



# **Response to Productivity Commission Draft Research Report into the Reform of Building Regulation**

**October 2004**

**Australasian Fire Authorities Council  
Level 5/340 Albert Street  
East Melbourne Victoria 3002  
Telephone: +61 3 9419 2388  
Web: [www.afac.com.au](http://www.afac.com.au)**

## **1. Introduction:**

Following a submission to the *Productivity Commission Research Study into the Reform of Building Regulation* in May 2004, the Australasian Fire Authorities Council (AFAC) welcomes the opportunity to provide comment on the *Productivity Commission Draft Research Report into Reform of Building Regulation*, released in late August 2004.

As outlined in our earlier submission, the achievement of building regulatory reform was one of the key drivers underpinning the establishment of the AFAC in 1993. Since that time, AFAC has continued to pro-actively represent its members on the Australian Building Codes Board (ABCB) Building Codes Committee and a number of ABCB and Standards Australia technical committees, contributing to, and influencing the regulatory reform process.

The recognition of AFAC's significant contribution to this process is evident in the comprehensive *Productivity Commission Draft Research Report into Reform of Building Regulation* which has clearly adopted a significant number of AFAC recommendations as presented in May this year. The fire services strongly believe that their peak body should continue to play a leading role as a key stakeholder in the regulatory process, both now and following the implementation of the new Inter Governmental Agreement (IGA) and the Australian Building Regulation Board (ABRB).

AFAC fully supports the proposed ABCB goal of addressing the “disconnect between the objectives of the fire safety provisions of the BCA and those of State and Territory legislation on fire brigade services, regarding the fire protection of property.” AFAC also supports the need to re-emphasise that the core activity of the Board is to better articulate the performance-based requirements of the Code.

AFAC congratulates and supports the Productivity Commission on its finding to implement a new IGA, so as to:

- replace the Australian Building Codes Board (ABCB) with the Australian Building Regulation Board (ABRB)
- clarify the objectives of building regulation reform
- agree to shared and increased funding and removal of charges for the BCA
- strengthen the commitment to national consistency
- emphasise the importance of the ABRB giving priority to its core business
- strengthen the use of regulatory impact statements
- outline the future work agenda, drawing on recommendations from this study.

In the spirit of the consultative process, however, AFAC has identified a number of key areas which have either been overlooked, or are in need of clarification by the Productivity Commission. Some of these areas continue to pose serious concerns for our members and it is thus incumbent upon AFAC to draw these to the attention of the Commission.

## **2. Key issues:**

This paper will examine the specifics of AFAC's concerns and will recommend strategies to address and minimise those concerns. Some of these strategies re-emphasise the position presented in the original AFAC submission and are reiterated here specifically to highlight their significance to the AFAC stance. The following areas relating to the objectives and operation of the ABCB (or its replacement) and the BCA are addressed:

- 2.1: Conflict with fire service objectives – the need to incorporate issues of environmental protection and sustainability and define 'asset protection'.
- 2.2: Stand alone residential housing to be included in asset protection considerations.
- 2.3: The need to realign the regulatory framework with community expectations.
- 2.4: Application and coverage of BCA for life of the building.
- 2.5: Fire service representation on key decision making bodies.
- 2.6: Disabled egress as well as access.
- 2.7: Plumbing and Gas Code.
- 2.8: Code making processes and access.

## **2.1 Conflict with fire service objectives – the need to incorporate issues of environmental protection and sustainability and define 'asset protection'.**

As outlined in AFAC's previous submission, the fire services have an obligation under their enabling legislation to protect buildings and their contents from fire, and in the case of some services, this responsibility extends to protection of the environment from the effects of fire. In contrast, the current national building regulatory framework does not have these objectives, but rather, has an obligation to minimise the cost of buildings construction while ensuring the maintenance of adequate life safety provisions.

AFAC members hold to the belief that this narrow focus has provided a situation in which developers and builders, through the increasing use of fire engineering solutions, seek to limit the application of fire safety and suppression provisions to those which support the safe evacuation of building occupants as a sole objective – i.e. "the evacuate and let it burn" culture.

