

14 January 2025

Kristy Bourne  
Secretary  
Office of the Secretary  
Department of Justice  
Tasmanian Government

Via email: [haveyoursay@justice.tas.gov.au](mailto:haveyoursay@justice.tas.gov.au)  
Submitted via online portal: <https://www.justice.tas.gov.au/community-consultation/consultations/2025/building-amendment-bill-2025>

Dear Secretary

**RE: Building Amendment Bill 2025**

The Green Building Council of Australia (GBCA) welcomes the opportunity to provide comment in relation to the *Building Amendment Bill 2025* (the Bill) and the *Building Amendment (National Construction Code) Regulations 2025* (the Regulations).

GBCA acknowledges and commends the Tasmanian Government's commitment to regulatory clarity and ensuring that industry requirements remain practical, fit for purpose and straightforward to navigate. However, we hold significant concerns regarding the proposed approach to use the amended legislation and corresponding regulations to indefinitely defer the adoption of future NCC versions and effectively "freeze" the National Construction Code (NCC) at the 2022 edition. We also note that, despite the proposed Regulations indicating adoption of NCC 2022, Tasmania has yet to adopt the residential energy efficiency requirements agreed by all jurisdictions, and no clear pathway for their introduction has been provided.

Furthermore, Regulatory Impact Analyses for NCC 2025 demonstrate positive outcomes and net benefits for commercial buildings. The agreed update to NCC 2025 is widely supported by industry, including Property Council of Australia. Halting NCC updates would deepen Tasmania's misalignment with other jurisdictions and risk leaving the state's construction sector – across both residential and commercial markets – its economy, and its communities excluded from important benefits, efficiencies, and opportunities.

**About GBCA**

GBCA's purpose is to lead the sustainable transformation of the built environment. We do this primarily through our core functions:

- We advocate policies and programs that support our vision and purpose.
- We rate the sustainability of buildings, fitouts and communities through Australia's largest national, voluntary, holistic rating system – Green Star.
- We educate industry, government practitioners and decision-makers, and promote green building programs, technologies, design practices and operations.
- We collaborate with our members and other stakeholders to achieve our mission and strategic objectives.

GBCA provides further comment in relation to the Bill and the Regulations below:

### **Better outcomes for Tasmanian industry and community**

The NCC is the most powerful tool we have to ensure Australia's homes and buildings are safe and healthy for occupants both today and throughout their lifespan. We urge the Tasmanian Government to:

- Reaffirm its commitment to national consistency in NCC adoption.
- Avoid indefinite delays that jeopardise national productivity, climate, and consumer outcomes as well as create uncertainty for industry and investors.
- Provide a clear timeline for implementation of the residential energy efficiency requirements in NCC 2022 and NCC 2025.
- Use the pause to NCC 2028 announced by the Commonwealth Government to contribute to streamlining and modernising the NCC and support industry capability development.

### **National consistency delivers greater productivity and efficiency**

Since the early 1990s, the adoption of a single building code by state and territory governments has been a national project grounded in productivity and efficiency, to save businesses money from unnecessary and confusing duplication between states and territories and undue regulation, focusing on reforms that have a net benefit to society.

The NCC aims to provide an appropriate safety net for quality, comfort and cost for the Australian community, the people who ultimately own, work and live in the buildings we construct.

Tasmania's construction productivity is shaped by a complex interplay of federal, state, and local legislation, industrial relations settings, procurement practices, and workforce dynamics. Each element individually impacts productivity and costs. Duplication and fragmentation of regulation across jurisdictions exacerbates inefficiencies.

Regulatory certainty is essential to improving productivity and delivering a range of benefits across the construction sector. Each departure from an agreed compliance trajectory undermines prior investments, slows the uptake of innovative systems developed to meet new standards, and erodes investor and workforce confidence. A stable, forward-looking regulatory environment fosters market confidence, supports long-term planning, encourages innovation, and ensures that productivity gains are sustained across the value chain.

### **Avoid delays that will lead to negative impacts**

Freezing the NCC undermines national harmonisation and creates long-term uncertainty for industry. In Tasmania, delaying implementation of NCC updates will mean that many will miss out on the benefits of high-performing buildings, including:

- Lower energy bills
- Improved resilience to a changing climate
- Better indoor health outcomes
- Alignment with outcomes aligned to a transition to a net zero future including readiness for electrification, solar PV and EV charging.

The recently released inquiry report from the Productivity Commission, *Investing in cheaper, cleaner energy and the net zero transition*<sup>1</sup>, notes that over the years ahead, boosting our resilience to the impacts of

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<sup>1</sup> Australian Government Productivity Commission. 2025. Investing in cheaper, cleaner energy and the net zero transition. <https://www.pc.gov.au/inquiries-and-research/net-zero/>

climate change will lower costs to the economy, society and the environment. The foundations for effective adaptation must be established now and housing needs particular attention.

While cost is regularly cited by some stakeholder groups as a reason for freezing further updates to the NCC. There is a lack evidence to show that these upfront costs are significant. In fact, the Australian Associated Press' Factcheck initiative<sup>2</sup> found that reported claims of new standards relating to NCC 2022 adding tens of thousands of dollars to the cost of constructing a new home were unsupported.

A report by renew, *Households better off: Lowering energy bills with the 2022 National Construction Code*<sup>3</sup> found that:

- Building 7 star NatHERS homes with solar and efficient appliances will significantly cut bills.
- Residents are better off from day one, as potential for savings are greater than involved costs
- Savings from better energy performance can wipe months or years off a home loan.
- In dual fuel homes, residents saved \$1,484 a year in Hobart, \$1,043 in Melbourne, \$1,059 in Sydney, and \$1,287 in Perth.
- In all-electric homes with no gas connection, introducing a 7-Star rating, efficient appliances and large solar meant annual bill savings of \$1,231 in Hobart, \$1,056 in Melbourne, \$1,203 in Sydney, and \$1,357 in Perth.

