

Victorian Government response to the Inquiry into Apartment Design Standards



VICTORIA



Acknowledgement of Country

We proudly acknowledge Victoria's Traditional Owners and their ongoing strength in practising the world's oldest living culture.

We recognise the diversity of Victoria's Traditional Owners in being distinctive communities with their own set of laws, customs and processes built upon tens of thousands of years of knowledge. We acknowledge the Traditional Owners' lands and waters on which we live and work and pay our respects to their Elders, past and present.

Authorised by the Victorian Government
1 Treasury Place, Melbourne 3002

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Minister's Foreword

Victoria remains the fastest growing State in the Country. By 2051 our population will exceed 10 million, with more than 8 million people calling Melbourne home.

Our attractiveness as a place to live, work and play is a testament to our strong economy, world-class health and education systems, vibrant cultural offerings, beautiful parks and natural environments.

As Victoria's population increases, we have the opportunity to further improve our quality of life and global reputation for liveability. This will require careful planning and design of our built environment.

High quality, well-designed apartments are central to improving Victoria's liveability. Apartments will play a key role in providing increased housing supply, housing affordability and housing choice in highly liveable neighbourhoods where there is good access to public transport, jobs and community services.

Communities want to see developments that are externally well designed and that fit in and improve neighbourhoods. They also want to live in apartments that are comfortable, with plenty of natural light, ventilation and open spaces. Well-designed apartments can improve places, promote health and wellbeing and contribute to social and community connections.

As more and more people, including families and the elderly, are choosing to live in apartments, the quality of apartment design in Victoria is improving. Better Apartment Design Standards, developed in 2017, and updated in 2021, have been the catalyst for this improvement, providing strong guidance for apartment design.

The Future Homes project, developed by the Department of Transport and Planning, is another catalyst for good design and brings together quality design with sustainable living options to create better apartments for Victorians, through the use of architecturally designed blueprints. Government, through *Victoria's Housing Statement – The decade ahead 2024-2034*, recognised the importance of Future Homes by expanding the program across the state and committing to develop further Future Homes design typologies.

Government's response to the Inquiry into Apartment Design Standards presents a further opportunity to strengthen design standards and planning provisions to drive even better apartment design. I thank the members of the Committee for their recommendations, and all the community members, planners and peak bodies that made important submissions to the Inquiry. I look forward to seeing these recommendations, and the responses provided, help drive better homes and neighbourhoods across Victoria.



A stylized, handwritten signature in black ink that reads "Sonya Kilkenny".

The Hon. Sonya Kilkenny MP
Minister for Planning

Introduction

The Department of Transport and Planning (DTP) has prepared this report in response to the Legislative Assembly Environment and Planning Committee's Inquiry into apartment design standards.

The Committee were asked to consider the *Better Apartment Design Standards* (BADS), in a global context and an examination of the current apartment living standards in Victoria and improvements that can be made.

Victorians want high-quality, liveable, attractive apartments that make a positive contribution to neighbourhoods, have better environmental performance and better amenity. Better apartments contribute to improved health and wellbeing for residents and their neighbours.

Apartment living offers a sustainable housing option for more people in areas they want to live – near jobs, services, and public transport. Apartments make a critical contribution to an increased diversity of housing choices, and they also add to the vibrancy of neighbourhoods and the strength of local economies. With more homes being directed into established areas it has never been more important to ensure apartments are well designed.

In 2012 research undertaken by the Office of the Victorian Government Architect (OVGA) identified that not all apartments were being designed as suitable places to live. In 2015, the OVGA partnered with Department of Environment, Land, Water and Planning (now DTP) and released a discussion paper on how to create better apartments.

In turn, this led to the creation of the Better Apartments Program – a Program designed to improve the liveability and sustainability of apartments across Victoria. The phases to date are as follows:

- **Phase One:** In 2017, the first set of apartment design controls for Victoria were introduced – the BADS. These Standards improve the internal design of new apartments, making them more liveable and sustainable.
- **Phase Two:** In 2021 the BADS were reviewed and updated to improve the external amenity of apartment buildings, aimed at creating better apartment developments in their neighbourhood. The *Apartment Design Guidelines for Victoria 2021* is the supporting reference document that provides practitioners with additional guidance to implement the standards.
- **Phase Three:** is currently underway and is known as Future Homes – a project offering replicable and adaptable exemplary designs for low-scale apartment buildings, encouraging gentle density in the suburbs. This project will make great apartment designs accessible to more people.

