



Rebecca Vassarotti MLA

Minister for the Environment
Minister for Heritage
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Minister for Sustainable Building and Construction

Member for Kurrajong

Our ref: 23/51544

Mr Peter Cain MLA
Chair
Standing Committee on Justice and Community Safety
scrutiny@parliament.act.gov.au

Dear Mr Cain *Peter*

I write in response to comments made by the Standing Committee on Justice and Community Safety (Legislative Scrutiny Role) (the Committee) in its *Scrutiny Report 36* in relation to the following disallowable instruments:

1. Disallowable instrument DI2023-236 being the Building (ACT Appendix to the Building Code) Determination 2023 (No 2)
2. Disallowable instrument DI2023-237 being the Building (General) (Alternative requirements for unaltered parts) Determination 2023 (No 2)

I thank the Committee for its comments. Noting that the comment requiring a response relates to both instruments and the availability of Australian Standards, the response below relates to both instruments.

As the Committee is aware, there are challenges relating to the ability to provide public access to Australian Standards due to copyright issues.

I am pleased to advise that Standards Australia has recently released an initiative (Reader Room) that provides limited, no-fee access to the entire catalogue of Australian Standards for non-commercial purposes, that is for personal, domestic or household use. This initiative provides access for free to a maximum of three standards every 12 months, with access for 24 hours at a time. The Reader Room is available at <https://readerroom.standards.org.au/>.

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For more regular use, Australian Standards may be purchased at www.standards.org.au.

There are often two or more versions of the Building Code applicable to building work at any one time and as such there are a significant number of Australian Standards and versions of Australian Standards that industry and regulators require access to. There are also challenges to providing public access due to entities, such as the National Library, no longer providing public access to current standards, although certain historical versions of Australian Standards are available.

The Australian Government continues to raise with Standards Australia the feedback from stakeholders on the cost and accessibility of Australian Standards. Standards Australia is aware of industry's concerns and has made five commitments to improve standards accessibility, as outlined in their Memorandum of Understanding with the Australian Government (section 8.32):

- 1. Improve competition in the distribution of standards by supporting multiple channels for distribution;*
- 2. Offer partnership options with Standards Australia to facilitate forms of public access;*
- 3. Develop new innovative channels for accessing standards;*
- 4. Provide greater flexibility in pricing structures; and*
- 5. Provide public access to standards for non-commercial use.*

I also note that over the last couple of years, Standards Australia has improved distribution competition and they recently released Small Business Sets to combine commonly referenced documents across select industries into a single, more economical package.

I continue to work with National Building Ministers on improving the accessibility of standards to professions in the building and construction sector who require them to perform their regulated functions, in particular those standards that are incorporated into the National Construction Code (the Building Code of Australia and the Plumbing Code of Australia).

The Environment, Planning and Sustainable Development Directorate is also working with Standards Australia on options for improving access to Australian Standards including affordability for licensed occupations in the building and construction sector.

I trust that this response addresses the Committee's comments and I note that it provides updated information for the Committee compared to other recent responses I have provided on this issue.

Yours sincerely



Rebecca Vassarotti MLA

24/11/2022