BUILDING DESIGNERS
ASSOCIATION OF AUSTRALIA

Design and Place State Environmental Planning Policy (SEPP)

Submission by the Building Designers Association of Australia

Organisation Name:

Building Designers Association of Australia (BDAA)

ISSUE: SUBMISSION ON SEPP DESIGN RECOMMENDATIONS (NSW)

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About Building Designers Association Of Australia

The Building Designers Association of Australia (BDAA), is a national member-based association which, for 60 years has, represented, advocated, and promoted the Australian built environment. The membership includes residential, commercial, and industrial building designers, architects, landscape architects, engineers, planners, specifiers, thermal performance assessors and design students.The BDAA is this year celebrating its 60th year. Originally starting as the Building Designers Association of South Australia, the association developed and continued to grow its membership and spread into other states and territories. built its membership and in 2014 it became a unitary national organisation. The BDAA is a not-for-profit, peak industry Association representing Australian Designers involved in, or associated with the built environment nationally. Our key role is to educate and raise awareness of designers within the industry, to build and sustain relations with the key stakeholders, and to provide services to our members.

In recent years the BDAA has opened more and more chapters to fulfil the needs of localised members. The Building Designers Association of Australia (BDAA) is the single national association that represents, advocates for, promotes and connects building designers throughout Australia. Over the decades it has formed affiliations with other building designer organisation in other states and now has a national membership of over 2,000 national members, 3 in NSW, ACT, Tas, SA and wherever. The association has a gender ratio of 60.9% Male to 39.1% female membership, with 30.7% of the membership at the age demographic of 35-44 years of age. In 2020 the BDAA affirmed its commitment to thermal assessment standards by merging with Australian Building Sustainability Association, a leader in accreditation of professional thermal performance assessors. The BDAA was voted the No1. most trusted association in Australia.

Historical Considerations

SEPP 65 was introduced in 2002 by the NSW Government and has been the virtual domain of Registered Architects since its adoption. Almost 20 years later the physical built outcome of such projects as described under SEPP 65, and its many failures, led to the creation of the Shergold Weir Building Confidence Report. In 2017, the Building Ministers' Forum (BMF) commissioned Professor Peter Shergold and Bronwyn Weir to assess the effectiveness of compliance and enforcement systems, embodied in the National Construction Code (NCC), being implemented across Australia. The product of this assessment is their report, which provided 24 recommendations. This led to the recommendations now being reviewed and introduced through the Australian Building Codes Board's (ABCB) National Registration Framework for Building Practitioners (NRF) and the establishment of an office of the NSW Building Commissioner, all because of the design documentation inadequacies and construction industry practices which were predominately overseen by Registered Architects under SEPP 65. There has been increasing reluctance by registered architects in conducting these works, as the criteria is extremely stringent and leads to higher insurance costs, resulting in a skills shortage. This in turn increases costs for these projects and has increased the workload for a smaller number of design firms.

Executive Summary

The Building Designers Association of Australia (BDAA) supports the intent of the Design and Places SEPP (D&P SEPP) and seeks the inclusion of suitably qualified building designers to practice within the D&P SEPP as currently described by the definition of a 'Suitably Qualified Design Professionals'. Building Designers and Architects are categorised as the one discipline in the Australian Building Codes Board's National Registration Framework for Building Practitioners. These are clear, legislatively tested and come with quantitative constraints for experience and qualifications for three levels of Building Designer practitioners.

The wording in the D&P SEPP must be changed to note that suitably qualified building designers could be included as per the D&P SEPP definition 'Suitably Qualified Design Professionals'. As building designers are currently not noted in the D&P SEPP this could indicate that building designers could be limited to undertaking all projects that are under three stories and less than four dwellings on multi residential projects. This would be seen by the BDAA as a restriction of trade.

Currently, building designers are competently proven to design and document professionally in all building classes, especially 2 – 9 classes.

The ABCB Building Confidence Report's recommendations to remedy issues identified in the findings of the Shergold Weir (Building Confidence) Report that were largely found in NSW. It should be acknowledged that building designers played no role in these findings and building designers in other jurisdictions have designed these types of developments with no corrective actions required.

The ABCB has circulated the National Framework for Building Practitioners discussion paper, for public comment. The BDAA supports this proven and accepted experience and qualification assessment process.

