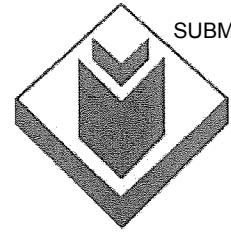




## Australian Building Codes Board

House of Representatives Standing Committee  
on Environment and Heritage  
Parliament House  
CANBERRA ACT 2600



SUBMISSION 109



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Dear Committee

### **Inquiry into a Sustainability Charter**

I note that in the course of your inquiry, you have received submissions suggesting a role for the Building Code of Australia (BCA) under a Sustainability Charter. I welcome the opportunity to advise the committee of the current situation with the BCA and sustainability.

The BCA is written by the ABCB as a joint initiative of all three levels of Government in Australia as well as industry. The mission of the ABCB is to address issues relating to health, safety, amenity and sustainability by providing for efficiency in the design, construction and performance of buildings through the BCA and the development of effective regulatory systems. This is set out in the Inter Government Agreement (IGA) dated 26 April 2006 between the Commonwealth, States and Territories.

The Productivity Commission report on Reform of Building Regulation (2004) endorsed the inclusion of sustainability in the Inter-government Agreement as a Board objective. Sustainability issues were also raised in the COAG Communiqué of 10 February 2006, including the suggestion of a possible role for the ABCB.

The broadened scope of the IGA is reflected in the new ABCB work program. The Board has agreed to the inclusion in its forward work program, scoping work to examine environmental impacts of buildings, starting with energy, water, indoor environmental quality and materials.

On 22 July 2004, the Hon Ian Macfarlane MP wrote to the Chairman of the ABCB noting the Board's proposed work to define sustainability issues and emphasising that regulation should only occur where there is a clear market deficiency.

In a letter to the Hon Ian Macfarlane MP on 24 June 2005, Senator the Hon Ian Campbell, Minister for the Environment and Heritage, endorsed the IGA broadening the role of the ABCB to include sustainability issues. Senator Campbell also advised that his Department had commenced a multi-year project to support the ABCB examination of specific sustainability elements. An MOU between the Australian Greenhouse Office (AGO) and the ABCB is proposed to give effect to these arrangements, subject to further advice from Commonwealth Ministers on its focus and scope.

The examination of sustainability by the Board will include rigorous assessment to ensure that:

- Consultation occurs with all levels of Government, industry and the community.
- The appropriateness of regulatory and non-regulatory instruments, including information provision and market instruments are considered.
- If there is, in fact, a case for regulation, the level and form of protection they embody would provide a net benefit.

### **AGO Sustainability scoping studies**

The ABCB is participating in two sustainability scoping studies being undertaken by the AGO that will inform the Board's future work in this area. Final reports on both scoping studies are due towards the end of 2006.

#### *1. Building Material Scoping Study*

The objective of this scoping study is to investigate the range of possible voluntary and regulatory options for improving the environmental sustainability of building materials, and analyse and broadly estimate the economic and environmental costs and benefits of such measures.

Initial indications are that while some stakeholders may like to see regulations, and have attempted to introduce requirements at a local government level, industry is not in a position to provide the necessary information about their specific products to meet those requirements.

#### *2. Water Efficiency Scoping Study*

The objective of this scoping study is to investigate the range of possible voluntary and regulatory (building or plumbing codes) options for improving the water efficiency of buildings, and to analyse and broadly estimate the economic and environmental costs and benefits of such measures. The scoping study will investigate the extent to which proposed measures to improve the water efficiency of buildings are feasible against broader realities, e.g. supply infrastructure.

The goals of this scoping study are complementary to the urban water component of the National Water Initiative (NWI), which includes a focus on increasing water conservation in domestic and commercial settings.

### **ABCB Working Group on Sustainability**

The Board has established a Working Group to recommend the scope of the Board's strategic framework concerning sustainability, for consideration by the Board and by Ministers. The Working Group has developed an initial set of objectives, in line with COAG principles for good regulatory practice, including:

- Identification of a methodology for investigating the suitability of sustainability tools that could be adopted or adapted, either for non-regulatory or regulatory use.
- Determining opportunities for early collaboration with partners (e.g. industry, planning authorities) in the development of a national sustainability policy framework relevant to the BCA.

- Identifying opportunities to limit duplication in work occurring nationally.

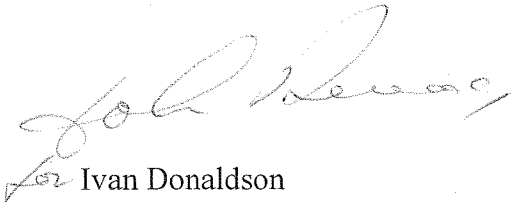
Some stakeholders are also of the view that there is a need for a single agreed national sustainability tool that rates all the relevant aspects of sustainability. The current effort has been diffused into a number of different tools, some developed by government and some by industry.

### Summary

In summary, the building and construction industry is in the early days with respect sustainability. There are many differing views as to what is sustainability and the AGO has taken the lead in determining the possible scope. We need to better understand what can be left to consumer choice, what industry can deliver and what may need regulating. There is also the need for further research and assessment for products testing and consumer and industry awareness and education.

If regulation is deemed an appropriate course, a challenge for government is how to consistently address sustainability issues while different aspects reside under different legislation.

Yours sincerely



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General Manager  
Australian Building Codes Board

5 September 2006