

Mr Carlos Flores
NABERS Program Manager
Office of Environment and Heritage
59 Goulburn Street
SYDNEY NSW 2001

Via email: nabers@environment.nsw.gov.au

17 March 2017

Dear Mr Flores,

Re: Proposed Changes to NABERS Governance

The Green Building Council of Australia (GBCA) welcomes the review of NABERS governance arrangements, and the opportunity to provide feedback on the changes proposed to help ensure the ongoing success of the NABERS program in the years ahead.

The GBCA has long enjoyed a strong collaborative relationship with NABERS, and this has been enhanced and supported through the work of the National Steering Committee (NSC) and Stakeholder Advisory Committee (SAC). Nonetheless, this review of these arrangements is appropriate to help ensure the program continues to deliver against its objectives.

We note that since this review was initiated in 2014, the joint meetings of the NSC and SAC have been effective in providing constructive input into strategic and operational decisions affecting NABERS. These joint meetings have facilitated collaborative relationships across government and industry, and delivered valuable broad-based discussions on key issues.

We recommend that the breadth of representation and scope of discussion currently reflected through the joint NSC SAC meetings be retained in any future governance arrangements.

The proposed Leadership Group, and the expectation that members of this Group vote in the interest of the NABERS program and its objectives ahead of their background or other roles, may not deliver the objectives sought by this review. This requirement risks creating new potential conflicts of interest for industry representatives, and may limit the willingness of representatives to nominate for this Group. Any voting rights for industry representatives would need to be accompanied by transparent policies and processes to manage conflicts of interest whilst still providing opportunity for industry input on specific issues. Given government representatives appropriately retain decision making for all government-funded development and innovation projects through the proposed Government Forum, there is a strong argument for government representatives to retain voting rights over broader strategic direction as an extension of these funding decisions. We note however, the opportunity for these strategic decisions to be exercised more transparently (as flagged through the proposed Leadership Group) with industry present through the creation of a Group similar to that formed through current joint NSC SAC meetings. Were voting rights extended to industry representatives on the Leadership Group, the demarcation in responsibilities between the Leadership Group and the Government Forum would need to be more clearly established.

Given the time that has elapsed since this review was initiated, we recommend further consultation with industry and government representatives on appropriate voting rights and how these would be exercised in practice. This consultation should be informed by the outcomes of this review and stakeholders' perspectives on existing governance arrangements.

The creation of an Industry Forum to encourage broader stakeholder engagement is commendable. This should be considered further alongside the recommendations above, and with a view to a terms of reference and structure for this Group that provides an additional communication and information gathering mechanism as useful.

Please do not hesitate to contact me by phone on (02) 8239 6200, or via email at jonathan.cartledge@gbca.org.au to discuss any aspect of this submission further.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Jonathan Cartledge', written in a cursive style.

Jonathan Cartledge
Senior Manager – Government & Industry