of everything – whether we might be discussing that later or not, I am not sure. Affordability certainly comes into it. The overall results are very good. Like I said, you get a safe place, a comfortable place and a cost-effective place to live in, but your initial costs are very, very expensive.

The CHAIR: So there is the safety side. In terms of the comfort/livability, what features of housing are you seeing people wanting increasingly. In your assessment how has that changed over the course of your career, from a livability point of view?

Ben SELBY-HELE: Sure. I think one of the best things you can do is insulate your house, and that is relatively cost effective. So just a bulk insulation to walls and ceilings can really improve the comfort of your living and your ongoing costs. Double glazing is expensive, but once again it is an excellent additive to a home. They are probably the two main things: double glazing and insulation are very good for your houses.

The CHAIR: And you are seeing that they would becoming more prevalent in the work that you are doing compared to, say, 10 or 15 years ago?

Ben SELBY-HELE: Correct. But that is been driven by government regulation as well, which I think is a positive.

The CHAIR: Yes. Thinking more broadly about your role in the community, as a resident of these parts and as someone who is involved in the local footy netball club and the like, what do you see as being the biggest risks that the built environment that you live in faces from the storm events you have had and the fire risk that you face? There is also flooding that people have experienced in parts there.

Ben SELBY-HELE: Do you mean directly as a result of those incidents or afterwards?

The CHAIR: Both probably.

Ben SELBY-HELE: Okay. You get a lot of people that move up into my area, so the Dandenongs, and they are a bit naive to the risks associated with living up there, with regard to fires, storms and winds. So some people are a little naive. And what I have noticed is that when an event happens, they seem to then put everything back onto councils and government – ‘They should be fixing this or should be making this better’ – whereas possibly a bit more resilience and maybe a bit more homework needs to go into those sorts of decision-making processes before people move in. After events, the things that I have found most productive or helpful are simple things like chainsaws – having a chainsaw and knowing how to use it – and a generator. Those two items, chainsaws and generators, are definitely helpful post an event up in our area. Prior to an event I guess it is more about information about the sorts of environments that people are going to be living in and moving into and then educating themselves on the risks associated with that.

The CHAIR: Great. I might pause there. Gaelle?

Gaelle BROAD: Thank you very much for coming. We really appreciate your insights. I guess I am just interested – I know it is called Mountain Ash Developments – just with the closure of the native timber industry and plantation work, there has not been a lot done in Victoria. What barriers are there regarding building supplies? What are you seeing in the industry? We have got housing targets and huge growth in some of these areas as we look to building more resilient things, so what are the barriers there for you?

Ben SELBY-HELE: I am glad this question was asked. Definitely I wish native forests were still active because of our hardwood supply. How it all gets managed from an environmental perspective, I do not really have an understanding of that, but from a building construction perspective it would be great to still have hardwoods available – obviously sustainable hardwoods. What I am seeing now as a result of the hardwood forest works being closed in Victoria is our suppliers directing us to products that we are unaware of, so they have not been proven – a lot of overseas products and a lot of bulk manufactured or engineered products. I am not saying they are good or bad, but we are being directed in the direction of engineered, possibly overseas – or most of them would be overseas – products. That is what I am finding in our industry.

Gaelle BROAD: When you say you are being ‘directed’ to them, is that because there are no alternatives?

Ben SELBY-HELE: That is correct.

Gaelle BROAD: Right. Okay. And when they are untested – can you talk a bit about that?

Ben SELBY-HELE: The thing is that when they are untested – there is the sales side behind a product: ‘Ours is the best product.’

Gaelle BROAD: ‘World class.’

Ben SELBY-HELE: Absolutely: ‘We will beat our competitors.’ The thing is, as a builder, I like to experiment with things on my own place, and most of these things take time – you know, two years, five years, 10 years – to be a proven product. So you are a bit more in the hands of the suppliers as to warranties and just fit-for-purpose-type products. I personally am a bit sceptical of a lot of the products. They are just there selling them, but we are forced to them because we do not have the choice that we used to have.

Construction methods are changing now to more synthetic-type materials. James Hardie, for example, have a myriad of different products. There are effects as a result of that, whether they are environmental. The actual products typically are pretty good, but the overall impact on the environment of producing those – I am not quite sure, but I am sure there are questions with regard to those.

