Australian Institute of Architects

STREAMLINING AND MODERNISING THE NATIONAL CONSTRUCTION CODE CONSULTATION

Australian Government, Treasury

February 2026

AUSTRALIAN INSTITUTE OF ARCHITECTS

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OVERVIEW

+ This submission is made by the Australian Institute of Architects to provide input on the 2026 Treasury Consultation: 'Streamlining and Modernising the National Construction Code'

The National Construction Code (NCC), and its predecessors, has enabled construction in Australia to be robust, fit for purpose, and stable. The NCC is a necessary and valued component of the construction industry, and with improved governance and national alignment it can be a driver of efficiency, automation and productivity across industry.

Modernising the National Construction Code requires a governance model that is nationally consistent, expert-led, and responsive to contemporary industry practice. The industry needs strengthened independent national oversight, to reduce state-based fragmentation, and ensure long-term strategic direction that anticipates emerging challenges such as climate resilience, material availability, and future housing needs. The NCC must be both technically rigorous and more accessible, with governance settings that support clarity, usability and industry-wide confidence.

It is clear the NCC, and industry wide implementation, will benefit by deeper integration of design expertise into NCC development. Architects, engineers, builders and certifiers bring essential real-world insights to ensure provisions are practical, buildable and aligned with modern construction methodologies. Co-designed intent guides, diagrams, and clearer explanatory pathways reflect the profession's commitment to design quality, safety and public benefit.

Stronger transparency in decision-making is critical—through predictable update cycles, early release of drafts, published rationales, and a national interpretation service that reduces conflicting advice. Such clarity supports practitioners, enhances compliance, and aligns with sector-wide aspirations for improved regulatory literacy and professional capability.

Clear equivalency standards such as Quantified Performance Requirements, free access to referenced Standards, and a national framework for recognising international products, would reduce ambiguity, encourage innovation, and enable safe use of digital and AI tools. This aligns with the profession's broader focus on digital transformation, sustainability, and performance-based outcomes.

By strengthening governance, simplifying structure, improving usability and embedding innovation pathways, the NCC can better serve practitioners, governments and communities — delivering safer buildings, greater housing diversity, and improved economic and environmental outcomes across Australia.

ABOUT THE INSTITUTE

The Australian Institute of Architects (Institute) is the peak body for the architectural profession in Australia. It is an independent, national member organisation with around 12,500 members across Australia and overseas.

The Institute exists to advance the interests of members, their professional standards and contemporary practice, and expand and advocate the value of architects and architecture to the sustainable growth of our communities, economy and culture.

The Institute actively works to maintain and improve the quality of our built environment by promoting better, responsible and environmental design.

+ At the time of this submission the National President is Adam Haddow FRAIA.
+ The Chief Executive Officer is Cameron Bruhn Hon. FRAIA.
+ The consultation can be found via the Aust Government, The Treasury website

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The Australian Institute of Architects recognises the unceded sovereign lands and rights of Aboriginal and Torres Strait Islander peoples as the First Peoples of these lands and waters.

This recognition generates acknowledgement and respect for Aboriginal and Torres Strait Islander Countries, Cultures and Communities, and their ways of being, knowing and doing.

Caring for Country practices including architecture and place shaping have existed on this continent since time immemorial.

The Institute recognises a professional commitment to engage and act meaningfully through reciprocal partnership and relationships with Aboriginal and Torres Strait Islander peoples. Together we will support and develop the emergence of new possibilities for our shared future.

SUMMARY OF RECOMMENDATIONS AND KEY POINTS

Governance and Process

+ Governance of the National Construction Code can be improved by adding practitioner experts to the Board and establishing a clear process for feedback from technical manufacturers and suppliers to address implementation barriers.
+ The Board should be tasked to resolve State and Territory inconsistencies and provide a useable National code that acknowledges much of our construction industry operates across many jurisdictions.
+ The process of updating the NCC should remain on a 3-year cycle, but with added transparency of the process, clear transitional arrangements and Plain English guides and other educational materials with each revision.
+ The NCC should have a clear long-term strategic direction and process for adopting technological, efficiency, sustainability and material supply changes and improvements.

