



ABCB

Delivery of the *Building
Confidence Report*
National Framework
Public Report

December 2020

Delivery of the Building Confidence National Framework

This report details progress in delivery of the [Building Confidence National Framework](#) by the Building Confidence Report (BCR) Implementation Team (the Team). The Team previously publicly reported on its work in May 2020.

Background

The [BCR](#) was released in March 2018 and made 24 recommendations to Building Ministers to improve compliance and enforcement in the building and construction industry.

Building Ministers established the Team in July 2019 within the Office of the Australian Building Codes Board (ABCB). The Team was tasked with developing and reporting on a National Framework for the consistent implementation of the BCR recommendations, as well as the design, construction and certification of complex buildings.

The Building Confidence National Framework guides the Team's work, which is in addition to work underway in individual states and territories. Implementation of the recommendations is the responsibility of states and territories.

Consultation

Consultation is critical to the Team's work. It works closely with governments and industry through targeted consultations, recommendation-specific working groups, and forums. The Team consults and liaises with the Building Ministers' Meeting, the Senior Officials' Group and Building Regulators' Forum. Direction and advice is provided by the ABCB and Building Ministers.

The Team also seeks advice from its Experts Panel and Industry Leaders Consultative Group (ILCG).

The Experts Panel is a diverse group of eminent professionals who have been appointed in their personal capacity to provide the Team with confidential advice on how to deliver the BCR recommendations.

The ILCG, which also responds to Building Ministers' desires for industry to make a contribution to addressing problems in the sector, comprises a cross-section of industry associations and representatives who have volunteered to provide technical advice and act as a high-level forum for consultation on delivery of the National Framework.

Public consultations

In addition to targeted consultations, the Team consults publicly through the ABCB's Consultation Hub. Completed public consultations and surveys include:

- [Recommendations 1 and 2: the draft National Registration Framework for Building Practitioners](#) (open from 26 June to 23 August 2020)
- [Recommendation 7: Reporting on the auditing of commercial buildings](#) (open from 30 June to 14 July 2020)
- [Recommendation 10: the draft Model Code of Conduct for Building Surveyors](#) (open from 13 March to 24 April 2020), and
- [The draft definition for building complexity](#) (open 22 May to 1 November 2020).

Open consultations include:

- [Recommendation 7: draft Auditing and Compliance Publication Framework](#) (open 9 November 2020 to 31 January 2021),
- [Recommendations 13 – 16: discussion paper on the design documentation process](#) (open 16 November 2020 to 28 February 2021),
- [Recommendation 17: discussion paper on the draft model process for independent third party review](#) (open 7 December 2020 to 28 February 2021), and
- [Recommendation 18: discussion paper on the draft model process for mandatory inspections](#) (open 7 December 2020 to 28 February 2021).

Current status

The Team's work aims to ensure jurisdictions are afforded flexibility when implementing recommendations, with work focused on delivering benchmarked minimum model guidance for states and territories to consider drawing upon in their respective regulatory contexts.