Overall, the Better Apartments Program seeks to improve the liveability and sustainability of apartments across Victoria, while still allowing flexibility and innovation. Updating and clarifying Design Standards further in response to this Parliamentary Inquiry provides the opportunity to build on the extensive work of the program and drives even better designed apartments. The response also enables evaluation of the previous standards and monitoring of the outcomes achieved.

Following the Parliamentary Inquiry, the Committee has made 35 recommendations for government's consideration and the Victorian Government supports all of these recommendations.

Victorian Government response

PRIORITY ACTIONS

The Victorian Government is committed to ensuring that apartments are delivering diverse, well-designed housing options to meet the needs of Victoria's growing community.

Key priorities include:

- Improving apartment amenity and functionality
- Embedding sustainability
- Contributing to neighbourhood liveability
- Ensuring design excellence
- Monitoring outcomes

Further information on each of these is provided in the sections that follow.





Improving apartment amenity and functionality

Apartments will play a significant role in addressing Victoria's housing supply and affordability issues. They are no longer simply considered as an inner city, one bedroom, investment product; they are homes, in locations where people want to live. Apartments need to cater to different household types, needs and lifestyles and importantly, need to function as comfortable homes for all occupants throughout all of life's stages. Key areas for government to explore include:

Mobility and accessibility

The current BADS identifies the objective for accessibility is "to ensure the design of dwellings meets the needs of people with limited mobility".

Matters relating to mobility and accessibility of dwellings were recently strengthened through the updates to the National Construction Code 2022 (NCC) and will come into effect in 2024. Monitoring and review would be beneficial to see how the industry and residents are responding to these changes, this may also include reviewing the definition in BADS for consistency.

Future Homes is also currently testing accessibility requirements that go above and beyond what is required under the NCC, providing greater housing choice to more people. Any findings from this project will be closely monitored to see if further review of apartment guidance is required.

Apartment layout and size

A design-led approach, with liveability guidance can result in more comfortable homes. The 2021 BADS update responded to people spending more time in their homes and using their apartments as places of work. Apartments should be liveable and comfortable for residents and a good layout is key. The current BADS provide guidance on how to achieve this, including minimum room sizes, depths and private open space.

In responding to the Parliamentary Inquiry, government will explore opportunities to provide additional spatial guidance, including apartment size, room layout and storage.

Family friendly apartments

Future Homes embeds family friendly principles into its designs and planning considerations to lead the way in the spatial planning of apartments. Through the provision of additional spatial requirements within Future Homes, family's needs are more likely to be met through greater flexibility, more space and storage. For example, guidance on pantry and benchtop sizes and furniture requirements commensurate with the number of bedrooms are considered. In responding to the Parliamentary Inquiry, further investigation will be undertaken to understand how this could be enabled more widely.

Solar access

The BADS already acknowledges that daylight and sunlight are important for both resident's health, wellbeing and energy efficiency. Accordingly, access to daylight is represented across a variety of objectives in the BADS.

Tests to further strengthen daylight requirements are being undertaken through Future Homes. The project is testing the ability to strengthen daylight and sunlight access for new apartments through compliance with tools such as the Built Environment Sustainability Scorecard (BESS) sustainability tool. In responding to the Parliamentary Inquiry, opportunities exist to explore how stronger and more detailed design guidance can be provided to support ensure adequate sunlight for apartments.

Communal open space

The BADS and *Apartment Design Guidelines for Victoria* were updated in December 2021. As part of the update, enhancements were made to the application and consideration of communal open space including more dwellings provided with communal open space and greater certainty around minimum size requirements, amongst other things.

These updates provide more guidance around communal open space, but also enabled flexibility on how the open space is delivered. In response to the Parliamentary Inquiry there is an opportunity to review the interplay between indoor and outdoor communal open space to provide guidance on spaces for "residents to mingle" and the need to consider alternative design outcomes for developments next to public spaces.

