



The Construction Product Alliance is a collective of public and private organisations that is working to promote awareness of non-conforming building products and identify opportunities for improved supply chain solutions.

SPRING 2016 – CONSTRUCTION PRODUCT ALLIANCE UPDATE

Perspective

Welcome to the Spring update on non-conforming/complying product (NCP) matters from the Construction Product Alliance (Alliance). This quarter has seen a steady escalation in media attention given to this issue due mainly to asbestos contaminated building products being found in a range of major projects across the country. Since the last Alliance update the government and its NCP investigation activities have been on hold due to the federal election, but we are encouraged to know that Senator Xenophon has re-engaged quickly on the issue and is expected to submit a request for a new inquiry once the Senate has recommenced. Senator Xenophon has also called for reforms to import laws in response to the asbestos contaminated building products problem. While the government has been in caretaker mode, the Alliance and others in the industry have been busy getting on with tackling the problem, including having ongoing dialogue with the Building Ministers' Forum - Senior Officers' Group (BMF-SOG), the launch of the Steel Stewardship Council and BPIC submissions to the ABCB – NCC Evidence of Suitability Review and the Northern Territory Deemed to Comply Manual Consultation. We are hopeful of further action and decisions for building Ministers at the next Building Ministers Forum, but the date of the next BMF is unknown and may be early 2017 due to the Federal election and change of Minister.

Building Ministers' Forum

The Alliance has been in contact with the BMF-SOG that is developing a timetable and structure to advance the recommendations outlined in its January report: "Strategies to Address Risks Related to Non-Conforming Building Products" - see [HERE](#).

The SOG has very strongly confirmed that industry must be part of the solutions that will be worked out over the next year or two. This is encouraging news and the Alliance is identifying Task Group leaders who will be the direct liaison between the SOG and industry.

Currently a draft Implementation Plan prepared by the SOG has been sent to each Jurisdiction with the intention that each State and Territory will "own" at least one of the report's recommended action items. Once the Jurisdictions have agreed to the plan it will be submitted to the Building Minister's Forum for official ratification and presumably task allocation and funding.

Asbestos in Building Products

On the heels of an [ABC report](#) that there were more than 50 building sites across the nation with suspected illegal asbestos contamination from China, fresh reports have confirmed what those in the industry have long suspected.

On July 13 the CFMEU wrote to the Federal Immigration, Minister Peter Dutton demanding action from the government after the discovery of asbestos in building products on major Brisbane and Perth projects. This was followed by a letter from the Queensland Minister for Employment and Industrial Relations, the Hon Grace Grace to Minister Dutton stating that:

"It's time for all stakeholders, including the federal government and businesses, to be more vigilant in stopping the importation of products containing asbestos once and for all – anything less will not be tolerated in Queensland."

The issue also made it into the headlines of newspapers, onto major news sites (see [HERE](#)) and social media across the country.

Senate Inquiry

The Senate Economics References Committee inquiry into non-conforming building products was disbanded in the lead up to the 2016 federal election. But it did release an interim report that acknowledges all the work that is now being done to address the problem and refers extensively to the BMF-SOG findings and recommendations. The Committee noted that it wanted the inquiry to continue after the election:

2.29 Clearly there has been a serious breakdown in the regulation and oversight of both non-conforming and non-compliant building products, which requires determined action. The committee notes progress already underway, especially the work of the SOG. Given the seriousness of the problem, the various areas of glaring weakness in the regulatory regime, including the certification process, and the disjointed regulation of the use of building products, both manufactured in Australia and overseas, the committee has formed the view that it should continue its inquiry.

The Alliance and industry associations will continue to lobby the Government to reconvene the Senate Inquiry into non-conforming building product.

Launch of the Steel Stewardship Council

The Steel Stewardship Council (SSC) has been launched as the next phase of the Responsible Steel supply chain certification scheme, creating a pathway for a global sustainable steel supply chain. Registered as a not-for-profit in Australia, the interim board is Chaired by Ross Davies from BlueScope Steel.

The organisation's mission is to implement and operate a respected global steel supply chain certification scheme recognising governance, social and environmental performance. The SSC has been working on its strategic direction and have planned a SSC meeting for October 2016. A new website is coming soon.

NT - Deemed to Comply Manual Consultation

In 2015 an internal Northern Territory (NT) Government high level review identified that efficiencies could be created through the phasing out of the NT Deemed to Comply Manual (NT-DTCM) over three years. The proposition to discontinue the NT DTCM came about as a result of a review of the Occupational Regulation Boards and a decision to amalgamate them, including the Building Advisory Committee that accredits products for inclusion in the NT-DTCM. The broad objective of amalgamating the Boards is to reduce the costs to Government of administering them and create other administrative efficiencies.

While BPIC and the building products industry had no issue with the NT Government seeking to streamline its internal building control structures, it was concerned about the intention to phase out the NT-DTCM. As a result it submitted a response calling for the retention of the manual and that a comprehensive review, upgrade and modernisation of the manual be undertaken - see [HERE](#)

BPIC Industry Position Paper - NCC Evidence of Suitability (A2) Review

The ABCB has responded to calls from industry to conduct a review of the NCC Evidence of Suitability (A2) provisions. These provisions have not essentially changed since the first edition of the Building Code of Australia in 1988, so a review is urgently overdue.

On behalf of the wider industry, BPIC has been pro-actively working with 24 industry contributors over the last several months to create an Industry Position Paper that clearly, concisely and thoughtfully distills the industry's suggested improvements to the A2 provisions.

A final version of the position paper was recently sent to the ABCB A2 Review Team, the Building Codes Committee and the BMF-SOG. We would encourage you to download the document by clicking the link below, and if you have contributions you would like to make to the existing recommendations (or further recommendations) please contact Rodger Hills - eo@bpic.asn.au so he can collate all additional information that can be passed on to the ABCB A2 Review Team - see [HERE](#).

For further information on the CPA please visit our website [HERE](#).

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