

TRANSCRIPT

LEGISLATIVE ASSEMBLY ENVIRONMENT AND PLANNING COMMITTEE

Inquiry into Apartment Design Standards

Melbourne—Wednesday, 16 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

Mr Paul Zanatta, National Advocacy and Policy Manager, and

Mr Tim Leslie, Victorian State Manager, Australian Institute of Architects;

Mr Bill Krotiris, Victorian President, Australian Institute of Architects, Principal, John Wardle Architects;

Ms Sarah Buckeridge, Co-managing Director, Hayball; and

Mr James Legge, Director, Six Degrees Architects.

The CHAIR: I advise that the sessions today are being broadcast live on the Parliament's website and rebroadcasting of the hearing is only permitted in accordance with Legislative Assembly standing order 234.

Thank you for coming here and joining us today at 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 be joining us today. I also welcome back any members of the public and the media who are watching us here today.

This is one of several public hearings that the Environment and Planning Committee is conducting to inform itself about the issues relevant to this inquiry. Before I begin I need to point out to you all that all of the evidence taken today will be recorded by Hansard, and it is protected by parliamentary privilege. What that means is that you can speak freely here without fear of legal action in relation to the evidence that you give. However, it is really important to remember that parliamentary privilege does not apply to any comments you make outside of this hearing, even if you are just 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, and corrected transcripts are published on the committee's website and may be quoted from in our final report.

I extend a very warm welcome to you all. My name is Sarah Connolly, and I am the Chair of the Environment and Planning Committee and the Member for Tarneit.

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

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

Ms McLEISH: Cindy McLeish, the Member for Eildon.

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

The CHAIR: I am going to hand over to you, Bill, for introductions and your presentation.

Mr KROTIRIS: Thank you, Sarah. I would just like to acknowledge country to begin with. The institute acknowledges the original custodians of the country throughout Australia and the people of the Kulin nation as the custodians of the land on which we meet today. I recognise their continuing connection to land, waters and community and pay my respects to them and their cultures and to elders past, present and emerging.

Thank you for this opportunity for the Australian Institute of Architects to participate in the Victorian parliamentary Inquiry into Apartment Design Standards. It gives me great pleasure to introduce the institute representatives today. I am the Victorian chapter President and a national councillor for the Australian Institute of Architects. I am also joined by James Legge, who is a founding Director of Six Degrees Architects, and Sarah Buckeridge, who is a Co-managing Director of Hayball. We also have institute personnel with us today: to my right is Paul Zanatta, our National Advocacy and Policy Manager for the Australian Institute of Architects, and Tim Leslie, our Victorian State Manager for the Australian Institute of Architects.

Visual presentation.

Mr KROTIRIS: We are presenting this executive summary of our recommendations in a linear and sequential method for further clarity for you and look forward to your questions and answers in a Q and A session. We would like to touch on the vision, so the livability of apartments as a mainstream housing choice; designing the vision, so how we go about it; enabling the vision through a cohesive regulatory and policy framework; building the vision, so our responsiveness on procurement; and protecting the vision over the long term. With respect to the vision, our primary submission theme is to ensure the liveability of apartments. Effectively we need to deal with them as people's homes. For us, sustainability and inclusiveness for all ages of people living in apartment buildings are the key criteria. I might hand over to James now to talk through some of the other criteria.

Mr LEGGE: Thanks, Bill. My name is James Legge from Six Degrees Architects. I am going to be talking just briefly on the vision and the livability. Essentially when designing apartments it is critical to think about the following, so there are three things here.

Precinct level design thinking: the design and consideration of the wider precinct is critical. When the planning code is changed to allow high-density living, consideration needs to be made for things such as adequate open space, distances between buildings, equitable development, access to daylight and access to public transport, bike paths, social amenities, retail and council health services. State governments need to carefully think through what they wish to achieve through increased density and where best to locate it.

Designing for residents: as Bill mentioned, apartments need to be designed for the people who will be living in them, not purely for investors to invest in. While these two are not mutually exclusive, designing specifically for investors often leads to poor livability outcomes. Important for livability are things such as access to light and ventilation, adequate dimensions to sensibly allow furniture to be set out, adequate bench spaces to kitchens, good thermal performance to ensure low running costs, robust materials to ensure low maintenance costs, adequate storage and things such as front door experiences that feel like a threshold to someone's home. As well as that, apartment buildings should be designed to foster community through things such as incidental spaces that allow interaction between neighbours. These could be a range of things such as rooftop gardens, open walkways, landscaped entries, shared laundries, shared bicycle facilities or workshops or common rooms—so just the possibility for people to have incidental interaction.

