



CALL FOR EXPRESSIONS OF INTEREST
& DISCUSSION PAPER FOR
PUBLIC CONSULTATION

Building Rules Advisory Committee (BRAC)

**Call for expressions of Interest
&
Discussion Paper - Proposal for the
formation of a technical advisory
committee for building matters in
Western Australia**

June 2016

(Version 1)

Expressions of interest:

The Building Commission is seeking expressions of interest from experts in the building and construction industry of Western Australia that would like to be part of the Building Rules Advisory Committee (BRAC) membership. Appointments are initially for 12 months, with possibility of extension, and are expected to commence in late 2016. Interested individuals are invited to provide the Building Commission with a Curriculum Vita of no more than two pages.

Discussion Paper:

The Building Commission is interested in receiving feedback on the issues presented in this paper. Please note that because your feedback forms part of a public consultation process, the Building Commission may quote from your comments in future publications. If you prefer your name to remain confidential, please indicate that in your submission.

As submissions made in response to this paper will be subject to freedom of information requests, please do not include any personal or confidential information that you do not wish to become available to the public.

Expressions of interest, written comments, queries and submissions should be forwarded no later than **close of business Friday, 22 July 2016**.

Submissions should be made to:

Building Rules Advisory Committee (BRAC) Consultation
Building Commission
Department of Commerce
Locked Bag 14
CLOISTERS SQUARE WA 6850

Or by email:

bcinfo@commerce.wa.gov.au

Please include 'Building Rules Advisory Committee (BRAC) Consultation' in the subject line.

Additional copies of this paper may be downloaded from:

www.commerce.wa.gov.au/building-commission/

Copies of the paper are also available from the Building Commission's Contact Centre on 1300 48 90 99.

All other telephone inquiries should be directed to 1300 48 90 99.

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1. Introduction

The Building Commission is currently considering the creation of a technical advisory committee for the purpose of considering and providing advice on technical building matters and queries regarding the requirements of building legislation, the Building Code of Australia (BCA), and related Australian Standards. The committee will be named the Building Rules Advisory Committee (BRAC).

2. The purpose of this paper

The Building Commission is seeking:

- expressions of interest from individual experts in the building and construction industry to form the membership of BRAC.
- comment as to whether the formation of BRAC, to provide advice in regards to technical building matters, will be of benefit to the building industry and local and State government agencies in Western Australia.

This discussion paper outlines a proposal to consider the formation of BRAC.

The Building Commission would like to canvass the views of all interested parties regarding the proposal set out in this paper under **section 5**. In particular, we are interested in:

- whether there is support for BRAC;
- your view on the appropriateness of the proposed functions of BRAC to review and provide advice to the Building Commission regarding:
 - proposed changes to the BCA;
 - proposed changes to the referenced documents in the BCA (eg. Australian Standards);
 - proposed changes to legislation (to the extent that they relate to applicable building standards);
 - proposed Industry Bulletins and other advisory information;
 - existing BCA provisions;
 - existing provisions in referenced documents; and
 - other matters referred to it by the Building Commission.

You can provide your submissions to the Building Commission until Friday, 22 July 2016 by:

Post: BRAC Consultation
Building Commission
Department of Commerce
Locked Bag 12
WEST PERTH WA 6872

Email: bcinfo@commerce.wa.gov.au

Please include 'BRAC Consultation' in the subject line.

3. Legislative framework

Western Australia has legislation that pertains to the formation of committees, being the:

- *Building Services (Complaint Resolution and Administration) Act 2011*

The *Building Services (Complaint Resolution and Administration) Act 2011* permits the Building Commissioner to appoint committees.

4. Background

The National Construction Code Series (NCC) is an initiative of the Council of Australian Governments (COAG) developed to incorporate all on-site construction requirements into a single code. The NCC comprises the BCA, as Volumes One and Two; and the Plumbing Code of Australia (PCA), as Volume Three. The NCC is maintained and developed by the Australian Building Codes Board (ABCB) and is amended triennially.