While "the environment" is included in the proposed mission statement of the ABCB (or its replacement) and the *Productivity Commission Draft Research Report into Reform of Building Regulation* notes that "a national approach and a rigorous assessment system needs to be applied to this momentum for energy-efficient buildings, and more generally in relation to environmental objectives", it is AFAC's opinion that such statements do not adequately reflect the concerns relating to the environment and sustainability as highlighted in AFAC's previous submission. More significantly, environmental and sustainability issues are not clearly enunciated in the Future Work Agenda of the IGA.

In a further attempt to align ABCB and BCA objectives to those of the fire services on issues involving the protection of life, property and the environment, ***AFAC members reiterate their request for the introduction of regulatory provisions that would support the fire services in containing a fire to the fire compartment of origin.***

With reference to the issue of sustainability, in response to a question presented in the *Productivity Commission Issues Paper*, which read:

*As well as energy efficiency, what other aspects of building design, construction and use could potentially be subject to sustainability considerations? What is the most useful definition of sustainability? Is there community consensus over what is a desirable level of sustainability for buildings?*

AFAC previously stated:

*Sustainability in this context aims to reduce negative health and environmental impacts from the building design and construction process. A sustainability objective would be to not allow:*

- *a building to burn, or*
- *a fire event to escalate in isolation,*

*thereby helping to overcome the subsequent social, economic and environmental impacts a fire phenomenon is likely to create. The specification of a minimum building design life would contribute to sustainable design considerations. AFAC strongly supports the concept of introducing “sustainability” into the BCA as an objective.*

AFAC and its members believe that many of their concerns relating to sustainability could be resolved by first determining the levels of asset protection and life safety (See AFAC Recommendation 4). This also needs to be considered in reference to stand alone residential housing. (See Section 2.2 of this document)

While AFAC fully supports the reference in the *Productivity Commission Draft Research Report into Reform of Building Regulation* to asset protection, its members seek the opportunity to assist in further redefining parameters of asset protection to ensure effective consideration of, and commitment to this issue.

The issue of life safety and/or asset protection is interlinked with the issue of the performance requirements. If the performance requirements do not adequately address these issues then a “disconnect” will continue. To illustrate, in the current BCA arrangements the deemed-to-satisfy provisions contain a level of asset protection, whereas the performance requirements deal only with life safety.

In order to minimise the “disconnect” identified in the Productivity Commission draft report, AFAC proposes that an acceptable level of asset protection and life safety be determined at the outset and then measured by an appropriate tool, i.e. measurement of efficiency, as indicated in the report. Once these levels have been determined the development of performance requirements would then follow and, subsequently, deemed-to-satisfy provisions, and/or acceptable construction practices, would be formulated.

AFAC and its member agencies acknowledge the challenges that face us all in addressing the “disconnect between the objectives of fire safety provisions of the BCA and those of State and Territory legislation on fire brigade services,” but as a body, AFAC stands ready to work cooperatively with the ABCB (or its replacement) to address those challenges.

**Recommendation 1:**

That environmental protection and sustainability are addressed in the Future Work agenda of the IGA.

**Recommendation 2:**

That the ABCB mission statement be amended to address the specifics highlighted by AFAC. The revised statement to read as follows:

*In addressing issues relating to health, safety, amenity, **asset protection** and the environment, to provide for efficiency in the design, construction and use of buildings through the creation of nationally consistent building codes and standards and effective regulatory systems.*

**Recommendation 3:**

That the final report acknowledge the need to introduce regulatory provisions that would support the fire services in containing a fire to the fire compartment of origin and that an acceptable level of asset protection and life safety be determined at the outset and then measured by an appropriate tool. The development of performance requirements, deemed-to-satisfy provisions, and/or acceptable construction practices, would then follow.

