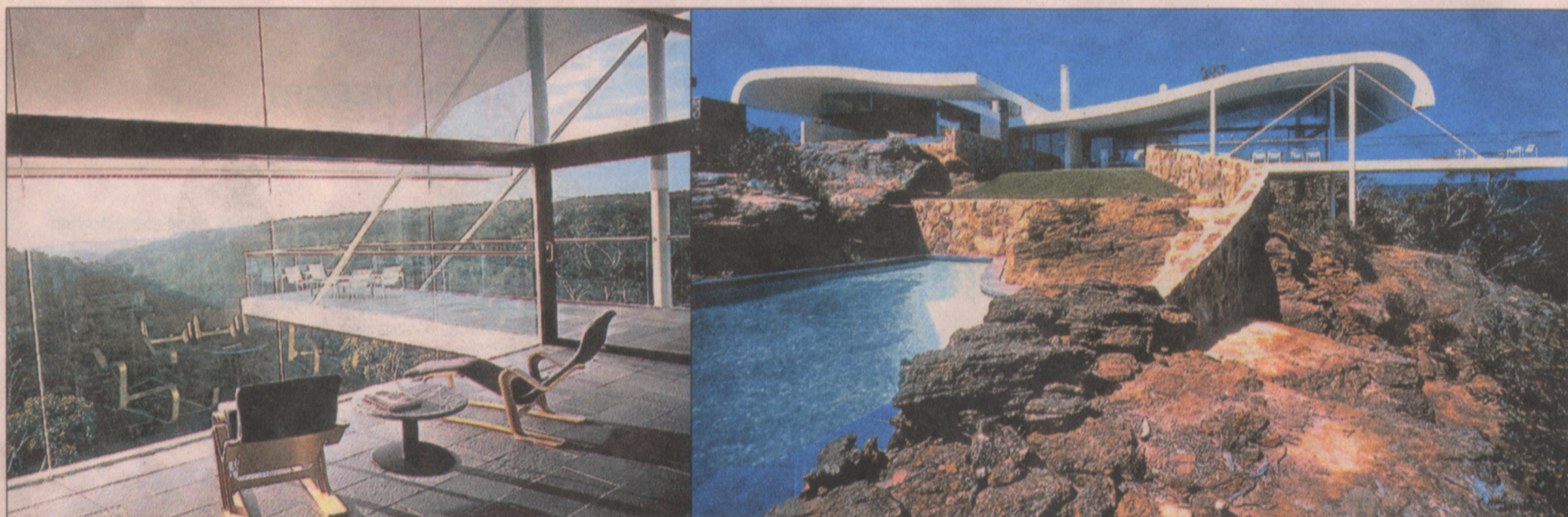


cover story | Harvey Grennan



Mob rules

Untrained and all-powerful council planners are forcing poor design on Sydney, say Australia's top architects.

THIS week, four of the biggest names in architecture took on the State Government. They told the new Minister for Infrastructure, Planning and Resources, Craig Knowles, known to be a good listener, that untrained council officers and even less qualified, "mob-driven" elected councillors decide what is good and bad architecture in Australia. It was the joke of the Western world, they said, and it's got to stop.

The eminent group includes Harry Seidler, whose recent work includes major projects in Europe; Glenn Murcutt, who holds academic chairs in the US and Mexico; metal maestro Ed Lippmann; and Wilkinson and Robin Boyd awards winner Alex Popov.

Such is the concern of these four about the "anti-cultural" chains preventing great architecture in NSW they have formed a panel with no less a mission than changing the whole regulatory framework of town planning in this state.

Last week Seidler had preliminary talks with Knowles; this week the panel began more detailed discussions with his department. Their message? The present planning laws do not stop bad architecture but they do prevent the best; the power to arbitrate on design should be removed from councils because they have no design expertise. Seidler is more strident: they are aesthetic "morons".

Councils should, however, continue to regulate their traditional parameters such as density, bulk, setbacks, overshadowing and height.

"We have all had horrific experiences going back years," says Seidler. "It's such an anti-cultural phenomenon we have to do something about it. It stops young people even trying to do terrific buildings. They cannot afford the legal costs of fighting for their designs in court."

Knowles was given examples of council officers demanding changes to buildings on purely aesthetic grounds, buildings which later triumphed in major architectural awards. In one celebrated case, Seidler took Wingecarribee Council, in the Southern Highlands, to the Land and Environment Court and won a rare order for costs against the council, which didn't like the shape of a roof. The house in question later won the prestigious Blakett Award.

