

PRESENTING THE

# BUILDING REGULATORY REFORM SUMMIT 2018

**Creating an effective Australian building regulatory framework for the 21<sup>st</sup> century**

**21 – 22 February 2018 | The Shine Dome, Canberra**

The Building Products Innovation Council (BPIC) and Lovegrove & Cotton Lawyers invite you to a Summit on Building Regulatory Reform.

This free-to-attend, invitation-only Summit will bring together Australia's leaders and strategists in building control to identify opportunities and weaknesses in the current building regulatory framework. It is aimed at uncovering the inflection points where small tweaks could lead to big change, and potentially conceive mechanisms and new governance models that might produce a more consistent and effective national building control paradigm. Regardless of differences in jurisdictional approaches or the amount of funding allocated to the administration of these systems.

In short, we are aiming to create a paradigm where regulatory compliance is something that each player in the building supply chain wants to achieve – voluntarily and enthusiastically. This will involve seeing the problem from new perspectives, asking difficult questions and coming up with elegant, innovative solutions. This is a big agenda that looks beyond current discussions about cladding and building safety. You will hear from key industry stakeholders and participate in facilitated discussions with a view to proposing and planning strategies for the future.

By the end of the Summit, it is hoped that participants will be able to articulate the scope and basic structure of a draft White Paper, tentatively titled: "*An Effective Australian Building Regulatory Framework for the 21st Century.*"

## SUMMIT PRESENTATIONS INCLUDE:

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|--|---|
| <ul style="list-style-type: none"><li>• <b>Simplifying Planning and Building Regulations</b></li></ul>   | <ul style="list-style-type: none"><li>• <b>What Went Wrong and Why: A Blueprint for Reform</b></li></ul>                                    |
| <ul style="list-style-type: none"><li>• <b>Accountability in Certification</b></li></ul>   | <ul style="list-style-type: none"><li>• <b>Lessons Learned from the Non-Compliant Façade Fiasco</b></li></ul>                               |
| <ul style="list-style-type: none"><li>• <b>Reform to Legislation</b></li></ul>   | <ul style="list-style-type: none"><li>• <b>Insurance Implications of Non-Conforming Buildings</b></li></ul>                                 |
| <ul style="list-style-type: none"><li>• <b>Best practice elements of enlightened building control for the third millennium - 2018 and beyond</b></li></ul> | <ul style="list-style-type: none"><li>• <b>The State of Contemporary Property Development Structures and Systems in Australia</b></li></ul> |
| <ul style="list-style-type: none"><li>• <b>Product-Specific NCC Performance Solutions and Part A2 Compliance Pathways</b></li></ul>                        | <ul style="list-style-type: none"><li>• <b>Cracks in the Compact City: Tackling Split Incentives in the Multi-Unit Market</b></li></ul>     |

***The Building Regulatory Reform Summit and workshop sessions will provide an opportunity to listen to the entire sector in order to determine pressure points and develop possible solutions.***

The diverse and high-calibre audience offers a significant knowledge translation opportunity. The Summit is a think-tank concept conducted in a neutral political environment that is relatively informal, to enable peers to work towards a blueprint for a national building regulatory system that is robust and appropriate for Australia' future.

Key speakers have been carefully chosen to provide a broad overview of their sector issues, concerns and visions for the future of building regulation:

## SUMMIT PRESENTERS



**KIM LOVEGROVE**

RML, F.A.I.B - **Lovegrove & Cotton Lawyers**



**DR JONATHAN BARNETT**

Technical Director, **RED Fire Engineers Pty Ltd**



**PROF BILL RANDOLPH**

Director, **City Futures Research Centre, UNSW**



**STEPHEN KIP**

Fire Safety Engineer & Building Surveyor, Adjunct Associate Professor, **Victoria University College of Engineering & Science.**



**PROF IAN BAILEY**

AM SC, Board Member, **Society of Construction Law Australia**



**GIL KING**

GDipArts(Crim), BA(PolSt) DipBldgSurv, CEO - **Real Estate Institute of Victoria**



**CHRIS JOHNSON**

Chief Executive Officer, **Urban Taskforce Australia**



**DR JONATHAN DRANE**

Western Sydney University, **Sydney Graduate School of Management**



**KARL SULLIVAN**

General Manager Policy, Risk and Disaster Planning Directorate - **Insurance Council of Australia**



**MICHAEL WYNN-JONES**

Associate – **UTS Institute for Public Policy and Governance**

# BUILDING REGULATORY REFORM SUMMIT

## Wednesday 21 February 2018

# DAY 1

08:30 Registration, welcome and refreshments

### CONVENE IN THE IAN WARK THEATRE

09:00 Chairperson's Opening Address

#### 09:10 Simplifying Planning and Building Regulations

- We are becoming over regulated in the building industry which adds costs.
- Innovation must be encouraged in planning and building processes.
- Housing affordability will be assisted by new ideas in building.
- Prefabrication must be part of a smarter building approach in Australia.