The BDAA believes that the removal of BASIX with a report that engineers and architects would be permitted to undertake is a recipe for a disaster. We are looking to improve the energy efficiency and thermal performance of buildings. These assessments should be undertaken by people who do this as a profession and not someone who undertakes their own reports. The concern is that this will water down the industry. Anyone who undertakes these assessments must be suitably qualified, accredited and audited to ensure best practice.

Alternative Proposal

In summary, the BDAA proposes that the Design SEPP utilise the ABCB National Registration Framework for Building Practitioners accreditation. It is our firmly held view that the ABCB National Registration Framework should be recognised as the most effective, smoothest and easiest to roll out for all building practitioners to be accredited https://ncc.abcb.gov.au/ncc-online/Regulatory-Framework.

This ABCB National Registration Framework offers a well-structured and defined pathway that has been legally quantified. Not only will this allow a smooth transition into the industry, but it will also have support from the majority of construction industry bodies in the roll out. By utilising the same, or similar, the NSW SEPP will be a tried, tested and legislatively sound process that will make it easier for industry to transition to and administer.

Additional consideration to the National Registration Framework for Design Practitioners is that the Building Designers of Australia Accreditation Scheme, which reflects the ABCB National Registration Framework, has been in operation for the past 20 years and is purpose-built for the accreditation of industry practitioners under the new NSW Design and Building Practitioners Regulation 2020, again ensuring that the transition is much smoother and more efficient for the NSW Planning Department.

The BDAA have numerous members accredited through our own rigorous assessment process, based on all the classes of building referenced in the Design and Places SEPP. These are not just Class 1 and 10, but also for hundreds of Classes 2–9 buildings. Many building designers have similar educational qualifications and experience and play a vital role in various architectural businesses around Australia.

There are defined academic pathways for building designers, ranging from a Diploma of Building Design through to an Bachelor Degree in Building Design. These qualifications are available through both the VET and University systems. Work is also underway in developing a Masters Degree in Building Design.

The key findings of the Shergold Weir Report were that the documentation, contract administration and the accountability by all practitioners required a reasonable amount of rectification. This also included that all buildings required complexity levels and that all practitioners must work more collaboratively.

This is not about past performance, qualifications, and experience. It is about a revised approach for improved performance and best practice by all practitioners. This is a move into more effective design documentation and contract administration practices. The Shergold Weir Report found that previous contract administration required big changes and the BDAA has been working with the MBA, HIA, and other design and building practitioners, as well as educational institutions, to assist our members with training and to allow for smooth transition to the recommendation by the ABCB BCR recommendations.

The BDAA has always had a very high level of assessment of skills, CPD support programs and professional training programs. Since the Shergold Weir Report was released and BCR recommendations were published for public comment, the BDAA has already begun including many of the BCR recommendations into our existing accreditation process. Additionally, the BDAA have begun assisting the training institutions in how to include this into their curriculum to enhance current programs and to enable upskilling. Documentation and construction of projects, be it SEPP 65 or the D&P SEPP, is such a collaborative space that it cannot be the domain of one profession, given that all professions and trades are governed at the end of the day by the same suite of development, governance, and legislative controls.

The BDAA opposes the removal of the BASIX tool as it is based on rigorous science and hard data, not opinion. The thermal performance assessment using the NatHERS or PHPP pathways are subject to independent audit - a critical point in the accountability of the proponent, as currently provided by ABSA, HERA, and Design Matters. The proposal appears to allow the circumvention of the science with opinion - however well qualified or experienced the writer of said opinion may, or may not, be. There is no accountability by means of auditing the individual proposals or monitoring the proponent's actual skill. Simply using qualification is both simplistic and extremely unreliable.

In short, the aims of BASIX will fail if this proposal is implemented. BASIX should remain as a standalone pass/fail gateway to development, with continued incremental increases in minimum requirements. NSW will not reach net zero any other way.

The BDAA must be involved in the development of the Design and Places SEPP and we are prepared to work with the Government Architect NSW (GANSW) to assist in creating a better built environment.

BDAA Members Projects

Examples of successful work undertaken by buildings designers around Australia that have been recognised with design excellence with residential apartment buildings and residences with three or more stories.

