

# Better Apartments in Neighbourhoods – Final Draft Standards

Master Builders Victoria submission: 6 May 2020

## Introduction

Master Builders Victoria ('MBV') is the leading voice in the building and construction industry and welcomes its opportunity to provide input into the Better Apartments in Neighbourhoods Final Draft.

MBV represents approximately 8,000 stakeholders from across the building and construction industry, including large and small builders and tradespeople across the domestic and commercial sectors, as well as apprentices, suppliers and manufacturers.

While MBV is a strong advocate for changes that would improve the quality of the built environment, we also believe that such changes should not incur a cost that is greater than the benefit received. Indeed, we believe that the cost imposition associated with the standards will outweigh its benefits, evidenced in its likelihood of detrimentally affecting housing supply and affordability.

DELWP has noted its intention to implement these standards in the second half of 2020. Considering the COVID-19 pandemic and the economic pressures it is placing on the industry and the economy more broadly, we implore that the introduction of the standards be postponed until economic conditions have improved.

## 1. Greenspace – all apartments

### 1.1 Landscaping – all apartments

We note that past discussions in this space were driven with the understanding that planning permits are generally issued with conditions for landscaping documentation. This has caused a flow on effect as it is common for the approval of a development to not include appropriate consideration towards the landscaping standard in the Victorian Planning Provisions. Further discussions were also made about the need to change the current provisions for landscaping due to issues regarding the prescriptive requirements.

While we understand the need to consider landscaping for the above reasons, there has been no evidence to suggest the need to further increase the requirements for tree canopy cover. Indeed, the significant increase in deep soil and canopy cover requirements for larger lot sizes in the proposed landscaping requirements goes beyond what is sufficiently needed to meet landscaping objectives. For example, the current landscaping requirements for a lot size of 2500m<sup>2</sup> stipulates 2 large trees or 4

IS YOUR BUILDER A MASTER BUILDER?



medium trees. Based on our interpretation of the proposed new landscaping requirements, a lot size of 2500m<sup>2</sup> requires at least 2 medium canopy trees or 1 large canopy tree plus:

- 28 small trees or
- 6 medium trees or
- 3 large trees

The inability to consider site context and the existence of local amenities also highlights the lack of flexibility of the proposed landscaping requirements.

We are reluctant to support this excessive increase in landscaping requirements which will adversely affect apartment unit supply and housing affordability issues, exacerbated further by the inability to consider site context. We request DELWP to explain whether our interpretation of the additional trees requirement as highlighted above is correct.

### **1.2 Communal open space – all apartments**

During our discussions with DELWP on mandatory communal open space, it was noted that there would be some flexibility over the definition of communal open space. It was understood that the mandatory communal open space requirement would include a combination of both indoor and outdoor spaces to facilitate a resident's ability to access a communal area in lieu of their occupancy unit. It is unfortunate that this is not reflected in the latest requirements. Furthermore, there is no evidence suggesting market demand for the inclusion of a mandatory communal open space for apartment buildings with less than 40 units. Having a mandatory communal open space for all apartments as an outdoor area will therefore only compromise apartment yield and worsen housing affordability.

The communal open space requirement also does not provide the flexibility to consider surrounding amenities such as parks, sporting precincts, communal shopping malls, restaurants, etc. We believe this is unreasonable given that local government would generally consider land zoning and nearby parks and recreation prior to the consideration of a planning application for an apartment project. As such, greater flexibility is required for the consideration of surrounding amenities as part of the communal open space requirement.

## **2. Appearance of the building**

### **2.1 External walls and materials – all apartments**

As noted in previous submissions, MBV agrees that the quality and durability of building materials is an important factor to our built environment. Nevertheless, the question remains as to why a new standard is required within the Better Apartment Design Standards to address such issues when it is already being addressed within the Building Code of Australia. The proposal to address the durability of building materials via the Victorian Planning Provisions is therefore an exercise of duplication and may eventually become a red tape issue if such a proposal is implemented. As such, it is important that the governance



of building materials remain part of the building permit process and be readily administered via the Building Code of Australia, not the Planning Provisions.

### 3. Wind impacts

#### 3.1 Wind impacts – buildings of five or more storeys only

While MBV understands the importance of mitigating wind impacts, we have concerns that during an application assessment for a five storey or more apartment, a planning officer's first resort is to request a wind tunnel testing due to lack of expertise in the area.

The likely cost impost associated with the need to comply to this standard and its potential adverse effect on housing affordability has meant that in previous consultations, MBV requested appropriate examples that would demonstrate compliance. We further requested an estimate of likely costs associated with expert consultant fees and wind tunnel testing. To date, no compliance models or cost estimates have been provided.

We emphasise again that we are not objecting to better outcomes to the built environment, but rather such improvements should consider the cost implications associated with delays caused by the need to engage and deliver testing and reports. Indeed, we note the Victorian government's commitment to curb red tape across planning and building as part of the Building Systems Review and previously, the Red Tape Commissioner's review into the planning and building approvals process. As such, we regret not being able to consider supporting this given such data has not been provided.

## Conclusion

MBV appreciates the opportunities it has had in providing feedback to DELWP through submissions and in-person consultations and we maintain committed in our view on the importance of improving the built environment. Nevertheless, we note that care should also be taken to minimise adverse effects towards housing supply and affordability.

The building and construction industry is a core part of the Victorian economy. Given the economic pressures industry is currently facing as a result of the COVID-19 pandemic, caution is needed regarding the timing of the introduction of these new standards to prevent further burden placed on industry and the broader community.

**IS YOUR BUILDER A MASTER BUILDER?**



## Contact details

For further information regarding this submission, please contact the following Master Builders Victoria team members:

- Tony Bugeja, Technical Building Advisor,  [tbugeja@mbav.com.au](mailto:tbugeja@mbav.com.au)  03 9411 4553
- Kevin Hoang, Policy Advisor,  [khoang@mbav.com.au](mailto:khoang@mbav.com.au)  03 9411 4531

**IS YOUR BUILDER A MASTER BUILDER?**

