Australian Institute of Building Surveyors

Mr. Kevin Skauge
Dear Kevin,

You would be aware that there have been serious problems in relation to termite management over the last few years with confusion for all parties, especially building certifiers who are required to 'sign off' on systems and products. I have been pursuing these problems for over eight years and have arrived at the core issues of the problem.

Recently, I spoke on a proposal for change at the Australian Building Codes Board (ABCB) National Technical Conference at Hahndorf, South Australia. An outcome of that conference was that I was requested by the ABCB to address my concerns with Standards Australia on the subject of termite management. I was further encouraged by the federal minister for industry, resources and tourism, the Hon. Ian Macfarlane, to pursue these matters with Standards Australia.

In my onward discussions with Standards Australia, relevant to the termite management AS 3660 series, it was discovered that physical termite management systems had been provided with 'barrier' status without being assessed accordingly. AS 3660.3 headed "Assessment criteria for termite management systems" fails to provide any assessment criteria that would establish 'barrier' status for physical systems.

Many of these physical systems are being over-run ('bridged') by termite activity without invoking warranty claims. The warranty on these systems fails to cover 'bridging' aspects despite claims of 'protection' which relate to the barrier status provided in AS 3660.1.

AS 3660.1 is headed "New Building Work" and prescriptively includes physical termite barrier systems in that Standard without the provision of any relevant assessment criteria to determine barrier status of physical systems in AS 3660.3.

If you review the foreword for the current Standard in AS 3660.1, you will note the first three paragraphs read as follows :

The purpose of termite barriers is to deter concealed entry by termites into a building, above the termite barrier. Termites can build around barriers but their workings or evidence thereof are then in the open where they may be detected more readily during regular inspections.

The Standard contains no procedures or details on durability, maintenance and inspection issues.

Where barrier systems for termite management of a building are to be installed, the designer should complete all construction details giving due consideration to the above before works commence. The requirements for an effective termite barrier can then be established for the particular site conditions and for any building characteristics.

The fact that the Standard contains no procedures or details on durability and fails to provide 'barrier' assessment criteria for systems that are generally incorporated into the construction of a dwelling should be cause for extensive concern for building certifiers who certify and sign off these termite management systems. Informing building surveyors and members of your association of their 'duty of care' and 'duty to inform' requirements under Australian Law is something that the AIBS should immediately consider as a responsible industry association's pre-eminent requirement.

The BD-074 committee that wrote the AS 3660 series has significantly erred in not providing 'assessment criteria' for physical systems. The CSIRO's technical assessments, the ABCB's certificate of conformity and indeed the recently introduced CodeMark scheme are all based on the false premise provided in the Standard (AS 3660.1) that physical termite management systems are barriers.

I have been provided with a copy of AS 3660.1 by Standards Australia to review and rewrite for the termite management committee (BD-074) to review when it reconvenes. Standards Australia senior management is in complete agreement with my recommendation that the word 'barrier' be removed from the Standard entirely. Physical termite management systems will revert to 'termite monitoring systems' as per their 'mode of action' and applied assessment criteria would suggest. All chemical systems will be denoted as 'treatment zones' and refer back to the chemical actives' properties.

You obviously would be aware that the 'barrier' status afforded physical termite management systems has allowed manufacturers and distributors who market these products to be able to falsely claim 'protection'. The onward marketing claims of 'green' chemical-free termite management and emotive false claims involving termite management without the use of 'poisons' are spurious and mislead homeowners. Chemical intervention is obviously necessary whenever any of these systems are challenged by termites. These falsely advertised claims have seriously misled homeowners and all other parties involved in the building process.

An ACCC director has expressed the view, based on information supplied by TAG, ***"That consumers could be left with termite systems that provide inadequate protection, or left with systems that have limitations they do not understand, due to a complexity of regulations, industry descriptions, testing and approval processes and product descriptions that are consistent with regulations but are unclear to ordinary consumers. The possibility that consumers are left with termite systems that they are required to service or support in ways they do not understand, or systems that do not really provide the level of protection expected, means that many consumers are living with risks they do not appreciate. Those risks could mean the loss of the most significant investment most consumers make, and such risks cannot be adequately lessened through traditional means like insurance. The need for proper testing criteria and reliable performance assessment of termite systems is crucial for the well being of Australian home owners".***

The above statement was provided by the ACCC director prior to the discovery that there was no 'assessment criteria' for physical termite management systems in AS 3660.3.

I understand your members 'certify and sign off' on these physical termite management systems as 'termite barriers'. There are obviously legal ramifications for certifiers in the certification process. It is my strong counsel that the AIBS make all members aware of their requirements and request that they desist from using the term barrier in relation to physical termite management systems. Furthermore, the AIBS, as a responsible industry association, has a duty in law to inform their members of the need to inform homeowners and all interested parties that these systems and products are 'monitoring systems' and not barriers.

You would also note with monitoring systems the need for chemical termiticide intervention whenever challenged by termites. This also needs to be legally reviewed in relation to all aspects pertaining to onward advice provided to all parties inclusive of the homeowner.

My further advice is that where these systems require certification, you ask that your members request 'performance criteria' or 'assessment criteria' which adequately demonstrates 'barrier status' be provided by the manufacturer or system provider.

I am also writing to industry associations for builders (HIA & MBA), pest managers (AEPMA), architects and building designers (RAIA & BDAA) as well as individual members to make them aware of these serious matters. The builders, specifiers, certifiers, system providers and installers all require to be informed of this

circumstance along with homeowners who are being duped by the current practices.

There are several other serious shortcomings in the AS 3660 series that further prejudice the rights of all parties. I will provide the AIBS with further advice on these matters as I continue my review of the AS 3660 series. Please advise the building surveyors of these important matters that directly affect their industry in the certification of these products. If you require further advice or assistance on these matters you may either contact me by return email or phone me on #0417 795 940.

Kindest Regards,

Andrew M. Campbell

Group Co-ordinator, TAG

P.S. Please circulate to all AIBS Members