

Dear [REDACTED]

28 July 2015

[REDACTED]
Department of
Environment, Land,
Water & Planning
Level 19,
1 Spring Street,
Melbourne VIC 3000

Better Apartments - A Discussion Paper

You have requested feedback regarding the 'Better Apartments Discussion Paper' released by the Department and the Office of the Victorian Government Architect.

As you may be aware, [REDACTED] is a multi-disciplinary practice working on a broad range of professional disciplines, including statutory planning.

[REDACTED] has specifically had extensive experience with many 'tall building' apartment-style developments, and is familiar with the various challenges often facing these (eg - equitable sharing of future amenity / development potential; podium / tower typology; building separation; borrowed light etc).

[REDACTED] also endeavours to inspect completed developments where possible, which has enabled staff to view first hand matters such as 'borrowed light' and 'saddle back' bedroom configurations. We believe this puts us in a good position to make practical observations regarding the various issues raised in the Discussion Paper.

Whilst we regularly deal with the issues identified in the Discussion Paper, there is nevertheless the potential for individuals to have different opinions regarding these. What follows should not therefore be viewed as anyone's personal opinions on the issues raised.

We add that any decisions with respect to apartment design should be cognisant of the potential implications with respect to important matters such as housing affordability. We do not believe Victoria needs to adopt the standards of other States or even countries simply because they exist. Victoria has long been recognised as a leader when it comes to innovative and responsible responses to challenging town planning issues, and there is sufficient expertise in Victoria's planning, legal, design and construction industries to achieve a pragmatic and responsible approach to the issues now before us

Finally, we are not convinced that the issues facing apartment design in Victoria are so vast that there needs to be a total overhaul of current systems. However, we acknowledge there have been some poor examples of developments that should not have been approved and, in light of responsible authorities inconsistent views on what is reasonable or unreasonable, there is a need to create greater certainty (for all concerned).

To this end, please find attached a table which we believe represents a reasonable 'starting point' for the formulation of apartment guidelines that is intended to provoke discussion and debate.

The underlying premises are (in no particular order):

- All provisions should continue to be discretionary and performance based.
- There is no need for minimum apartment sizes. However, there should be minimum recommended standards for things like living room and bedroom size / dimension.
- There should be some common benchmark for separation distances between apartments in taller buildings, with the setback reasonably increasing as the building increase in height and for 'primary outlooks'.
- Light court dimensions (to secondary windows etc) should be greater than the ResCode 3x1m minimum recommendation, with size / dimension reasonably increasing as buildings get taller.
- Living room sizes should reasonably increase with the size of apartments, and be big enough to be practically furnished.
- Studio apartments should continue to be deemed acceptable, subject to achieving a minimum dimension and tailored floor plan layouts.
- There should be a minimum floor-to-ceiling height for habitable rooms (2.7m recommended, for discussion).
- Borrowed light to bedrooms is acceptable, irrespective of the orientation of a dwelling. However, it should only be accepted for single bedroom dwellings. Further, the walls to borrowed light bedrooms should have a maximum recommended setback to the external light / ventilation source (5m recommended, for discussion).
- Saddleback bedrooms are acceptable, although there should be a maximum width / length ratio to the external light source (1:2 recommended, for discussion).



- Borrowed light to kitchens is acceptable, although preferably there should still be a direct line of sight to the external light / ventilation source.
- There should be minimum recommended balcony sizes / dimensions, with different dimension / size based on apartment size.
- Good solar access should continue to be encouraged, but with exceptions for south facing apartments in certain circumstances.
- Communal areas should be encouraged for larger developments (eg - >20 dwellings?).
- Cross-ventilation of communal spaces and dwellings should be encouraged, where practicable.
- Dwelling diversity should be encouraged, with some provision for 'adaptable' dwellings in larger developments (eg - >20 dwellings?).

We have also made other fairly generic recommendations with regard to issues pertaining to universal design, storage, ESD, waste, noise, building entries and car parking (design / location).

Should you have any queries in relation to the above please do not hesitate to contact [REDACTED]

Yours sincerely

[REDACTED]

<i>Issue</i>	<i>Standard (Discretionary)</i>			<i>Commentary</i>
<i>Outlook/Tall Building Separation</i>	Minimum Wall Separation			<ul style="list-style-type: none"> • Unless specific circumstances justify otherwise, it should be assumed the separation distances will be equally shared between adjoining properties. • The design and/or orientation of balconies/windows should be tailored to provide improved outlook • Podium/tower outcomes encouraged >40m building height • Site consolidation may be required to achieve setbacks • Dimensions are to external walls (balconies may protrude within) • May be greater flexibility where building heights <40m are likely on adjacent lots, or where sensitive openings on adjoining lots are not present and / or unlikely in the future.
	Building Height	Primary Outlook (i.e. between living room windows)	Secondary Outlook (e.g. between bedroom windows)	
	≤40m	10m	5m	
	≥40m	20m	10m	
<i>Light court to habitable room windows abutting side/rear boundaries (only source of light/ventilation, but not primary balcony spaces or living rooms windows)</i>	Height of Building	Min Area	Min Dimension	<ul style="list-style-type: none"> • Light courts should be large enough to be self-sufficient where possible, even though they may be 'matched' or complimented on adjoining land to share the amenity of the space • Variations could be considered where expert daylight analysis justifies this
	Up to 20m	6m ²	2m	
	20m - 40m	9m ²	3m	
	40m +	16m ²	4m	