Gaelle BROAD: Because I guess timber grows back.

Ben SELBY-HELE: It does.

Gaelle BROAD: It is certainly sustainable, but you feel as an industry we are heading towards more synthetic production and untested products from overseas.

Ben SELBY-HELE: That is correct. I do believe that.

Gaelle BROAD: I am just interested too – on the local council inquiry we hear a lot about brand new shiny buildings. They are quite popular, then there is no ongoing maintenance support from the state government to local councils to maintain those buildings. As time goes on, do you feel there is more of a need to be rejuvenating existing public infrastructure rather than building new buildings? What are your insights into that?

Ben SELBY-HELE: That is another good question. You can build into a building measures so that the maintenance side of things can prolong it, so a building can be built to last longer. In saying that, though, my experience from commercial building is it was just all about getting the building built. I think most high-rises, for example, have a 50-year life span, but if you were to invest more into that, you would definitely get 100 years out of that building, so it is short-term and long-term-type goals. From a more localised perspective, you can put features in place to make sure a building is easy to maintain, is serviceable and will not deteriorate rapidly.

Gaelle BROAD: What are some of those features that you are saying give that longevity?

Ben SELBY-HELE: Masonry block walls that are painted are very hard wearing, as opposed to, say, the wall behind you, which is plaster, which you can damage. But in saying that, you can repair that quite easily. As I was walking in here – a beautiful timber ceiling, which is good and no doubt was probably a locally sourced timber or something of the like. They are great. They are architectural, they are natural, and in that particular situation of a ceiling they are low maintenance because they do not have the wear and tear. So something like that will last a long time.

Gaelle BROAD: I am disappointed. I guess I am a fairly new member of Parliament in a way, but this beautiful new extension of Parliament has got a leaking roof and carpets that need to be ripped up, so it is pretty disappointing.

Ben SELBY-HELE: We see that a lot, unfortunately.

Gaelle BROAD: One thing I am interested in too, because we talk a lot about standards of housing and I know there is a real push to lift the standard of housing so there is a minimum standard: in regional areas, because I am based in Bendigo and cover the top half of the state, there is a lot of talk about empty houses because they are not meeting that minimum. There is a lot of cost to upgrade. Do you think there has got to be a balance there? Because we need to house people, as opposed to some people being able to afford the higher standards. Where is that balance?

Ben SELBY-HELE: Sure. It is another very good question. Anything can be brought up to a standard; it is the cost. Maybe it is making people aware that are going to be moving into those particular dwellings that – say, a top-of-the-range one is 5-star – they are moving into a 3-star building, as far as its performance goes. For example, just say there are a number of steps there as opposed to a 5-star place, which is all one level. So I guess just making people aware that if they are moving into a place that is an existing place, that existing infrastructure is only 3-star. Just so long as they are aware and informed of that, I think that is a good approach to housing.

Gaelle BROAD: Do you think a way of addressing some of the housing shortages, instead of building new things, would be to upgrade with some assistance or support to get those standards up to a minimum rating?

Ben SELBY-HELE: Sorry, you are saying improving those existing infrastructure –

Gaelle BROAD: I guess, yes. There is some work to build new housing developments, but there are a lot of empty houses that could do with some assistance to replace the minimum standards. Do you think that is worth the investment?

Ben SELBY-HELE: A hundred per cent, yes.

Gaelle BROAD: Thank you. I think that is all from me.

The CHAIR: Great.

Gaelle BROAD: I can come back later.

The CHAIR: Ms Tyrrell.

Rikkie-Lee TYRRELL: Thank you, Chair. Where do you think the construction industry needs more development or evolution to be more resilient to extreme weather events?

Ben SELBY-HELE: Can you give me maybe an example?

Rikkie-Lee TYRRELL: Let us say stronger winds or heavier downpours of rain. Do you think that there is something in the building industry that needs improvement so we can build more resilient structures?

