

1 May 2013

Andrea Skraba
Strategic Planner
Whitehorse City Council
Locked Bag 2
Nunawading Delivery Centre VIC 3131

Via email: andrea.skraba@whitehorse.vic.gov.au

Dear Andrea,

RE: ENVIRONMENTALLY EFFICIENT DESIGN LOCAL PLANNING POLICY

Thank you for the opportunity to provide comment on Amendment C130 – Environmentally Efficient Design (EED Policy). The GBCA supports the objectives of the policy; more specifically, the GBCA supports local government-led incentives and processes that make it easier to measure and approve development that demonstrates an ability to meet and surpass best practice outcomes. The GBCA commends the leadership and partnership demonstrated by the six councils involved in developing the EED Policy.

To ensure environmentally efficient design is consistently and promptly achieved for the benefit of the community, Council and the property industry, the GBCA recommends eight actions. The recommended actions have been grouped under the following sub-headings: setting the right measures, working with the GBCA at the implementation and assessment stage and, lastly, leading by example.

About the GBCA

The GBCA is the nation's authority on sustainable buildings, communities and cities. Our mission is to accelerate the transformation of Australia's built environment into one that is healthy, liveable, productive, resilient and sustainable. We work together with industry and government to encourage policies and programs that support our mission. We educate thousands of people each year on how to design and deliver sustainable outcomes for our buildings, communities and cities. And we operate Australia's only national, voluntary, holistic rating system for sustainable buildings and communities - Green Star.

The GBCA is also a founding member of the World Green Building Council (WorldGBC), which was established to provide a federated 'union' of national green building councils with a common goal to support the sustainable transformation of the global property industry; there are now 96 such councils worldwide.

The Green Star rating tools

Green Star is a national, voluntary rating system that encourages, recognises and rewards best practice and innovation in the property industry. The first Green Star rating tool was released in 2003 in response to market demand for a rating tool that would evaluate the design and construction of buildings as well as establish a common language for best practice buildings.

There are currently nine Green Star rating tools which address a range of building types and over 570 projects have now achieved Green Star certification across Australia, with a further 500 projects registered. The Green Star rating system is designed to take an holistic approach within each class and building sector, addressing nine categories in total; Management, Indoor Environment Quality (IEQ), Energy, Water, Materials, Land Use and Ecology, Emissions, Innovation and Transport; and defining 'best practice' in each.

Recommended actions

The GBCA advocates for a coordinated approach to raising the standards of the built environment; this includes the use of contemporary regulation, referencing rating tools such as Green Star and NABERS as methods of measurement within government policy, and the provision of a range of both financial and non-financial incentives to encourage best practice and above in buildings and communities. The GBCA's eight recommended actions are detailed below.

Setting the right measures:

The GBCA understands that the EED Policy requires different development types and sizes to demonstrate a 'best practice' standard. The GBCA supports this policy objective for councils located in capital city metro areas.

To improve on this, the GBCA would recommend indicating a requirement for an 'Australian best practice' benchmark since, for example, using the BREEAM rating tool to achieve United Kingdom best practice building design benchmarks would not be an ideal outcome for Victorian buildings. The GBCA also would recommend the requirement for 'best practice' be made clearer throughout policy, particularly in *Table 1 - ESD Information Required* and in the ESDMP templates, to ensure applicants clearly understand this key policy objective.

Building on this, the GBCA does have concern that the 'best practice' requirement and definition is not underpinned by measureable performance metrics. Without identifying measurable performance requirements, the definition of 'best practice' may be subjective and could be open to interpretation. The GBCA is concerned that an unmeasurable interpretation of 'best practice' could lead to ambiguity and inconsistencies in application or assessment, not only across council boundaries, but more importantly, assessment inconsistencies within the same council. For applicants, a measurable definition of 'best practice' and clear performance-based measures will provide certainty and enable applicants to quickly determine the likelihood of gaining approval.

Recommendation 1: Clearly state the requirement for an 'Australian best practice' standard in *Table 1 - ESD Information Required* and in the ESDMP.

Recommendation 2: Remove LEED and BREEAM as 'relevant standards' in the ESDMP. These rating tools are sometimes presented as international standards that can be used anywhere however, they do not provide best practice benchmarks for Australian buildings within their local context or environment.

Recommendation 3: Indicate measureable performance indicators that define ‘best practice’ for the purposes of the policy. This will offer applicants certainty and enable the consistent assessment of applications across and within councils.

While the GBCA does not recommend the ‘blanket mandating’ of Green Star, in this instance the GBCA believes it is reasonable for Council to request that large or iconic developments (as outlined below) achieve a 4 Star Green Star certification (best practice). Third party certification provides an objective assessment of development projects and will ensure large developments are accountable to Council and the local community.