Living Room size (excludes kitchen & other dedicated use areas) for dwellings with dedicated bedrooms		1 bed	2 bed	3+ bed	<ul style="list-style-type: none">Greater areas and / or dimensions may be required depending upon the configuration of the space, the location of windows or balcony spaces, or other practical considerationsVariations may be considered where tailored living room layouts are proposed (potentially including in-built furniture)Living room areas should be of sufficient size and dimension to facilitate realistic and practical furniture layouts.Combined living room and kitchen areas should be of sufficient size and/or dimension to enable the comfortable and practical placement of a television, a table and chairs for eating and living room chairs/sofas for the potential number of persons to be accommodated in the dwelling (assume 2 persons per bedroom)
	Living room area	18m ²	24m ²	30m ²	
	Minimum dimensions	3m	4m	5m	
Studio Apartments	Living areas in studio apartments (exclusive of kitchen areas) should have a minimum dimension of 5m				<ul style="list-style-type: none">In-built furniture is encouraged to maximise available space
Bedroom Size (excluding B.I.R.)	Min Area		Min Dimension		<ul style="list-style-type: none">Variations may be permitted where tailored bedroom layouts are proposed.Consideration should be given to achieving a minimum dimension of 3.5m for master bedrooms and/or single bedroom dwellings (excluding B.I.R.)
	9m ²		2.7m		
Floor to ceiling heights	Floor to ceiling heights to habitable rooms should not be <2.7m				

<p><i>Light to rooms</i></p>	<p>Living Rooms – must have direct access to external light and ventilation</p> <p>Bedrooms – borrowed light only permitted to single bedroom dwellings.</p> <p>Windows to bedrooms relying on borrowed light should be a maximum of 5m from the external walls providing the light/ventilation</p> <p>Saddleback – battle-axe dimensions should achieve a minimum of 2:1 (length:width)</p> <p>Kitchens - borrowed light is acceptable but there should preferably be a direct line of sight to an external light source</p> <p>Other rooms – No natural light/ventilation required for studies or other non-habitable rooms, although it is encouraged where practicable</p>			<ul style="list-style-type: none"> • Bedrooms relying on borrowed light must include opaque glass sliding doors, or some similar treatment, to facilitate access to light and ventilation • Built-in ceiling fans should be provided in rooms with no direct external ventilation • The minimum setback of 5m between a borrowed light bedroom and the external wall providing the light/ventilation may be varied where expert daylight analysis justifies this (e.g. it may be greater if north facing etc) • Saddleback spaces may be used for other purposes (e.g. study desk) providing this does not constrain light/ventilation to the bedroom. • Where no natural light / ventilation is provided to bathrooms or kitchen areas, sufficient mechanical ventilation must be provided to minimise the potential for mould or odours. • There should be no building overhang above external walls providing light / ventilation to 'borrowed light' or 'saddleback' bedrooms.
<p><i>Balcony provision/ P.O.S</i></p>		<p>Min Area</p>	<p>Min Dimension</p>	<ul style="list-style-type: none"> • Where balcony spaces have uneven dimensions, the longer edge/dimension should face externally. • Balcony spaces (where provided) should be directly accessible from main living areas • No P.O.S may be acceptable in some circumstances, including: <ul style="list-style-type: none"> ○ Levels above 40m height ○ Where climatic conditions would make unusable ○ Provision is made for communal
	<p>1 bed</p>	<p>4.5m²</p>	<p>1.5m²</p>	
	<p>2 bed</p>	<p>8m²</p>	<p>2.0m²</p>	

				<p>recreation areas</p> <ul style="list-style-type: none"> ○ The site has good access to public recreation facilities.
<i>Dwelling orientation</i>	Solar access to apartments is encouraged, particularly northern orientation where practicable.			<ul style="list-style-type: none"> • South oriented apartments may be acceptable in some circumstances including: <ul style="list-style-type: none"> ○ Site configuration or nature of adjoining land makes unavoidable or desirable ○ Other benefits flow from the orientation such as improved outlook, provision of passive surveillance etc.
<i>Communal areas</i>	Communal recreation spaces are encouraged where >20 dwellings are proposed on a site			<ul style="list-style-type: none"> • Communal areas should preferably have good/convenient access, good solar orientation, be of sufficient size/dimension to enable effective use and be safe and easily managed • Rooftop gardens are encouraged
<i>Cross ventilation</i>	Cross ventilation for communal areas and dwellings is encouraged, where practicable			<ul style="list-style-type: none"> • Cross ventilation for communal spaces and passage-ways is encouraged, particularly where abutting dwellings do not have cross-ventilation
<i>Diversity/Adaptability</i>	<ul style="list-style-type: none"> • Dwelling diversity is encouraged, including dwelling size and dwelling layouts • Where 20+ dwellings, some provision should be made for 'adaptable' floor layouts 			
<i>Universal design</i>	Buildings should be designed to accommodate persons of all mobility			

<i>Storage</i>	Provide storage is encouraged as follows: <ul style="list-style-type: none"> • 1 Bed – 3m² • 2 Bed – 6m² 	<ul style="list-style-type: none"> • Storage areas should be safe, easily managed and conveniently accessible.
<i>ESD</i>	Building should be designed to achieve <i>[insert accepted minimum industry standard]</i>	<ul style="list-style-type: none"> • Professionally prepared ESD report should form part of the design response and be submitted with the application
<i>Waste</i>	Appropriate provision must be made for convenient and efficient storage and disposal of waste materials	<ul style="list-style-type: none"> • Professionally prepared WMP report should form part of the design response and be submitted with the application
<i>Noise</i>	Dwellings should be designed to ensure no unreasonable amenity impacts owing to internal or external noise sources	<ul style="list-style-type: none"> • Professionally prepared acoustic report should form part of the design response and be submitted with the application
<i>Building entries</i>	Building entries should be clear, safe and afford some protection from the elements	
<i>Car Parking</i>	Car parking areas should be safe, efficient, well ventilated and conveniently located	