

BUILDING BILL 2010

Second Reading

Resumed from 24 November.

MR C.J. TALLENTIRE (Gosnells) [7.02 pm]: I rise to speak to the Building Bill 2010. It is fortunate that yesterday evening we had an excellent speech from the member for Rockingham, which enabled members to understand why this bill should not be rushed through the house. It enabled us to appreciate that the level of public consultation and consultation with key stakeholder groups had been seriously deficient. I think the member for Rockingham quoted from an email from the Western Australian Local Government Association pointing out that this bill will have serious implications for local government in Western Australia when it comes to the issue of building licences, yet that association had not been consulted on the content and detail of the bill.

Mr W.R. Marmion: That's not correct.

Mr C.J. TALLENTIRE: It is not correct? I am going on the basis of information from emails provided by a senior officer at the Western Australian Local Government Association who was concerned that the level of consultation had been seriously deficient.

Mr W.R. Marmion: That's different.

Mr C.J. TALLENTIRE: I will look forward to hearing the minister later detail how exhaustive and comprehensive community consultation on this bill has been.

In essence it is probably a good bill. Of course the opposition is supporting this legislation. However, I think it does raise a couple of areas about which we are right to have some concerns. Fundamentally a concern I have is that by changing the arrangements for the issue of building licences, we could in fact be giving something to the big players in the building industry—those well-known project home builders in Western Australia. We could be giving them a much easier ride through the approvals process, bearing in mind that there is planning approval and then there is building licence approval. It could be totally justified to give those very wealthy, very dominant companies an easier ride in getting building licences if the quality of their product was of a standard that met the sorts of requirements that we would all like to see. But, unfortunately, I do not believe that our major project home builders are delivering a sufficiently high enough quality product. Unfortunately, I think the standard of many homes that are built around the metropolitan area and in the regions are of a disappointing standard, especially in the sense that they are homes that are very expensive to run. They are often homes that require very expensive air conditioning in summer and an inordinate amount of heating in winter.

There has been some discussion this week about our Mediterranean climate. The Premier, of course, touched on the issue of air conditioning. He mentioned that we live in this south west part of the state where we have a Mediterranean climate. I have long heard from solar passive experts in the area of solar passive design that a home in Western Australia could be designed that basically did not need any additional heating or additional cooling. When a home is properly designed, it does not need that. People can actually enjoy a comfortable temperature without mechanical heating or cooling. Much of that can be down to the planning system. This is where the choice of project home or architect-designed home for a property is crucial. That is where the planning side of our development approval process has to be spot on, because there could very well be a home that is perfect for one block but is a disaster for another. There could be a home that works brilliantly, allowing maximum solar access in winter and managing to be shaded out in summer in just the right way, making sure there is a nice, stable temperature and an adequate thermal mass in the home to help stabilise that temperature. All those sorts of things can work brilliantly on one block, but perhaps not work at all on the block next door. It is critical, therefore, that the building approval process in terms of the planning decisions and the planning approvals is done properly.

It is very important—this is where we come to this legislation—that the building licence that is issued is properly administered, that it is done with careful attention, and that the things covered by the standards of the building industry are properly checked and verified. Building standards in Australia—this is defined in the legislation as we have seen it—are taken from the Building Code of Australia. The Building Code of Australia is a very important document, when we consider this legislation, for ensuring that the building standards are within the bounds of that code.

I want to say a few words about the Building Code of Australia, because it is a very strong document when it comes to issues of home safety—for example, for making sure that the standard of electrical wiring in a home is of a high quality. The code is also very good on things such as ensuring there is disability access, although that is an area that could well be improved.

There are a lot of things that do work well with the Building Code of Australia, but I would like to turn to a few areas in which I believe the Building Code of Australia is deficient and that, therefore, we could be making a

mistake in assigning the Building Code of Australia as our gold standard for the quality of materials in our homes. I have a paper written by David Kearsley, a technical and research officer with the Victorian Building Commission, entitled, “Current and planned BCA energy efficiency requirements for healthcare facilities”, which states that —

... the Building Code of Australia (BCA) is to enable the achievement of minimum necessary standards of relevant health, safety, amenity and sustainability objectives ...

So the code sets the minimum standards. It is not the ultimate; it will not get us the sort of energy efficiency in Western Australian homes that many of us would like. I note, though, that the government is very keen to endorse and fully support the Building Code of Australia.

This is a curious issue because of the recent amount of controversy around the insulation of homes in Australia. During the last federal election campaign it was notable that the Liberal coalition attacked almost anything to do with home insulation and gave many people in the community the impression that insulation was either dangerous or a waste of money—that insulation was bad. It did all it could to denigrate home insulation. That is very curious because the Building Bill 2010 is all about using the standards of the Building Code of Australia. But what do we find when we look at the information that the state government has put out about home insulation? We find that the standards that are to be applied to home insulation in Western Australia are the standards of the Building Code of Australia. So, on the one hand the Liberal Party is denigrating aspects of insulation and the administration of the insulation program, and, on the other hand, it endorses the use of the Building Code of Australia as a means of determining the validity of building licences. What is being proposed is a clear contradiction. I question whether the government understands the detail of the Building Code of Australia, and that this legislation will reinforce the vital role that the Building Code of Australia plays. I am not clear that the government fully understands that.