Further to this, the public realm and streetscape activation are also incredibly important. How an apartment building lands in its urban context is important for the making of our cities, towns and suburbs. The ground floor should not be an afterthought or simply a series of grills hiding car parks, electrical and mechanical services. It should give back to the street and help activate the precinct in which it sits. MCC amendment C308 helps address this in the City of Melbourne and Southbank and should be considered in other municipalities. The detail and texture of the ground floor should be scaled to the pedestrian, and perhaps the materiality should play off the context of the area. A sense of the familiar is reassuring and helps stitch a new building into its urban context. New apartment buildings can add life and vitality to a district, but they need to carefully consider what they are giving back, particularly at the street level. I will hand over to Sarah.

Ms BUCKERIDGE: Thank you, James. The AIA supports the many initiatives of the Victorian government that are already in progress to encourage and improve natural and built environments. As listed on this slide and within our submission, many relate to climate response and social inclusion to make our housing more resilient for the future. Our existing apartment standards and associated sustainable design tools seek to address these policy objectives. However, there is still somewhat fragmented and inconsistent application across different municipalities. We think that there is an opportunity for regulation to be applied more consistently statewide and to be structured into a clearer and more cohesive framework.

The current regulatory framework has gone a considerable way in addressing shortfalls in minimum standards since the *Better Apartments Design Standards* were first introduced in 2017. The first iteration addressed the lower end of the market and helped raise minimum standards, particularly around internal layouts and amenity. The second iteration, which is now coming into effect, improves consideration of communal—that is, residents' shared—spaces, public realm and streetscape considerations and includes ambitious landscape requirements. The AIA recommends that future iterations of the standards balance prescriptive planning—typically these are metrics that can be easily measured and assessed to achieve minimum standard—and performance-based approaches, which allow consideration of more nuanced qualitative design issues and non-standard solutions.

These are particularly relevant to larger or complex sites and precincts and allow for flexibility of responses and design innovation. There is a particular need to address siting considerations such as building separation to achieve the design outcomes related to light, air, outlook and privacy. We see that skilled design assessment is critical to achieving these policy objectives. Design review panels are critical enablers of achieving high-quality apartments and places, and we recommend that this is implemented broadly through a statewide framework to inform both strategic precinct planning through to the review of individual apartment buildings. By way of example, in New South Wales SEPP 65—and now the newly developed design and place SEPP—provides a useful benchmark. It is particularly effective in articulating principles of good design and integrating macro to micro design, place and sustainability considerations into a single and comprehensive planning policy. Thank you.

Mr KROTIRIS: Thank you, Sarah. Building division: we are looking at revisiting procurement. All governments are responding to the *Building Confidence* report, the Shergold-Weir report. The institute has also prepared a code of novation for national distribution within its members, and this is something that has been advocated in private industry and at government levels, and we are hoping to share that with you soon. Consistent with the reform in New South Wales, specifically in multi-residential buildings—class 2 buildings—our code of novation is recommending for a later novation for design consultants so therefore greater design and documentation and clarity within documents before we are novated to the Contractor.

Our submission considers and addresses consumer protection, and this is paramount in this process. Often in all of the reviews of apartment design standards we are talking about one particular process—that is, the design, documentation and procurement process. What is not addressed is the time of handover. So once everyone that has been involved and completes a final completed product (the building) it is the new users, the new owners, that become the custodians of these significant assets. So there is no talk about how to deal with that, whether it is through owners corporations or ongoing maintenance and dealing with the building, so we are particularly interested that we can link the design process into how to assist the end user and protect the consumer in the future.

That is our presentation, and we look forward to our Q and A session with you. Thank you very much.

The CHAIR: Thanks, Bill, and your team of experts here. Look, you have got a lot to unpack in your submission. I am really excited because you have raised a couple of issues I am particularly interested in. I am going to start off with the first one. We have heard from other witnesses within the housing development industry about more prescription and regulation impeding the ability of developers and builders to go ahead and innovate and improve apartment design for residents, whether it is owner occupied or through investors and rented out. I get the impression from your submission that you think there is still quite a bit of tightening up that we can do and state government can provide direction to improve outcomes, including livability and living in local neighbourhoods, for residents and communities. Do you think that even with the current BADS in place—and there is a pipeline of work still to come through and apartments being designed under those standards—without further guidance and tightening up the market itself will drive innovation and improvement? One of the things I am particularly concerned about is quite often people buying off the plan, whether it is homeowners or investors who are wanting to rent this out and then renters are the ones living there, do not actually realise what good-quality, high-standard apartment design is until they have been living there, until they have bought it, until they have got a mortgage, whether they are suffering from defects or no windows or things like that. I am just wondering what your thoughts are on that.

Mr LEGGE: I can talk to that to start with. I mean, I think our approach really is that there are two sides to this. That prescriptive-based set of rules can assist and can raise the bar—and has raised the bar—but there will certainly be conditions and situations where the site may suggest that the prescriptive-based approach is not possible or there may be reasons why the prescription might not work as well as another considered design. So one of our recommendations here really is to involve design review panels that would sit alongside and enable good design practices to happen and to occur and well-thought-out, well-structured designs to still be enabled, even if they were not necessarily meeting the prescribed codes.