Ben SELBY-HELE: Sure. What I am noticing is, just say the average depth of a gutter at the moment is 100 mil, we need to probably build them 200 mil – so just really simplistically. But we need to incorporate that, and that is being driven by policy and regulation, so that is good. As opposed to our one-in-100-year storms, we need to allow for those storm events happening every one in 10 years. So, yes, things can be built and designed into places to accommodate for that. Once again, it is just finding that balance between cost and building that infrastructure into it. I do not have the answer. There are some things you can do, like a deeper gutter, for example – that is a relatively cheap solution. But more extreme things are like the building fabric of a building in a fire-zone place. That increases the cost of a building by almost 50 per cent.

Rikkie-Lee TYRRELL: Okay. So on the flip side of that coin, do you think that there is anywhere in the industry where you reckon we could, say, cut red tape to make it easier for builders to be able to build these structures? I can take it on notice if you need to think about it.

Ben SELBY-HELE: No, that is all right. For example, going back to what Gaelle was saying before, up in the Dandenongs, if there was an existing weatherboard home there and someone wanted to renovate it, I believe that at the moment, if that improvement is more than 30 per cent, the whole place needs to conform to the newer standards. So maybe doing away with something like that. But then that person realises that the improvements that they are doing are to a standard of, say, 1990 as opposed to 2024. So some regulation can come out to help with the cost of living, but that will not then increase the improvement of that particular building or the comfort of living in that space. It is trying to find that balance. Once again, I do not have the answer; it is just finding that balance between the two.

Rikkie-Lee TYRRELL: That is all right. If at 3 o'clock in the morning something strikes your mind – 'Oh, I should have added that' – be sure to share it with us later on. Thank you. Thanks, Chair.

The CHAIR: No worries. Ms Ermacora.

Jacinta ERMACORA: Hello. Thank you for coming along today. A couple of questions. The BAL rating – could you tell me a little bit more about that? I have got a very broad idea of what it involves, but just from your perspective.

Ben SELBY-HELE: The BAL rating is an assessment that gets done on a property; it is a bushfire attack level. Do not quote me on the ratings, but I think it starts at 12 and it goes up to 40, which is a flame zone, and there are about five in between that. It depends on what a property gets rated what you need to do within that property. So, for example, in a flame zone you cannot have any timber anywhere; externally you need window shutters on the buildings. There is a lot of architectural input that is required to (a) make it look aesthetic but (b) also make it perform. The basic one, a BAL 12.5, might be just as simple as that any opening underneath the house might have to have wire mesh put there to stop any embers getting in – it is as simple as that – and then there is everything in between that. So it is to do with the performance of the building based on its BAL rating.

Jacinta ERMACORA: Yes. Very good. I imagine that also, for instance, a home built three-quarters of the way up a southward-facing hill would be highly vulnerable and perhaps have a higher BAL rating.

Ben SELBY-HELE: Correct. And it is common to have different ratings on different elevations of the house. Typically they give a place one, but it is not uncommon to have different ratings on the different elevations.

Jacinta ERMACORA: Yes. Cool. Now, the other one – I am curious because of your experience where you live and the business you are running – with the new style of buildings that are, as you said, more

comfortable to live in and more insulated, have you ever just in your own experience come across one of those buildings that has actually survived a fire or performed really well in a disaster?

Ben SELBY-HELE: No. I have not, unfortunately. You know, you see photos or images from Black Saturday where there was a weatherboard home that stands right next door to a brick veneer that was burnt down. So unfortunately I have not experienced a home that was built to high BAL standards and has survived. No, I have not experienced it.

Jacinta ERMACORA: Yes. I suppose it is kind of Murphy's Law, isn't it? As soon as it gets built there will not be another fire for a long while.

Ben SELBY-HELE: Yes.

Jacinta ERMACORA: Yes. Also, because you live up on the mountain – I think that is what the locals call it – how did you go in relation to communications during the recent wind events and even fires as well? How did you go in that space?

Ben SELBY-HELE: Look, I have lived up on the mountains since – Ash Wednesday in 83 was my first experience; I was just a little fella then. Then in 97 three people passed away in Ferny Creek as a result of a fire front. We had the storms in 2021 and obviously Black Saturday, which did not affect us directly, but I was obviously very aware of that. So myself, personally, and my family – we put fire plans in place and we choose to just evacuate from the mountain.