The quartet pours scorn on recent government initiatives to improve the standard of architecture, the State Environment Planning Policy No. 65 and the associated residential flat design pattern book and design review panels. SEPP 65 was at first welcomed by the architecture establishment because it delivered architects a monopoly in designing multi-unit residential buildings over two storeys. In the cold light of day, the oxymoron of relying on formulae and past examples to create ground-breaking, original designs is being widely acknowledged within the profession.

But what will stop bad architecture if not government guidelines and the eye, trained or otherwise, of council planners? In Murcutt's view it is an irrelevant question: the design of mainstream buildings just can't get any worse. "It is so damn awful that what Mosman and Ku-ring-gai and Woollahra councils are allowing in the name of their codes show the



They, in fact, do not prevent but promote the worst, they frustrate and prevent the best and they stifle any spirit of progress. — Harry Seidler

codes are not working. It's just Disneyland stuff. We are producing Federation-cum-2003," he says.

"Georgian and Federation were the modern architecture of the day. We are being prevented from producing architecture responsive to the needs of today but are replicating the architecture of 1912. It's a very sad comment on today's society."

The Australian Local Government Association rejects claims that councils are stifling good design and promoting junk building, saying that one architect's aesthetics can be another community's eyesore. "Councils encourage good design but minimum standards are needed to

ensure the community's interests are protected," says ALGA president Cr Mike Montgomery. "Councils are frequent winners of urban design awards, particularly in heritage areas."

Montgomery said local government encouraged architects and developers to talk to councils about controversial buildings before lodging plans to see if community expectation and the architect's designs could be happily married.

The campaign to turn planning parameters on their head is being actively supported by the Royal Australian Institute of Architects (RAIA). It was, in fact, kick-started by a series of articles by the four instigators in the RAIA's *Architecture Bulletin* before their meeting with the minister. The institute's NSW president, Caroline Pidcock, says the authorities, with the best of intentions in trying to lift the bottom bar, have created a low ceiling. "We have some of the best architects in the world like Glenn Murcutt, winner of the Pritzker Prize, and Harry Seidler being told by a 22- or 23-year-old what their building should look like. Not things like the setback or the FSR [floor to space ratio] but the shape of a window."

This, in part, is what Seidler, Murcutt, Popov and Lippmann had to say in the *Architecture Bulletin*:

Harry Seidler

The powers of aesthetic judgement given to local government in Australia have no equal elsewhere in the Western world. The architectural profession is seriously constrained with regulations in force that simply formulate mediocrity. The (Environmental Planning and Assessment) Act and regulations are designed to stop the worst. They, in fact, do not prevent but promote the worst, they frustrate and prevent the best and they stifle any spirit of progress.

The present state can only be described as draconian in cultural terms. It places professional architects in the absurd position of having to plead for their designs to be declared innocent so they may be built. They depend on the rulings of non-professionals without training in aesthetics or art, which are final on anything aesthetic and cannot be appealed against.

Enforced mediocrity is the ubiquitous result as illustrated in our Government's pattern book, which is meant to be "a source of information on

Top: Harry Seidler's award-winning home in the Southern Highlands, and Seidler, above. Council relented after an appeal was lodged with the Land and Environment Court. Photos: Eric Sierins, Michele Mossop

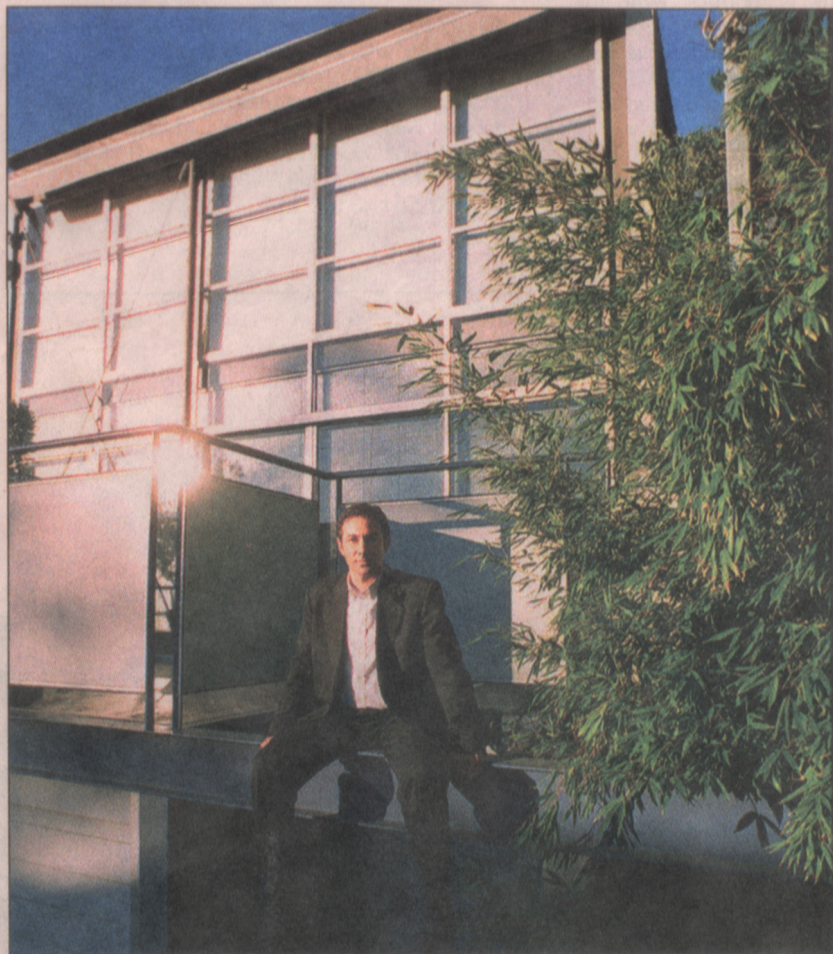
good quality design". It is an absurd, naive and regressive design guide for apartment buildings. How can a design profession allow itself to be visually dictated to by a pattern book?

