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Design and Building Practitioners Regulation 2020
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To Whom It May Concern

DRAFT DESIGN AND BUILDING PRACTITIONERS REGULATION 2020

The Australian Sustainable Built Environment Council (ASBEC) welcomes the opportunity to provide a submission to the Draft Design and Building Practitioners Regulation 2020.

ASBEC is a body of peak organisations committed to a sustainable built environment in Australia, with membership consisting of industry and professional associations, non-government organisations and government observers who are involved in the planning, design, delivery and operation of our built environment.

Our industry members include the Air Conditioning and Mechanical Contractors Association, Australian Building Sustainability Association, Australian Institute of Architects, Building Designers Association of Australia, Energy Efficiency Council, Facility Management Association of Australia, Green Building Council of Australia, Insulation Council of Australia and New Zealand, Property Council of Australia and Royal Institution of Chartered Surveyors.

Collectively, ASBEC's membership has direct reach to more 350,000 professionals in the built environment sector and represents an industry worth more than \$700 billion in value.

▼ Energy efficiency and compliance

Buildings account for a quarter of Australia's greenhouse gas emissions and over half of the country's electricity consumption, through their operation. Implementing a comprehensive suite of policy measures could deliver \$20 billion in financial savings nationally by 2030 as well as contributing to improved health and productivity for building occupants.

ASBEC is therefore a strong advocate for strong minimum energy efficiency standards, along with a forward trajectory for future standards for buildings, equipment and appliances.

The effectiveness of these standards can only be ensured through strong compliance and a consistent approach to enforcement of the Building Code across all Australian States and Territories.

In 2018, ASBEC released [*Built to Perform: An Industry Led Pathway to a Zero Carbon Ready Building Code*](#), recommending that Australian Governments commit to a Zero Carbon Ready Building Code and deliver a step change in energy efficiency requirements in 2022. *Built to Perform* noted:

Non-compliance and under-compliance ... undermines the rights of building purchasers and occupants who are not receiving what they are legally entitled to receive under the Code, and provides an unfair advantage to operators who cut corners over those who meet required standards. This issue must be addressed as a matter of urgency if a zero carbon built environment is to be achieved by 2050.

ASBEC members strongly support the recommendations in the [*Building Confidence*](#) report (BCR), authored by Peter Shergold and Bronwyn Wier. Further to this, we are strongly committed to supporting compliance with the energy efficiency provisions in the National Construction Code to ensure these provisions are delivered cost-effectively, holistically and in a harmonised way across Australia.

We commend the establishment of the Australian Building Code Board (ABCB) Compliance Taskforce and BCR Implementation team to advance the BCR recommendations and have been very pleased to help inform their respective efforts in relation to Building Code sustainability and energy efficiency standards.

We strongly encourage the NSW Government to ensure the work undertaken by the BCR Implementation team is fully adopted and implemented in NSW, whilst ensuring streamlined regulatory outcomes and harmonisation with other jurisdictions.

Our response to the BCR, specifically focussed on compliance with the sustainability and energy efficiency provisions in the Building Code, is detailed in our recently released [ASBEC Building Confidence Recommendations Policy Response](#).

▼ Reform Priorities

We commend the NSW Government on advancing the key BCR recommendations relating to registration, education and training of building practitioners.

Appropriately skilled and qualified practitioners are essential to the delivery of building quality, as well as ensuring standards that deliver functionality over the life of the building. ASBEC supports the categories of building practitioners involved in design, construction and maintenance of buildings, listed in the BCR.

We urge that the standards for residential and commercial building sustainability and energy efficiency in the Building Code are also adequately addressed in relation to qualifications and registration of building practitioners.

Assessment of building energy is particularly complex and there is no consistent standard across Australia's States and Territories relating to competency, qualifications or accreditation in this context.

We recommend that:

- A set of competencies should be developed and enforced for Building Envelope Professionals and Facilities Professionals who undertake energy efficiency assessments using Verification Using a Reference Building (VURB), Verification Using a Stated Value (VUSV), Section J or JV3.
- All Building Envelope Professionals and Facilities Professionals who undertake energy efficiency assessments should be accredited under a national Scheme by an appropriately resourced organisation to be determined by a joint government and industry reference group.
- All practitioners who undertake installation of energy efficiency measures, including insulation and other components of building thermal envelope, should be accredited under a national Scheme. Development of training, CPD and qualifications for building energy professionals and practitioners, should be developed by the ABCB, in consultation with industry and with support from NatHERS, BASIX, NABERS, National Energy Productivity Plan and the Trajectory for Low Energy Buildings.
- The NSW Government works with other States and Territories to develop a time table that gives clarity to achieving a cross-referencing of all engaged design and building practitioners' registrations, CPD, insurances etc. against a nationally consistent permanent record associated with the completed building. (e.g. an Electronic Building Passport or log book)
- Education and training should ensure professionals and regulatory oversight authority representatives understand and take into consideration as-built requirements over the life of the building.

We look forward to continuing to work with the NSW Government in addressing compliance and enforcement of the sustainability and energy efficiency measures in the Building Code, through the nationally harmonised delivery of the BCR recommendations.

Yours Sincerely

Suzanne Toumbourou
Executive Director