The CHAIR: Thank you.

Mr KROTIRIS: I might touch on the comment around buying off the plan and the marketing. We talked about market-led improvements. A lot of our members will probably agree with this: a lot of the market-led

movements are around marketing campaigns that are all about liveability and lifestyle and what one may achieve by buying off the plan to live in a particular building as a part owner but do not go down any path of legitimacy or compliance. Exactly what sort of quality of light they may get into their apartment or how waterproof their apartment will be, all the technical aspects of why one would buy into a multi-residential building, a class 2 building—that does not exist. It is more that you have a contract of sale, there will be a marketing suite and there will be a marketing brochure that is all very glossy. There is generally very little in sales contracts other than a single-pager that is usually very general in nature describing the amenity, the quality, what they are actually buying. So emphasis on a developer to be more transparent and more committed about how to deal with all the technical details for a building, so then if they are selling to a third party, hand on heart they can say, ‘I’m actually selling this to you’ with a lot more detail, rather than the glossy brochures of, ‘You’re around the corner from the world’s best street and so you’ll enjoy the cafe lifestyle’—whilst that is important, it is not everything about what you are buying, because once you buy and you are in there, that is when the discovery mode begins about how waterproof your apartment is, how soundproof it is and how accessible it is, and I can go on.

Mr LEGGE: I do not think the market can look after everything, as much as some people will say it can. A good example, I think, is some years ago, when most developers were building for investors and for investors alone, we ended up with a lot of two-bedroom apartments with two bathrooms, as small as possible, because people were essentially paying per square metre. They wanted to get the smallest possible apartment with two bedrooms and two bathrooms because they could rent them out more easily because two different people could come in and live in them and have their own bathroom. Now, that is not very handy for a young family who probably just want one bathroom—the same size apartment with a much bigger living room and two bedrooms.

Ms GREEN: Or a person with a disability.

Mr LEGGE: Or a person with a disability, exactly. So if there are not some constraints around it, or if there is not the encouragement to design apartments for people who are going to be living in them, then the market will tend towards whatever levers are being pulled to make it more profitable.

I think there is, I guess, another aspect to it, which is that, while some developers are around for a long time and have a reputation that they want to protect—and therefore produce good product that is sellable and has a reputation that lives on so that they can build the next one and sell off that reputation—many developers are unknown. And they may still be good developers, but they may not be. But as Bill was saying, there is not necessarily any knowledge in the general population to think, ‘Well, can I trust what I’m being sold here? Is it just the glossy pictures?’. Often the glossy pictures look a whole lot better than the actual building itself in the end.

Ms BUCKERIDGE: Could I just add one more point around prescriptive versus performance? As an institute we have talked about this extensively because there is a real tension with these issues about raising the minimum but not stifling innovation. We do perceive that there is still a gap in the current minimum standards that apply some guidance and framework around metrics to guide building separation and siting arrangements, and that is because if you are going to get those other things to work well which are already in the standards, you do need to have building spacing appropriately working with those more detailed elements to work properly. But it is critical that there is that performance solution pathway so that for complex sites, for large precinct sites and more sophisticated design problems there is an alternative pathway so that everything is not reduced to a tick-box solution. So we absolutely support parallel paths where there might be simpler, smaller developments that can go through in a quick and efficient prescriptive pathway, but there does need to be protection through on a performance basis, and that is probably the space where architects particularly can really add innovation and higher design quality beyond the minimum standard.

The CHAIR: Thank you.

Mr LESLIE: Could I add to that? I think what is important is that it is going beyond that: it is having the design review panel. An architect is engaged by a developer—or whoever, the client—and what you also want is for another group to be able to assess that [design] and to make sure that they [architect] are hitting all the benchmarks. It is a two-part process [performance and design review]: we are saying that the design review panel is a really critical component because it is a secondary peer-group body that is making sure you are meeting the design aspirations, if you are not meeting the prescriptive elements. If you do not have that, then

you still have a problem. You need to have another review process to make sure you actually are creating innovation on complex sites.

We do think that the standards have improved the quality and that increasing those is a good thing, but we are just saying that this [design review] is in addition to that. We are supporting that the BADS have been a good thing. It always needs refinement and there are always problems, so it is not perfect, but that will come through as you do each iteration of it.

