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Q10. **I am submitting on behalf of a (select one)** Architect or building designer

Q11. **How satisfied are you that the proposed standard addressing building setback will improve the amenity of apartments?** Undecided

Q12. **Would you recommend any changes to the standard addressing building setback?** Yes

Q13. **If yes, please specify.**

1 Applying a universal setback, importantly, fails to consider the differing privacy requirements that occur where openings of opposing walls occur: habitable room/balcony to habitable room/balcony; habitable room/balcony to utility room; habitable room/balcony to blank wall; utility room to utility room etc. NSW SEPP 65 Apartment Design Guide building separation is working well by allowing development to consider differing site conditions. The universal 6/9/12m setback then is applied where future development is yet to occur ie assumes the scenario of the habitable room/balcony to habitable room/balcony condition. 2 The current wording for side/rear setbacks does not encapsulate the purpose of setbacks being to provide visual and acoustic privacy, and solar access to habitable rooms and balconies. The lack of differentiation between the privacy/solar access requirements of habitable rooms or balconies compared to utility rooms, in combination with wording that requires a setback NOT a separation and which only applies to SEPARATE buildings within a site, fails to understand the disastrous role that light wells will play. It is possible to have opposing living rooms and/or balconies of different apartments only 4.5m away from each other (noting the wording has NO requirements for offsetting any openings other than bedrooms and NO requirement for separation between differing room or outdoor functions).

Q14. **How satisfied are you that the proposed standard addressing light wells will improve the amenity of apartments?** Very Dissatisfied

Q15.	**Would you recommend any changes to the standard addressing light wells?**	Yes

Q16. **If yes, please specify.**

Positives: - light wells can increase perimeter wall area to provide daylight to utility rooms. They should never be permitted to provide light or ventilation for habitable rooms and definitely not as a primary source. Negatives: - Light wells occupy the second priority in the amenity. Why. - At best they should only ever be a very low order element. Light wells, as opposed to large central courtyards, should only ever be used for daylight access to utility rooms (at the cross-sectional areas proposed). - Using the proposed definition and ambiguous role of light wells, it is possible to have a 'compliant' building depth of 30m. This could be achieved with the minimum 3m width light well separating two components 15m deep. The wording of the draft standard enables 2 balconies or openings of 2 living rooms to have a building separation of only 3m with no requirement to offset their openings which completely fails any test of visual or acoustic privacy (noise reverberation in light wells being well understood). Bedrooms require windows to be offset. This is a very poor control. - Furthermore, the weak wording enables the light well to be used for cross ventilation in the above scenario and allows bedrooms to access them as the sole or primary source of natural light and ventilation. - Light wells do not enable cross ventilation because of their proportions and enclosed character,. This, in combination with the height of the building, will prevent air movement that define true cross ventilation - breezes, vital changes in air pressure. The current weak definition of cross ventilation also enable fans to be used to move air. I have advice from that ventilation assisted by a fan is not cross ventilation, it is mechanical ventilation. However, the wording of the draft standards could result in complying with the Design Standard while not achieving the intended performance. - Light wells should be deleted from the standards or relegated as a very low order building element whose use is limited to utility room amenity only. Building separations also need to apply to the internal functions of opposing rooms within the site as well as between sites. - in their place, include measurable performance criteria for daylight, solar access and natural cross ventilation to habitable rooms and balconies - NSW SEPP 65 performance requirements are generally working very well. Note that the NSW standards also require calculating overshadowing to and from existing and future neighbouring buildings.

Q17.	**How satisfied are you that the proposed standard addressing room depth will improve the amenity of apartments?**	Dissatisfied
Q18.	**Would you recommend any changes to the standard addressing room depth?**	Yes

Q19. **If yes, please specify.**

Positives: - 2.7m floor-to-ceiling height for open plan rooms. Negatives: - Weak wording. - No single aspect units should be permitted to have an aspect between SE to SW. - There is no requirement for minimum room width (ie the draft standards if pushed to their extreme permits a single aspect south unit with a 2m wide living room that could 4.8m deep despite mobility clearances being required for hallways and bedrooms.) Suggest 3.6m clear of storage for studio, 1 and 2 bedroom units, and 4m for single aspect and 3+ bedroom units. - A section for unit layout needs to be included that prevents unit entries via a kitchen space (galley or other), and discourages bedrooms or utility rooms opening directly onto living areas. - Room proportions should be included. Rectangular shaped rooms are easier and more spatially efficient to furnish. It is possible under the draft standards to have square-shaped open plan living and dining areas that could be 2m wide x 2m deep for instance; or an 18m2 living/dining room proportioned 1:1 (4.3m x 4.3m) is much more difficult to furnish compared to proportions of 1:3 that gives a 3 x 6 m room. - Building Code of Australia minimum requirements (such as ceiling height) are designed for health, safety and survival, they are not designed for comfort. - Floor to ceiling clearances for habitable rooms should be increased to 2.7m and defined as being unobstructed from bulkheads, structure, slab set-downs, all fixtures such as fans, lights. NSW requires mandatory unobstructed floor-to-ceiling heights of 2.7m to all habitable rooms and provides performance benchmarks recognising different conditions of unit type and location (mixed use floors, attics, mezzanine etc). Our experience over the past 16yrs has confirmed the 2.7 height enables structure, slab set-downs, ceiling fans and surface mounted lighting and the like to be installed so the BCA minimum clearances are preserved, natural daylight (subject to opening sizes) is maximised, and occupants report an improved sense of well-being compared to minimum 2.4m ceilings which we have found are experienced as oppressive particularly in very densely populated environments. Victoria's draft document permits the BCA minimum in any habitable room other than an 'open plan layout' which may be a best case scenario where surface mounted items are then installed.

