

Submission

Streamlining and Modernising the National Construction Code

Thank you for the opportunity to provide feedback on *Streamlining and Modernising the National Construction Code (NCC)*

Standards Australia welcomes the Government's initiative to modernise the National Construction Code (NCC). As Australia's national standards body, we are responsible for the development of Australian Standards referenced in the NCC and, therefore, have a strong interest in ensuring the regulatory system is coherent, accessible, and equipped to support a modern and productive construction sector.

The NCC modernisation project provides a unique opportunity to enhance the alignment between the NCC and its referenced standards. Improving access, removing paywall barriers, reducing duplication and inconsistencies, and responsibly leveraging digital technologies will significantly improve the way practitioners access, interpret, and apply Australian Standards. This will promote greater regulatory consistency, improve compliance, and deliver better building outcomes for communities. It will also enable innovation across areas such as Modern Methods of Construction (MMC), energy efficiency, and safety.

This is a critical moment, and Standards Australia is committed to working with governments, industry, and regulators to build a modern, integrated regulatory framework that boosts productivity and reinforces public confidence in Australia's built environment.



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Standards Australia's response under the four key themes explored in Treasury's Discussion Paper

Governance and Process

Overall, the building and construction sector is well governed under the Intergovernmental Agreement (*IGA*), however, there could be benefit in further clarifying the respective roles of policymaking, code development and technical standards work. The Australian Building Codes Board (*ABCB*) is well placed to support this by helping to more clearly define these functions. While the appropriate mechanisms exist, there is an opportunity to use them more effectively to promote greater consistency in application and enhance transparency around how technical advice informs ministerial decision-making.

Existing Relationship and Engagement

Standards Australia has a long-standing and valued partnership with the ABCB, contributing to the triennial publication of the NCC and supporting ABCB participation across 138 active Standards Australia technical committees. Representation on these committees ensures vital coordination and input from the ABCB based on its objectives, visibility across organisations, and facilitates resolution of issues as they arise.

Our engagement with the ABCB extends further, with Standards Australia represented on both the Building Codes Committee (*BCC*) and Plumbing Codes Committee (*PCC*). We value the opportunity to contribute to both these forums and are very supportive of continuing this important work.

Further, we work closely with the ABCB on innovative initiatives, including the technical working group on Modern Methods of Construction (*MMC*). Our participation enables Standards Australia to act as a conduit, communicating insights from this group to BD-111, our technical committee established to address the growing need for standardisation in prefabricated and modular construction. We encourage the ABCB to engage more deeply with our technical experts on BD-111 and all other relevant committees.

Active ABCB committee participation through regular meeting attendance, responses to consultations, and involvement in scoping, helps ensure the NCC's regulatory system is well designed and responsive to industry needs. Standards Australia's technical committees offer the ABCB valuable access to specialist, cross-sector expertise that can support high-quality, evidence-based regulation. Increased engagement also enables the ABCB to help shape Australian Standards that may later be referenced in the NCC, strengthening national regulatory alignment. While Standards Australia strongly supports increased ABCB participation across our technical committees, ongoing resourcing constraints have significantly limited the ABCB's capacity to engage at the level required. More active and consistent ABCB involvement would improve the timeliness and quality of standards development, enable earlier identification and resolution of regulatory issues, and support greater national harmonisation, reducing the need for subsequent variations and remedial work.

Standards Australia also welcomes the appointment of Adrian Piani as Chief Executive Officer and looks forward to working with him to strengthen collaboration between our organisations on priority productivity initiatives and to continue supporting innovation and modernisation within the NCC.

Cadence of Revision Cycles and Register of Alternative Referenced Documents:

Standards Australia will continue to be guided by the ABCB and industry on the preferred cadence of future revisions. While concerns have been raised about outdated standards remaining

mandatory for too long, we welcome the introduction of the *Register of Alternative Referenced Documents* in the preview of NCC 2025 as an important step toward resolving this issue.

By allowing updated editions of Australian Standards to be used as alternatives to those listed in Schedule 2 of the NCC, the register will promote innovation by enabling practitioners to adopt the latest practices and technologies. This approach will strengthen compliance and help ensure the NCC remains current and relevant between formal update cycles.

Complexity and Regulatory Burden

Benefits of Harmonisation

Standards Australia develops all standards for national application across every state and territory, providing a unified technical framework that supports safety, quality, sustainability and interoperability. For example, *AS 2047 Windows and external glazed doors in buildings* has no state-based variations, ensuring consistent safety, weatherproofing and performance outcomes nationwide. This uniformity reduces variability in product quality and installation practices, while streamlining compliance for manufacturers, builders and certifiers. Consistent adoption of standards improves efficiency and, in turn, productivity.

The examples below illustrate differences in how national standards are being applied. While some variation is unavoidable, other inconsistencies could be better managed to strengthen compliance and reduce confusion across industry.