The Observatory

Value of Construction: $18m

Award winners: 2010 BDA Design Awards

The site was located on an elevated position with a 60 m frontage to Queen Street and 'dog-legged' to a 17.6 metre front age on Verney Street. The major issue with the site was the approximate 10 metre fall from the north-west corner on Queen Street down to the front age at Verney Street.

The site was bounded on the west by low level single occupancy, to the south by 3 storey residential, and the east by 3 storey residential. Access to the site gave 2 options from Queen Street and Verney Street.

The Town Planning requirements for the site allowed for the 12 storeys and a density of approximately 40 units. The appropriate setbacks and site cover were also to be addressed.

The constructed development comprised 2 basement car park levels, ground floor of 2 units and recreational facilities, 8 typical levels of 4 units per level, 1 level of 3 sky homes, 1 level of 2 penthouses, and 1 level of 2 private roof terraces. The resultant 39 units all commanded excellent view aspects to the south of the Bribie Island, Pumicestone Passage, and the ocean

Most units above the third level also commanded excellent views to the north of the coast, ocean, and Point Cartwright in the distance. The main basement access was provided off Verney Street into a lower basement and then ramped to the upper basement. Most units were provided with at least 2 carparks. Vehicular access was also provided off Queen Street to a visit or car park.

The distinctive Queen Street façade incorporates the use of piloti style columns at theground level entry and then merges with the main elliptical expressed columns. The whole façade is heavily articulated with balconies, glazed handrails, solid balustrades, louvre screens with concealed air conditioning units, and extensive glazing panels. The roof terrace has also received major features with 2 dominant skillion roofs strutted over 2 storeys. All other facades also received similar treatment. The selection of materials, and the manipulation of different planes all work together to create a signature building with clean, simple lines and well defined building geometry.

La Balsa, Mooloolaba

Value of Construction: Labalsa Business Centre - $17m

Award winners: 2012 BDA Regional awards

The development comprised 6 no. residential sites to total 3600sqm and had good street frontages to Brisbane Road and Burnett Street.

As the site was zoned 4 storeys but could be 6 storeys with provisions, the client wanted to pursue the maximum height and predominantly address Brisbane Road.

The client also identified a need for high quality professional office space in Mooloolaba and wanted to maximise this use.

The completed project involved the following uses and components;

- Approximately 5000sqm GFA office space
- Approximately 800sqm GFA retail space
- Approximately 220 cars spread within 2 basements, and ground level areas

The main tower fronting Brisbane Road included approximately 4700sqm office space over 5 levels, and the retail space at ground level fronting the street.

The second building was 3 storeys and comprised 300sqm at ground, and 2x3 bed townhouses above. The main car parking included approximately 180 cars over 2 basement levels.

As the water table was only 1.8m below ground extensive research and options were reviewed for the basement wall construction.

For maximising waterproofing ability and dimensional set-out, a diaphragm external wall system was chosen. The construction of the tower consisted of insitu concrete columns, blade walls, and post-tensioned cables.

The use of post-tensioning allowed us to minimise floor to floor heights, while maintaining air conditioning space to ceilings, and keeping the overall building under the 25 metre height limit.

To maximise the office outlook, the tower was designed with a centre core and glazing to all external walls to aid in the energy efficiency of the building.

All facades include a variety of horizontal and vertical sun shading devices.

The tower also includes varying height glass/steel awnings above the retail to Brisbane Road to add to the aesthetic appeal.

12 months on from completion has resulted in 95% occupancy, therefore a very happy client.

Verve Apartment Development

Value of Construction: $12m

Award winners: 2016 Queensland building design awards

The site was part of a tourist accommodation zone which allowed for the resultant Class 2 unit complex, and also allowed a maximum height of 25m and 10 storeys.

The site was predominantly flat, and presented a 45m frontage to the street, and was surrounded with residential and commercial uses.

Verve consists of one basement car park level, ground level car parking, and eight levels of residential units.

The typical floor plate involved six units ranging from one bedroom, 1 bedroom plus, and two bedroom units. The top level was redesigned during the project to become three x penthouse units. Most units were able to have two car parking spaces.

The common facilities consisted of a large swimming pool area, which included a BBQ and entertaining zone.

The lobby also included a manager's office and reception counter for the option of short term accommodation.

The building form provided varying treatment to the balconies to offset the repetitive floor plates, and to give a point of distinction for the unit owners.

