

BUILDING MINISTERS' FORUM

COMMUNIQUE – 8 FEBRUARY 2019

The Building Ministers' Forum (BMF) met today in Hobart to discuss progress with priority issues relating to the safety of Australian buildings, and public confidence in the building and construction industry.

Ministers discussed recent events at Opal Tower in Sydney and the Neo200 building in Melbourne and the impact on residents, owners and the Australian community. The events reinforce the importance of continuing the work already underway in all states and territories to implement the recommendations in the BMF commissioned, Building Confidence Report.

Ministers reaffirmed their commitment to developing a joint response to the recommendations of the Report. The BMF will release the joint implementation plan setting out the direction of the proposed reforms of each jurisdiction by the end of February 2019. While all jurisdictions are implementing reforms to achieve the outcomes proposed by the Report, Ministers agreed that wherever possible jurisdictions will adopt reforms consistent with those in place or proposed in other jurisdictions.

Industry representatives joined Ministers to discuss initiatives they are leading to complement BMF led reforms and to identify areas for further work. This includes continuing to improve education to lift the competency of building practitioners, and making sure they have the right information to allow them to do the right thing. Progress with educational and guidance material being developed by the Australian Building Codes Board (ABCB) that underpins several of the Building Confidence Report recommendations was also discussed.

The Industry Roundtable was also an opportunity to discuss the appropriate use of Aluminium Composite Panels (ACPs). It was noted the National Construction Code (NCC) already restricts the use of these products. Industry and Ministers agreed the focus should remain on enforcing the Code to ensure public safety and trust in our buildings. As such, governments and industry will work together to ensure our building standards are adhered to.

Ministers agreed in principle to a national ban on the unsafe use of combustible ACPs in new construction, subject to a cost/benefit analysis being undertaken on the proposed ban, including impacts on the supply chain, potential impacts on the building industry, any unintended consequences, and a proposed timeline for implementation. Ministers will further consider this at their next meeting.

Ministers also supported in-principle that building practitioners should owe a duty of care to building owners (and subsequent building owners) for residential construction work and certain commercial construction for small business, and if required this should be provided for in legislation. This will be considered again at a future BMF meeting.

Ministers were updated on work to develop an Australian Standard for permanent labelling of ACPs. To fast track this work it was agreed that a Technical Specification will be put in place first.

The ABCB presented the 2019 edition of the NCC that was released on 1 February 2019. Changes in NCC 2019 further enhance fire safety with new requirements for apartment buildings and other residential buildings above three storeys and below 25 metres to have fire sprinkler systems installed. There are also new requirements for accessible 'adult change facilities' in large public buildings such as sporting venues and airport terminals.

Ministers welcomed yesterday's announcement from Standards Australia that they will be exploring additional distribution channels following the decision of the independent arbitrator late last year. The BMF requested the Australian Government to continue working closely with Standards Australia to explore models of improved pricing and access, including an option on a genuine cost recovery basis and to report back to the BMF.

To support the COAG Energy Council's commitment to a trajectory for low energy buildings the BMF have asked the ABCB to provide further advice on:

- a. Any changes to the trajectory to ensure delivery is in collaboration with industry;
- b. A holistic review of the energy efficiency provisions in the NCC; and
- c. A regulatory impact process which can take account of regional differences.

Ministers also received an update from the ABCB on their project to examine the allowable level of lead in plumbing products. Ministers noted that consumers could assure themselves about plumbing by engaging licensed plumbers and purchasing plumbing products that carry the ABCB's WaterMark certification.

Ministers also discussed the National Review of Security of Payment Laws, and agreed the Senior Officers' Group will develop model legislation for deemed statutory trusts, for jurisdictions to draw upon.

The BMF will meet again in July 2019.