**2.2 Stand alone residential housing to be included in asset protection considerations**

It is AFAC's belief that the decision to omit 'stand alone residential housing' from the asset protection arena, as outlined in the Productivity Commission's Draft Recommendation 6.8, needs to be seriously reconsidered. When the "Total Cost of Fire" is included as part of any cost benefit analysis covering changes to the provisions for stand alone residential housing, asset and other protection measures become cost effective. It should also be re-emphasised here that the requirements to meet asset protection objectives are a statutory obligation for the fire services - not imposed **by** the fire services, as stated in Draft Recommendation 6.8, but rather imposed **on** them by their jurisdictional legislation.

There are a number of specific areas relating to stand alone residential housing which need consideration by the ABCB (or its replacement), and which illustrate the criticality of including this classification within the asset protection arena:

- 'Greenfield' developments/enclaves/gated communities – the emergence of these newer style developments create a number of problems for the fire services, including access through security barriers, narrow roads, lack of firefighting water due to the increasing use of rainwater water tanks and grey or recycled water.

In these new self-sufficient suburbs, there is no reticulated portable water to homes and factories. All residential, commercial, and industrial wastewater is collected, treated and recycled by a local wastewater treatment plant, and storm water is managed locally. Rainwater tanks provide drinking water and water for other household and industrial uses. Recycled wastewater is used in toilets, the laundry and to water the garden. Under this new scenario water mains, which previously provided water for firefighting through fire hydrants, will cease to exist. AFAC refers to two recent reports which highlight some of the concerns raised

- In 2001 "A Cost-Benefit Analysis of Home Sprinkler Systems" project was undertaken, on AFAC's behalf, by the Worcester Polytechnic Institute (USA). The report highlighted the cost benefits of home sprinkler systems for 'greenfield' sites in Victoria, in terms of both property and life safety. (The Executive Summary of this report is available at Appendix One).

A study into sustainable urban water supply, through a joint initiative of CSIRO Urban Water and Brisbane City Council, focused on a proposed 'greenfield' development site located in the Brisbane suburb of Heathwood. (An extract from the CSIRO media release on this project, "Disconnecting new suburbs from the water main" - Ref 2003/71 - Apr 30 , 2003 is attached at Appendix Two)

- Bushfire prone development – again the objectives of the BCA and those of the fire services are in conflict, particularly in reference to the Australian Standard 'Construction of Buildings in Bushfire Prone Areas'. Defining an acceptable level of asset protection and life safety is critical to resolving this conflict.
- The ABCB (or its replacement) should also address current trends in the construction practices for stand alone residential housing (Class one buildings) and the implications for life safety. Currently, the full connotations of these practices on life safety (including hazard to firefighters) are disregarded. The life safety of occupants is considered though the provision of smoke alarms, but no deemed-to-satisfy or performance requirements are included.

AFAC's member agencies are now witnessing an increasing number of fires in multilevel stand alone residential house fires, in which construction techniques and building material usage place residents at serious risk. Firefighters are also being placed in situations in which rescue must be performed, when a structure is unsuitable for entry, particularly multi level residences. Life safety (including hazards to fire-fighters) is not considered; nor the fire durability of their particular type of construction. There is no deemed-to-satisfy or performance measurement for egress in relation to construction methods & materials used in stand alone housing. (In recent times manufacture of low cost alternatives to original timber construction has seen materials in use which have arguably significantly shorter

life in fire conditions due to increased combustibility of adhesives etc.). (A recent report on one such fire is attached at Appendix Three).

In summary, AFAC believes that there is a demonstrated need to include stand alone residential housing in the work to be undertaken in increasing the asset protection objective of the BCA, and that this should be achieved in consultation with interested parties (especially fire authorities).

**Recommendation 4:**

That the Productivity Draft Recommendation 6.8 be amended to include stand alone residential housing. The revised recommendation to read as follows:

*The ABCB (or its replacement) should pursue, in consultation with interested parties (especially fire authorities), increasing the asset protection objective of the BCA in relation to building categories, ~~other than~~ **including** stand alone residential housing, to align with the requirements generally imposed by fire authorities and favoured by insurance companies.*

**Recommendation 5:**

That the ABCB (or its replacement) redefine asset protection to include life safety issues (including firefighter safety) for stand alone residential housing.