The roof form was a series of skillions to tie in with the local vernacular style, and also carried through to the glass and steel pedestrian entry roof.

Verve has provided a stunning addition to the local streetscape and has quickly become a signature coast building.

The Boulevarde

Value of Construction: $3.98M
Building: 3 storey residence

Award winners:
Winner - MBA - Australian Energy Efficiency Home of the Year

Winner - MBA -
Design & Construct $4M

Winner - HIA -
Building Design of the Year

Winner - HIA -
New Residence $4M

Winner - HIA - Energy Efficiency Home of the Year

Winner - BDAA -
New Residential Building Design

Winner - IDA -
Architectural Building & Design

Working within the confines of a narrow block, the desire was to diverge from the typical and create a home at once distinct and blended with its surrounds.

The Boulevarde embodies sustainability in every aspect of its construction. Fully automated yet designed for living. The five-bedroom home is a distinctly modern design letting in light and energy from the outside world to create a seamless sanctuary.

The project was awarded for its number of revolutionary design principals including the water purifying system which used the pool as a heat storage sink.

Kon-Tiki Business Centre

Value of Construction: $40M

Award winners: 2017 Queensland building design awards

Kon-Tiki is the Sunshine Coast's largest mixed use office retail development. Two separate sites combine to produce 2 six-storey towers incorporating approximately 18,000m2 of office, medical and retail use. While each tower is positioned on separate allotments, the development incorporates a double basement spanning both sites and houses in excess of 400 cars.

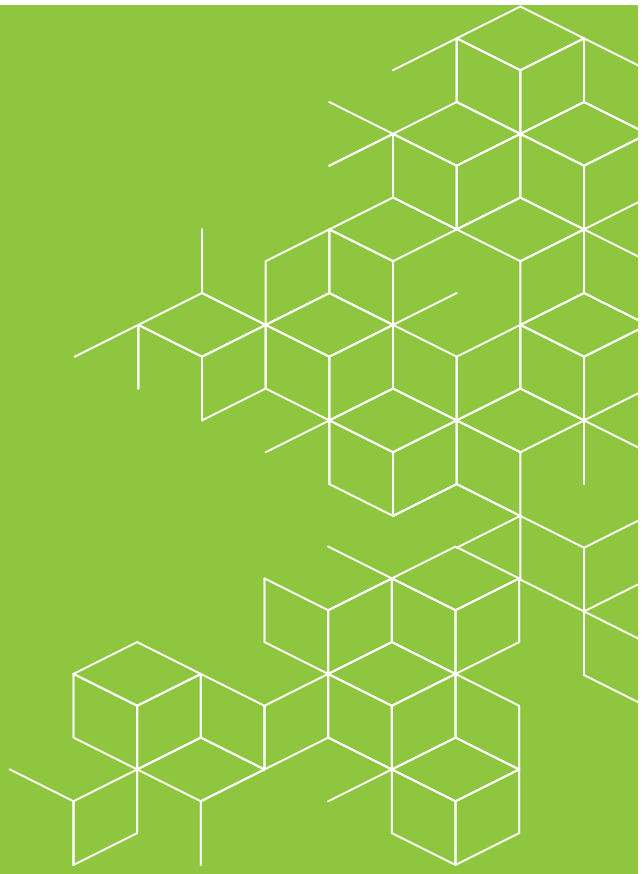
Street level activation is provided with retail uses in both towers. Tower 1 includes consumer retail and medical tenancies while tower 2 includes food and supporting tenancies. The food tenancies relate to a public piazza providing casual dining for over 100 people.

The development incorporates strong building elements to e nhance the Kon-Tiki name, and provides an inviting presence to occupants.

Following extensive meetings with council and completing s uccessful planning applications, Kon-Tiki evolved to be 2 towers incorporating approximately 18,000m2 of leasable area, and approximately 600 cars.

Each tower is separate but are connected at basement, ground, and first level with car parking. The combined double basement was a 'first' as each site is separately owned. Successful discussions were held with QFES and council to produce this unique outcome. Each tower level can be split into 20+ tenancies or leased as a whole. Each level also has access to a rear loading service deck to allow intake of materials for future fit - outs.

Kon-Tiki provides a community for the tenants allowing interactive c onnection with a variety of professional's offices with large balconies creating flexible work spaces and encouraging innovative fit out design.



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Thinking outside the lines…