Noise and ventilation

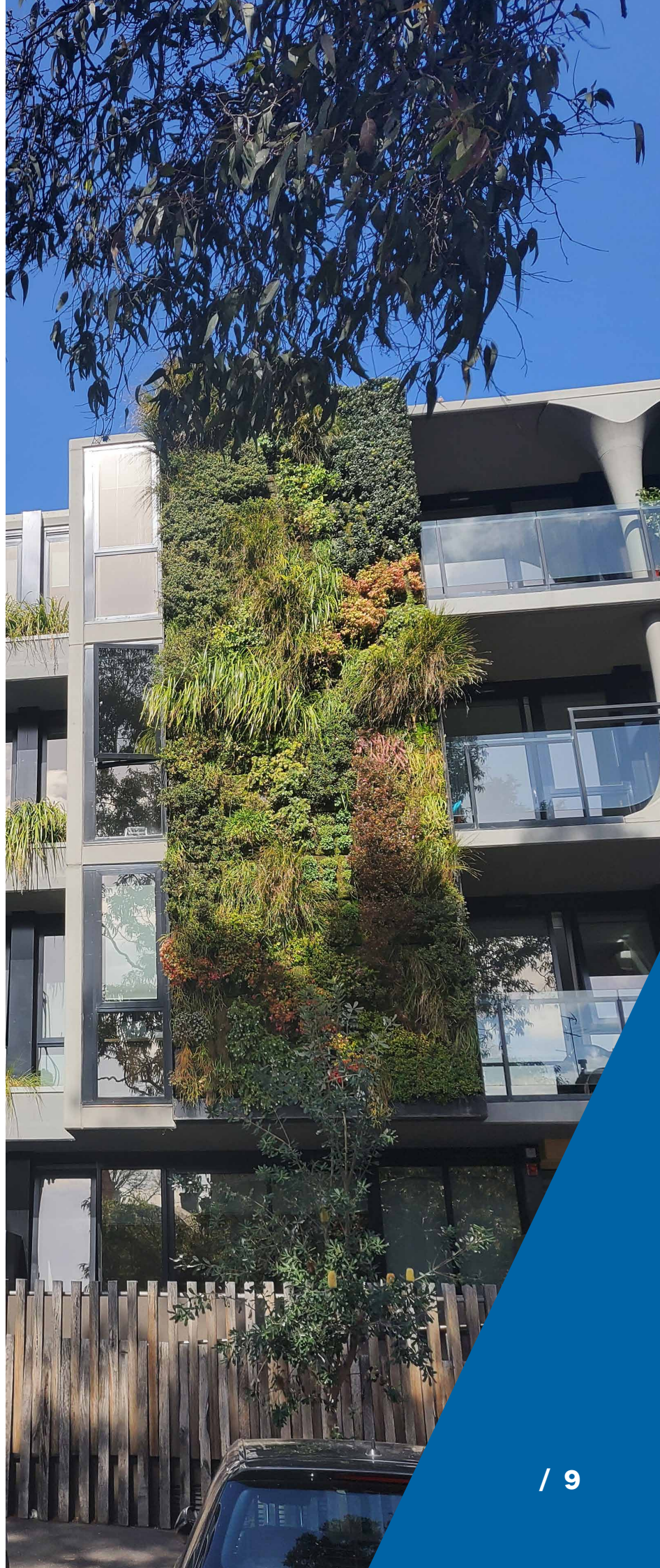
Quiet apartments and good ventilation make a significant contribution to overall health and amenity. The COVID-19 pandemic demonstrated that the importance of good ventilation is not only for our thermal comfort but also for our health. The BADS and the NCC include provisions and guidance to improve ventilation standards and minimise internal noise transmission

In response to this Inquiry DTP will continue to develop recommendations around encouraging more open-air circulation to ensure healthy buildings. DTP will continue to monitor the noise impacts and ventilation outcomes of existing standards.

Planning certainty

Government is committed to simplifying the planning process and removing unnecessary ambiguity in the planning system. Ambiguity can lead to additional timeframes and added costs which in turn impacts housing affordability.

DTP is reviewing several siting requirements for apartments including, setbacks, building separation and light courts, amongst other things. Reviewing and updating residential codes will increase compliance with planning objectives and provide certainty to industry and the community, about what is an acceptable planning response to many of the current residential development standards, including for apartments.