Mr ZANATTA: If I could just add—Paul Zanatta, Australian Institute of Architects—from a policy perspective, following this submission we submitted to DELWP’s consultation on ResCode and the new performance assessment modules. It is a streamlining process that DELWP are proposing. We have articulated in more detail that difference between the benefits of the prescription-based tick-the-box approach and the more nuanced and individualised approach and, as Sarah referred to, the concept of having different pathways. If we know something is not going to tick the box because it is a difficult site, it would go straight to more of a design review panel or design experts for review rather than going down the tick-the-box pathway, therefore not wasting time. Particularly we raised a lot of issues around what happens when you get lots of objections because the pathway is not working properly.

The CHAIR: Okay.

Mr KROTIRIS: Sarah, may I maybe unpack the issue of buying off the plan a little further or do you want to move on?

The CHAIR: Well, I am conscious of time, and I know my colleagues have got lots of questions. I am just going to throw to David.

Mr KROTIRIS: Sure.

Mr MORRIS: Well, there are lots of questions here, but I would be interested, Bill, if you wanted to reflect on that first.

Mr KROTIRIS: It is just through the conversation. I will be very quick. Just as a model it is basically an independent advocate to assist someone buying off the plan. So coming back to my earlier comments about seeing through all the marketing material, once you part with half a million dollars or \$1 million for an apartment, you may end up being asked to settle, and you are invited to—(there are plenty of examples where this has happened in the north-western end of the CBD)—have 45 minutes to review your apartment for any defects, and that is it. Often if those owners would bring an individual adviser with them, such as an architect, it was at the wrath of the developer and the builder, who would say that this is untoward and should not be happening. A mechanism to deal with this is if you place this on developers, if you have an independent advocate to actually go past the marketing material and be the technical adviser and say—I am now working for someone buying off the plan—‘You’re parting with half a million dollars to buy an apartment in the sky or a low-rise’. You could be that independent person that can assist them to actually quiz the developer or quiz the contractor as to what it is that they are buying in the end to ensure that it is consistent with the initial promise of the marketing material. That is all.

The CHAIR: And if they knew there was someone coming to do an independent assessment to check at the end, maybe the standard would be lifted at the beginning in their part of the build.

Mr MORRIS: As I was saying, there are a number of subjects I would like to pursue, but I will just stick with the design review panels. Essentially we had evidence from a government agency this morning that said, ‘As far as we’re concerned, design review panels are a function of the state. There shouldn’t be local ones’. They did not say, ‘We should be running them’, but they essentially said that the government should be running them. I would be interested in your thoughts on the best mechanism for design review panels, and within that how local do they need to be? Recognising that there are some design principles that will be universal, how local do they need to be as well?

Mr KROTIRIS: Difficult one. I do not know how to unpack that one.

Mr LEGGE: It is. I am happy to just start and then maybe hand over. I believe that design review panels need to be very local. They need to be specific. In our submission we talk about the precinct design, and I think if you have a pool of appropriate representatives to draw upon at a local level—if we are dealing with the Mornington Peninsula or we are dealing with Ballarat I think you would need that local knowledge—by drawing in a pool then you can cover off on that precinct aspect of how to move forward. Primarily for a precinct I think it is very relevant. Once you drill into the finer grain detail that we have also talked about, the internal amenity, then that can be from a wider pool and probably is more consistent across the state. Yes, I will just open that up.

Ms BUCKERIDGE: I would probably just add too it has been interesting to see what is happening in New South Wales with the Design and Place SEPP. They have obviously had quite a lot of industry reaction against when design review panels do not work as well as they might, which often might relate to inconsistency of advice or lack of timeliness of when that advice is given. What they have done to try and address that is have a more robust statewide framework, or, if you like, a design review panel manual document which really guides the sort of terms of reference, how these things are set up, chaired, governance et cetera so that while you can have the local representation and get across those locally specific issues, there is a consistency across the system, because I think where the frustration can come from the other side, from the applicant's side, is when there is a sense that every time you are putting an application into a different location you are running up against a very different system or set of parameters. So I think the key here is about consistency and having that layered approach where you can get the right expertise in the room.

Mr MORRIS: But you are still able to access the local expertise?

Ms BUCKERIDGE: Correct. Yes.

Mr LEGGE: Obviously an important thing is for it to be not political. That is the key.

Mr MORRIS: Absolutely, yes. Thanks, Sarah.

The CHAIR: Paul.

Mr HAMER: On the design review panel question, where would you see that applying? Is that for every apartment development of a particular size or is it at a precinct level? What are your thoughts on that?