It is quite apparent that the key to the design of an energy-efficient home is its orientation so that it has the highest percentage of walls facing to the Equator—to the north—to enable solar access, and the home should be designed in such a way that the eaves shade out the higher hotter summer sun. Those sorts of design features are critical. Those desired outcomes can be dealt with through the planning approval process. When I speak to people who work for developers involved in town planning design, they have a high degree of frustration because they design new subdivisions in such a way that the vast majority of lots can be oriented in such a way that the homes can be placed on them to benefit from the essential solar access qualities I have mentioned. Unfortunately, although the lots are perfectly set up for the ideal situation, the project home builder comes along and provides the new lot owner with a project home that does not suit the block and does not enhance or make use of the solar aspects of the property. That is a great shame and a missed opportunity, and an indication of how our project home builders are badly letting us down. I get very concerned about the handing over of extra powers to those organisations, companies and very profitable businesses—most of them are in Western Australia and are members of the Housing Industry Association of WA—because they are not doing enough to encourage people towards energy-efficient design.

Mr R.F. Johnson: Are you taking an extra 10 minutes?

Mr C.J. TALLENTIRE: Do you have an interjection?

Mr R.F. Johnson: No; are you taking an extra 10 minutes?

Mr C.J. TALLENTIRE: Possibly.

Mr R.F. Johnson: That is fine; that might work out quite well.

Ms J.M. Freeman: Ask for an extension in other words!

The SPEAKER: I will grant you an extension if you ask for it, member, but I need to be asked for it at the appropriate time.

Mr C.J. TALLENTIRE: Thank you, Mr Speaker.

I have been dwelling on this issue of the design problems of some homes. I have a specific example that I think our project home builders in Western Australia have really let us down on, which is covered by building licences: it is the choice of material that we use to construct our homes, especially in Perth. We obviously have some very powerful brick manufacturing companies that provide the bricks to build the homes. They have managed to convince Western Australians that they really should only ever consider building a home out of brick. That, I am afraid, is a very old-fashioned idea, but the marketing of brick in Western Australia has been so strong that people barely question the notion that there could be better materials to build a home from. Unfortunately, the reality is that, in Perth, on a day like today as we enter the period of hotter weather, that brick heats up and radiates for extended periods; it does not cool down overnight. I believe that is a good example of how our project home builders are letting us down; they are encouraging people towards the wrong kind of

material. That is where I think there is a deficiency in the building licence issuing process that we are contemplating under part 3 of this bill.

Ms J.M. Freeman: Member, by way of interjection: what building materials should we build from?

Mr C.J. TALLENTIRE: Members are interested to know about better building materials.

Several members interjected.

Mr C.J. TALLENTIRE: I heard the member for Willagee suggest reverse brick veneer, which is an excellent idea. That consists of a veneer on the outside of a building, then insulation, and then the brick. That enables the home to cool down quickly at night, and it means there will be a degree of thermal mass. The walls within the home need to be strategically placed to ensure that there is thermal mass to provide heat-holding capacity in winter. But as far as summertime goes, reverse brick veneer is far and away a better option.

Mr P.C. Tinley interjected.

Mr C.J. TALLENTIRE: I thank the member for Willagee for mentioning the “R” ratings that come from the choice of reverse brick veneer; it is clearly in people’s interests. We are talking, after all, about the hip-pocket of people buying new homes, many of whom are new homebuyers and people who are perhaps on incomes that mean they would like to save money wherever possible and who do not want to waste money on expensive heating and cooling. But at the moment, because of the economies of scale generated by our major project home builders, it is very hard for people to build a new home that is not a double-brick home that is a heat sink that requires incredible amounts of very expensive air conditioning.

To bring this home to people a little more, I will talk about the cost savings. We have a very good program run by the City of Gosnells in my electorate called “Switch your thinking!” It is run across a number of local governments in the south eastern corridor, including the Cities of Armadale and Gosnells, and the Shire of Serpentine–Jarrahdale. “Switch your thinking!” is there to provide advice to people on how they can make their homes more energy efficient and, perhaps most relevant to this particular debate, it has run an experiment with a control house and an identical house that has been retrofitted to make it much more energy efficient. They have gone to the extent of changing some of the materials. It has been quite an expensive retrofit, which demonstrates the point that if things are wrong when the home is being built, the owner is left with an expensive legacy. Can I have an extension?

The SPEAKER: You asked so nicely, member for Gosnells; yes, you can have an extension.

[Member’s time extended.]

Mr C.J. TALLENTIRE: The difference in running costs is quite staggering between a home that has been retrofitted and one that has not been—say, one that has poor design specifications. To quote from a paper that looked at this issue, the greenhouse, as it became known, managed to save 72 per cent on electricity, which is a very substantial saving, and \$700 on gas over a 12-month period. There are some great savings to be made when it comes to this issue.

We need to consider other aspects of the bill, particularly in relation to the issuing of demolition licences. Demolition waste is a major problem. We are finding that demolition wastes are increasing. I will quote from page 8 of “Draft II: Waste Strategy for Western Australia: March 2010” —

Waste to landfill in Western Australia increased by almost 40% in the seven years to 2006/07 mainly due to growth in the commercial and industrial and the construction and demolition sectors.

This legislation provides us with an opportunity to make sure that when we issue a demolition licence, we could in fact direct where that demolition waste goes; but, unfortunately, the opportunity has been missed.

[Leave granted for the member’s speech to be continued at a later sitting.]

Debate thus adjourned.