Complexity and Regulatory Burden

+ Products and materials that have achieved compliance within other jurisdictions should be granted equivalency where appropriate or a streamlined pathway to compliance. (See also point about National consistency)
+ The ABCB needs to provide clear and definitive interpretation of controls. It should not be left to individuals, councils or organisations to bear risk on approvals.
+ References to the Australian Standards should be specific about the clause. Access to Australian Standards should be free where the standard is referenced in the NCC.
+ Common performance solutions should be included in a ABCB regulated database and access to those solutions should be possible to all practitioners at no or low cost.

Usability of the NCC

+ The Institute cautions against continual re-numbering, acknowledging the recent re-organisation and renumbering did improve clarity.
+ The NCC does not provide clear and practical ways for working within existing buildings. This creates a bias in the industry towards demolition.
+ The NCC should increase the availability of diagrams and continue to improve the Plain English readability. Cross referencing should be minimised for ease of use.
+ Existing guidelines, videos and other educational tools need to be better publicised and edited to be more accessible to a range of audiences. Further outreach and education around the NCC would be welcomed.

Innovation and Housing Diversity

+ Current controls for Class 2 buildings create a bias towards large apartment buildings. The Institute suggests there could be provisions made for suitable and appropriate controls for smaller apartment projects without compromising safety and amenity.
+ Controls for Class 1 buildings could be simplified without compromising safety, amenity, durability, sustainability and the ability for small practitioners to easily achieve compliance. The energy provisions need to be integrated into the main body of the document.
+ Performance-based regulations are supported to allow innovation however there should be a clear pathway towards increased Deemed-to-Satisfy provisions. A database of accepted performance solutions could be made available to practitioners, with a transition (if appropriate) to DTS solutions at each 3-year revision cycle.

THEME ONE: GOVERNANCE AND PROCESS

1. Does the current ABCB governance model work? Why or why not? What should change, if anything?

2. How effective is the current model at facilitating adequate stakeholder engagement? How could it be improved?

3. What is the best governance model to ensure independent and quality advice is provided to Ministers as the final decision makers of the NCC and related matters?

Architects work across borders and disciplines and support a streamlined, transparent governance model to improve consistency and usability. Greater continuity, reduced duplication and broader professional representation would enable more balanced, evidence-based decisions and position the NCC as both an effective regulatory framework and a practical tool that lifts design quality and compliance nationally.

There are significant opportunities to strengthen the governance structure and appointment of the Australian Building Codes Board (ABCB) members with professions that are responsible for implementation of the NCC (Architects, Engineers, Planners). The Board's responsibility is established under the Intergovernmental Agreement (IGA) by the Building Ministers' Meeting (BMM). Many current decision makers on the Board and BMM lack the applied technical knowledge (during the project design lifecycle) needed to determine the productivity improvements to be instructed to ABCB by the BMM.

While the relocation of the BMM into Treasury to support productivity and housing targets is welcomed, jurisdiction-focused priorities risk weakening the NCC's ability to function as a nationally consistent tool. Variations across states and territories create duplication, confusion, and "hidden labour," reducing productivity for the product suppliers innovating products and services for future 'good practice' construction.

The current governance is inhibiting the products sector in its commitment to innovating a supply chain that exceeds the baseline minimum of the NCC. The industry is having to rely on private industry bodies such as GBCA's Responsible Products Framework and Global Green Tag to attain what 'good practice' represents in the built environment.

The following recommendations are presented in support of improved governance and processes:

+ Rebalancing the Board to increase independence, prioritise continuity and professional expertise (architecture, building surveying, engineering, access, fire), with the aim of reducing the dominance of jurisdictional appointees so the Board reflects the everyday users on the ground.
+ Tightening state and territory variations through a single national register.
+ Making usability and clarity explicit performance objectives, with Plain English drafting and an illustrated companion. This objective could be supported by including universities in user-testing when Proposal(s) for Change[1] are initiated according to the governed process[2].
+ Ensuring free, clause-linked access to all referenced Industry Standards (i.e. ASHRAE) and Australian Standards.
+ Publishing consultation inputs, impact assumptions and responses (including how feedback changed draft text).

