

## ACRA Advocacy Committee Update

By Deb Lockart, Advocacy lead

2025 has kicked off at a high speed in the advocacy realm. Our current focus is the proposed *NCC 2025 waterproofing and water shedding provisions* (here in referred to as *NCC 2025*).

We are committed to better regulation and are striving hard to resolve with government the unintended consequences of the proposed *NCC 2025* for the remediation of existing buildings, BEFORE they are adopted in NSW (and other States/Territories). There is an opportunity for NSW Government to consider amendments to NSW Planning legislation, in line with the adoption of the proposed *NCC 2025*, in promoting better regulation of the remediation of existing buildings.

In NSW, we are advocating for a Building Commission led consultation process, including key stakeholders, so that together we can resolve the potential unintended consequences. What does this look like? We are seeking a transitional period where we can resolve the issues, informed by a strong consultation process.

In February the advocacy team met again with Tom Kearney, Executive Director Policy and Programs, Building Commission NSW. Tom Kearney is an ABCB Board member. Our discussions with the Building Commission have continued for 7 months now.

In recent weeks Tom Mackay and I met with James Sherrard, Building Commissioner NSW, to discuss the impact of the proposed *NCC 2025* on the remediation of existing buildings and thus Class 2 owners. Our position is based on the publicly released *NCC 2025* (May 2024) version. We are aware that there have been amendments but remain uncertain of their impact on the remediation of existing buildings. We await the next iteration.



## Celebrating all things ADVOCACY | ACRA comes together to celebrate!

Matt Press, Assistant Building Commissioner, joined us as we celebrated our collective remedial-government consultation of the past four years. The Longueville Hotel provided our Members and Guests with a wonderful networking opportunity. It was a beautiful evening, with great catering, conversation and a re-connection of friends old and new.

At our event, Tom Mackay and I provided an update about the proposed *NCC 2025* following our recent meeting with James Sherrard. At a high level we understand that:

- The adoption of the *NCC 2025* is delayed.
- There has been 'push back' by some other States.
- The Federal election has contributed to the adoption delay.
- The draft *NCC 2025* (publicly issued May 2024) has been updated, but the revised version has not been released yet.



What does the proposed *NCC 2025* mean for the remediation of existing Class 2 buildings in NSW?

- There is potentially a significant impact, should the NSW Planning legislation NOT be amended.
- Remedial building work will require a 'solution approach', and planning approval
- There are potentially **significant consequences for owners** and more broadly the 'system', should State legislation not be amended.
- ACRA will continue to consult with the Building Commission in representing the remedial industry as the NSW Government considers the adoption of the proposed *NCC 2025*.



## Meeting with the Building Commissioner, NSW

Our meeting with James Sherrard, Building Commissioner NSW, was initiated at our request to talk about the potential impact of the proposed *NCC 2025* on the remediation of existing Class 2 buildings, should there be no change to the NSW Planning legislation. James, apart from an introductory meeting with ACRA, was interested in understanding the impact of the proposed *NCC 2025* on owners.

In response to the Building Commissioner's focus on the impact on owners, Tom Mackay and I prepared a consultation paper, which we shared with the Building Commissioner. Our [consultation paper \(version 3\)](#) demonstrates the potential impact of the proposed *NCC 2025* on owners.

Without NSW planning legislation amendment, it is anticipated that there will be significant cost and timeframe blowouts for remedial projects.

We look forward to our continued work together with the Building Commission.

**We encourage our members to stay up to date with our advocacy work. It is important that the remedial industry understands the issues in promoting best practice and excellence in the remediation of existing buildings.**



## NSW Members meet again – Friday 11 April 2025

In response to ACRA NSW members' expression of interest, we planned an advocacy breakfast update about our *NCC 2025* consultation process underway. Again, the event was sold out, in fact we went over capacity.

Thank you to members for your ongoing interest and support of our advocacy work. Thank you too for your overwhelming positive feedback received during and post this event.

At our breakfast presentation, Tom Mackay, Helen Kowal and I shared with members the details of our consultation process underway and ACRA's position.

It is important that we address the unintended consequences BEFORE the proposed *NCC 2025* is adopted. Here is our [presentation handout](#) for you to refer. Please feel free to share.



## National Focus

### What are we currently seeking?

1. Consultation process in promoting a shared understanding and reasonable/practical outcome for the remediation of existing buildings. To note, there may be some States and/or Territories where legislation exists which already addresses related issues.
2. In States and/or Territories where applicable, resolve systemic issues by amending State/Territory legislation in addressing unintended consequences.

Currently our consultation work is based on our knowledge and experience of NSW legislation. It is our intention that we will leverage the outcome of our consultation work in NSW across Australia.

Owners of existing buildings and Strata Managers are important stakeholders in the consultation process.

For our members in other States (other than NSW) if you have an insight into your legislation and how that interplays with the proposed *NCC 2025* we encourage you to please get in touch. The [ABCB's Upgrading existing buildings handbook, Appendix D](#), is a good starting point in exploring legislation in each State/Territory. Some States/Territories include flexibility in their Planning legislation in addressing these potential issues. We need to explore this further.

The Federal election 3 May 2025 is an important milestone in our advocacy work about the proposed *NCC 2025*. In the meantime, please distribute our consultation paper.

Thank you to ACRA members for your extraordinary support and interest in our fast moving advocacy work.

## Important ACRA Advocacy resources

- [ACRA's NCC 2025 response \(June 2024\)](#).
- [ABCB update about the proposed NCC 2025](#) **\*\*important update\*\***
- [Remedial-government consultation working group paper titled 'Enhancing the regulatory landscape to support an efficient and trustworthy remedial building industry' \(May 2024\)](#)
- [NSW Building Bill Reform consultation submission to the Building Bill reform consultation, which closed 18 October 2024.](#)
- [Review into the Design and Building Practitioners Act 2020 and the Residential Apartment Buildings \(Compliance and Enforcement Powers\) Act 2020.](#)

