

**PRODUCTIVITY COMMISSION SUBMISSION**

**Submitted by:        Ronald A Swane AM  
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**Introduction**

This submission is made in my capacity as an independent industry member of the ABCB Building Codes Committee [BCC] since its inception and represents my own personal views only.

Previously I was a Member of the AUBRCC Technical Committee and Chairman of the then formally constituted Industry Liaison Committee. I now Chair an informal Industry Liaison Committee made up of organisations many outside the formal ABCB network yet with an ongoing interest in the development of Australian building regulations. I am also a Member of the NSW Building Regulations Advisory Council and have been acting in this capacity for more than 25 years.

The submission prepared focuses on issues of particular interest to the writer rather than attempting to address the various issues raised in the questions prepared by the Productivity Commission.

**General**

From the writer's perspective, the ABCB and its supporting staff have by and large been fulfilling the objectives prescribed by the JAG for building regulatory reform. Without it, the technical regulatory requirements of the different States and Territories would have continued to remain at variance, with a significant cost penalty and considerable frustration to all sectors of the building industry.

The introduction of performance-based building regulations in the BCA has provided an opportunity for industry to develop and introduce alternative complying solutions that has encouraged innovation in both building practices and processes.

Of more recent times, there has been a concentration of effort by ABCB on issues of social and political significance such as access / egress, aged care facilities, energy efficiency etc that were introduced because of changing government policy and generally in response to expressed community concerns. This has resulted in some of ABCB's earlier activities receiving lesser priority, such as work on the consolidation of building regulations, further reductions in the remaining regulatory variations and in the development of a more consistent interpretation of current building regulations.

## Issues

**[1] Developing a national harmonised administrative framework** should to be given the highest priority. Most of industry's current regulatory frustration is in this area of variation between the States and Territories both in the application of regulatory requirements and building control systems adopted by them. ABCB has acknowledged this to be a high priority task but progress to date has been slow. This is probably due to the current legislative differences between States and Territories and their reluctance to implement change.

**[2] Developing an acceptable interface between planning and building regulations** is another important issue required to improve building approval processes. The current situation in New South Wales is an example where local planning requirements are used to deliberately override existing BCA requirements and sometimes without any justification and certainly without any cost consideration.

**[3] National product certification** has had a chequered history within the ABCB largely because of a position taken by some State and Territory Administrations and their desire to retain the right of veto over the acceptance of new building products and systems. Surely an economically viable and generally acceptable solution to this problem can be achieved.

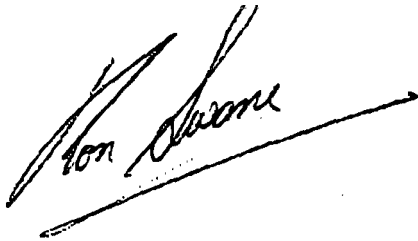
**[4] Increasing the ABCB's international perspective on building regulations** can be expected to provide opportunities to increase the export of Australian building products and services. While ABCB has already made meaningful progress in this regard opportunities still remain to increase and improve relationships with other countries especially those in the Asian region. In this regard I speak as a Past Secretary General of the International Federation of Asian and Western Pacific Contractors Associations [IFAWPCA] and as a continuing member of its Research and Technical Sub-committee.

I fully support the adoption of ISO standards as well as British and / or European standards by the BCA when this is appropriate and would enable further export opportunities.

I question the point allegedly raised by Standards Australia on page 11 of the Issues Paper that states, quote: *in the area of building and construction "no significant International Standards exist"*. This is incorrect.

[5] In the Issues Paper on page 2 it lists a number of important players upon whom the BCA impacts. **However, no mention is made of end-users such as owners, occupiers, and tenants etc of buildings and the particular needs of these people.** Quality of workmanship, longevity of buildings and suitability for purpose are issues of increasing concern to the ABCB as well as State and Territory Administrations.

[6] The ABCB and the BCA are required to consider health, safety and amenity as recognised on page 4 of the Issues Paper. **One of the difficulties is to keep pace with changing community expectations.** Compare the first home that our parents acquired to that which our grand-daughter considers acceptable. These changing expectations may not be economically rational, but they are a reflection of rising affluence and should be considered in a regulatory sense through the building regulations.

A handwritten signature in black ink, appearing to read 'Ron Swane', written over a horizontal line.

Ronald A Swane AM