**2.3 The need to further define “community expectations” and to ensure that the objectives of the regulatory framework are aligned to those of the community.**

With reference to the revised ABCB mission statement:

*In addressing issues relating to health, safety, amenity and the environment, to provide for efficiency in the design, construction and use of buildings through the creation of nationally consistent building codes and standards and effective regulatory systems.*<sup>1</sup>

AFAC believes that, given the current parameters of the Regulatory Impact Analysis (RIA) - which has not achieved a true assessment of appropriate community expectation, but more of a cost benefit analysis - the omission of “community expectation” from the proposed mission statement is not sufficient and does not reflect the broader view of the community. Moreover, the RIA as outlined in the *Productivity*

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<sup>1</sup> Productivity Commission Draft Research Report into Reform of Building Regulation p. XXIV

*Commission Draft Research Report into Reform of Building Regulation* does not seem to fully capture the significance of this issue.

AFAC would certainly support the statement that the ABCB should continue “to pursue improvement” in its use of the RIA, although it is noted that this is not reflected in the ABCB Future Work Agenda as outlined in the report, an omission that AFAC would seek to rectify.<sup>2</sup> AFAC also seeks to clarify how that “improvement” should be addressed by first, supporting the submission statement of the Tasmanian Building Regulation Advisory Committee that risk assessment would be more appropriate than cost assessment in relation to health and safety issues<sup>3</sup>; and secondly, by re-emphasising AFAC’s own position regarding the definition of “community expectations” and the incorporation of the concept of the *Total Cost of Fire*.

AFAC believes that the community expects that their properties will remain protected, that the negative impact on the environment from fire will be contained and that community and business disruption, whether a building is used as a hospital, school or a factory, will be kept to a minimum. Further, in the case of residential homes and where buildings house multiple occupants (eg. townhouses, flats, and apartment buildings), the community expects that the potential for fire spread from one occupancy to another will be prevented by the building’s features.

AFAC reiterates its belief in the great merit of incorporating the *Total Cost of Fire* concept into the economic indicators that currently underpin the regulatory framework. Using this more holistic approach the full range of direct and indirect socio-economic consequences of fire must be considered when assessing fire cost. These consequences include:

- death and injury
- physical damage to buildings and contents
- consequent loss of production, loss of sales, goodwill and so on
- administrative costs associated with insurance
- provision of fire response
- risk prevention measures.

Community expectation also needs to be reviewed in terms of asset protection. This need is evident in the IGA Future Work Agenda, which states that it will “consult with interested parties (especially fire authorities) to increase the asset protection objective of the BCA for buildings.”<sup>4</sup> However, to ensure that this is addressed sufficiently, asset protection should clearly be added to the mission statement (See AFAC Recommendation 2) and the ABCB objectives and recommendations as outlined in the *Productivity Commission Draft Research Report into Reform of Building Regulation*.

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<sup>2</sup> *Productivity Commission Draft Research Report into Reform of Building Regulation*, p. 215.

<sup>3</sup> *Productivity Commission Draft Research Report into Reform of Building Regulation*, p. 214.

<sup>4</sup> *Productivity Commission Draft Research Report into Reform of Building Regulation*, p. 308

**Recommendation 6:**

That the pursuit of improvements to the Regulatory Impact Analysis, including the specifics highlighted by AFAC (stand alone housing and Total Cost of Fire), be incorporated into the IGA Future Work Agenda.

**Recommendation 7:**

That the economic indicators that currently underpin the regulatory framework incorporate a further requirement “*Total Cost of Fire*”, when considering economic impacts of regulatory change. Accordingly, the full range of direct and indirect socio-economic consequences of fire must be considered when assessing fire cost.

