

19 September 2016

Submitted online at <http://haveyoursay.delwp.vic.gov.au/better-apartments>

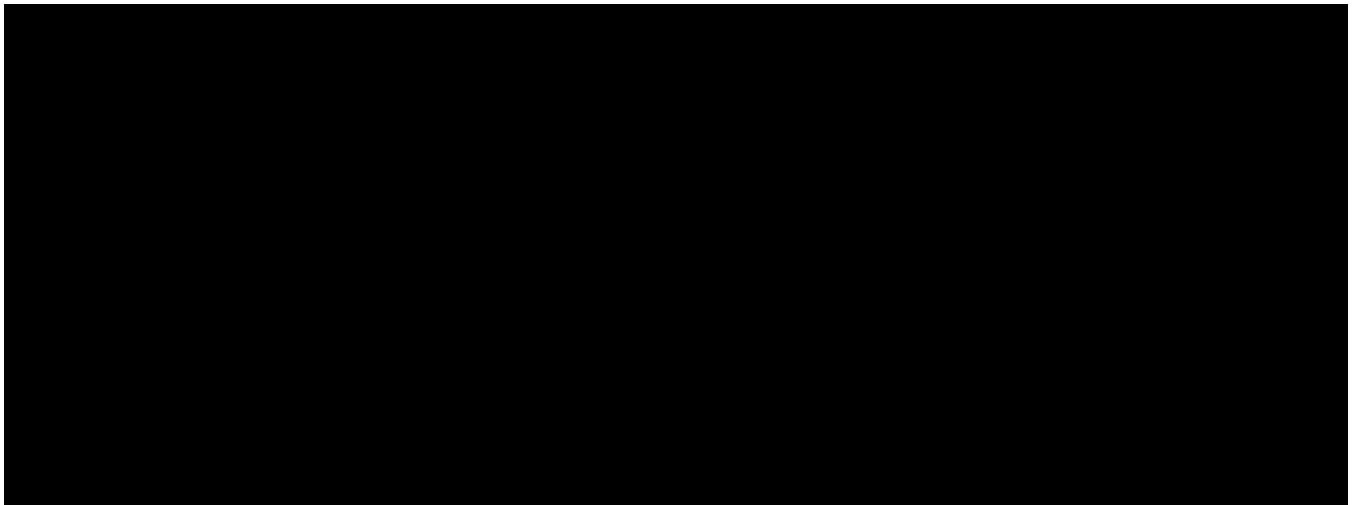
Dear Sir/Madam

Re: Better Apartments Draft Design Standards

The Melton City Council welcomes the opportunity to provide comment on the Better Apartments Draft Design Standards.

Melton City Council support the principles of the draft design standards and the introduction of these standards as new provisions within the Victorian Planning Provisions and the Melton City Council are happy to be involved in any future discussions.

Please find enclosed the Melton City Council submission.



A Proud Community
Growing Together



Better Apartments - Draft Design Standards
Melton City Council Submission

Melton City Council

September 2016

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1. INTRODUCTION

Melton City Council welcome the opportunity to provide comment on the Better Apartments Draft Design Standards

Melton City Council support the principles of the draft design standards and the introduction of these standards as new provisions within the Victorian Planning Provisions.

However, Melton City Council make the following comments and suggestions on the structure/content of the document and to provide clarity to the user on the basis of the modelling from which the design standards are derived.

1.1 Where Do These Standards Apply

There appears to be no reference in the document specifying which Zone these standards would apply and will it apply to uses with similar styles of accommodation such as hotels/motels etc. This needs to be clarified as it is noted that a number of non-residential zones such as Comprehensive Development Zone or Commercial Zones allow for similar residential uses.

1.2 Structure & Content

The document does not clearly establish its key purpose or demonstrate the interconnection between the individual design standards. Identifying this purpose and interconnection is considered important given that the document's performance based character.

If the document's foremost purpose is to protect and enhance the internal amenity of apartments, then the document must commence with an exploration of internal amenity which ultimately arrives at a definition. The document touches on a definition very briefly in the foreword, but fails to refer to this purpose throughout the document.

It is considered that an apartment with good amenity, feels good to be in and enhances the wellbeing of its occupants. Designing for good internal amenity means ensuring all amenity factors have been considered in the design response.

The document would benefit from organising these design standards into themes based around internal amenity. The current structure of standards is based around design measures, such as windows, setbacks or light wells, rather than focusing on what those design measures are trying to achieve – e.g. access to daylight. This distinction is important, because by focusing on the outcome, e.g. access to daylight, we can use a variety of design measures in a cohesive, balanced way to achieve the amenity factor. What this requires is a quantitative measure of the final outcome rather than only quantitative measures of the design measures – in this case, a daylight amenity factor.