### **A clear timeline for implementation of NCC 2022 residential energy efficiency requirements**

While Building Ministers agreed to implementation of NCC 2022 (with a transition period) in August 2022 (Building Ministers Meeting, August 2022<sup>4</sup>), residential energy efficiency requirements (for both housing and apartment buildings) have not yet been adopted by Tasmania. Noting that while the Tasmanian Government had concerns regarding condensation management at the time NCC 2022 was agreed, these issues have been addressed in the NCC 2025 updates, further supporting the need for a clear path to implementation for NCC 2022 residential efficiency requirements and NCC 2025.

As outlined above, the Tasmanian households stand to benefit significantly from new homes constructed to achieve 7 star NatHERS rating. It is essential that the Tasmanian community and industry are provided with a clear timeline for the adoption and implementation of these changes.

### **A clear timeline for implementation of NCC 2025**

The agreed provisions within NCC 2025 relate primarily to commercial buildings. In his media release<sup>5</sup> (19 November 2025) announcing introduction of the Bill and the consultation period, Minister Barnett has cited concerns raised by Housing Industry Association (HIA) and Master Builders Australia (MBA) regarding provisions for residential buildings that were originally part of the proposed NCC 2025 update. Requests by HIA and MBA to extract residential provisions from the NCC 2025 update were supported by Building Ministers (Building Ministers Meeting, October 2025<sup>6</sup>). Property Council of Australia, along with many other

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<sup>2</sup> Australian Associated Press. 2025. Coalition's evidence doesn't show rules added \$60,000 cost of building a home. Retrieved 22 December 2025 from <https://www.aap.com.au/factcheck/coalitions-evidence-doesnt-show-rules-added-60000-cost-of-building-a-home/>

<sup>3</sup> renew. 2021. Households better off: Lowering energy bills with the 2022 National Construction Code <https://renew.org.au/advocacy/climate-resilient-homes/households-better-off-lowering-energy-bills-with-the-2022-national-construction-code/>

<sup>4</sup> Department of Industry, Science and Resources. 2025. Building Ministers' Meeting: Communique August 2022. <https://webarchive.nla.gov.au/awa/20250623121745/https://www.industry.gov.au/news/building-ministers-meeting-communique-august-2022>

<sup>5</sup> Tasmanian Government. Premier of Tasmania. Have your say on legislation to freeze National Construction Code. <https://www.premier.tas.gov.au/latest-news/2025/november/have-your-say-on-legislation-to-freeze-national-construction-code>

<sup>6</sup> The Treasury. 2025. Building Ministers' Meeting: Communique October 2025. <https://treasury.gov.au/media-release/meeting-communique-building-ministers-meeting-october-2025>

industry stakeholders, support the agreed update to NCC 2025 and its timely implementation. The Regulatory Impact Analyses undertaken for NCC 2025 showed positive outcomes and net benefits for commercial buildings. In addition, past updates to the NCC which focused on commercial buildings have shown the commercial construction sector has been willing and able to adapt to changes quickly with few problems.

### **Make good use of the existing pause**

The next round of substantive changes to the NCC that will focus primarily on residential homes (Class 1 buildings) was scheduled for 2028. Following an announcement by the Commonwealth Government in August, this update has been paused until 2029. GBCA urges the Tasmanian Government to consider how the existing pause provides a useful transition period without the need for legislative amendment, new regulations or a further freeze on updates to the NCC.

We note The Treasury's consultation currently open regarding streamlining and modernising the NCC and highlight the position outlined in the consultation discussion paper<sup>7</sup>:

Building and construction regulation serves an important purpose – it protects building occupants, ensures buildings respond to the needs and demands of society, promotes efficiencies through clarity of expectations and outcomes, and forms the foundation for confidence and trust in the sector. Countering these positive outcomes, there can be a range of negative implications if regulation is not introduced in a considered manner, communicated and consulted on effectively, or holistically reviewed to ensure it remains fit for purpose and delivering on the intended outcomes.

GBCA suggests that the pause to the next scheduled update from 2028 to 2029 could be well used by the Tasmanian Government to:

- invest in builder training and capacity building and supply chain readiness to equip industry to adapt to inevitable future changes and to deliver better homes and buildings for Tasmanians.
- Collaborate with other jurisdictions through the Australian Building Codes Board (ABCB) to ensure a unified and consistent approach to updating and implementing the NCC.
- Work with the Commonwealth and other jurisdictions to consider how the NCC can be modernised and streamlined to improve access and understanding for industry and reduce related time and costs.

We welcome the opportunity to engage further on this matter and support the government's commitment to a productive, safe, and sustainable built environment for all Tasmanians. We urge the Tasmanian Government to reconsider its position on freezing updates to the NCC and to work with the Tasmanian industry and with all jurisdictions to ensure better outcomes for the NCC and the community.

To arrange further discussion or for additional clarification of the points made above, please do not hesitate to contact Katy Dean, Senior Policy Adviser, via email at [katy.dean@gbca.org.au](mailto:katy.dean@gbca.org.au).

Yours sincerely



Davina Rooney  
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<sup>7</sup> The Treasury. 2025. Streamlining and modernising the National Construction Code: Discussion paper. [https://storage.googleapis.com/files-au-treasury/treasury/p/pri396d11f9386b92fada1eb/page/c2025\\_722616\\_dp.pdf](https://storage.googleapis.com/files-au-treasury/treasury/p/pri396d11f9386b92fada1eb/page/c2025_722616_dp.pdf)