

**Report To BCC on Termite Sub Committee Meeting**  
**ACCC offices**  
**500 Queen Street Brisbane**  
**3 October 2008**  
**0830 am**

<i>Present:</i>	Ron de Veer      ABCB Geoff Mitchell    BCC (AIBS) Mike Harding      BCC (HIA) Andrew Campbell   TAG
<i>Apologies:</i>	Matthew McDonald   ABCB
<i>Opening &amp; Welcome:</i>	The meeting considered issues raised at the previous meeting of December 2006 and that there were no further outcomes from that meeting. It was noted that Victoria's building Commission had written a consumer advice brochure on termite management
<i>Business Items</i>	<p><b>Issues.</b></p> <p>It was generally agreed that the community is facing a number of issues pertaining to termites that need to be addressed. The biggest concern is that regulators, industry and consumers all acknowledge that there is a problem but most are at a loss as to how to resolve those concerns.</p> <p>These issues include</p> <ul style="list-style-type: none"> <li>• Interpretation of Terminology.</li> <li>• Perception of the correct function of a termite management system.             <ul style="list-style-type: none"> <li>• That all physical termite barrier systems are more correctly identified as monitoring systems.</li> <li>• That all chemical termite barrier systems are more correctly identified as chemical treatment zones that have 'differing modes of action' dependent upon the chemical active constituent.</li> </ul> </li> <li>• Compliance with the BCA Performance provisions.</li> <li>• Testing of systems.</li> <li>• Functionality and periodic inspection of systems.</li> </ul> <p>These issues could and should be addressed through three means:</p> <ul style="list-style-type: none"> <li>• By the ABCB,</li> <li>• Through the BD/74 Australian Standards Committee (AS 3660 series)</li> <li>• Via education.</li> </ul> <p><b>ABCB</b></p> <p>The first matter to be considered is whether the issue of termite management should be contained within the BCA.</p> <p>The members were unanimous that risk management should be addressed by the</p>

BCA for the simple reason that such systems are an integral part of the building process. Other regulatory regimes would be compatible with or understanding of, the issues associated with termite attack and mitigation.

There are concerns with termite management as currently presented in the BCA. These concerns include:

1. The role of termite management systems in general

Termite systems are in the main monitoring and detection systems and not preventive or eradication in nature.

These difficulties coupled with the belief that the installation of a termite management system will alleviate any chance of infestation causes untold frustration to industry and consumers alike.

Ironically there appears to be a different attitude from the community towards termites to other natural phenomena. We disregard the fact that other natural occurrences such as hail and thunder storms are often beyond the design criteria for the building and are accepted as an act of God. We also accept for a plethora of reasons that a given structure shall never be allowed to be affected by termites but at the same time could burn down without there being an equal risk of litigation.

The vexing question that remains unanswered is; What is the reality between the consumer legislation requirement of “fit for purpose” and the reality of a termite infestation. This issue needs to be addressed because the consumer legislation implies that an attack is a defect whilst the building laws are about minimising the risk. This is a must for the education papers.

2. The role of the BCA in addressing these principles.

The current requirements for termites have the DtoS requirements aligned with the structural performance provisions. Whilst it is conceded that termite damage may have an affect on the structural adequacy of a structure, particularly when coupled with other natural disasters such as cyclones, this alignment and placement is considered to be inappropriate.

Any structural analysis to estimate the effects of termite infestation on a structure or member is impossible to undertake. Similarly to predict the probability of occurrence is more akin to betting odds than to any mathematical analysis. (Review of the CSIRO Double Helix Studies provide information statistics relative to these issues) The inclusion of termite treatment in the BCA is purely for property protection reasons and not for structural adequacy reasons. This factor alone leads to unrealistic expectations from a diverse number of sectors affected by the problem.

***It is recommended that BCC consider relocating the BCA. termites provisions so as to be a loss of amenity provision rather than a structural requirement.***

### 3. Testing and validation.

Currently there are a number of systems that have been verified as being BCA compliant through the use of CodeMark. The question of how such systems were assessed as being compliant has to be openly and honestly addressed. Are these, and for that matter all other systems being proffered as barriers or as detection devices? (the claim of termite barrier status is made on CodeMark documentation and certificates in most cases) The fact that there is no testing criteria that offers a measurable outcome for a product claiming barrier status raises doubt as to the validity of any system.

### 4. In situ performance of systems

The use of the term barrier infers that the system is a preventative means. This inference is exacerbated by the requirement for regular inspections. Even systems being offered as a detection device that are built into the external building fabric that can not be inspected; (as opposed to the inspection zone on the outer surface of the wall) have no means of guaranteeing their effectiveness as an inspection device. Those being credited with barrier status have no visible means of guaranteeing their effectiveness as a barrier. One is unable to inspect the supposed barrier as it is generally built into the external building fabric or placed in the cavity, where it is unable to be viewed. How such an adequate inspection can be achieved is uncertain.

### 5. The labelling of chemicals.

There needs to be a stronger link between the testing outcomes and labelling of termiticides by the APVMA and the end application installation as required by the BCA. The current labelling system does not reflect the shortcomings of products. For example, product "x" may be labelled as being suitable for use as a termiticide, but may only have a life span of 6 months where exposed to sunlight. A range of factors such as composition of the soil medium, alkalinity of the soils therein, organic matter contained in the soil, porosity of soil matter, and a range of other factors will also affect the lifespan of chemical. Singular aspects or combinations of the above will cause these chemical treatment zones to fail.

### ***Standards Committee BD/74***

Standard Australia has been previously approached by both the ABCB and the Termite Action Group on several occasions to amend various aspects of the current standard AS 3660. There has been many promises and no action and there appears to be no review pending in the foreseeable future

### ***Education***

There is a desperate need for a concerted and co-ordinated approach to educating the various sectors that have an association with termite management. The education material needs to address the following groups:

- Consumers

	<ul style="list-style-type: none"><li>• Authorities (local state and federal government entities)</li><li>• Builders and certifiers</li></ul> <p>There needs to be a closer liaison between building regulatory and consumer protection authorities in order to address the issues through education. Matters such as the use and purpose of systems, terminology, workmanship standards and expectations, system selection to name but a few should be included in such information sheets. Such information should be distributed under a collective set of industry and government logos to ensure consistency and uniformity of purpose.</p>
<i>Date of Next Meeting</i>	TBA after reporting to BCC on October 14 <sup>th</sup> & 15 <sup>th</sup>
<i>Close Of Meeting</i>	Meeting Closed 11-40 am