



MINISTER FOR LANDS AND PLANNING

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Mr Tony Hinton *THH 4/16*
Commissioner - Building Regulation
Productivity Commission
PO Box 80
BELCONNEN ACT 2616

Dear Mr Hinton

In response to the invitation for submissions to the review of the Australian Building Codes Board (ABCB), I am pleased to provide the following comments.

The Northern Territory Government strongly supports the concept of a national code. This is because the Territory recognises the advantages of managing the building industry as a national industry and, as the Territory is a small jurisdiction, it would not be cost effective for it to maintain a building regulatory regime in its own right.

The ABCB has been effective in developing the Building Code of Australia (BCA) that exists today and any changes to the structure of the code's administration would need to deliver at least an equal service. The BCA is an evolving and dynamic document and without a body to coordinate uniform approaches to emerging issues, there is the potential for each state and territory to develop its own individual solutions. This would negate the considerable achievements of the last decade and over time the status of the BCA as a national uniform building code would be diminished.

Nevertheless, notwithstanding the benefits of a national uniform building code, the Territory will continue to retain the power to vary provisions of the code in response to the particular circumstances of the Northern Territory, especially matters affected by climate and remoteness.

The Australian Government should remain a key participant in building control for two reasons. Firstly, the achievements to date have demonstrated how federation can work effectively as, for over a decade, all three levels of government have managed a building control regime in the best interests of the community and the building industry. A regime should be maintained to keep



abreast of the constant changes occurring in the industry and this is best done by the participation of all levels of government.

Secondly, the BCA is a powerful and effective vehicle for the Australian Government to implement its policies relating to energy efficiency, accessibility, sustainability and the like. If these matters are not addressed within the code they will emerge within Commonwealth, State, Territory and Local Government regulations and undermine the effectiveness of a national building code.

The proposed Plumbing Code of Australia (PCA) should continue to receive support from the ABCB. A separate administration for the PCA could not be justified and is not supported.

Building control in the future inevitably will include the ongoing maintenance of buildings and not just the initial construction. The future building code will need to accommodate this requirement.

I understand you conducted a hearing in the Northern Territory on 29 April 2004 at which Territory agencies were present and contributed. I am informed that at the hearing you extended the time for this submission.

I trust that this submission and the hearing have provided you with a good understanding of the matters that are relevant to the Northern Territory and I look forward to receiving your report.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Chris Burns', with a stylized, cursive script.

CHRIS BURNS

01 JUN 2004