Mr LESLIE: I think what we are saying is that there are different approaches. Let us say you have got better apartment design guidelines set up. If you meet those criteria, you can go through the planning process because you are meeting all the key criteria and you are not actually really challenging anything. What we are saying is that there is a lot of sites that are actually becoming quite complex, especially when you are doing infill in inner ring suburbs and so on and you come up against a whole bunch of complexities that need to be solved—the thing is that you do want that density there. That is where all the critical mass is, all the infrastructure—where you are going to meet all the sustainability targets. You have to do these things [non-standard design solutions], but they are complex, and because they are complex you then need an expert panel to be able to give guidance about: is this the appropriate thing for the long term for the benefit of the state of Victoria? What we are saying with those sites is that they would go straight down a different pathway to a design review panel and be shepherded through, because you already know there are going to be one or two aspects or maybe a multitude of aspects which are going to be, I guess, in tension with the guidelines. Some people will just meet all the guidelines and go straight through, no problem, and that means they know how their development is going to work, and that allows for the market to do that. That is a fast pathway. Then, as we are saying, there is another pathway which may not even end up with a permit. It is more of a risky process, but it actually allows someone to know that they can take a different pathway to solve a problem.

Mr HAMER: It could be on an individual site basis, but if it is that site that would be difficult to fit within the existing guidelines, then that would be an alternative process that could potentially drive some innovation.

Mr LESLIE: Yes.

Mr HAMER: The other question I had: you talked about the shift from designing for investors to designing for residents. I am just wondering how that can be achieved. It is obviously I would think quite difficult to regulate that.

Mr KROTIRIS: I am happy to jump in. Paul, do you mind just repeating it, because I did not quite catch it—if you could just repeat the question.

Mr HAMER: Yes. Sorry. Just in relation to designing for residents, as a vision that you have put up particularly in contrast to designing for investors, how does that vision get achieved? Because I would see that through prescriptive standards it might be difficult to achieve an outcome such as that, but I would be interested in your thoughts about how that outcome is better achieved.

Mr KROTIRIS: So that is our vision. It is a complex scenario about how you get there. Whether it is prescriptive or performance-based or you have a design review panel, that all is a part of the issue, but everything we advocate on is to improve both the internal amenity and the external amenity of a multi-residential building. So increased standards and quality in communal space are key because that becomes a liveability issue. Often people want to buy an apartment and move in and only realise later that the communal open space within their own private realm was not achieved. It may have looked good on paper, but it is not realised. So there is the pressure point there about improved communal spaces. There is a pressure point about improved internal amenity, and we advocate on looking at internal amenity more holistically from a volumetric perspective, not a prescriptive perspective in a 2D dimension—so just quoting widths and depths and how far back a kitchen can be. There is more to amenity than just these 2 dimensional measures. It is not one rule fits all orientations, all precincts, all designs; it can vary. So we need to have a level of flexibility in the rules to allow for greater internal amenity and quality to be achieved. As that is achieved, it becomes an attractor for an alternative housing choice—that you can live there a lot longer.

I think there is also data that should be collected about all the buildings that have been created for class 2 as to the longevity of the demographic—who has lived in there and for how long—and that will be a tell-tale. Often it is younger people who move in—it is the affordability aspect of it—but quickly outgrow it. Class 2 buildings are also very static. They are unable to be flexible. They do not move a lot, so being able to change the internal amenity over time is not a viable option. So that could be a method of moving forward—so as James was alluding to earlier, a greater space and less amenity with respect to number of bathrooms or pockets of spaces within it. You need some flexibility. Of course you are in the sky and there is someone above you, adjacent to you and below you, but any ability to start to have a level of flexibility and accessibility can make it more liveable. It is a very complex equation, but it is about improving amenity.

Ms BUCKERIDGE: Can I just add to that, Bill? I think we are on the pathway. I think the new iteration of the BADS is going in that direction. So there is a much stronger focus on the landscape requirements, addressing heat-island effect, tree canopy et cetera, which is very important, particularly for families residing in apartment blocks. The issue of amount of space that is provided in terms of communal area is now being given more attention. So there have already been real strides made in terms of the minimum standards that have been set around those things, and I think it will be really interesting to see how that flows through the market.

I think the other thing we are starting to see is there are some good built case studies for doing things better and differently. So there are quite a number of innovative housing models. You have probably heard about Nightingale Housing as one model, but there are more build-to-rent projects being put into the market with a focus on community building and high-quality communal assets. I think we are going to see a bigger segment of the apartment market being developed by people who have a long-term interest in the value of that community and the value of that asset, so I think it is going to be extremely useful to have more built examples showing that this can be done better. I think we are already well along that path. I think there are still gaps in those minimum standards; particularly standards around siting and separations would really fill those gaps and cement that liveability.

Mr ZANATTA: And in our submission we pointed out the issue of AS4299, which is the Australian standard for the adaptability of apartments to be able to then meet AS1428.1, 2019, which is the accessibility standards. You have probably heard of the concept of ageing in place, so how well is the apartment suited to being adapted to people who then have perhaps acute or chronic health issues, impairment in function and mobility associated with age-related chronic health problems et cetera? That is an important part of flexibility as well, that adaptability.