State-based variations to accommodate local conditions

The NCC facilitates state and territory variations where necessary. For example:

- **Queensland** has not adopted NCC 2022 clause H1D6 (4) (Framing) and instead applies its own jurisdictional variations through Schedule 7 of the NCC. While all other states have adopted the requirements set out in H1D6 (4), local conditions require specific timber species to be used for framing in Queensland.
- **New South Wales (NSW)** applies its own jurisdictional variation to the NCC regarding what constitutes bushfire-prone land.

The above examples from Queensland and NSW demonstrate how states can modify NCC provisions to suit local environmental and risk conditions. Queensland amended NCC clause H1D6(4) due to its high prevalence of subterranean termites, which requires framing timbers with greater natural durability and termite resistance than those specified in the national clause. For NSW, a broader definition was required to accommodate the heightened focus on bushfire risk.

Variation due to conflict between the NCC and referenced standard

Clause A4G2 of the NCC 2022 explicitly states that the NCC prevails over any inconsistencies between the NCC (including the ABCB Housing Provisions) and a primary referenced document. This means that if a requirement in the ABCB Housing Provisions differs from that in a referenced standard, the ABCB Housing Provisions must be followed.

We believe that closer, ongoing collaboration between the ABCB and Standards Australia would help prevent these conflicts. Misalignment between the NCC and referenced standards, as seen in the case study below, only creates unnecessary confusion across the industry.

Case Study

Table 8.4.2 of the ABCB Housing Provisions sets a maximum glass thickness of 4 mm for a toughened glass panel with an area of 2 m². However, the referenced glass design standard, AS 1288:2021, specifies in Table 5.1 that 4 mm toughened glass may be used up to 2.2 m². The glass industry has long manufactured products in accordance with AS 1288. Yet, when certifiers or inspectors refer to the NCC, a 2.2 m² panel installed at site would not be compliant if it used 4 mm glass.

This inconsistency illustrates the practical challenges faced by industry when the NCC and Standards Australia requirements are not aligned or harmonised.

Appreciating there will always be exceptions, Standards Australia supports greater harmonisation across states and territories wherever practicable to improve efficiency, clarity, and compliance.

Reducing Unnecessary Regulation Through Greater Adoption of International Standards and Best Practice

The Productivity Commission's 2025 Final Report on National Competition Policy Analysis highlighted the significant economic benefits of stronger alignment between Australian Standards and international or overseas standards. Under the World Trade Organization (WTO) Agreement on Technical Barriers to Trade (*TBT Agreement*), Standards Australia already operates under an obligation to adopt international standards, unless there is a strong justification not to do so. In addition to this basic obligation, we have begun introducing further measures within our standards development processes to enhance this alignment and ensure more robust scrutiny of deviations. For example, when a project proposal is submitted, the proponent is required to indicate whether there is an existing international standard in the space. If there is, it is then further investigated by the Standards Australia team. Additionally, Standards Australia is in the early stages of piloting a 'table of equivalence', supported by safeguards to ensure quality and suitability of these standards. Any voluntary international or overseas standard proposed for such use would undergo review by the relevant Standards Australia committee before being accepted as an option.

Standards Australia supports reforms that strengthen compliance and recognises the value of improved international alignment. However, adopting overseas standards as compliance pathways must be approached with caution and only after thorough assessment by Australian experts. Ensuring equivalence and suitability is essential to confirm that any adopted standard is truly fit for purpose in Australia. For example, AS/NZS 4020: *Testing of products for use in contact with drinking water* was developed using the United Kingdom's BS 6920 as a foundation but required significant tailoring to reflect Australian and New Zealand water chemistry, plumbing practices, temperatures and regulatory requirements. AS/NZS 4020 expanded the scope of BS 6920 to include additional health-protection tests such as cytotoxicity, mutagenicity, microbial growth, metal extraction and high-temperature performance to suit our local conditions and product types. It was also designed to align with the NCC and WaterMark Certification Schemes.

Because of Australia's unique conditions and strict health and safety requirements, a large proportion of standards referenced in legislation are bespoke national standards. Of the total 893 Australian Standards referenced in legislation, 675 (76%) have been developed specifically for Australia because no suitable international equivalent exists. AS 3959: *Construction of buildings in bushfire-prone areas* is a key example where overseas standards could not be directly applied because they do not reflect Australia's distinctive bushfire behaviour, vegetation, landscape or climate. Fire ratings in Europe and North America differ fundamentally from Australia's, making a tailored national standard essential.

We welcome continued collaboration with the ABCB and Treasury to strengthen alignment with international and overseas standards where it is both beneficial and appropriate.