What predominates in our restrictive rule making is the obsession with "heritage". There is a futile attempt to recreate 19th century "street architecture". If there is no old facade, imitate one. This does not emerge in European countries where people live with superb monuments of the past. They encourage the best new design to stand next to the best of past eras. Progress and encouragement to build the best of today is unencumbered in contrast to our procedure of misguided grass-roots democracy, which delegates town planning power and aesthetic control to untrained citizens who inhabit local councils, all acting independently.

Glenn Murcutt

The whole question of aesthetics must be removed from legislation and planning codes. I would rather the risk of aesthetics being at the bottom end to save the top end because the bottom end can't get bottomed out much more. So much (Federation) junk is being constructed within the regulations and so much of the best is being frustrated by our regulations and council officers. Under the present attitudes of local

Below: Ed Lippmann outside the house rejected by Leichhardt Council. The Land and Environment Court overturned the decision.
Photo: Andrew Taylor

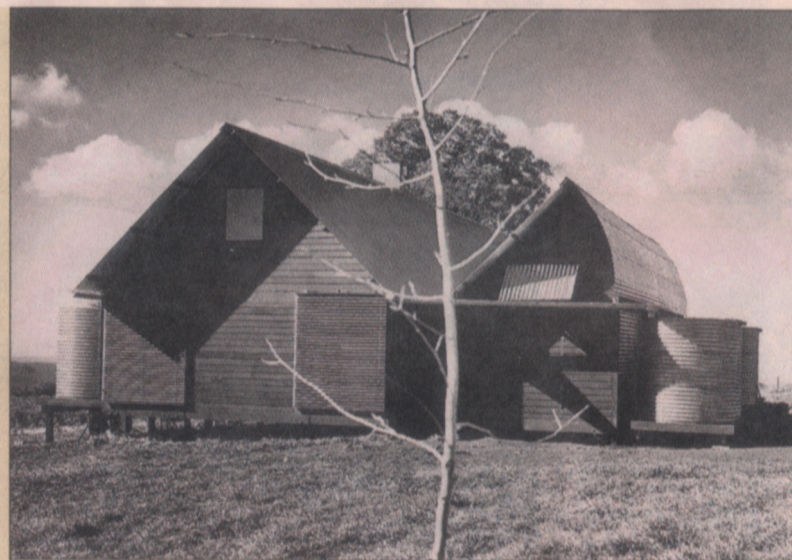


SYDNEY'S 10 MOST LITIGIOUS COUNCILS

A Department of Local Government report released this month revealed that Ku-ring-gai Council spent \$2.4 million on legal expenses last year, topping a list of councils that spent more than \$500,000 each. The following councils were Sydney's most litigious, measured as the amount spent on planning and development legal costs as a proportion of total building and planning control expenditure. Many of them are inner-west councils:

Ku-ring-gai	50.09%
North Sydney	38.92%
Warringah	37.44%
Canada Bay	37.4%
Hunters Hill	31.6%
Ashfield	23.68%
Strathfield	22.87%
Botany Bay	22.58%
Woollahra	18.71%
Burwood	17.24%

The council in the rapidly growing and increasingly trendy Shoalhaven City, on the South Coast, spent just 0.63 per cent on legal expenses while many small rural councils spent nothing.



government and society, if the Opera House had to be constructed today the opposition would be phenomenal. I have no doubt it would be refused. Try to pull it down today and there would be a huge outcry.