This outcome is then the measure that can be used to assess whether the design standards, such as setback, windows and ceiling height/room depth, have met their objective. Generally applicable quantitative design standards for setbacks etc should still be given – but these can be manipulated against each other (i.e. compensate) to achieve the overall measure – the daylight amenity factor. Design options can be given this way and the onus on performance is on the developer.

There is concern about the 'interplay' between the objectives and the standards. The objectives appear to be not written as objectives and instead attempt to explain the

standard. For example the Light Well objective is “The standard seeks to ensure that the size and design of light wells allow adequate daylight access to an apartment”. Instead it could read “apartments must be provided with adequate daylight, apartments should be provided with light wells that provide ample daylight”.

The standards are defined predominately by a series of ‘shoulds’ rather than ‘musts’, while noting the use of ‘should’ reflects the standards more performance based character it is felt that this also leads to a perception of weakness to some aspects of the document.

Consideration should be given to incorporating non-negotiables ‘must’ to assist in strengthening the desired amenity outcomes of the document. For example Noise Impact standards require that the layout of new dwellings and buildings should rather than must minimise noise transmission within the site. The use of must in this context would seem logical and it is felt would not be detrimental to the performance based character of the document

While apartments are defined in the glossary – is it expected that this will be translated to the planning scheme? The planning scheme does not define an apartment building in the list of uses. We are increasingly seeing unusual built form that blurs the line between multi dwelling development and apartment building. There may be a point where it is unclear how the proposal should be assessed.

All standards, diagrams, tables etc should be labelled and numbered for ease of reference.

1.3 Modelling of the Standards

The document does not provide any modelling or testing to justify or demonstrate the design standards proposed. It is requested that this information be provided as part of a background report, as it is felt that understanding the rationale of this modeling is critical to making an informed decision to ascertain if these standards are feasible.

This is particularly important when taking into consideration different contexts such as lot configurations (rectangular/irregular), street types (roads/laneways) and typography (flat/steep) or development typologies. For example when reviewing the Building Setback standards it is not clear if the proposed setbacks would provide adequate daylight to apartments on the lower floors particularly in a built up urban context.

1.4 External Amenity

How will the standards be applied in a manner that fosters equitable development, as the draft Design Standards do not address external amenity issues such overlooking or overshadowing of existing properties located within proximity to developments of 5 or more storeys.

While noting that the document required that development with 5 or more storeys be assessed against the broader urban context as required by Clause 52.85 – Urban Context report and design response for residential development, it is felt that as this clause is not a prescriptive policy, it lacks appropriate measures to adequately address these external amenity issues.

This issue has been addressed in part by a number of Local Government Authorities (LGA) through the incorporation of a relevant Local Planning Policy within their

respective planning scheme's, however this is problematic for LGAs that do not have a policy, as it does not provide strong grounds for refusal particularly when there are adverse external amenity outcomes (e.g. Melton)

This could be in part addressed through the inclusion of additional provisions that address external amenity or requiring any new development to provide a detailed equitable development report. Given the tendency to view provisions with a one size fit all approach ala Rescode, it is felt given the complexities of higher density design that an equitable development report would be a better approach.

1.5 Areas Not Addressed

The draft standards do not appear to address a number of key concerns highlighted during the initial public consultation phase of the process.

It is considered that the standards should include or make reference to the following:

- Dwelling Size – A standard defining the minimum dimension of habitable rooms in conjunction with minimum floor areas provides a minimum set standard for apartment design. While acknowledging that the configuration of apartments tests minimum floor areas, it is felt that the additional provision of minimum dimensions for habitable rooms would assist in ensuring appropriately sized dwellings.
- Dwelling Diversity – A standard simply requiring a range of dwellings sizes and types should be provided on developments in excess of 10 dwellings would be useful to limit developments with uniform dwelling sizes/types. This standard however should not seek a percentage of dwelling sizes/types as it is felt that this would be hard to enforce unless there is a mandatory policy direction or requirement in the Scheme.
- Adaptability – A standard to ensure that ground floor dwellings have commercial ceiling heights (3.3m) would be considered useful particularly in more urban areas as it would assist in providing for the transition of use if required at a future date.
- Daylight Access – A standard to define the minimum acceptable daylight access requirement to habitable rooms is considered important given the documents performance based character. It is felt that this standard is needed to test or model the performance of other design standards such as Room Depth and Setbacks etc.
- Minimum Ceiling Heights – A standard seeking a minimum ceiling height of 2.7m for habitable rooms should be considered or at a minimum reference to the benefits should be used to show how standards could be applied for standards such as Room Depth or possibly Natural Ventilation. It is felt that this increase in ceiling height offers a number of benefits over rooms with heights of 2.4m such as additional solar access, and increased sense of spaciousness and the ability to use ceiling fans for cool/heat distribution.
- Car Parking – The location of these facilities and their effect on the overall amenity and functionality of apartment development is considered important to internal amenity of developments and it is felt requires specific design standards.

