

# Design and Place State Environmental Planning Policy (SEPP)

Submission by the Australian Building Sustainability Association

## Organisation Name:

Australian Building Sustainability Association (ABSA)

ISSUE: SUBMISSION ON SEPP DESIGN RECOMMENDATIONS (NSW)

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## About Us

The Leader in the Energy Assessor Accreditation Industry since 2006, ABSA provides information, accreditation, support and advocacy for professionals to promote and foster building sustainability in Australia.

ABSA assessors are accredited, insured, abide by NatHERS Technical Notes, receive ongoing Training and Terms and Conditions.

## Response to the Design & Places SEPP

ABSA, in principle, support the amalgamation of SEP65 and BASIX to remove any confusion and disparity between them, however, we look forward to working through the detail that is lacking with the relevant stockholders. In the past, BASIX has lacked a clear governance structure, and we encourage the permeant establishment of a technical advisory group for BASIX moving forward to establish a transparent governance structure of BASIX.

ABSA support increases flexibility, but believe this should be held off and aligned with the flexibility and expansion of provision under NCC 2022. One of BASIX key strengths is the ability to provide consistency, and comparable outcome delivered but qualified assessors. This is key to the success of the scheme as it instils market confidence in trust in the system. A more co-ordinated approach the timeline should be considered in alignment with the NCC 2022 changes.

The merit assessment pathway presents a concern, as in other jurisdiction, this has resulted in “watering down” of performance when undertaken but people who are not suitably qualified. Given the current alternative assessment pathway, and the expansion of compliance pathways under NCC 2022 we find the inclusion of a merit assessment pathway to be not required and a risk to the consistency of the system.

We do believe that the SEPP should be flexible to allow a technical solution to be put forward as developed, and these should be peer reviewed and vetted by a BASIX technical advisory committee and then established as a clear alternative process.

We don't support the use of a non-peer-reviewed merit assessment pathway, as this is a risk to the integrity and brand of the BASIX system. Any BASIX assessment (outside of DIY) should be undertaken by a suitably qualified professional that as independent verification of their skills, such as the currently accredited NatHERS assessors, an accredited Passive House design if using a Passive House Pathway, or an accredited Green Star assessors using a Green Star pathway.

Those of whom can display the necessary skill to undertake an alternative assessment, such as an engineer, building design or architect undertaking a verification using a reference building pathway, should be accredited by an independent organisation, such as the current established AAO's to demonstrate the competence and suitability to undertake an assessment. This would ensure these individuals qualification are checked and monitored, thus the consumer protection from ongoing training, ensure those practising maintain PI insurances and establish a platform where an audits system is set up.

We agree that improvement could be made to the format of the report as they are broadly misunderstood but recognised as a key mandatory compliance document. We also believe a pilot program is a great pathway forward to these changes.

The notion of “where compliance is challenging” must be carefully navigated. Any alternate assessment need to be independently 3rd party verified, and it needs to be recognised that difficult site may need to improve the building envelope further to comply, but the long term energy benefits to consumers need to be considered.

Although improvements have been made, with the change for NCC 2022 continued improvement with the NatHERS technical note. Improvements could be made to the customer experience and could be expanded to integrate the electronic building passport so specification stays with the project. These documents and specifications pass from the building designer to the thermal performance assessor for development or building construction approval; then onto the quantity surveyor, the specifier and tenderers, and onto the builder and tradespersons, and checked by Building Surveyor.

Innovation and transparency to aid in innovation The algorithms in the BASIX tool that allow tradability of credits between BASIX targets need to be released, so the other tools can provide a similar result. Implementation needs to be aligned with NCC2022.

Trade-offs for thermal comfort – care needed to ensure is it not used as a cop-out - ie poor design can't be simply traded to 10 x times more PVS; Caps needed to the amount of trade-offs permitted, and need to be justified – ie site impossible to gain northern access for instance, not simply because it has been poorly designed in the first place.

In Table C2 the clause-by-clause description of the changes appears to echo the previous discussions. Consistency needs to come with a process of assessor accountability = accreditation. Without mandatory, strictly formulated accreditation, the main outcome will be inconsistency.

Consideration for the streamlining for the BASIX process and the implications for documentation process- since the introduction of BASIX, and especially when using NatHERS, a lot more detailed information is needed just to submit a DA - ie near-completed working drawings in order to know the exact window sizes, etc etc – which can be frustrating if the DA is knocked back or needs changes – previously the in-principle design was approved, and then you could tweak as needed to finish and complete the NatHERS component (which was voluntary at the time).

ABSA does not support a merit assessment pathway without clear improvements compared with BASIX, and transparent application by Building Surveyors.



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