Q20. **How satisfied are you that the proposed standard addressing windows will improve the amenity of apartments?**	Satisfied
Q21. **Would you recommend any changes to the standard addressing windows?**	Yes

Q22. **If yes, please specify.**

Positives: - prohibition of snorkel rooms so that a window to an external wall must be visible from every point in a room Negatives: - possible to have a kitchen tucked behind a wall with no access to natural light or ventilation. - no requirement for any solar access to living rooms or private open space/balconies. - solar access should be required with measurable performance benchmarks and criteria for how to achieve it. NSW SEPP 65 has been and is working well under the new, more onerous performance criteria.

Q23. **How satisfied are you that the proposed standard addressing storage will improve the amenity of apartments?**	Satisfied
Q24. **Would you recommend any changes to the standard addressing storage?**	Yes

Q25. **If yes, please specify. More information**

Positives: - the draft standard requires storage to be in addition to linen cupboards (and kitchen, bathroom laundry and bedrooms) will perform well (unlike NSW). Negatives: - None of that storage needs to be accommodated within the unit. It would be preferable to have 50% within the unit. - there is no minimum depth for the required storage. Under the proposed wording, it is possible to have a 0.3m deep floor-to-ceiling cupboard running the length of an 8m open plan living room to satisfy 6.48m3 of storage if located within a unit. However, the cupboard depth is not serving its intended function as it could only store narrower books and small items. A minimum depth of 0.6m is required.

Q26. **How satisfied are you that the proposed standard addressing noise impacts will improve the amenity of apartments?**	Satisfied
Q27. **Would you recommend any changes to the standard addressing noise impacts?**	No

Q28. **If yes, please specify.**

not answered

Q29. **How satisfied are you that the proposed standard addressing energy efficiency will improve the amenity of apartments?**	Dissatisfied
Q30. **Would you recommend any changes to the standard addressing energy efficiency?**	Yes

Q31. **If yes, please specify.**

Positives: - energy efficiency is included Negatives: - wording is weak. Use of the word 'should' throughout the document needs to be replaced with wording that clearly defines performance benchmarks and obligations. For instance, the provision that permits single aspect south units could be argued as being compliant under energy efficiency because they may use energy efficient light and mechanical ventilation. The weakness being that 'maximising' the number of units with a northerly aspect is not mandatory, it just 'should' occur. - common circulation spaces need direct access to daylight and natural ventilation. Over the life cycle of a building, fully internalised common lift lobbies require 24hr artificial light and mechanical ventilation resulting in unreasonable costs on residents and demands on energy.

Q32. **How satisfied are you that the proposed standard addressing solar access to communal outdoor open space will improve the amenity of apartments?**	Very Dissatisfied
Q33. **Would you recommend any changes to the standard addressing solar access to communal outdoor open space? If so, please specify.**	Yes

Q34. **If yes, please specify.**

Positives: - solar amenity to communal open space is positive. Negatives: - there is zero requirement for ANY solar amenity to any unit! - solar access is basic amenity and should be mandatory to a minimum of 70% of units in all development. It is not to be achieved from the western sun but between the range from 15? of north to east. It should be for 2hrs in metropolitan areas (3 hours outside that zone) at mid winter between the hours of 9am and 3pm. A measurable amount of solar access within that 2 hr timeframe is 1m2 for 15 minutes with a minimum dimension of 1m. - a maximum of 15% of any development should be permitted to receive no sunlight. A requirement needs to be included for setbacks to be increased if solar access to habitable rooms and private open space cannot be achieved. Melbourne does not have the same geographical complexities of Sydney that warrant a variation. All apartment development I have reviewed in NSW under SEPP 65 has been able to comply with this onerous standard often solved by innovative unit typologies, multiple lift cores, and maximising a northern aspect.