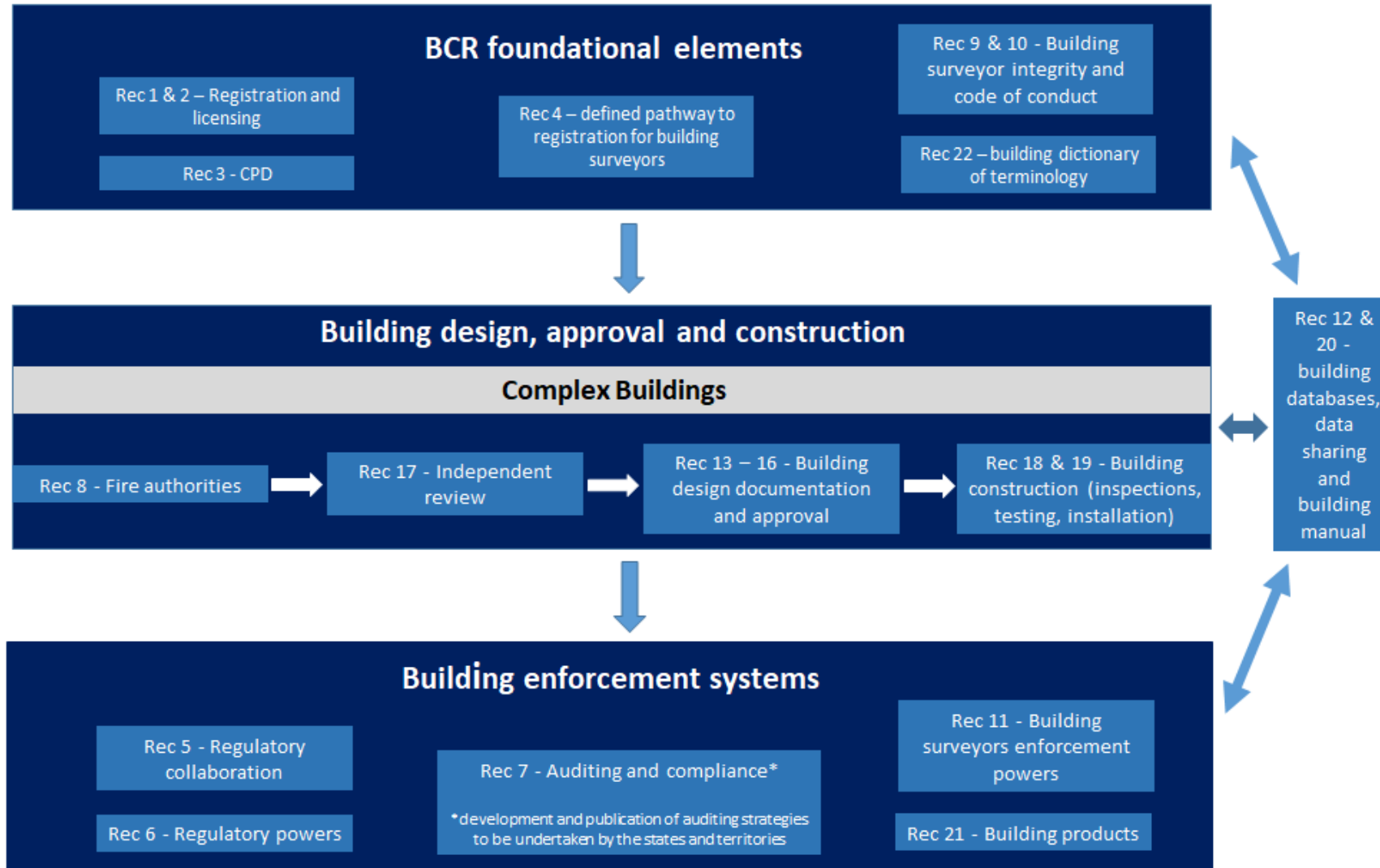
The current status of all recommendations is at Table 1 below. A visual representation of links between each recommendation is at Figure 1.

