

UNSW GRADUATION CEREMONY OCCASIONAL ADDRESS

**Justice Peter McClellan
Chief Judge at Common Law
Supreme Court of New South Wales**

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Pro Vice-Chancellor, members of the University, graduates and guests.

I thank the Pro Vice-Chancellor and the Dean of the Faculty of the Built Environment for inviting me to participate in today's ceremony. I offer my warmest congratulations to all of the new graduates. Today is a significant day in your lives. You are entitled to be proud of your achievements. I also acknowledge and congratulate those in your families and friends who have supported you through your studies. Without their sacrifice your success may not have been possible.

I have previously addressed lawyers on their graduation but not graduates from the Faculty of the Built Environment. This leads inevitably to the question, "what does a lawyer have to say to architects, designers, and builders?" Although dialogue between lawyers and practitioners of the Build Environment occurs, it is generally because a problem has arisen and the lawyers are asked to determine the rights of the disputing parties. Architects and designers are rewarded for engaging their imaginations. In law, those of us with imaginations are generally advised to apply it to extra-curricular pursuits.

As you have just been told both as a barrister and as a judge I was privileged to be involved in many significant controversies both in planning and architecture.

Perhaps today I can be forgiven for trespassing briefly into your fields of expertise.

The western world took time to recover from the Second World War. For some years, at least in Australia, the social attitudes and community aspirations which were accepted before the War remained intact. There was a sense of relief that the War had ended but a fear that communist ideals may prevail, leading to concern that the stability of society may again be threatened. However, with increasing prosperity and the coming to adulthood of a generation for whom the War was the related experience of their parents, it became safe to challenge many of the political and social ideas which had previously prevailed. There came a time when change, although threatening for some, was the expectation of others.

I am fortunate to be a member of the generation born soon after the War. My generation is the most privileged in Australian history. Although when I was growing up there was the occasional economic recession, our education and employment opportunities were greater than at any other time in Australia's history. Most families could afford a detached dwelling located a modest distance from the CBD. Few people lived in flats. Certainly any family without a "backyard" in which children could play was considered to be seriously disadvantaged. There was generally one car per household. Public transport was readily

available and relatively efficient. Freed from the imperatives of economic depression and world war which burdened our parents my generation set about challenging the prevailing mores. Your challenges lie in different directions.

During my lifetime, Australia's population has increased from 7.6 million to 21.3 million people. The increase has both initiated and been accompanied by significant change in our social attitudes and our physical surroundings. As it has been throughout history, an increase in the population of a large city brings pressure from increasing numbers of people who wish to live close to the centre of the metropolis which locates them close to sources of employment and recreation. Resistance to a lengthy journey to work encourages the renewal of inner urban areas imposing demands on the public resources required to meet the needs of the changing demographic. A local area which has come to be thought of as down market with substandard accommodation is transformed. Rising property prices displace the less fortunate who are pushed into living further from the city centre. In turn this creates pressure on the public transport, hospitals, education, recreation and welfare facilities required to meet the needs of the suburban population. Without effective planning and associated architecture a rapid increase in population can produce discordant social outcomes.

As you know, Australian politicians are presently engaged in a debate about our desirable level of future population. Irrespective of who prevails in that debate, by 2036 Australia's population is predicted to have increased to between 28 and 33

million people. If current trends continue, 75 per cent of our population will be living in the capital cities. By the year 2056 the Australian population is estimated to lie somewhere between 30 and 42 million, that is, possibly double our present population.

I know that for many of you graduating today, 2036 seems a long time away and of course 2056 even further. My generation has no difficulty remembering the world as it was 26 years ago. For us the prospect of 1984 was anticipated with curiosity and for some a little trepidation made so by the writings of George Orwell. 1984 came and just as quickly passed. Although not quite yesterday it does not seem to us to be all that long ago.