Q35. **How satisfied are you that the proposed standard addressing natural ventilation will improve the amenity of apartments?**	Dissatisfied
Q36. **Would you recommend any changes to the standard addressing natural ventilation?**	Yes

Q37. **If yes, please specify.**

Positives: - cross ventilation is a consideration within the document - 60% of the development up to 35m (only 10 storeys) Negatives: - weak wording - weak definition of cross ventilation - weak/absent performance criteria and guidance as to how it can be achieved. - A 'breeze path' can technically be achieved via a skylight or light well under the draft standard. Performance based quantifiable criteria is required. - the diagram is incorrect as it shows a building 35m high with 15 storeys. All diagrams should be taken from as built examples, realistically scaled, accommodating depth for realistic structure and services etc and be accurately represented.

Q38. **How satisfied are you that the proposed standard addressing private open space will improve the amenity of apartments?**	Satisfied
Q39. **Would you recommend any changes to the standard addressing private open space?**	Yes

Q40. **If yes, please specify.**

Positives: - Minimum balcony depth is generally supported for studios, 1 and 2 bedroom units. Negatives: - balcony depth for 3+ bedroom units needs to be increased to 2.4m. It would be expected that a table and 6 chairs could be accommodated in a larger unit (as demonstrated in the diagram) however, the min 2m depth will not accommodate the additional furnishings as demonstrated by the diagram.

Q41. **How satisfied are you that the proposed standard addressing communal open space will improve the amenity of apartments?**	Very Dissatisfied
Q42. **Would you recommend any changes to the standard addressing communal open space?**	Yes

Q43. **If yes, please specify.**

Positives: - communal open space is a great asset for all apartment developments and should be providing the highest quality of amenity. This is particularly the case where individual unit amenity is severely compromised as is possible under the current draft standards. - the commensurate increase of 2.5m2 per dwelling is supported, however, the cap at 100m2 may not achieve optimal results in very large developments particularly as there is a blurring of definitions of primary communal open space and space that may just be in common ownership. Negatives: - Communal open space must be differentiated from areas in common ownership. - one parcel of primary communal open space (COS) needs to be provided for all apartment developments regardless of size. - there needs to be other amenity tests such as creating an inviting environment with seating (BBQ at rooftop areas or very large areas at ground level where smoke will not interfere with air quality to adjacent units). - the standard needs to promote the primary COS as providing opportunities for residents and their visitors to socialise. For instance, a bare terrace area devoid of landscape, or design elements will not encourage use and is unattractive. - there is no definition of what defines solar access. How much, when? Performance criteria needs to be defined such as 50% of the primary COS to achieve solar access for 2hrs between the hours of 9am and 3pm during mid-winter. Primary COS needs to have a minimum dimension (suggest 6m with minimum area of 80m) that enables larger groups to socialise.

Q44. **How satisfied are you that the proposed standard addressing landscaping will improve the amenity of apartments?**	Undecided
Q45. **Would you recommend any changes to the standard addressing landscaping?**	Yes

Q46. **If yes, please specify.**

Positive: - draft standards are comparable or a little more onerous than NSW. Negatives: - The proposed standards are inadequate. - Deep Soil and landscape standards need to be set based on development type, zoning and the specific location. This may or may not be commensurate with size. - Deep soil enables landscape precincts of different character to be established, protects ecology, facilitates large trees, flora and fauna. The one-size-fits-all standard does not differentiate edgier urban environments from outer suburban environments, nor does it enable consideration of public parkland and other open space assets in the vicinity of urban precincts nor enable long-term local objectives to increase canopy trees (or whatever the desired outcome). - the standards therefore need to include requirements to satisfy local Council controls where they are more onerous.

Q47. **How satisfied are you that the proposed standard addressing accessibility will improve the amenity of apartments?**	Satisfied
Q48. **Would you recommend any changes to the standard addressing accessibility?**	Yes

Q49. **If yes, please specify.**

Positives: - the inclusion of most Gold Level Livable Housing enhancements is welcome. Negatives: - Areas where the Livable Housing Guidelines are silent have not been clarified in your draft standards. - a glaring loophole is the omission of requirements for living and dining areas. Without minimum room widths it is possible for a 2m wide living area to be technically compliant while not achieving a fit for purpose functioning apartment. - there is no requirement for furniture layouts (with realistic sized furniture) that demonstrate unobstructed, efficient circulation within the living room and between rooms can be achieved. Again, the room proportions also should be included (1:2 and 1:3 is appropriate) so that furnishing arrangements can be flexible, maximise spatial efficiency and are coordinated with the other accessibility requirements of the draft standards. - Access to the toilet pan also needs to be unobstructed. Weakness in the Livable Housing Guidelines has resulted in dwellings that technically achieve a WC with the 1.2m x 1.2m clearance in front of the pan not achieving the actual intended performance. (See Livable Housing Guidelines diagram 3a for Silver Level layout). Diagram 3a does not include provision of a washbasin where there is a separate WC. In my experience, a washbasin is always included in this room and located beyond the required clearance in front of the pan if minimum room widths are used. If the door is at the end of the cubicle, the path of travel clearance becomes obstructed by the washbasin. I received advice from Livable Housing Australia that confirmed the expectation that all clearances are to be unobstructed, but this has not been clarified in their diagrams to date. The Better Apartments Design Standards need to clarify these ambiguities so that all rooms, paths of travel between rooms, furnishings, fixtures etc achieve a fit for purpose layout and circulation spaces are clear of obstructions.