Chris Johnson, *Chief Executive Officer, Urban Taskforce Australia*

#### 09:50 The State of Contemporary Property Development Structures and Systems in Australia

- The current state (and decay) of property development systems and practices.
- How we got here: The history of decay of those systems 1950 to 2017.
- Construction and Property Development System breakdowns.
- How we move forward: A Scenario based risk framework.

Dr Jonathan Drane, Western Sydney University, **Sydney Graduate School of Management**

10:30 Morning refreshments and networking break

#### 11:00 Reform to Legislation

- What is wrong with the present system?
- Allocation of responsibility.
- Allocation of risk.
- National consistency.

Prof Ian Bailey AM SC, *Board Member, Society of Construction Law Australia*

#### 11:45 What Went Wrong and Why: A Blueprint for Reform

- 'The end justifies the means' approach results in outcome failures.
- There is still fundamental failure on the most basic building projects.
- The harmonisation dilemma – a crisis of identity.
- The fire brigade approach to regulation.
- Increased regulation and enforcement - This has been tried and failed.

Gil King, GDipArts(Crim), BA(PolSt) DipBldgSurv, *CEO - Real Estate Institute of Victoria*

12:30 Networking lunch and refreshments

#### 13:30 Cracks in the Compact City: Tackling Split Incentives in the Multi-Unit Market

- What are we talking about? The recent scale of multi-unit development.
- Quality in the multi-unit market – buyer beware.
- Conceptualising the split incentive problem: risk shifting and fragmented decision-making.
- Possible solutions: integrated procurement, risk sharing and culture shift.

Prof Bill Randolph, *Director City Futures Research Centre, UNSW*

#### 14:10 Lessons Learned from the Non-Compliant Façade Fiasco

- How did we arrive at the façade compliance problem and who is responsible?
- Who should cover rectification costs?
- Why is the system making it so hard to fix the problem?
- When do we have to get on top of it?

Dr. Jonathan Barnett, *Technical Director, RED Fire Engineers Pty Ltd*

### CONVENE IN THE JAEGER ROOM

#### 14:50 Workshop: Delineating the Problem

Facilitated workshop to capture key issues, problems and insights, identifying what needs to change and uncover any inflection points in the system.

16:00 Afternoon refreshments

17:00 Wrap up

# BUILDING REGULATORY REFORM SUMMIT

## Thursday 22 February 2018

# DAY 2

08:30 Registration, welcome and refreshments

### CONVENE IN THE IAN WARK THEATRE

09:00 Chairperson's Opening Address

09:10 **Best practice elements of enlightened building control for the third millennium - 2018 and beyond**

- Best practice enforcement and compliance.
- Models that are conducive to economic sustainability of probity regimes.
- Maximising construction quality outcomes and public safety.
- Statutory approval regimes.

Kim Lovegrove RML, F.A.I.B - **Lovegrove & Cotton Lawyers**

09:50 **Accountability in Certification**

- Accountability issues – the big picture.
- Improving the certification of buildings.

Michael Wynn-Jones, *Associate* – **UTS Institute for Public Policy and Governance**

10:30 Morning refreshments and networking break

11:00 **Product-Specific NCC Performance Solutions and Part A2 Compliance Pathways**

- The performance-based NCC allows only three compliance pathways.
- Site-specific performance solutions and NCC Part A2.
- A case study of external wall weatherproofing.
- How to improve understanding and compliance.
- The importance of performance-based design principles for products and buildings.

Stephen Kip - *Fire Safety Engineer & Building Surveyor, Adjunct Associate Professor, Victoria University College of Engineering & Science.*

11:40 **Insurance Implications of Non-Conforming Buildings**

- How do insurers set premiums?
- How do insurers assess non-conformance?
- Insurance implications of detected non-conformance?

Karl Sullivan, *General Manager Policy, Risk and Disaster Planning Directorate - Insurance Council of Australia*

12:30 Networking lunch and refreshments

### CONVENE IN THE JAEGER ROOM

13:30 **Workshop 1: Developing workable, future-proof solutions**

Facilitated workshop to conceive mechanisms and models that will produce a consistent, effective national building control paradigm, regardless of differences in jurisdictional approaches, the influence of party ideology or the level of regulatory funding available.

**Workshop 2: Structuring a White Paper**

Facilitated workshop to capture solutions that can be developed into a White Paper, and a call for volunteers to participate (post-Summit) in a Working Group to research, flesh-out and publish the document.

16:00 Afternoon refreshments

17:00 Wrap up and thanks

### SPONSORSHIP OPPORTUNITIES

Excellent opportunities exist to showcase your organisation. For further information, please contact:

Rodger Hills: eo@bpic.asn.au

### VENUE DETAILS

The Shine Dome

15 Gordon Street, Canberra, ACT 2601