**Recommendation 8:**

That the ABCB Proposed Objective 1 be amended to address the specifics highlighted by AFAC. The revised objective to read as follows:

*Proposed Objective 1: Establish building codes and standards that are the minimum necessary to address efficiently relevant health, safety, amenity, **asset protection** and environmental concerns.*

**Recommendation 9:**

That the Draft Recommendation 5.4 be amended to address the specifics highlighted by AFAC. The revised recommendation to read as follows:

*The BCA and related regulations should require that buildings continue to meet the health and safety and **asset protection** requirements of the BCA throughout their life, irrespective of whether they were constructed using alternative solutions or deemed-to-satisfy provisions.*

**2.4 Application & coverage of BCA for life of building:**

AFAC and its member agencies believe that the fire safety provisions of a building should be maintained *throughout* the life of the building.

Generally, these provisions would be as approved at the time of occupancy, or to meet the upgraded requirements of a certifying body. Currently, the BCA is generally

considered to be a “Design and Construct” code rather than “Whole of Life” building code, a concept which AFAC believes needs review.

As such, AFAC fully supports the focus on maintenance in Draft Recommendations 5.5 and 7.2 as follows:

Draft Recommendation 5.5

*Where a building solution imposes maintenance requirements throughout the life of a building, these should be required by regulation to be documented and prospective owners and occupiers should be informed of these requirements.*

Draft Recommendation 7.2

*The ABCB (or its replacement) should work towards reaching agreement across jurisdictions as to the most appropriate and efficient administrative provisions for maintenance requirements.*

However, AFAC notes that despite this recognition of the issue of maintenance provisions throughout the *Productivity Commission Draft Research Report into Reform of Building Regulation*, it has been omitted from the IGA Future Work Agenda. AFAC therefore requests that the Productivity Commission include maintenance provisions in the agenda.

**Recommendation 10:**

That Draft Recommendation 7.2 is expanded to address the specifics highlighted by AFAC. The revised recommendation to read as follows:

*The ABCB (or its replacement) should work towards reaching agreement **across jurisdictions with all key stakeholders to progress the BCA from a “Design and Construct Code” to a “Whole of Life Building Code”, and for the most appropriate and efficient administrative provisions for maintenance requirements to be introduced under the “Whole of Life Building Code” concept.***

**Recommendation 11:**

That the issue of maintenance provisions be incorporated into the IGA Future Work Agenda.

## **2.5 Lack of fire service representation on key decision making bodies**

As evident throughout the *Productivity Commission Draft Research Report into Reform of Building Regulation*, a significant proportion of the technical provisions of the Building

Code (both now and in the future), including many critical issues, are related to fire safety. And, in recognition of the critical role the fire services play in this arena, AFAC has provided continuous valuable input to ABCB sub-committees and working parties and exists to represent agencies whose role is to protect life, property and the environment.

Yet despite this recognition, and the knowledge of the unifying role that the fire services play as the interface with Standards, the insurance industry, State and Territory Building Regulatory Advisory Councils and their equivalents, and the ABCB Building Codes Committee, AFAC notes that their recommendation for 'the increased involvement of AFAC in the entity charged with building regulatory responsibilities both now and in the future', has been overlooked by the Productivity Commission.

AFAC also notes that reference is made in the draft report to the ABCB (or its replacement) having direct industry representation on the peak decision making board, yet this representation seems to be limited to the "Design and Construct" sector of the industry. AFAC contends that in selecting industry representation on the Board of the ABCB (or its replacement) the definition of "industry" needs to be broadened to incorporate the wider spectrum of associated key stakeholders. This would include AFAC and other representative groups, such as the Fire Protection Industry Association and the Insurance Industry.

Consequently, AFAC reiterates the request that it be given formal status as a Board Member of the ABCB (or its replacement), joining other national groups such as the Australian Local Government Association, the Royal Australian Institute of Architects and other building design and property representatives.

**Recommendation 12:**

That AFAC be given formal status as a Board Member of the ABCB (or its replacement).

## **2.6 Disabled Egress as well as access**

In the *Productivity Commission Draft Research Report into Reform of Building Regulation* it is noted that the ABCB (or its replacement) 'should continue to work on amending the BCA whereby the access provisions would be linked to the Disability Discrimination Act 1992 (DDA) so that compliance with the Building Code would also ensure compliance with requirements of the DDA.'