Q50. **How satisfied are you that the proposed standard addressing dwelling entry and internal circulation will improve the amenity of apartments?**	Satisfied
Q51. **Would you recommend any changes to the standard addressing dwelling entry and internal circulation?**	Yes

Q52. **If yes, please specify.**

Positives: - generally good Negatives: - a source of natural light and ventilation needs to be provided at every level. Otherwise all lift lobbies above ground floor can be fully internalised which is a very poor outcome for communal amenity and life cycle energy efficiency. - a limit on the number of units per floor and in total that a lift can service is needed.

Q53. **How satisfied are you that the proposed standard addressing waste will improve the amenity of apartments?**	Satisfied
Q54. **Would you recommend any changes to the standard addressing waste?**	not answered

Q55. **If yes, please specify.**

not answered

Q56. **How satisfied are you that the proposed standard addressing water management will improve the amenity of apartments?**	Satisfied

Q57. **Would you recommend any changes to the standard addressing water management?**

not answered

Q58. **If yes, please specify.**

not answered

Q59. **You can submit your comments in the text box below.**

My comments are based on 20 years experience both designing apartments for developer clients and acting on behalf of Councils in NSW as a member of SEPP 65 Urban Design Panels. I bring experience from both sides of the fence. The following are positives: - the document is short - good initiatives for mobility considerations - snorkels are prohibited - storage is in addition to linen cupboards (as well as utility rooms, kitchen, bedroom but negative that none of it needs to be in the unit) - COS has to achieve solar access (huge negative is that the units themselves have no solar access amenity so it's possible to have a development with 100% of units achieving zero solar access!) - cross ventilation is considered (but so poorly defined it enables developments to satisfy cross ventilation compliance - ie via light wells - while not actually achieving cross ventilation in performance). In my experience, the design standards MUST be developed around the aim for design quality. The Design Standards must be structured with clear objectives, supported by measurable and independently verifiable performance benchmarks. these will provide certainty to industry and form quantifiable measures of design performance. It is critical that an independent design review panel process is incorporated at the development application stage. The panel must include registered architects (and building designers and be multidisciplinary). Design quality assessment should never be carried out by town planners, who may be fantastic planners, but whom in my experience, are not trained and do not have the necessary skills required to carry out assessment of design quality. Town planners and assessment officers are highly skilled at assessing legislative requirements but rely on the expertise of others for design quality. Both formal and informal urban design review panels have been working really well in NSW. They have improved the design standards generally and enabled merit assessments for alternative solution to be efficiently negotiated. In my experience it has resulted in a win-win for both the approval authority and the developer. Once a design has been approved it will never be amended at building permit stage (NSW equivalent of Construction Certificate) other than to be 'dumbed down' to further cut construction costs. Developers have already spent their allocated budget on design and see late amendments as unnecessary if late in the approval process. Arguably once the approval has been granted, the design should have passed all the design quality categories. The sooner architects/urban design review panel input commences, the more likely a positive outcome for all stakeholders. The format of the document must be succinct (which it is currently). The unfortunate fact is that the standards MUST be developed to capture the worst operators - the developers, architects and building designers who design by loopholes and who will design whatever they can get away with. They will cry foul, they will kick and scream, but once in place, they will get on with it. It is vital that design standards deliver high amenity and design quality. Conversely, the standards need to have the flexibility to allow the best operators to deliver the highest quality design and innovation. This is the only way ALL apartment development will achieve MINIMUM standards of amenity. The buildings and apartment housing stock will be part of the city for a minimum of 50 years or more. In this regard, the draft standards fail on critical areas: solar access amenity to individual units, cross ventilation, visual and acoustic privacy, building depth, room size and proportion, and common circulation amenity. The proposed standards should apply to all apartment development rather than exclude many standards for development up to 4 storeys but can be fine tuned to accommodate scale.

Q60. **If you prefer, your comments may be attached in a separate document in either Microsoft Word or Adobe Acrobat PDF format.**

not answered

Q61. **Privacy Options**

I agree that my comments can be published openly with my name and suburb/town but no other details

Q62. **Request for confidentiality reasons**

not answered

Q63. **Do you agree to the third party information statement?**	I agree
Q64. **Do you agree to the intellectual property rights statement?**	I agree