Mr LEGGE: To just give you a very simple example of that, it is as simple as having timber panelling beneath your tiles in the bathroom so that you can screw things to them whenever you want to. There are

simple ways in which you can implement some of these things which are invisible. And obviously greater width to various corridors and things as well. But there are some simple strategies.

Mr HAMER: Thanks.

The CHAIR: Danielle is just going to end up down there.

Ms GREEN: Thank you. I love the electronic building manuals. And thank you for the time you have taken with the great deal of recommendations; we could talk about them all day. And I love the accessibility and all that as well. Your fourth-last recommendation is about decarbonising existing apartment buildings, and I would see that as just retrofitting anyway, whether it is for accessibility or whatever it is. How do you think we can achieve that? We have this century just had so many apartment buildings built that are not going to be compliant with the current iteration of BADS or the next one. What do we do with that stock to improve it? I mean in terms of what is the mechanism with a whole lot of different owners—all of that. I have had a lot to do with people with a disability, and so many of them say, ‘Look, we want to live in the city’—and the existing apartments just have not been built with them in mind—because that is where the jobs are, that is where the sport and culture and everything is. So what do we do with all the ones we have got now?

Mr LEGGE: Just to add to that, part of the problem has always been that even when developers were required to include a certain number of DDA-compliant apartments, once they were sold no-one knew where they were. They were unidentifiable. Even though they existed in theory, peppered across the city, no-one knew where they were and no-one could actually get to them or look for them. I think that is pretty low-hanging fruit. That may have changed already; I do not know. But that is pretty low-hanging fruit in terms of somehow identifying how people can be housed adequately.

Ms GREEN: Electric building manuals—that could be included in that too.

Mr LEGGE: Exactly. That could come into that. Your question was, I think, across a couple of things, but some of the older building stock does actually perform quite well thermally. But I suspect building owners need incentives to upgrade and to improve the quality of their air-conditioning systems—how well the buildings are sealed, how well the windows perform thermally, these sorts of things. I do not know how you go about doing that. I do not know.

Mr ZANATTA: In our federal budget submission this year, our federal pre-budget submission that we have just made to Treasury, we have for two years in a row now recommended the federal government issue an incentive scheme to retrofit more buildings for disability access. We do it with the Victorian energy upgrades program as far as energy efficiency is concerned, but what do we have in place in terms of a funding or subsidy mechanism for accessibility upgrades? Sorry, Bill.

Mr KROTIRIS: It is all good. If maybe I can touch on one of the comments you made, which was: multitude of owners—how do they actually do it? I would revert it back to my earlier comments on why we think it is important that part of this process considers the consumer protection at the end of it all. A building is handed over. There will be many, many owners over the course of decades after that, and the jury is still out as to how that is going to play out on the back of where you have owners corporations with rules that are a little outdated relative to the scale of buildings and the complexities of buildings today as they are delivered. Usually owners corporations have a committee of generally mums and dads that do not have the technical expertise, and whilst supported by owners corporation managers, they have not actually come up in conversation as part of our building reform.

We have talked about contractors and developers and design consultants and building surveyors, but rarely do we talk about OC managers. So they actually take on almost that level of responsibility in working with a committee who are responsible for possibly over a million dollars of running costs per annum to be a part of their project, let alone worry about how you make improvements down the track, how you achieve greater flexibility, how you begin to make a building improve its NABERS and start to run more efficiently and how you deal with sinking funds for the long term, because eventually lifts will fail and they will need to be rebuilt and reinstalled and eventually a facade may have to change. These are big questions, because as decades will pass, these very large buildings that are in place in Melbourne—the owners would have to start now and you would have to deal with owners corporation rules and registered rules and change the apportionments. So it would be a very complex scenario to actually give that autonomy to not only OC committees and their

managers but also to experts to assist them on how to be houseproud for something that is worth \$200 million to \$300 million as compared to what we are all familiar with, which is a house on land and do-it-yourself maintenance, which is what the majority of the population does. So it is different when you are on the ground. Once you are elevated and above the ground it is far more risky and more complex, and basically the costs go through the roof. So that arrangement of everyone having a consensus about how to deal with that I do not think is playing out at the moment.

Mr LEGGE: Added to that, I would say there is always going to be a tension, even on smaller developments, between investors and owners who are owner-occupiers. Owner-occupiers will be more likely to be houseproud—I mean, investors could well be as well, but more likely to be. Investors may well want to minimise the amount of money they are spending on their asset. So there is a tension there in terms of, ‘Do we get this done?’ ‘No, we don’t need to get this done now.’ That is a real tension, I think, that plays out.

The CHAIR: Very interesting, those points. Cindy.