Embedding Sustainability

Apartments can deliver sustainable and greener places to live, contributing to the well-being of people and the environment. Apartments can reduce urban heat impacts, be located near sustainable transport choices and be more energy efficient. They can make a significant contribution to future-proofing our community against rising energy, water and waste disposal costs. Key areas for government to explore are:

Environmentally sustainable design and waste

As part of the recent updates to both BADS and NCC, several aspects of environmentally sustainable design (ESD) performance were clarified and strengthened. These include a new standard to improve the durability of apartments and clearer measures to support cooling and greening outcomes in the BADS.

There are also significant reforms occurring across the state's waste and recycling sector, to deliver the Victorian Government's circular economy plan, *Recycling Victoria: a new economy*, including ensuring all Victorians have access to a new standardised four-stream household waste and recycling system, which will include bins or access to drop off facilities for household rubbish, mixed recycling, glass and food organics and garden organics.

To further strengthen the requirements for ESD, including to respond to the recommendations of this Inquiry, work is currently underway to investigate how the *Environmentally sustainable development of buildings and subdivisions: A roadmap for Victoria's planning system* will be translated into the planning scheme and updated to BADS.

Victorian Government targets for net zero emissions

The Victorian Government is undertaking a broad range of initiatives that contribute to the goal of net-zero emissions across the economy by 2045. These include the implementation of the 2022 update of the NCC that increases the minimum energy efficiency building standards for from 6 to 7 stars.

Victorian apartment developments installing embedded networks must now meet a renewable energy condition to operate legally. The condition requires 100 per cent of electricity sold to residential customers be met from a mix of on- and off-site renewable energy, with at least 5 per cent on-site renewable energy generation. This reform is part of the Victorian Government response to the Embedded Networks Review and is supporting the transition to net zero emissions. Further, from 1 January 2024, new homes will be required to connect to all electric networks, with gas connections no longer permitted.

Contributing to neighbourhood liveability

Apartment design does not only inform the experience and liveability for residents, but also impacts on the wider neighbourhood. Careful apartment design that considers existing neighbourhoods and makes a positive contribution to the amenity of local streets and urban settings is critical. Master planning on a precinct or activity centre level is important to setting a clear framework for the design of individual projects. Ensuring a positive contribution to neighbourhoods through well designed apartments is being addressed through the following initiatives:

Expansion of Future Homes

The Future Homes project enables gentle density through three-storey apartment development in locations in proximity to public transport, activity centres and other services. Government, through the Housing Statement, has expanded Future Homes across all metropolitan and specified regional Councils. The new Future Homes provision will apply to all General Residential Zoned land within 800 metres of a railway station, or 800 metres of a designated activity centre or specified regional centre. The program has further been expanded to create exemplar designs for four storey apartment developments, including fifth-storey adaptations. This next iteration of Future Homes will enable the development of better, more liveable and more sustainable homes for more Victorians.

Building height and density

With more apartment developments comes greater density and potentially, higher buildings. This built form response must be balanced with good design, amenity and liveability. Building height and density need to be informed by context and balanced with future aspirations of an area. Other factors such as building separation, access to open space and daylight should also be considered for liveability in higher density areas.

The Victorian Government is introducing clearer planning controls to manage building heights and form in an initial 10 activity centres across Melbourne by the end of 2024. This addresses the Inquiry recommendation to develop guidance on acceptable building height and density with respect to local context. This initiative will deliver an additional 60,000 homes in and around an initial 10 activity centres. Activity centre plans will identify infrastructure investment needed in a growing suburb such as community facilities, public spaces and parks. A wider roll out of this initiative to all other activity centres will be considered with the Victorian community through engagement on a new Plan for Victoria.

Neighbourhood planning

Maintaining a sustainable and connected neighbourhood continues to be a key policy for ensuring our cities and towns remain liveable. The living local program will deliver guidance for holistic planning for liveable Neighbourhood Activity Centres, and Activity Centre networks more broadly. This work will support local communities to 'live locally', support local economic growth, and create vibrant, walkable and viable centres for long-term sustainability.