2. DRAFT DESIGN STANDARDS

2.1 Building Setbacks

Rating – Undecided

The heading ‘Building Setback’ is misleading as the standard and objective does not relate to building setbacks ‘per se’ which generally seek beneficial design outcomes from both an internal and external perspective. Instead this standard actually seeks to ensure that buildings are setback with enough distance to ensure adequate daylight and to protect the internal amenity through adequate privacy.

To be effective the objective needs clear, measurable definitions of daylight, privacy and ‘appropriate distance’. A reference to a measurable Daylight Access Standard (see General Comments) needs to be provided as it is felt without this ascertaining an adequate level of daylight cannot be accurately established.

The objective mentions privacy but doesn’t talk about measures to achieve this outcome – such as screening, glazing, orientation, landscaping. These standards may also encourage an increased use of blank walls and limiting windows to as few boundaries as possible to maximize development yield. More focus should be provided on preferred design outcomes when employing these measures in relation to the concept of ‘amenity’, as there is concern that the extensive reliance on secondary treatments for privacy such as screening and opaque glazing could lead to poor amenity outcomes (e.g. Milk bottle effect).

It is difficult to clarify if the setback distances are appropriate as the modeling has not been provided to test their feasibility (see General Comments). While the setbacks may appear to be fine on ‘paper’, it remains to be seen how the standard would work for irregular sites or sites with complex interfaces. On such sites it will be difficult to respond to the standards without producing odd, dysfunctional ‘wedding cake’ built forms at upper levels. These forms are not viable and present an unattractive interface to the street. If the standards are not viable for most lot configurations, a precedent of non-compliance may be established.

It may be beneficial if the standard includes a development context for each setback similar to Table B1 Building Setback – such as development adjacent a corner site or laneway etc.

The diagrams should emphasise that the standard only applies when there is a habitable room window or open side of a balcony rather than implying consistent built form setbacks.

2.2 Light Wells

Rating – Satisfied

Clarity should be provided to the reader through modeling as why light wells should not be included on 36m and above (see General Comments).

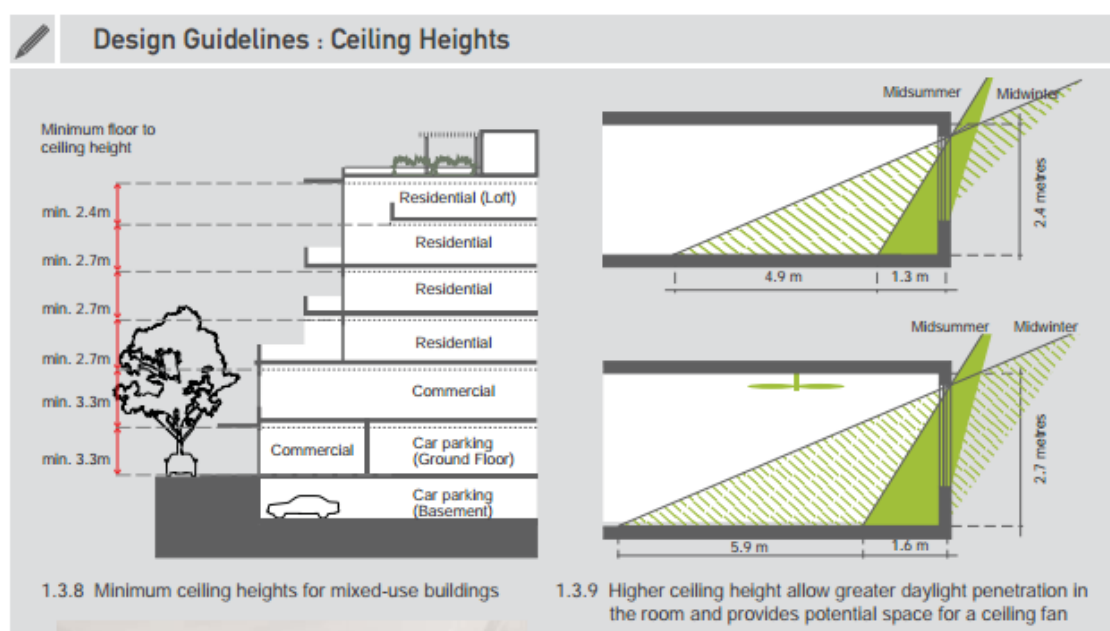
Reference to a measurable Daylight Access Standard (see General Comments) needs to be provided as it is felt without this ascertaining an adequate level of daylight cannot be accurately established.