Ms McLEISH: Thank you. Your submission, and you have touched on it as well as we have been speaking, is about the importance of precinct design. We heard earlier today from Infrastructure Victoria about ‘density done well’. They have done some research and some consultation, and far and above they reported that quality urban design was particularly the number one. I want to just read this:

Quality design and production ... that’s well integrated into local design character, including green space ... and sustainability of environment

Now, with the importance of precinct design, with the importance of character and fitting in with the greater community, why do we see such a mismatch? When you look at it architecturally, look at it aesthetically, every building is different and nothing matches and it does not look good, yet everybody wants quality of precinct design. You yourselves have talked about it; Infrastructure Victoria has talked about it. Where is the disconnect? Why don’t we get it? I think, Sarah, you mentioned before that the changes might head down that way.

Ms BUCKERIDGE: Yes, they are starting to, but I think when we were talking about the design review panels, we were talking about how they need to operate at different levels. There is no doubt that we have not had enough attention given perhaps to that precinct-scale, neighbourhood-scale planning so that the basic framework is there for success within individual buildings. On a broad scale, where you have got significant intervention into a local neighbourhood, for example, with higher density housing, it is almost too late once you are dealing with a set of controls at an individual building level. You do need to have this layered approach where there is that sophisticated assessment and review of design at a strategic planning level so that the framework and expectations are clear about what the vision is for that neighbourhood. To avoid it being this kind of vanilla or completely generic response you actually want to invest the time to articulate the vision for that local community and then to be able to articulate that within a precinct plan, which gives guidance then to individual owners and developers who are coming in later and looking at it at an individual building design level. Unfortunately it does not matter how many numbers and how many rules and regulations you put down, that will not automatically deliver high-quality design. It can prevent the worst, and probably from an impact and amenity perspective it can prevent the worst, but you cannot legislate your way towards a really fantastic place and a very particular and site-specific response. It does require that design thinking, and I think that is where we are passionate, because we can see that you do need to bring that design expertise in at that precinct level and then how that flows back down to the individual building design.

Mr LEGGE: I would also add that more emphasis needs to be put on the ground floor and how a building lands in its precinct, so once that precinct-level design has been laid out and an approach has been established, that each building considers how it does bring itself to ground and how it gives back to the precinct in which it sits. I think often that is not necessarily thought about or it is not key. In its worst case you will see many tall residential buildings landing on the ground with white aluminium frame windows from one end to the other with a whole lot of ‘For lease’ signs, because the developer has not necessarily thought about that. Most of the building is up in the sky. This is just the bit at the bottom, and that will sell when it sells and they are not really thinking about it and/or—I think this is where we spoke about C308 being a good amendment, a Melbourne City Council amendment—being considerate and thinking through where exactly the fire services, the gas services, the electrical services, the substation go, how best to include stuff that has to be included, how best to place it so that you are not killing the ground floor with a whole lot of inactive spaces.

Getting to your point around whether or not a building fits in its neighbourhood well, there is always going to be, I guess, tension between a low-rise suburb with higher density being introduced to it, particularly if it is the first or second or third to go up. There is going to be some tension there. I think it is important that the government is clear with what their strategy is in terms of the densification, for want of a better word, of the suburbs—which suburbs, where it is going to be—that that is established and good advice is taken as to where this should be, so near public transport, near services that already exist, near health services et cetera, and that process perhaps, that talking to local councils and talking to local resident groups about their macro point of view, is undertaken so that that is already established as being the ground rules that Sarah was talking about. Is there enough open space? Are the schools in the area adequate et cetera?

Then you are working within that framework on an individual building, and you can do as much as you can then on the ground floor as well and stitch it into it because you know what you are working with. Then it is going to come down to different architects and different designers who will take a different approach to what cues you might take from a neighbourhood. Many architects will look at the neighbourhood and say, ‘Well, even though this is a single-storey brick neighbourhood, we like those bricks. We’ll integrate them somehow into the ground floor of this multistorey building’. There will be familiar materials and details from the neighbourhood. Yes, it is a very different building, but there is a sense of familiarity there as well. So there are things you can do that designers and architects will talk about, but it does need to be thought through.

Ms McLEISH: Thanks.

Mr KROTIRIS: If I could maybe just add to your point, James, about the utilities that find themselves on a ground plane—and James talked about the quality of the ground plane and why it is important—our members, architects, are often having to problem-solve by going directly to utilities and talking about their agenda and what they need and then balance that between local authority requirements or C308 to say, ‘No, we need to provide this activation. We need to have this frontage’. So we are constantly juggling the design of great interface at a public realm level on the street into the private property, that sort of blurred vision between public and private, and then dealing with utilities who are very black and white and say, ‘These are the rules, this is what you must provide’.

What could occur, as an idea, to provide greater support for the architect, the problem solver, is for the local authority to actually advocate as well and attend the same meetings that architects attend with the utilities to actually talk about that conflict. So if a representative from the planning department actually sat with us at the time we see the MFB or the time we see the supply authority on a substation that needs to be on the street, it would be great to have the two parties talking—and we have advocated on this previously. Everyone has their own independent agenda. We are all looking to the architects to solve it, but they are agendas in conflict and everyone needs to come to the table together to actually resolve that for the benefit of the end user.