AFAC notes that the ABCB (or its replacement) should, in fact, move to implement DDA **egress provisions** to be aligned with the access provisions. The implications of not aligning these provisions, particularly the potential impact on life safety and fire service operations (i.e. firefighter safety and resource implications) in buildings where DDA access, but not egress requirements have been met, are immense.

AFAC fully supports a speedy resolution of the alignment of these two provisions and has been part of the process that has identified a number of proposed strategies for the BCA, as follows:

- Horizontal egress, (such as evacuation directly outside the building or evacuation to an area of improved safety i.e. another adjacent fire or smoke compartment or a temporary holding area to await fire brigade staff) or;
- Egress using mechanised vertical transport, (elevators and stair lifting devices are the prime method proposed for this strategy, although elevators have their limitations) or;
- Egress using stairs or ramps, (visibility, width - especially where persons with disabilities may have an impact on overall evacuation efficiency - way-finding and signage are key considerations) or;
- Any combination of the above.

However, AFAC and its member agencies hold strongly to the position that management provisions should *not* be considered an effective alternative to in-built provisions. Egress provisions *must* be aligned to access provisions through the correct regulatory process.

**Recommendation 13:**

That the ABCB (or its replacement) move to implement Disability Discrimination Act (DDA) **egress provisions** to be aligned with the access provisions and that the DDA egress provisions are incorporated into the IGA Future Work Agenda

## 2.7 Plumbing and Gas Code

In the *Productivity Commission Draft Research Report into Reform of Building Regulation*, it is stated that the ABCB (or its replacement) ‘should continue to work with the eight plumbing associations to identify and resolve differences between the BCA and the PCA and on-site gas requirements’<sup>5</sup>. It is AFAC’s belief that the ABCB (or its replacement) should also explore the harmonisation between the BCA and the Plumbing and Gas Code(s) in relation to life safety issues/asset protection e.g. Emergency shut-off systems.

**Recommendation 14:**

That the ABCB (or its replacement) explore the harmonisation between the BCA and the Plumbing and Gas Code(s) in relation to life safety issues/asset protection.

## 2.8: Code making processes and access

In Chapter 8 of the *Productivity Commission Draft Report into Reform of Building Regulation*, which outlines issues relating to the processes employed in developing and amending the BCA, including processes for referenced standards, it is stated that the:

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<sup>5</sup> *Productivity Commission Draft Research Report into Reform of Building Regulation*, p. XXXIV.

*“process for developing additions and amendments to the BCA involves extensive research and consultation, with input from the community, industry, professional and specialist technical organisations, as well as the Australian, State, Territory and Local Governments. This is facilitated through a network of technical and advisory committees, as well as through open community consultation.”<sup>6</sup>*

AFAC seeks to place particular emphasis here on the need to reinforce the consultative process and, as such, strongly believes that statements, recommendations and objectives of the Productivity Commission pertaining to the development of standards should include reference to consultation with key stakeholders.

In addition, AFAC seeks clarity in the Productivity Commission definition of ‘International Standards Forums’, which could include a wide variety of bodies such as International Standards Organisation (ISO), National Fire Protection Association (NFPA), European Union (EU) IEC (International Electrotechnical Commission) or Standards New Zealand. In the Productivity Commission Proposed Objective 2, for example, it is unclear as to the scope of the reference to International Standards and, as such, the wording (and the consultative process to be applied) needs clarification, as suggested below:

*Proposed Objective 2*

Ensure that, to the extent practicable, mandatory requirements are:

- consistent across the States and Territories
- performance based (AFAC requests that a definition of performance based be part of the report)
- **where appropriate, based on International Standards Organisation (ISO) standards**
- expressed in plain language.

As key stakeholders, AFAC would require input into the development of the international standards proposed for adoption.