As graduates in the Built Environment your professional lives will present you with the challenges which these increases in population will produce. It is likely that if future generations are to enjoy the quality of life enjoyed by my own, we will have to rethink the way we live. The cherished Australian dream of a detached house with a discrete backyard and a private garden will be modified if not denied to many people. Although still resisted by many in our communities, like many of the great cities of the world, it is likely that significant high density development at least in the major cities will be necessary. Individual living spaces will decrease in size and our recreational needs will increasingly be provided by community facilities rather than private areas. I suspect that at least our capital cities will increasingly take the form of a vertical metropolis.

By the year 2036 many of you who are graduating today will be approaching the peak of your creative careers. You will have the challenge of designing both buildings and recreation spaces which provide a healthy, stimulating and secure environment for the increased population. A particular challenge will come from the increasing age of the population. The greying nomads will become the active aged. The longevity of my generation will, apart from imposing demands on the health care system, increase the number of older persons who seek convenient access to suitable recreational facilities when they may no longer be able to drive or walk significant distances. They may not want large dwellings but will look for built spaces which respond effectively to the changing seasons and command an outlook or view compatible with the increased time they have to enjoy it. Your task will be to create the illusion of space in a densely populated city.

The challenges you will face will not be felt in all developed countries. Whereas Australia's population is predicted to increase, that of the United States of America, Japan and many countries in Europe are expected to fall. No doubt the architects, planners and designers in those countries will face challenges. But many of their cities have developed a vertical metropolis. For Australia the concept is still in its relative infancy.

When I was involved in environmental disputes I spent much time debating the architectural and planning merits of buildings. There were often debates about whether a proposed building had a human scale. No doubt many of you have discussed and debated that concept. I have often wondered whether those who

live and obviously enjoy the benefits of living in buildings which defy that scale see relevance in the debate. It is a debate which I am certain will be revisited.

Our community will look to all of you to apply your learning to develop answers to these problems. The solutions you create must enhance the beauty of our cities and the quality of the environment. A vertical metropolis must be created without destroying the heritage value of the significant buildings and places which have been created by previous generations. Although our heritage must be preserved, I rather suspect that the values we have described as conservation may be modified. Many of the areas we presently seek to conserve may have to be given over to redevelopment if we are to meet the reasonable aspirations of future generations.

Sydney enjoys one of the most beautiful waterways in the world. It is legitimate to ask how we can maximize its enjoyment for the greatest number of people.

There was a time when a fashionable planning theory for Sydney contemplated “pencils in parks.” It was responsible for Blues Point Tower a controversial development for which the late Harry Seidler received much criticism. There can be no doubt that the proximity to the harbour and the uninterrupted views which the occupants of that building enjoy provide them with a high level of amenity. Contemporary controversies exist with respect to the approach we should take to the development of Barangaroo. I suspect that there will be many similar debates during your professional lives.

There is little doubt that public access to the harbour foreshore must be reclaimed and where possible enhanced. But should we do more to maximise the potential for residents to enjoy the views of the harbour that would be available from taller buildings. The developer of a high rise apartment or a city office block sells his product by emphasizing the available views. Should we confine new high rise developments including residential units to the commercial areas of the central business district and a few other centres? If, as I suspect we must, we do relax the controls the challenges for all of you will be firstly to plan the spaces and then design and provide the buildings which in architectural form contribute both beauty and function to the city. You only have to experience the beauty of the modern architecture of Shanghai or Hong Kong to understand what may be possible. Whether the possible can become the reality is the challenge for those of you who are graduating today.

I hope you are excited by the challenges which lie before you. I doubt whether there has been or will ever be a time when the form of our built environment will generate greater controversy. Both fashion and pragmatic reality will play a part. Of course there will be periods of economic boom and probably of bust. The architects of the financial system will not always be able to predict the internal and external economic forces and there will be periods of economic instability. The impact, as always, will be felt by the property sector. But an increasing population will ensure a trend which will provide you all with a lifetime of opportunity. I urge you to grasp it and wish you every success in your endeavours.