[1] ABCB (2026) Propose a Change | NCC

[2] The Office of Impact Analysis (2026) Guidance on Impact Analysis | The Office of Impact Analysis

+ Requiring public statements when Ministers depart from expert recommendations so that national implementation dates are aligned to drive efficiency, automation and productivity across associated system of Governmental Departments.

4. What is the optimum cadence for making changes to the NCC and what is the best way of introducing changes to the NCC?

The Institute continues to support a three-year NCC update cycle. Any move away from this cadence risks entrenching a below-average building stock, as the NCC must remain responsive to evolving construction methods—especially those related to operational performance and construction efficiency.

The 'good practice' design methods for as-built construction highlight the importance of giving design professionals room to innovate between a narrow 'window' of baseline performance (or DTS solution) and a higher standard, both of which demand design thinking that extends beyond the NCC. Within this limited window of innovation, we consider it appropriate to align with the opportunities presented under the National Urban Policy.

The National Urban Policy speaks to the resilience of systems, whereby every sector contributes to '*ensuring our cities and suburbs meet the needs of current and future generations*.[3]' Both *long term funding commitment* and *collaboration across government levels* are noted to be essential[4] As other sectors progress in quantifying their relationship to the urban policy, the NCC remains the best tool for the built environment and products and therefore critical to government departments being able to map progress against National and jurisdictional policy such as Net Zero Plans, Biodiversity, Infrastructure and supporting user interface.

THEME TWO: COMPLEXITY AND REGULATORY BURDEN

4 What should the role of the NCC be? Are there opportunities for the NCC to set minimum standards but provide pathways that effectively encourage the adoption of best practice?

5. What parts of the NCC could be improved to remove complexity, ambiguity or duplication?

Industry has historically defaulted to minimums for safety, health, amenity and performance; however, the Institute provides support for pathways to 'good practice' under both DTS and performance methods, but with optional tiers and disclosure frameworks.

While the individual Ministers represent the outcomes of baseline NCC discussions to the BMM, the Ministerial working groups would benefit from enhanced engagement of technical expertise to innovate efficiency within future NCC iterations. This technical knowledge sits in the Building Codes Committee (BCC) and the Plumbing Code Committee (PCC) who consist of people with their hands on the design/construct tools. There are currently limitations connecting these BCC members to Ministers' technical NCC working groups. Revision of the IGA to streamline

[3] Department of Infrastructure, Transport, Regional Development, Communications, Sports and the Arts (2024) National Urban Policy.

[4] ArchitectureAU (2024) '*What you need to know about Australian's new National Urban Policy*.' Ehsan Noroozinejad, senior researcher, Urban Transformations Research Centre, *Western Sydney University* and Nicky Morrison, Professor of Planning and director of Urban Transformations Research Centre, *Western Sydney University*.

engagement could reduce the need for jurisdictions to engage their own technical consultant to analyse jurisdictional code implementation and increase transparency around cost implications. A consistent analysis across all jurisdictions would reduce complexity, ambiguity and duplication - and provide better opportunity for people in practice to submit feedback regarding new clauses industry are finding it difficult to implement.

The following recommendations are presented in support of improved contents of the NCC:

