

5th July, 2013

New Planning System
NSW Department of Planning and Infrastructure
GPO Box 39
Sydney 2001

Dear Sir/Madam,

RE: A NEW PLANNING SYSTEM FOR NEW SOUTH WALES

Thank you for the opportunity to provide comment on the *A New Planning System for NSW White Paper*. The Green Building Council of Australia (GBCA) believes that an integrated approach to planning for our buildings, transport networks and communities is essential if NSW is to be more efficient, liveable, productive and sustainable and reach its full potential.

About the GBCA

The GBCA is Australia's leading authority on green buildings and communities, established in 2002 to develop a sustainable property industry in Australia and drive the adoption of green building practices. The GBCA promotes green building programs, technologies, design practices and processes, and operates Australia's only national voluntary comprehensive sustainability rating system for buildings and communities - Green Star.

The GBCA has more than 750 member organisations, including government departments and local councils, which work together to support the Council and its activities. 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 97 such councils worldwide.

Green Star rating tools

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

There are currently 10 Green Star rating tools which address a range of building types and 600 projects have now achieved Green Star certification across Australia, with a further 470 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, Transport, Water, Materials, Land Use and Ecology, Emissions and Innovation. With nearly 600 projects delivered and certified, Green Star has a proven track record when it comes to implementation of efficient, healthy and productive green buildings.

Green Star – Communities

In 2009, the GBCA commenced work, in consultation with industry and all levels of government, including UrbanGrowth NSW (formerly Landcom) and the City of Sydney, on the development of a rating tool for sustainable development projects on a community scale, examining issues of economic, social and environmental importance. The first step in developing the Green Star – Communities rating tool was to develop a national framework consisting of five best practice principles which are to:

- Enhance liveability
- Create opportunities for economic prosperity
- Foster environmental responsibility
- Embrace design excellence
- Demonstrate visionary leadership and strong governance.

Stage 2 of the project involved establishing best practice benchmarks and metrics for assessing and certifying sustainable communities. A set of 38 credits was then developed and tested on a number of projects across Australia. The Green Star – Communities PILOT rating tool was launched in June 2012 and there are now 12 projects, including three in NSW, registered for certification. A copy of the Green Star – Communities National Framework and a guide to the credits can be found on the GBCA website at <http://www.gbca.org.au/green-star/green-star-communities/>

The GBCA believes that Green Star – Communities can assist the NSW Government to achieve its aims for better long term planning outcomes in two key ways. Firstly, the Green Star – Communities Framework and the credits within the rating tool can inform strategic plans, acting as the delivery mechanism to bring about change and measure progress against the desired outcomes. For example, with the removal of State Environmental Protection Policies (SEPPs) and Section 117 Directions, the five overarching principles of Green Star – Communities provide practical, high level planning direction, and a common language that could be utilised across all regions and jurisdictions. Additionally, the credits in the rating tool provide guidance and best practice benchmarks that have been developed with extensive industry and government collaboration and tested on a number of developments.

Secondly, the NSW Government can reference Green Star – Communities in its policies and encourage use of the rating tool for development projects across NSW. Referencing Green Star – Communities will enable ‘joined-up’ thinking and will help align State Infrastructure strategies with Growth Plans, Subregional Delivery Plans and Local Land Use Plans. A number of local governments are already realising the potential of the Green Star – Communities rating tool to assist them with planning in their local area. In particular, the City of Sydney has demonstrated remarkable commitment to Green Star – Communities as a sponsor and contributor. Parramatta City Council has also recently committed to achieving Green Star – Communities certification for the Parramatta Square development project. UrbanGrowth NSW played a key role in the development of the Green Star – Communities rating tool, both as a sponsor and by providing intellectual property. It is vital that the NSW Government capitalises on the investment of knowledge and resources made by UrbanGrowth NSW and takes the opportunity to integrate the outcomes of the rating tool development process into the reformed planning system.

The *White Paper* states that the key objective of the planning system “is to promote and enable economic growth and positive development for the benefit of the entire community, while protecting the environment and enhancing people’s way of life. It is about enabling development that is sustainable.” The GBCA believes that this objective must remain the focus of the planning system and should remain as it is currently defined within the ‘Object of Act’ of the Planning Bill.2013 – Exposure Draft.

It is vital that the NSW Government clearly articulates what ‘sustainable development’ will mean in NSW so that all stakeholders share an understanding of what must be achieved. A common language, best practice benchmarks and a way to measure success and progress are all necessary to ensure that the objectives of the planning system will be met. The GBCA encourages the NSW Government to use the Green Star – Communities framework and rating tool as a resource to assist with defining what truly sustainable development will look like.

Transparent, coordinated and consultative reform is vital to achieve the vision for sustainable development and restore confidence in the state’s planning system. Outlined below are the GBCA’s comments regarding several of the transformative elements outlined in the *White Paper*. We have also provided comment on the Building Certification & Regulation chapter, as we believe that this is an area in which the GBCA can be of assistance to the NSW Government and the Building Professional Board.