As far as winds go, it is very challenging, because trees are very close to houses and to homes – and I know that that ring that you are allowed to remove a tree without a permit has increased in the last five to 10 years. So the things we put in place are fire plans; as far as storms, there is not a lot we put in place, but as I mentioned earlier we certainly carry a chainsaw and a generator, because more often than not power goes out purely because of branches coming across powerlines and taking out the power supply. I would say we lose power maybe 10 days in every year on average. Sometimes it is a little bit shorter, but we have had periods of two weeks as well – so yes, a generator. Obviously, once you have got a generator, you can then plug your phone in and you have got communication. Yes. So that is what we do.

Jacinta ERMACORA: That is absolutely fascinating, because just reflecting on what you are saying, you seem to be striking a balance between relying on community resilience and your own personal resilience. So you have got your chainsaw and your generator, you are involved with the community but you also have a plan, on a day when you are actually not up there on the mountain. You get off the mountain. I know that it is a very common thing in the west of the state where I am now that on total fire ban days whole farming communities just vacate to the nearest town.

Ben SELBY-HELE: Yes. That is why I think there should be some process in place for people that move up to the mountains – that they are educated. How that is done I am not quite sure, but they need to be well informed about the risks and the threats associated with moving to an environment like that.

Jacinta ERMACORA: Thank you.

The CHAIR: Thanks, Ms Ermacora. Ms Lovell.

Wendy LOVELL: Thanks, Ben, for your presentation. I am really interested in your thoughts, as a builder, on the planning scheme and how we are doing it. You mentioned that we are building houses to a higher standard, which is great for energy efficiency, but we are not making use of what used to be the ways to make houses cooler – verandahs and shade trees et cetera seem to have gone out of the equation. Here locally we have housing targets that are going to see in Cardinia shire an increase of 80 per cent in housing over the next few years; in Casey, 80 per cent; and in the Yarra Ranges, 45 per cent. In the inner suburbs of course, for them to meet their housing targets they have got to do infill, so we have gone from what used to be quarter-acre blocks to 400-metre blocks, and a lot of those quarter-acre blocks will now have two or three houses on them. Do you think that increase in the concrete footprint and also these very tightly packed-in homes is going to meet what we need in the way of standards? Is that going to increase the heat bank effectiveness of the urban developments?

Ben SELBY-HELE: Sure. It is a really good question, Wendy, and I often do ponder this, because in the past I have built in mass-built estates, and they are horrible. They are horrible homes, but I understand there is a price point to it. I am not for one minute taking away from the affordability side of it, but as far as their actual design goes, it is appalling.

The simplest thing you can do is put an eave on a home. That just makes a massive difference. It protects the windows; it provides some sort of shade. It is just a massive win all round – and a verandah is even better if you can afford to do that. So there are little things that can be done to make it more comfortable and not so ugly, but that is just that from an aesthetic point of view. I understand, you know, that in new suburbs they are very tight, built straight on the boundaries, and there probably is not the ability to do that.

Obviously with dark roofs we know the heat that that gives off – so maybe mixing up the colours as opposed to monument black, which is so boring and plain. But we see it everywhere, and I have done it myself a little bit. So it is mixing those things up. So yes, material types and colour types will all help, and eaves. But once again I am going to go back to it: insulation is probably the biggest thing. If there was one item that I would put on a house to make it more comfortable, more affordable, that has the most overall positive impact – insulation. Hopefully that answers your question.

Wendy LOVELL: And do you think the planning settings are right to allow such small blocks to be forcing these infill developments?

Ben SELBY-HELE: I do not know what the drivers are for that, so –

Wendy LOVELL: More housing.

Ben SELBY-HELE: More housing, yes. Look, I guess yes, the planning is right for that, but there can be better ways to build those homes for everything that I just mentioned before about being comfortable. You can still build a small home very comfortably, very affordably, that is practical to live in. So yes, I guess the planning is there, but that is planning from a small-lot perspective as opposed to the building side of building the right type of home on that small lot.

Wendy LOVELL: Thank you.

The CHAIR: Thanks, Wendy. That is the end of our time, Ben. We very much appreciate you coming in and sharing your perspective with us. We will provide you with a copy of the transcript for your review. You will probably get that in about a week to have a look over before we put it up on our website. With that the committee will take a short break.

Witness withdrew.