+ Publishing of a two-tier structure of the NCC: minimum requirements plus optional 'good practice' tiers with clear verification methods.
+ Expanding measurable disclosure metrics (energy, carbon, health) to enable market pull without changing minimums to reduce cost to certification of emerging products.
+ Clarifying scope: define what the NCC regulates vs what should sit in planning/other policy instruments.
+ Aligning governance reforms with the Building Confidence Report[5] (Weir Report, 2018) by strengthening independent third-party certification and inspection requirements across jurisdictions, rather than expanding self-regulatory approaches.
+ Embedding implementation into the code and not an afterthought by digitising and utilising AI to assist finding pathways to compliance depending on the typology of the project.
+ Simplifying the NCC by clarifying DTS and performance hierarchies, reducing duplication with Australian Standards and state variations, and improving usability through an illustrative library of standard DTS details including companion standard wall/roof assemblies and common conflict-resolutions.
+ Enabling the NCC to operate as a live, digital design brief that maps projects to compliance pathways, supporting real-time verification (as-designed vs as-built), identifying financial impacts of deviations, and generating governance insights through usage data (including alignment with Green Star As Built and NABERS).
+ Developing an NCC app with filtered, pre-verified assemblies (e.g. FRL, materials, height, environmental exposure) to streamline specification and reduce bespoke reporting.
+ Using data insights to inform code amendment priorities, broaden working group participation, harmonise NCC–Australian Standards contradictions (with published rulings and free Standards access), and stabilise structure through limited renumbering and clear crosswalks.

6. How can affordability and productivity implications be better considered in the NCC process (e.g., alternative approaches to presenting regulatory impact analysis)?

7 Do you find it difficult or costly to comply with the NCC? If so, what would make it easier and more cost effective to comply without compromising building quality and safety?

Affordability and certainty of compliance is influenced by planning and market factors, but NCC complexity can add time and cost, especially for small projects. With changes or reforms including earlier cost testing, lifecycle costing, clearer impact reporting, support for modern construction methods, testing grants, and costed compliance options to enable informed trade-offs without compromising safety. The NCC can be updated to embed early-stage cost/productivity testing using real project case studies and lifecycle cost assumptions.

[5] Shergold and Weir (2018), *Building Confidence – Improving the effectiveness of compliance and enforcement systems for the building and construction industry across Australia.*

The following recommendations are presented in support of improved compliance:

+ Publishing an interactive RIS dashboard by building type/climate zone and by pathway (DTS vs performance).
+ Reducing avoidable costs by expanding DTS options for routine details currently pushed into performance solutions.
+ Recognising the scale of developments as both currently need to be held to the same standards such as accessibility, and by example have vastly different needs between multistorey dwellings versus, 'shop-top' investment and adaptive re-use - 'scale' could boost investor interest and provide much more diversity in housing options.
+ Providing free or bundled access to NCC Primary Reference Standards to remove paywall barriers.
+ Expanding DTS provisions for common construction methods to reduce repetitive performance reporting.
+ Establishing a national interpretation register and practical guidance library to minimise certifier variability across all classes. In addition to increasing the capacity of the profession by utilising this national register in ongoing training and reducing the time taken for permits to be issued.

Existing Buildings and Heritage

Affordability challenges for existing buildings largely stem from wholesale upgrade requirements triggered by the 50% volume threshold or change of use, combined with growing reliance on performance solutions. Surveyors' conservative interpretations—driven by insurance pressures—shift risk onto clients, contractors and consultants, increasing project cost. For existing buildings, this often results in extensive compliance works disproportionate to the scale of proposed modifications.

Current codes also provide limited guidance for traditional construction typical of heritage buildings. Techniques such as English Bond brickwork, which offers inherent seismic stability, lack formal recognition. The withdrawal of AS 3826 leaves engineers applying AS 1170 (intended for new buildings), leading to intrusive solutions such as floor reconstruction or large portal frames.

Where existing fabric is retained, the compliance burden remains high even for minor works. Performance solutions have been required to justify the weatherproofing of long-standing masonry façades with decades of demonstrated performance. Developing approved performance solutions for common traditional systems would improve consistency and reduce cost.

Finally, cumulative approval requirements—heritage, planning, council, utilities, plumbing and fire authorities—add significant program time. For example, in metropolitan Melbourne, these parallel permits can extend documentation phases by up to six months, increasing uncertainty and financial risk.

8. How do state and territory variations impact cost and productivity? Which of these variations have the greatest impact?