Supply of affordable apartments

The Victorian government is implementing a number of initiatives that will support the delivery of more affordable homes in Victoria. Availability of a diverse range of housing options across the housing continuum is necessary to support housing that appropriately meets community needs. Increased development activity, particularly medium and higher density developments in areas close to employment and services, will result in more opportunities to deliver family friendly and affordable apartments for more households.

The Victorian Government is investing \$5.3 billion through the Big Housing Build which will fund the development of an estimated 12,000 new dwellings. In addition, the Victorian Government, through the Housing Statement, has committed to a package of reforms that will improve the operation of the planning system to deliver an additional 80,000 homes per year to meet demand, increase housing supply and diversity and improve housing affordability for all Victorians.

Design excellence

To ensure Victoria delivers quality apartments with good amenity, further work is needed to explore how design excellence can be delivered and quality design outcomes can further be embedded into apartment designs. Key opportunities for government to explore include:

Design review panels

The OVGA offers a design review panel of leading qualified design professionals that provides advice on state significant projects at different stages of development. Projects reviewed include strategies, masterplans, buildings, major infrastructure, streets and public spaces. The Victorian Design Review Panel can be used by developers and local councils on a voluntary basis, and some local councils may choose to seek their own urban design advice. Further, as announced through the Housing Statement, the OVGA will be embedded into the expansion of the Development Facilitation Program, ensuring design quality for these significant projects.

Design verification

There are currently no requirements in Victoria to use an Architect to design an apartment building. In response to this Inquiry further investigation will occur to assess the benefits of design verification, where current shortfalls in design quality are, and why they are occurring.

Whole of industry knowledge sharing

Smart and effective methods of facilitating knowledge sharing needs to be investigated to assist local government planners in applying the standards. Industry partners, such as Planning Institute of Australia, Victorian Planning and Environmental Law Association and the Victorian Building Authority, in addition to government, regularly provide training sessions and guidance on technical matters. Regular newsletters and member publications also provide means of knowledge sharing across the industry through written articles or guidelines. In response to the Inquiry, further exploration could identify other whole of industry opportunities to provide guidance and support to planners in the assessment of planning applications.

Student competitions

Following the success of the Future Homes student competition and in response to the Inquiry, future student competitions should be explored as a way of promoting design innovation. These could be facilitated by interested universities with DTP and OVGA's oversight. Student competitions can be useful to test other design typologies and hypothetical planning innovation in ways where it may not be possible with industry competitions.

Monitoring Outcomes

To ensure success of the Victorian Government's initiatives for better apartments, ongoing monitoring, review and evaluation of the effectiveness of current requirements is essential. The monitoring and review process will ensure the Victorian Government responds and adapts to the changing liveability requirements of Victorians. Key opportunities for government to explore include:

Monitoring BADS

The ongoing monitoring and evaluation of the effectiveness of the BADS is essential and should be undertaken to ensure the standards remain relevant, effective and deliver better apartments. Evaluation methods such as post-occupancy surveys of people currently residing in apartments constructed prior to and after the introduction of the standards are being considered, including as in response to this Inquiry. Findings from this work could inform future refinements and updates of the standards.

Monitoring Future Homes

The Future Homes program requires continued monitoring of industry's ability to successfully translate, apply and deliver Future Homes designs. Appropriate monitoring and data collection should be maintained throughout the realisation of the first built Future Homes projects. Monitoring will be required to test assumptions built into the program and the impacts of other approvals and construction processes that are external to planning regulatory space.

Implementation

The Victorian Government supports all 35 Parliamentary Inquiry recommendations. Funding of \$3.5 million has been allocated through the Housing Statement to action many of the recommendations of the Parliamentary Inquiry and update BADS over the next three years.

Abbreviations and Acronyms

BADS	<i>Better Apartment Design Standards</i>
DELWP	Former Department of Environment, Land, Water and Planning
DTP	Department of Transport and Planning
ESD Roadmap	<i>Environmentally sustainable development of buildings and subdivisions: A roadmap for Victoria's planning system</i>
Future Homes	Future Homes Program
NCC	National Construction Code
OVGA	Office of the Victorian Government Architect
PMU	Plan Melbourne Update
VPA	Victorian Planning Authority



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