With reference to the Productivity Commission Draft Recommendation 8.3:

*The Memorandum of Understanding between Standards Australia International (SAI) and the ABCB and the Referenced Documents Protocol should be re-negotiated to provide for a clear requirement for RIS-type analysis to be undertaken by SAI (perhaps in conjunction with ABCB, or its replacement) at an early stage in the development of standards that are expected to be referenced in the BCA, and are likely to have non-minor effects.*

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<sup>6</sup> Productivity Commission Draft Research Report into Reform of Building Regulation, p.205.

AFAC supports the need for a RIS-type analysis to be undertaken, but seeks further clarification of the wording of the recommendation. Where possible, the analysis should be a combined task of the ABCB (or its replacement) and SAI.

**Recommendation 15:**

That the term 'International standards forums' be defined as International Standards Organisation (ISO) standards

**Recommendation 16:**

That key stakeholders have input regarding the issue of having the ABCB (or its replacement) perform the role of sole representative in international forums for building and construction matters, perhaps in conjunction with SAI.

**Recommendation 17:**

That *if* the ABCB (or its replacement) does perform the role of sole representative in international forums for building and construction matters, perhaps in conjunction with SAI, it should report to the ABCB Building Codes Committee (BCC) for technical advice, as well as the appropriate Australian Standards committee that "mirrors" the ISO Committee.

**Recommendation 18:**

That the Draft Recommendation 8.2 be amended to address the specifics highlighted by AFAC. The revised recommendation to read as follows:

*The Australian Government should **consult with key stakeholders and** examine the appropriateness of a private company (Standards Australia International) being the sole Australian representative in international standards forums and consider the merits of having the ABCB (or its replacement) also perform this role for building and construction matters, perhaps in conjunction with SAI.*

## Summary of Recommendations:

### Recommendation 1:

That environmental protection and sustainability are addressed in the Future Work agenda of the IGA.

### Recommendation 2:

That the ABCB mission statement be amended to address the specifics highlighted by AFAC. The revised statement to read as follows:

*In addressing issues relating to health, safety, amenity, **asset protection** and the environment, to provide for efficiency in the design, construction and use of buildings through the creation of nationally consistent building codes and standards and effective regulatory systems.*

### Recommendation 3:

That the final report acknowledge the need to introduce regulatory provisions that would support the fire services in containing a fire to the fire compartment of origin and that an acceptable level of asset protection and life safety be determined at the outset and then measured by an appropriate tool. The development of performance requirements, deemed-to-satisfy provisions, and/or acceptable construction practices, would then follow.

### Recommendation 4:

That the Productivity Draft Recommendation 6.8 be amended to include stand alone residential housing. The revised recommendation to read as follows:

*The ABCB (or its replacement) should pursue, in consultation with interested parties (especially fire authorities), increasing the asset protection objective of the BCA in relation to building categories, ~~other than including~~ stand alone residential housing, to align with the requirements generally imposed by fire authorities and favoured by insurance companies.*

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**Recommendation 9:**

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**Recommendation 10:**

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*The ABCB (or its replacement) should work towards reaching agreement **across jurisdictions with all key stakeholders to progress the BCA from a “Design and Construct Code” to a “Whole of Life Building Code”, and for the most appropriate and efficient administrative provisions for maintenance requirements to be introduced under the “Whole of Life Building Code” concept.***

**Recommendation 11:**

That the issue of maintenance provisions be incorporated into the IGA Future Work Agenda.

**Recommendation 12:**

That AFAC be given formal status as a Board Member of the ABCB (or its replacement).

**Recommendation 13:**

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**Recommendation 17:**

That *if* the ABCB (or its replacement) does perform the role of sole representative in international forums for building and construction matters, perhaps in conjunction with SAI, it should report to the ABCB Building Codes Committee (BCC) for technical advice, as well as the appropriate Australian Standards committee that “mirrors” the ISO Committee.

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*The Australian Government should **consult with key stakeholders and** examine the appropriateness of a private company (Standards Australia International) being the sole Australian representative in international standards forums and consider the merits of having the ABCB (or its replacement) also perform this role for building and construction matters, perhaps in conjunction with SAI.*

[The Commission is checking availability of attachments, which are documents by third parties – they may be made available at a later date]