The Institute recommends limiting NCC variations to defined climate and hazard risks—such as cyclones, termites, flood and bushfire—while delivering geographic tailoring through nationally consistent climate-zone settings rather than jurisdictional overrides. Criteria for any variation should be published, and a multi-year roadmap tracked by clause with adoption timelines. Digital

tools should include automatic filtering by jurisdiction and climate zone to present only relevant content. In NSW, future alignment could see BASIX integrated into Volume 2 (Specifications 42 and 43) and Housing Provisions, recognising nuanced local climate differences within LGAs. This approach would reduce market fragmentation, lower administrative burden, improve cross-border compliance, and support consistent, efficient adoption nationally.

THEME THREE: USABILITY OF THE NCC

9. How could the NCC be improved to make it easier to understand and use?

10. How could the NCC better interact with regulations that sit outside the NCC (e.g. with international standards and Australian Standards referenced in the NCC)?

11. How do you access the NCC (e.g. on a device or via a printed copy)? Do you find it easy to locate and use? What would make it easier to use?

The Institute recommends simplifying the NCC with Plain-English drafting, stable numbering, consolidated tables, diagrams, AI-assisted search, and typology checklists. Ensure free access to Australian Standards, aligned updates, and a conflict-resolution register, supporting appropriate international standards. These changes will streamline use, reduce compliance burden, and make the NCC more practical and user focused.

The following recommendations are presented in support of improved useability:

+ Redesigning the digital NCC to reduce clicks, restore full-table views, and present clearer headings with stronger in-page context.
+ Commissioning comprehensive plain language and technical editing and increasing diagrams where precision is essential.
+ Delivering a project-filtered NCC navigator using Q&A logic, with exportable typology-specific checklists.
+ Developing a mobile-first NCC app with offline mode, bookmarks, and correct table rendering.
+ Adding version certainty tools: project ‘lock to edition’, change alerts, and clearer transition guidance.
+ Deploying an evidence-citing AI assistant that links to NCC clauses and referenced Australian and International Standards (where accessible).

THEME FOUR: INNOVATION AND HOUSING DIVERSITY

12. How could the NCC better incentivise innovative ways of building? Does the performance solution pathway adequately promote innovation and new approaches or are there other approaches to more effectively encourage these outcomes?

13. How could the NCC better support diverse types of housing (e.g., medium density, commercial retrofits)?

The Institute recommends streamlining performance solutions by creating a national register, pre-approved templates, and government-led testing, with proven solutions gradually added to the

NCC as automatic Deemed-to-Satisfy rules. Risk- and scale-based pathways should support small apartments, adaptive reuse, and retrofits while maintaining safety and reducing embodied carbon.

The following recommendations are presented in support of innovative ways of building:

+ Creating a reusable Performance Solutions Register with conditions of use and precedent examples.
+ Providing pre-approved MMC/modular templates and fast-track pathways for low-risk, repeatable innovations.
+ Adopting a 'repeat-to-DTS' mechanism: if a performance solution is common, develop an endorsed DTS option.
+ Developing a proportional missing-middle pathway: DTS packages for small Class 2/3 and mixed-use buildings.
+ Publishing an adaptive-reuse/retrofit risk-tier framework (baseline + upgrade triggers + accepted concessions).
+ Creating clear classifications/guidance for under-served housing types (e.g., tiny houses) with minimum safety.

14. Are there barriers to introducing new building products and methods? What are they and how could the NCC be improved to support their uptake by the construction industry?

Barriers include high testing costs, repeated project re-certification, inconsistent acceptance across jurisdictions, and risk-averse insurers. The Institute supports clearer DTS pathways, international standards alignment, product registers, financial testing support, and resolving existing conflicts to make innovation viable beyond large projects.

The following recommendations are presented in support of reducing barriers:

+ Creating a national product/systems register covering accepted evidence, approved assemblies, and version control.
+ Providing testing support (grants/fee relief) and faster assessment for low-carbon/MMC innovations.
+ Implementing an international reciprocity pathway for robust overseas certifications, with clear local acceptance criteria.

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