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To: The Productivity Commissioner
Building
PO Box 80
Belconnen
ACT 2616

Friday 10th Sept 2004

Dear Sirs

Re: Draft Report on the Reform of Building Regulation.

I have a couple of comments regarding the draft report of Aug 2004:

p.xx Suggesting that "aesthetics" (ie. preventing "aesthetics that offends neighbours",
p.xxii) be a justification for building regulation is unworkable.

p.xxvii The assertion that "performance based regulation and alternative solutions have led to significant cost savings and more modern and innovative designs" needs verification. I have heard anecdotally of outcomes of alternative fire solutions being un-insurable risks at the completion of the project because they are not 'deemed-to-satisfy' (supported by comment p.xxix).

I strongly endorse Recommendation 5.5. This should be linked to the promotion of 'whole-of-life' costing for buildings through sustainability criteria.

The requirements of the Disability Discrimination Act 1992 are extreme and goes against the principle of the greatest good for the greatest number. The BCA should be used to establish a **minimum** and **reasonable** standard for building provision.

The transfer of certification powers from risk averse Governments (p.xxxi) to the private sector will eliminate small certifier practices due to the unaffordability of Professional Indemnity insurance. Moreover, I understand that clients are requiring certifiers to carry larger PI coverage than the insurers will reasonably provide. These factors are likely to restrict the number of certifiers, which is an anti-competitive outcome.

The building industry is one of the few which absorbs a significant number of unschooled and unskilled workers. Demanding greater certification and education will impact on the strata of society having the least alternatives.

Yours sincerely,

Dr David Leifer