Community participation

The GBCA believes that the NSW Government’s new approach to planning could deliver better communities and cities for NSW, but community engagement must be rigorous and inclusive. To successfully implement these reforms, the NSW Government must ensure that communities and local governments can make informed contributions. The extensive stakeholder engagement process and community-focused planning reform agenda is commendable as a first step; the ultimate success of the new planning system will be determined by the degree of successful implementation of reform over the next decade.

Local government and the community must be empowered so that they can contribute towards the vision and strategy for development in their area. A commitment to employing leading engagement and consultation practices, using a common language and establishing clear benchmarks will ensure that plans will be a true reflection of community values and needs and will contribute to better outcomes for liveability, economic prosperity, good design, resilience and sustainability. The NSW Government must also be clear about how it will measure progress, and how it will demonstrate transparency and accountability, to ensure communities have confidence that the agreed plans will be delivered.

The GBCA encourages the NSW Government to look to local governments for further input into the proposed model of community participation and take advantage of the vast collective experience of local governments in consultation and engagement. The GBCA would welcome the opportunity to engage with the NSW Government and local governments to assist in the development of the 'community participation guidelines' and share the experience gained during consultation to define what best practice community engagement should include. The Green Star – Communities rating tool contains an 'Engagement credit' which encourages a commitment to the core values of the International Association for Public Participation and rewards projects that can demonstrate the preparation, implementation and ongoing review of a stakeholder engagement strategy. Projects are further rewarded when evidence can be provided that a project's vision has been developed through engagement with the community.

Strategic planning

Shifting to the model of strategic planning outlined by the *White Paper* - whereby community consultation and engagement is conducted upfront - will help to minimise delays in development and stimulate investment, provided that community engagement is comprehensive, robust and transparent. The new planning system must ensure that once a strategic plan has been agreed, both levels of government must be accountable for meeting their responsibilities and delivering these plans as agreed. Communities and their local governments must be satisfied that their input into the direction of their community is considered and valued in order for this type of strategic planning consultation to be successful.

As discussed above, the GBCA believes that measurable benchmarks must be established as part of regional, sub-regional and local strategic plans to ensure that they are delivering the outcomes for liveability, economic prosperity, good design, resilience and sustainability that were agreed. Setting benchmarks and targets and implementing a method for measurement and reporting will ensure that governments and the community can assess how developments are being delivered against the agreed plan.

Provision of infrastructure

As part of a considered reform agenda, it is vital that strategic plans for development are informed by the State Infrastructure Strategy, Growth Infrastructure Plans, Local Infrastructure Plans and other major plans such as the Long Term Transport Master Plan. 'Joined-up thinking' is essential if the planning system is to achieve the best outcomes for a building, community, city or the state as a whole. If the NSW Government is to integrate planning decisions with infrastructure planning, infrastructure plans must align and be delivered as outlined by the *White Paper's* strategic planning hierarchy. Infrastructure plans will inform land use planning and will be a critical tool for the use of local governments and

developers with regard to all planning considerations. The GBCA urges the NSW Government to consider how this integration will occur on a practical level and develop measures to ensure that the intended benefits of this integrated approach can be realised at all levels of strategic planning.

Building certification and regulation

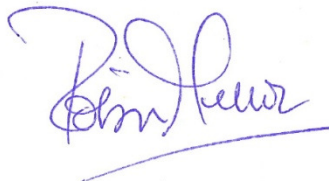
The GBCA supports the NSW Government's aim to improve building regulation and certification and believes that this plays a critical role in ensuring that people live in safe, healthy buildings and communities. The *White Paper*, identifies two points which the GBCA agrees are important, not only in regard to safety, but also to ensure that buildings and communities are built to meet the environmental standards to which they have been designed. These points are:

- The need to clarify minimum acceptable standards and requirements for the regulation and certification of buildings, critical building systems and subdivisions
- Requiring additional qualified professionals to certify building elements and systems.

The GBCA agrees that the present planning system does not provide adequate clarification regarding the minimum acceptable standards for buildings, critical building systems and subdivisions, nor does it define the appropriate skills or qualifications required for someone to be considered a 'qualified professional', particularly in regard to sustainable building systems and construction elements. The GBCA recently met with the NSW Building Professionals Board and both parties are interested in working together to explore how the requirements for such professionals might be defined, as well as working together to develop accreditation schemes and education programs to complement any newly-developed building professional standards. The GBCA welcomes the opportunity to engage with the NSW Government in assisting with the development of the requirements and the types of qualified professionals required to certify building elements and systems.

The GBCA commends the NSW Government on its commitment to planning reform. We look forward to working with the Department of Planning & Infrastructure to assist in the further development and refinement of a new planning system for NSW and to contribute to better outcomes for the NSW community. Please do not hesitate to contact me or Daniel Hartin – Manager Advocacy – State & Territories, via email at daniel.hartin@gbca.org.au or by phone on 02 8239 6234, should you require any further information or to arrange further consultation.

Yours sincerely,



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