Maintaining Minimum Level Performance Requirements While Encouraging Best Practice

Standards Australia endorses a performance-based framework that clearly defines the outcomes to be achieved while allowing flexibility in how those outcomes are delivered. This approach sustains innovation while ensuring consistent minimum standards are maintained nationwide. The introduction of higher performance requirements could risk increasing the regulatory burden on small and medium sized businesses. Standards Australia recognises that Deemed-to-Satisfy (DTS) provisions are sometimes misunderstood as representing best practice. In technical standards, terms like “shall” indicate mandatory requirements and “should” recommended practice. Using clearer language and more consistent terminology will help address this confusion and improve alignment between the NCC and the Australian Standards it references.

Standards Australia welcomes the opportunity to work with the ABCB on other avenues to encourage innovation and best practice, with high performance pathways being incorporated in Standards Australia handbooks or the informative appendices of NCC referenced standards.

Access and Usability

A ‘Standards Hub’ Using Emerging Technologies to Transform the Way the NCC Interacts With Relevant Standards

Access to, and effective use of, building and construction standards is essential to ensuring safety, quality, and regulatory compliance across the sector. Although practitioners are legally required to follow the NCC and the referenced Standards, more than 130 of these standards remain behind paywalls. This creates significant barriers, particularly for small and regional businesses, contributing to defects, project delays, and inconsistent application across industry.

Standards Australia stands ready to work with the Commonwealth Government to remove this primary access barrier and, along with key industry bodies including the Housing Industry Association (HIA), Master Builders Australia (MBA), Master Electricians Australia (MEA), the Australian Sustainable Built Environment Council (ASBEC), Master Plumbers Australia and New Zealand (MPAANZ), and the National Electrical and Communications Association (NECA), has formed a coalition to support the development of a ‘Standards Hub’. The two-phase reform agenda addresses both access and usability of standards and will be delivered through a three-way partnership between Australia’s peak standards body, industry, and the Commonwealth to ensure the Government does not bear the full burden of modernising the NCC.

STEP 1: Sponsored Access to Standards

Sponsored read-only online access to NCC referenced standards, Wiring Rules and other relevant trade standards.

- **Objectives:** Removing the fundamental barrier of unequal access to standards in the built environment.
- **Outcomes:** Increased compliance, consistent application of standards across industry, reduced piracy and certainty that practitioners have credible, trusted, up-to-date information.

STEP 2: Standards Hub

An AI-enabled platform, used to interpret and apply standards through plain language guides, contextual search, training modules and mobile accessibility.

- **Objectives:** Build capability to interpret and apply standards consistently and enhance their usability across the sector.
- **Outcomes:** Increased compliance, reduced defects and improved quality, limited remediation costs and a boost in overall sector productivity.

The proposed 'Standards Hub' will use AI technology and tailored training platforms to build practitioner capability and support consistent application of standards across the sector. The success of this proposal is contingent upon comprehensive engagement with those who use these standards in their day-to-day work. This direct industry involvement in development and application ensures advice comes from a trusted, single source of truth. The model will transform the way the NCC interacts with referenced Australian Standards and aligns with Treasury's objective to enhance digital delivery of the NCC through AI tools.

We would welcome the opportunity to work closely with the ABCB in the development of this innovative capability, recognising that its participation is essential to ensuring our work aligns with the Government's objectives to increase housing supply and advance its ambitious national productivity agenda. Moreover, an integrated, AI-enabled solution that unifies the NCC with referenced Australian Standards will substantially improve practitioner interpretability and usability, generating a significantly higher multiplier effect on industry productivity than a siloed and fragmented approach.

Innovation and Housing Diversity

Australia's housing industry is facing significant pressure due to longstanding barriers that limit productivity, hinder compliance, and restrict access to essential tools and technical knowledge. Without reforms that improve access to standards, cut unnecessary red tape, and support practitioners to "get it right the first time," Australia risks continuing to fall short of its housing supply targets.

The proposed 'Standards Hub' is designed to enhance access to and use of referenced standards and represents an important first step in helping industry participants better understand and apply the NCC.

Standards Australia also welcomes additional innovative measures to address the housing crisis and drive sector productivity. We have commenced significant collaboration with the ABCB to inform the development of a national voluntary certification scheme for MMC. A robust Australian MMC certification framework will help tackle many of the sector's current challenges, from housing supply and productivity constraints to issues of quality, safety, and sustainability.

Conclusion

Standards Australia strongly supports the Government's efforts to modernise and streamline the NCC. A modern, digitally enabled, nationally consistent, and innovation-friendly code is essential to improving productivity and addressing Australia's housing challenges.

We welcome ongoing collaboration with the ABCB and Treasury more broadly to support better regulatory outcomes for industry. We also encourage the Government to join a trilateral partnership to deliver an integrated 'Standards Hub', leveraging digital technologies to deliver a modernised NCC that enhances access to referenced standards, improves usability, and fundamentally transforms how the NCC interacts with Australian Standards.