



Society is becoming more and more focused on environmentally sustainable development (ESD). What does this mean at a micro and macro level, how do you measure these objectives and what incentives are in place to encourage or regulate these objectives through town planning?

The issue of sustainability in the planning process is a mystery to many, with a variety of approaches and general inconsistencies as to how it can be applied. This creates a minefield of confusion for those seeking to incorporate sustainable design into their project.

Actions speak louder than words

The protection of the environment is one of the key principles for the planning regulatory system, and the planning framework has the ability to facilitate the achievement of broad environmental targets that impact on land use and development and therefore strategic master planning, land use and development controls.

However the application of standards only works when it becomes more than just policy and is reinforced by Federal and State Government legislation. Individual voluntary schemes undertaken by a variety of local government authorities, which target residential rather than both residential and commercial development by necessity, fail to capture what the market is looking for.

If sustainability is agreed to be one of the most important challenges facing the nation, then

consistency of approach is required.

To regulate or not to regulate?

In Victoria the awareness of sustainability initially arose from the necessity to comply with standards relating to the design of dwellings and subdivision layout in the planning scheme provisions. In terms of regulation, there appears to have been little progress in relation to the application of sustainability objectives for commercial buildings. However, there are several examples of the application of standards within the planning process, most notably within the City of Melbourne and the Docklands Precinct.

The City of Melbourne requires a minimum of four-star Green Star Office Design rating for the development of an office building or a change of use to an office building over 5000sqm. In establishing a framework for development for the Docklands Precinct, VicUrban produced the Melbourne Docklands Environmental Sustainable Design Guide, providing direction on minimum standards required for development.

The many tools

A number of tools are available to measure sustainability, but these are mainly voluntary. In inner-Melbourne a number of councils provide rating tools for both residential and non-residential development. The City of Port Phillip and Moreland have developed the Sustainable Design Scorecard for non-residential development, while the STEPS assessment developed by the City of Moreland relates to the assessment of the environmental impact of residential



buildings using a checklist that is undertaken at the planning application stage. ►

In Queensland, the City of Brisbane offers grants for projects that receive accreditation for Green Star ratings and aims to deliver advocacy through education and partnerships, but these initiatives are not specifically related to the planning regime.

If it is agreed that planning is an appropriate vehicle to drive rather than to react to the sustainability agenda, then a greater level of commitment is required by all levels of government to make a positive impact. At present there seems to be a bottom-up approach through a select number of local governments, with a variety of voluntary schemes offered to applicants.

It is encouraging that there is work being undertaken on this topic by the Municipal Association of Victoria with the establishment of an ESD Advocacy Group. This group was formed in 2007 to work in collaboration with the State Government, industry and the community towards achieving a comprehensive state-wide or national approach to achieving ESD outcomes that integrate both planning and building frameworks.

Stronger leadership is required from State Governments if any meaningful targets are to be achieved, rather than through the provision of policy alone.

So many rules

Consistency of approach is also required on how sustainability should be measured. If this is not the case when councils impose standards that are not reinforced by clear policy or regulation, the enforcement of these conditions are generally struck out in the Victorian Civil and Administrative Tribunal or the Land and Environment Court in NSW.

In addition, sustainability objectives can conflict with other planning objectives. A good example of this is the provision of car parking. In nearly every planning application the issue of the appropriate level of car parking becomes one of the criteria deciding whether development should be approved. In most cases, the applicant will argue for dispensation due to a number of factors, such as proximity to public transport. If sustainability was given a greater weighting in the overall consideration of the merits of a proposal, then there needs to be an acceptance that less car parking is more sustainable. This is not the case at present.

In NSW the *Environmental Planning and Assessment Act* determines the environmental assessment criteria required for major projects and under Part 3A of the Act, the Director General determines what should be considered in the environmental assessment. It appears this is largely discretionary in terms of what is classified as a major project. Draft guidelines exist for



→

assessing projects, however there appears to be no statutory requirements. The State Environmental Planning Policy (Building Sustainability Index; BASIX) 2004 provides a level of consistency throughout the state to ensure water and energy consumption is reduced in residential dwellings to an agreed level. The BASIX system has been given statutory weight to override the requirements of individual councils, especially in the case where the standards of these Councils are more rigorous.

In the case of Queensland it can be said that energy efficiency and sustainability measures are mainly discretionary, based on residential development and enforced

through the *Building Act*. The City of Brisbane has detailed codes relating to commercial development such as offices, hotels and shops over 2500sqm, however these codes are discretionary. But in March 2007 the Council set an agenda to become a global leader in terms of sustainability in the built environment. How this translates into the planning area is yet to be tested.

In South Australia mention is made of sustainability in policy and the Adelaide City Council has a sustainability department and policy provides objectives such as "...All developments greater than 10,000sqm of total floor area should provide design information, including a full energy audit by an appropriately qualified professional, demonstrating energy efficiency prior to approval".

In Western Australia sustainability is largely discretionary, with the majority of sustainable measures implemented through the Building Code.

All in the planning

If planning is seen as the front line of the development process then this needs to be recognised and appropriate resourcing committed to the task.

This should not duplicate the controls provided in the Building Code of Australia and, more particularly, Part J of the Code, which relates to energy consumption in buildings. Planners should not act as detailed assessors; however, a level of basic

training should be required to understand the implications of a sustainable outcome on design. Skilled staff – other than planners – are required to understand, guide and regulate the assessment of the tools related to sustainability.

In its most recent Info Data report Davis Langdon investigated opportunities associated with achieving national emission targets via the property sector. It concluded that incentives are required and a number of leading capital city councils are looking towards offering incentives in relation to emission trading. Given that planning is at the forefront of the development process, incentives should be seriously entertained in terms of fast tracking, given the long time lines associated with the planning process.

The general rule is that planning becomes the grab bag of all manner of regulations that should and could be picked up in other parts of the regulatory system. However in the case of sustainability, the town planning process is the appropriate mechanism to emphasise and lead this important issue, provided legislation and resourcing enable the regulators to implement the goals. In addition, a broad range of incentives should be considered in the planning process with the most obvious being fast track development approvals that demonstrate application of sustainable principles. ☐

Maureen Jackson is director at Davis Langdon and a member of the Building Appeals Board.



Maureen Jackson

“If sustainability is agreed to be one of the most important challenges facing the nation, then consistency of approach is required.”
MAUREEN JACKSON