Table 1 Current status of all BCR recommendations

Status	Progress
Recommendations 1 & 2 – National Registration Framework (NRF)	Since public consultation on the draft NRF closed in August, the Team has analysed responses and is revising the NRF in response to feedback.
Recommendation 3 – Implementation Guide for Continuing Professional Development (CPD) on the National Construction Code (NCC)	The Team has established a working group to assist development of CPD scheme principles and is drafting an Implementation Guide for CPD on the NCC. This complements work by the broader Office of the ABCB to provide online CPD on the NCC.
Recommendation 4 – Career paths for building surveyors	The Team continues to consult with industry and government on options to address the issue of diminishing numbers of registered building surveyors.
Recommendation 5 – Improving collaboration between regulators	The Team developed a draft model Terms of Reference for an Intra-jurisdictional Building Regulators Cooperative Committee, which Building Ministers agreed in November 2020. The Terms of Reference may be used by regulators to improve collaboration and communication within jurisdictions.
Recommendation 6 – Effective regulatory powers	The Team developed a list of model regulatory powers. These are the minimum powers necessary to undertake effective regulatory compliance activities. Building Ministers agreed in November 2020 that jurisdictions will have regard for this list when developing legislation in future.
Recommendation 7 – Reporting on auditing of the construction of commercial buildings	Since a public consultation on reporting on auditing closed on 14 July, the Team has developed a draft Auditing and Compliance Publication Framework to guide building regulators to report on auditing in a transparent and meaningful way. The draft Framework is open for public consultation until 31 January 2021. States and territories are responsible for developing and making public their auditing strategies.
Recommendation 8 – Fire authorities in the building approval process	The Team continues to consult with jurisdictions, noting that progress on this recommendation is linked to BCR recommendations 1 and 2.
Recommendation 9 and 11 – Integrity of private building surveyors, and Role of building surveyors in enforcement	The Team is developing a draft Implementation Framework, which will be refined through targeted consultation with industry and governments.

Recommendation 10 – Code of conduct for building surveyors	Since public consultation on the draft model Code of Conduct closed on 24 April, it has been revised in response to feedback. Building Ministers noted the revised model Code in November 2020 which will be published on the ABCB website.
Recommendations 12 and 20 – Data collection and sharing and building manual	The Team established and continues to work with a steering group, comprising government and industry representatives, to develop responses to recommendations 12 and 20.
Recommendation 13-16 – Design and documentation	The Team has developed a discussion paper on the design process, which is open for public consultation until 28 February 2021.
Recommendation 17 – Independent third party review	The Team has developed a discussion paper, including a draft model process for independent third party review, which will be open for public consultation until 28 February 2021.
Recommendation 18 – Mandatory inspections	The Team has developed a discussion paper, including a draft model process for mandatory inspections, which will be open for public consultation until 28 February 2021.
Recommendation 19 – Inspection and certification of fire safety system installations	The Team continues to consult with stakeholders, noting that progress on this recommendation is linked to recommendations 1, 2 and 13 to 18.
Recommendation 21 – Building product safety	The Team is developing a draft National Building Product Assurance Framework to facilitate the appropriate use of building products and systems.
Recommendation 22 – Dictionary of terminology	The Team is working with Standards Australia and jurisdictions to develop the dictionary, which will be available at www.constructiondictionary.com.au .
Complex Buildings	The Team consulted on the definition of complex buildings and potential applications of the definition. Feedback informed revision of the definition, and Building Ministers agreed in November 2020 that the revised definition be included in the NCC 2022 Public comment draft. The Team will continue to develop and consult on potential applications of the definition.

Figure 1 Links between BCR recommendations



Latest actions

The Team updated Building Ministers on its activities in November 2020. Key outcomes include agreement by Building Ministers that:

- The timing of delivery of the Team's work should be adjusted, with recommendations 1 – 2 (practitioner registration), 9 – 11 (measures to address conflicts of interest for private building surveyors) and 13 – 18 (safeguards for more complex buildings) identified as priorities that should be delivered by 30 June 2021. The balance of the recommendations are to be delivered by the end of 2021.
- The Team should ensure its work affords jurisdictions flexibility when implementing recommendations, with work focusing on delivering benchmarked minimum model guidance for states and territories to draw upon in their respective regulatory contexts.
- Jurisdictions would have regard for model regulatory powers, developed by the Team, when developing legislation in future (recommendation 6).
- A definition for complex buildings would be included in the NCC 2022 public comment draft.
- The model Code of Conduct for Building Surveyors be published on the ABCB website (recommendation 10).

The BMF noted the Team's progress on delivering against the Building Confidence National Framework, including progress on a draft National Building Product Assurance Framework (recommendation 21) and model Terms of Reference for an Intra-jurisdictional Building Regulators Cooperative Committee (recommendation 5).

Further information

Further information on the Team and its work is available on the ABCB website. The Team can be contacted at bcimplementationteam@abcb.gov.au.