Ms McLEISH: It would save a lot of time, I would imagine. Thanks, Chair.

The CHAIR: Thanks, Cindy. Thanks, Bill. I am just mindful of time, because I think we are finishing up at 12.45. I have just got one, and I hope it is a quick question. I have seen it here; as part of your submission you have got, ‘In New South Wales class 2 buildings must be designed by an architect’. Class 2 are the multiple-storey apartments above two storeys. You guys are recommending that the standard should be applied nationally. I am just taking from that: are architects not required to be designing and building the multi-storey apartments above two storeys?

Mr KROTIRIS: Are we going to go into the NRF?

Mr ZANATTA: Bill, I think go straight into it, yes.

Mr KROTIRIS: Well, firstly, just on New South Wales, the *Design and Building Practitioners Act* has come about. The building commissioner in New South Wales has introduced that, and yes, you must have an architect. You have architects declarations, and it is very, very succinct about why it is important to have a registered architect do this work. What we are advocating on is that there is also the national registration framework that is being rolled out across the countryside, so whilst it will be an outcome—and it is a guideline only; it will not necessarily be legislated in each jurisdiction—it talks to building designers and architects being of equal standing to deal with complex buildings. We have advocated to say that that is not the case because of education processes, AQF levels—comparing 7 to 9—or dealing with independent registration processes. So it

is all about once you have graduated and what happens after that in terms of how long you need to be under the guidance of a registered architect for a period of time before you can get independently registered. We have advocated on that, and we have actually written to Minister Wynne jointly with the ACA and the AASA as to why we think it is important that we are heard on our view on the NRF. So I think that is the first step. Once we know where we are going to be sitting in Victoria with it, that will probably influence what we are currently submitting on. So we just wanted to alert you to that.

Mr LESLIE: Yes, so Victoria has a different model to New South Wales. In New South Wales you have to be an architect; in Victoria you do not.

Mr ZANATTA: There are some jurisdictions where building designers do not even have to be registered or licensed, such as in Western Australia. So the actual regulation of registration of building practitioners, in the broad sense of both people who design and build buildings and the relevant trades, is done at a state and territory based level, so it varies quite considerably from state and territory to state and territory.

Mr HAMER: Sorry, can I just ask a follow-up? So what qualification would a building designer have?

Mr KROTIRIS: Like a building design qualification? It might come under—

Mr HAMER: Yes, so you were saying that it might not be an architect who could build it, it would be a building designer. So is that through a building and construction course that they would have at a university, or—

Mr KROTIRIS: It is through a different course—

Ms GREEN: A degree course?

Mr KROTIRIS: I think we will have to take that on notice. Is it a degree course? I do not think it is.

Mr LEGGE: I do not know.

Mr KROTIRIS: We do not know. We cannot answer that unequivocally, but it is a different course.

Mr LEGGE: The architecture course is a three-year undergraduate course, degree course, and then a two-year master course. So essentially it is a five-year course, and then post that you are required to do 3300 hours under another architect, and then you sit a series of practice examinations with the board, and that is all controlled under the Act, the *Architects Act*. So there is quite a clear pathway through—quite a long pathway through, if you ask any architect before you are actually registered as an architect and allowed to call yourself an architect. My understanding is that the building designer is a three-year course. I do not know whether it is a diploma or a degree course.

Mr ZANATTA: The requirements are set out on the VBA's website, and there are three classes of registration for design under VBA. If you go and have a look at the Victorian Building Authority website, that is where the licensing process occurs for building designers, whereas the registration process in every state and territory across Australia for architects occurs with the relevant board in that state or territory and by virtue of an Act of that state or territory.

Mr LEGGE: We are not advocating that class 1 single houses—you can be an owner-builder if you want to for that—should necessarily have an architect. Some architects would argue that you should, but essentially class 2 gets more and more complicated the bigger it gets. It takes a great deal of experience and knowledge to be able to pull it off well, I think.

The CHAIR: Yes, I think the general public would deduce that.

Mr ZANATTA: Architecture legislation and our regulations in Victoria also have a statutory code of conduct, and architects can be held to account and brought up before a tribunal of the Architects Registration Board for not meeting the relevant level of professional conduct. So it is a very, very rigorously regulated profession in most states and territories, in particular in Victoria.

The CHAIR: Okay. Thank you. That is a very interesting way to finish off. I will just extend thanks on behalf of the committee to all of you for taking the time to talk to us today. Like I said, we could talk for hours and hours. Thank you for making a submission.

Mr KROTIRIS: Thank you, Sarah, and thank you, committee.

Witnesses withdrew.