The Intergovernmental Agreement (IGA) for the continued operation of the ABCB and its development of the NCC was renewed in 2012. As part of this agreement, Western Australia committed to:

- the NCC setting the minimum necessary requirements for the design, construction and performance of buildings;
- reducing the number of variations that it may have to the NCC through state-based legislation;
- the consistent application of the NCC across and within each State and Territory.

To aid in fulfilling the IGA commitment, the Building Commission is currently considering the creation of a technical committee for the purpose of investigating and providing advice on technical building matters and queries regarding the requirements of building legislation, the BCA, and related Australian Standards. The committee will be named the Building Rules Advisory Committee (BRAC).

In the past, Western Australia had a Building Regulations Advisory Committee. That committee, which was dissolved prior to the Building Act, was the peak advisory body on building regulation policy in the state. The committee was a forum for regulatory authorities and industry to consider matters relevant to building regulation reform.

Currently Western Australia has a Building Commission Advisory Committee (BCAC). BCAC is an advisory forum that comprises all occupational and technical groups directly regulated by the Building Commission, plus industry stakeholder

groups that have a key and direct role in the regulated building process. Discussion and idea-sharing primarily focus on:

- policy issues;
- legislative proposals;
- industry development;
- operational issues and procedures;
- operational policy (e.g. enforcement); and
- information and education strategy.

The purpose of the BCAC is to:

- consider and advise on matters referred to the BCAC by the Building Commission;
- consider and advise on matters referred to the Building Commission by members or groups from the building and construction industry; and
- raise matters even if agreement or consensus is unlikely.

BCAC meets every three months.

The creation of BCAC means the policy functions and general building regulatory policy is now considered by that body allowing the new BRAC to focus on technical matters by a group of technical experts rather than industry representatives.

5. Building Commission proposal

It is proposed that the Building Commissioner forms the Building Rules Advisory Committee (BRAC) for the purpose of investigating and providing technical advice to the Building Commission on technical matters and issues regarding the requirements of the BCA and related Australian Standards.

The committee will have a core membership, with an additional specialist membership that can be called upon from time to time as needed. Membership of the committee is proposed to consist of individual technical experts rather than representatives of industry groups. The committee could include the following:

- Building Surveyor
- Access Consultant
- Energy Efficiency Consultant
- Mechanical / Electrical / Hydraulic Services Engineer
- Structural Engineer
- Builder – Residential
- Builder – Commercial
- Fire Safety Engineer
- Architect / Building Designers
- Bushfire Attack Level (BAL) Assessors

The Building Rules Advisory Committee members are proposed to be appointed for a 12-month term. Currently there is no proposal for members to be paid or to receive any form of remuneration.

The committee is initially intended to meet three to four times a year. Meetings will be held when convenient. The initial meeting is proposed to be no more than 3.0 hrs. The timing and duration of subsequent meetings will be decided at the first meeting. The meetings will be hosted at the Building Commission, Mason Bird Building, 303 Sevenoaks Street, Cannington. Out of sessions consideration of matters may occur on a needs basis.

The Building Commission will chair and provide administrative support for the committee.

The proposed functions of the Committee are to review and provide advice to the Building Commission regarding:

- proposed changes to the BCA;
- proposed changes to the referenced documents in the BCA (eg. Australian Standards);
- proposed changes to legislation (to the extent that they relate to applicable building standards);
- proposed Industry Bulletins and other advisory information;
- existing BCA provisions;
- existing provisions in referenced documents; and
- other matters referred to it by the Building Commission.

It is not a function of the Committee to:

- evaluate specific jobs or projects;
- be an Access Panel for the purposes of the Disability (Access to Premises – Buildings) Standards 2010; or
- provide product or system assessment or certification.

Members will not be permitted to raise issues relating to any project they may be seen to have a conflict of interest.

Matters will be confidential and should not be discussed outside of the committee, without permission of the chair.