2.3 Room Depth

Rating – Satisfied

Reference to a measurable Daylight Access Standard (see General Comments) needs to be provided when applying this standard as it is felt without this connection it is difficult to ascertain if an adequate level of daylight has been provided.

A better demonstration of why the proposed room depth/ceiling height ratios have been devised and the measure of room depth could be achieved through the inclusion of additional diagrams that demonstrate the extent of daylight penetration into habitable rooms as defined by the Daylight Access measure (see illustration below).



Source: Moreland Apartment Design Code September 2015 – City of Moreland

2.4 Windows

Rating – Satisfied

It is recommended that a minimum size for windows in the form of a ceiling height/width ratio should be provided to ensure that these rooms receive an adequate level of light. While noting that the objective does not make direct reference to receiving adequate daylight it is felt due to relationship between the provision of glazing and the objectives seeking the provision of adequate daylight this measure is warranted.

Again reference to a measurable Daylight Access Standard (see General Comments) and needs to be provided when applying this standard as it is felt without this connection it is difficult ascertain if an adequate level of daylight has been provided.

2.5 Storage

Rating – Undecided

A definition of what constitutes 'convenient access' needs to be established as it is felt that without this definition the provision of where to locate storage would be open to

misinterpretation. Although there are clear amenity benefits for locating a minimum area of storage (excluding storage included in kitchen, bedrooms & bathrooms) internally within an apartment, this should be also balanced with understanding that people have different needs. Residents may be willing in effect to be happy to 'trade off' internal storage, in place of 'convenient access' to an external storage, as compromise to achieving better housing affordability.

2.6 Noise Impacts

Rating – Satisfied

Noise Impact standards require that the layout of new dwellings and buildings should rather than must minimise noise transmission within the site. The use of must in this context would seem logical and it is felt would not be detrimental to the performance based character of the document

Clarity needs to be provided to ascertain if the proposed Db levels comply with other relevant noise guidance policies e.g. the Passenger Rail Infrastructure Noise Policy, relevant VicRoads policies and SEPPN1.

2.7 Energy Efficiency

Rating – Satisfied

All apartments should optimise orientation as a matter of necessity, not 'should when practicable'

Living areas and private open space must be located on the north side if practicable, Given that it is only required if practicable, the standard should be a must and not a should.

Clarify which design measures most effectively keep cooling loads within the acceptable range for our climate zone? It would be useful to know which measures, such as insulation, natural ventilation or shading, give most "bang for buck" in terms of reducing the cooling load?

2.8 Solar Access to Communal Outdoor Open Space

Rating – Satisfied

This should be worded to read communal open space must be provided on the north of the building, if appropriate. The words 'if appropriate' gives the developer enough leniency without describing the objective as a 'should'. Alternatively, delete the words 'if appropriate.'

2.9 Natural Ventilation

Rating – Satisfied

Clarify the modeling that establishes that 60% of dwellings with a height of less than 35m are an optimal outcome.

2.10 Private Open Space

Rating – Satisfied

There is an opportunity for additional wording to explain storage areas in private open space do not contribute to the amenity of the POS area and uses such as air conditioning units not to be located in POS area.

There is no requirement for POS to be provided on the north side of the dwelling.

2.11 Communal Open Space

Rating – Satisfied

There is an opportunity for additional wording to explain storage areas in private open space do not contribute to the amenity of the POS area and uses such as air conditioning units not to be located in POS area.

There is no requirement for POS to be provided on the north side of the dwelling, if practical.

2.12 Landscaping

Rating – Satisfied

The standard does not specify what 'r' stands for in the "p r²" formula. Is it the radius of the tree? Overall, this standard is difficult to interpret. More examples should be provided.

The standard specifies small, medium and large trees. The height / canopy cover or each type is not specified.

2.13 Accessibility

Rating – Satisfied

Clarify why 25% of all two bedroom apartments do not need to meet this standard.

2.14 Dwelling Entry and Internal Circulation

Rating – Satisfied

2.15 Waste

Rating – Satisfied

2.16 Water Management

Rating – Undecided

The provision of grey water systems needs to be 'a must' if this standard is to be achieved.

3. ADDITIONAL COMMENTS

There is the opportunity to include additional standards requiring the appropriate screening of plant equipment (e.g. air conditioning vent/fans etc.) especially on roof tops as these can be unsightly if not adequately screened.