From the results of the past 20 years it is clear that the issue of aesthetics is beyond the expertise of our council officers. Most planners have not been trained in design and aesthetics. A solution is to accept the worst – because it can't be worse – and trust the best, not frustrate the best, which means the removal of aesthetics from all planning controls.

It's important to note that some councils are prepared to listen. Some, such as the Shoalhaven City Council, have even changed their regulations to accommodate my designs. They haven't refused the designs because they did not understand them. Council officers are clearly under pressure from their superiors who are terrified of the constituency. The easy answer for an officer is to refuse a project in the hope it will go to the Land and Environment Court so the court can make the decision and council can't be blamed.

"It is clear the issue of aesthetics is beyond the expertise of our council officers. Most planners have not been trained in design and aesthetics." – Glenn Murcutt

Alex Popov

Considering the pluralistic society that we now find ourselves in, and the fact that there are no absolute truths in design, the RAIA and its members should seek the right to freedom of expression in building design.

The concept of a pattern book suggests that good architecture is just a matter of following rules and can simply be assembled by following prescriptive guidelines. This, we invariably know, leads to formalism, which, in recent architectural history, has resulted in the failure that was postmodernism.

continued page 8 ►

Above: Glenn Murcutt's Nicholas House, and neighboring Carruthers House at Mount Irvine, won the first national housing award, the Robin Boyd Award, after overcoming council objections to their corrugated iron and timber form.
Photo: Max Dupain.

Debate over the size of a skylight not visible from the street bogged down the approval process for this Palm Beach house by Alex Popov.



◀ from page 7

We should subscribe to parameters established by councils in terms of volume, overshadowing, boundaries, heights, etc. In return councils should not overstep their role with the imposition of design guidelines as if good design can come from a cut-and-paste theory of building.

Ed Lippmann

For a country so young and small, the attention paid to Australian architecture the world over is disproportionate to our numbers. Unfortunately, the acknowledgment of our skill and creativity coming from overseas is matched by disillusionment here. In many cases, we find that our local councils are nothing more than forums for visually (and certainly architecturally)

untrained and unskilled citizens who are empowered to say yea or nay. Frank Lloyd Wright referred to this as "mobocracy" and in our community this has grown to alarming proportions. To make it worse, councils' planning staff are often inexperienced graduates of anything but architecture or urban design – geography, agriculture, land economics – who are unqualified or unsuited for the important job they are entrusted with. Their attitudes and decisions are based on subjectivity and naivete.

We and our clients should not be subjected to the loss of energy, time-wasting and cost of arguments over visual conformity, architectural appropriateness or heritage nonsense when we are trained to design and build buildings in the 21st century for clients who are demanding that of us.

BONES OF CONTENTION

1. Harry Seidler's design of a house for artist Peter Berman in the Southern Highlands (page 6) was refused by Wingecarribee Shire Council because "it doesn't fit". An appeal was lodged in the Land and Environment Court but the council relented before the case was heard. Seidler successfully applied for costs with the judge ruling that council's action was vexatious. The Berman house won the NSW RAIAs' Bracket Award.

2. A Willoughby Council officer rejected Alex Popov's design of the Griffin house at Castlecrag on the grounds that a skylight was too big although the building was within the legal height limits. The skylight was meant to mimic the cubic dimensions of the dining room below but the council officer had a smaller skylight in his place and "it gives me plenty of light". The skylight was reduced in size. The building won the Wilkinson and Robin Boyd Awards.

3. Blue Mountains City Council initially refused to approve the classic Murcutt corrugated iron and timber designs for two farmhouses at Mount Irvine (page 7). It insisted they be brick and tile. Murcutt prevailed in the negotiations. The houses won the national Robin Boyd Award in housing.

4. Leichhardt Council refused Ed Lippmann's design for the Ouzas house at Balmain (page 7) as being out of character and unsympathetic to the streetscape. The decision was overturned in the Land and Environment Court. The Ouzas house received the BHP Metal Building Award.

domain

A close-up photograph of a person's hands holding a rolled-up architectural drawing. The drawing is partially unrolled, showing technical drawings with lines and text. The background is a warm, yellowish-brown color, possibly a wall or a piece of wood. The lighting is soft, highlighting the texture of the paper and the skin of the hands.

Back to the drawing board

Seidler, Murcutt and co on what's making Sydney ugly

How to use the new bamboos 13

Up your street visits Redfern 18