Recommendation 4: Require Green Star certification for large or iconic development as follows:

Type of Development	Application Requirements
Accommodation/Mixed Use with residential component of:	For residential only development –
Development of 50 or more dwellings	A commitment to achieve a minimum of a 4 Star Green Star – Multi Unit Residential certification.
Non – Residential:	
Development of a non-residential building with a gross floor area over 5,000m² – for example office, industrial, retail, healthcare, education or public building	A commitment to achieve a minimum of a 4 Star Green Star certification (where an applicable Green Star rating tool exists, excluding Green Star - Custom).

The GBCA would recommend that, at the application stage, development types as outlined above commit to achieving a Green Star Design and As Built rating. Council would then require developments to provide evidence of achieving a Green Star Design certification prior to gaining an occupancy certificate, and evidence of achieving an As Built certification within two years after the development’s ‘practical completion’.

For projects that fall beneath the thresholds given above, Green Star certification could be referenced in the ESDMP as an option for demonstrating that a building will meet the desired best practice standards.

Working together at the assessment and implementation stage:

With the inclusion of ‘environmentally efficient’ performance objectives and measures comes a concern that the EED Policy will transform Council into an assessment body.

The GBCA can attest that being an assessment body is not a simple task from a governance, administration or impartiality point of view, and that this is a job that would be made more difficult if, as mentioned above, guiding objectives might be seen to be subjective rather than clearly defined in a performance based or quantitative form.

The GBCA would welcome the opportunity to work with Council to develop a way to set and assess EED objectives without the need for councils to set themselves up as assessment bodies. In addition to this, as identified by the need for the EED Policy, the earlier a building project applicant incorporates sustainable design and construction principles, the simpler it will be for projects to achieve positive outcomes and at least cost. With this in mind, the GBCA proposes a collaborative process whereby council staff notify the GBCA of development projects that commit to or nominate to pursue Green Star certification. Such a process would enable the GBCA to work with Council and the project team at the early stage of development approval to determine certification eligibility for those projects that have nominated to gain a Green Star rating. This type of process would speed up council application assessment time-frames and will also remove any onus on council staff to make eligibility decisions regarding Green Star.

Given the policy references to Green Star, the GBCA would also recommend Council staff involved in the assessment and implementation of the EED Policy attend training on the Green Star rating tool system. It is vital that any individual or organisation referencing or making decisions on the basis of Green Star benchmarks understands the assessment and certification process. The GBCA welcomes the opportunity to discuss how we can provide training that will meet the needs of the six councils currently exhibiting the EED Policy amendment, and will certainly provide tailored and discounted training.

Recommendation 5: Work with the GBCA to identify how benchmarks and developments will be assessed, and to determine whether the GBCA might provide a service of assessing individual aspects of Councils' EED Policy so as to use existing frameworks and assessment processes to provide least-cost outcomes.

Recommendation 6: Work collaboratively with the GBCA to determine Green Star eligibility early in the development approval process for projects that nominate to achieve Green Star certification.

Recommendation 7: Work collaboratively with the GBCA to ensure that key council staff are equipped with the right knowledge of Green Star rating tools and best practice benchmarks, and are continuously kept up to date with the latest developments in Green Star.

Leading by example

The proposed EED Policy also brings with it a need for Council to lead by example. If the property and construction market is to put processes in place to ensure development in the local government area complies with Council's EED Policy, then the GBCA recommends Council implements processes and policies to ensure Council-owned and operated buildings reach and exceed EED Policy objectives. The City of Greater Geelong's *Sustainable Building Policy* is a good example of this, a copy can be found online at: www.geelongaustralia.com.au.

Recommendation 8: Implementation of a Council *Sustainable Buildings Policy* to ensure EED Policy objectives are achieved by Council.

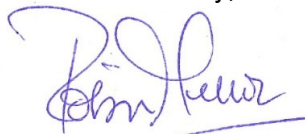
Next steps

The GBCA applauds the leadership and collaborative effort demonstrated by the six councils involved in the development and exhibition of the EED Policy.

As outlined above, the GBCA supports the objectives of the policy and we look forward to meeting with you on 10 May 2013 to discuss the ways in which we can work together to ensure the EED Policy is consistently measureable and robustly implemented.

For further information on the points discussed in this submission please contact Emma Kelly, Advocacy Coordinator – Local Government, by phone on 02 8239 6288 or via email at emma.kelly@gbca.org.au.

Yours sincerely,



Robin Mellon

Executive Director – Advocacy and Business Operations