

Holland, Teresa

From: Kevin R [justus11@optusnet.com.au]
Sent: Friday, 9 September 2011 2:34 PM
To: DCCEE - Residential Disclosure
Subject: Residential Building Mandatory Disclosure Proposed Measure
Attachments: Sept 9, 2011 Comments on the proposed energy saving measure.doc; Proposed Federal Government's building standard disclosure Aug 2011.doc

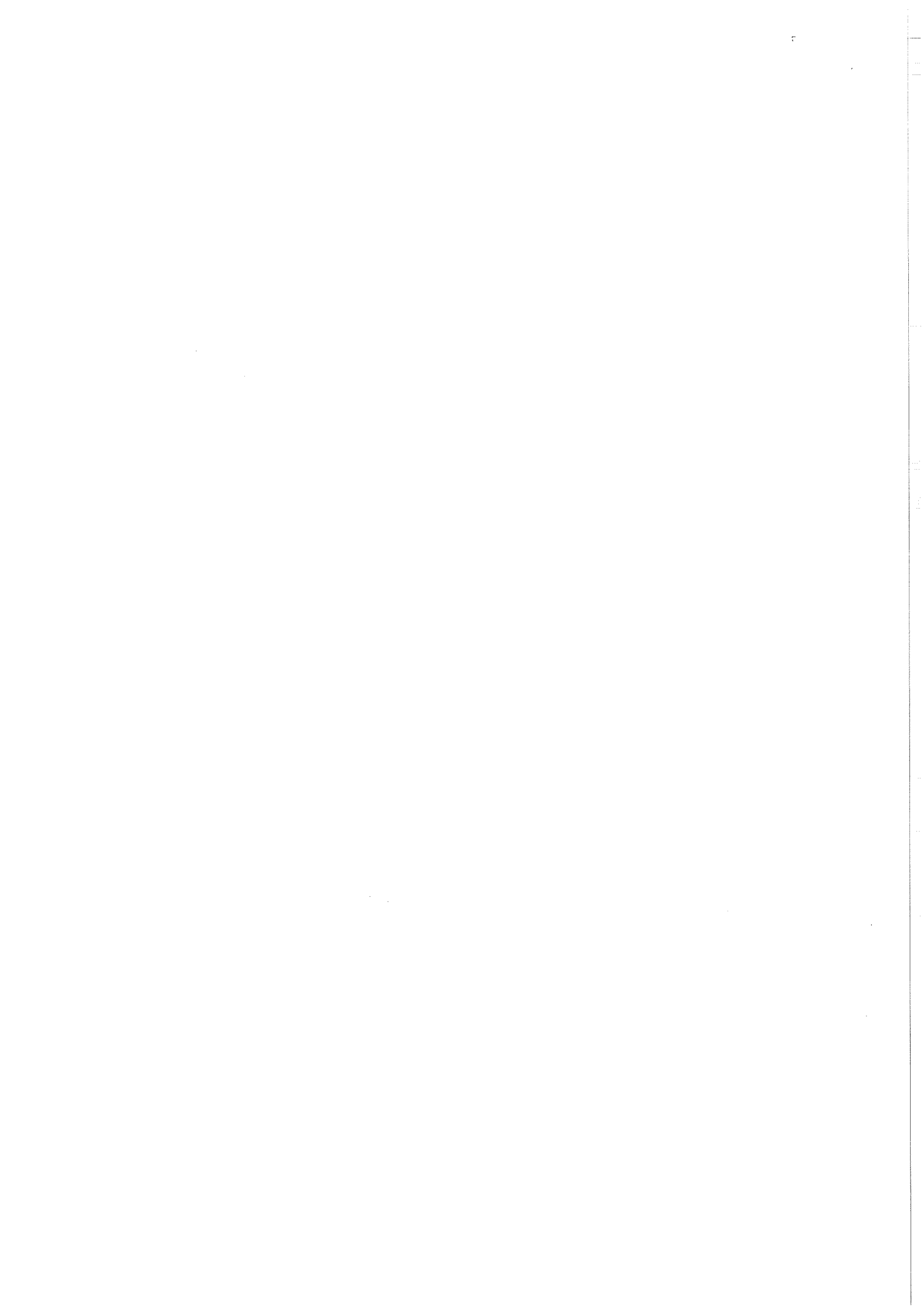
Submission on
Residential Building Mandatory Disclosure Proposed Measure

**Residential Energy Efficiency, Department of Climate Change and Energy Efficiency, Canberra, ACT.
Sept 9, 2011**

1. I only received a copy of the consultation paper and supporting documents late on Thursday, Sept 8, 2011, and I have prepared the attached submission.
2. **As presented the proposal has limitations and high costs, and is really unsuitable for the purpose.**

Kevin Russell, Springwood, NSW

For further details see attached enclosures.



Comments on the proposed measure: "*Residential Building Mandatory Disclosure*"
Sept 10, 2011

Kevin Russell, 15/110 Lalor Dr, Springwood, NSW, 2777.

In its current form it is not suitable because: it is too costly; it has many holes in the ideas; and it ignores good quality existing dwellings.

A copy was received late yesterday, Sept 9, 2011, thanks to the assistance of Senator Doug Cameron's Staff.

I had independently criticised the proposal in a letter to Senator Doug Cameron of Springwood, and he kindly arranged for it to be submitted as an independent objection to the above proposal.

After browsing through the very lengthy document, seemingly prepared by the Dept of wishful thinking; about a proposal to reduce energy and water consumption in Australian dwellings; based on impractical ideals; and avoiding any common sense on this important issue; I still agree with what I have set down in my original letter dated Aug 29, 2011.

Please note the following points, where I respectively suggest there are concerns in the published document.

Yes we need to do something about excessive energy waste, however let us be smart about what is done.

Comments:

These are submitted, as found, in my brief reading of the document.

1. There are some major factors not listed for new dwellings

- a. All rooms must be fitted with doors to adjoining rooms. These act as zonal controls, allowing service rooms to be closed off from the main heating or cooling air. Not all rooms are occupied.

2. It ignores the obvious

- a. There is a difference between living in a built-up urban area to a regional home. The latter is usually self sufficient, and must not be penalised.
- b. Dwellings with an external energy power, water and sewerage supply; and located in an urban area, need to be included with such limitations, because they rely on high cost, energy services.
- c. Larger dwellings There must be some additional cost in providing power, sewerage and water to an excessively large, urban dwelling, say over 200 square metres in area, located on land in excess of 1000 square metres. Large rooms require more energy to heat or cool the dwelling.
- d. Lamp illumination levels *This is a little outside the subject, but still relates to the main question.*
The close coiled, energy saving, fluorescent lamps are marketed; say a 14 w lamp as being equal to a 75 w incandescent lamp. This is totally wrong as the illumination level is very poor. If you have a single ceiling socket, you are lucky to receive half the illumination of an incandescent lamp. This is dangerous to older people with eyesight problems, and there is insufficient illumination to read by one of the new lamps. The some people perceive a continuous flicker from the new type of lamp. They should be banned.
All lamp fittings should be designed around any new energy saving lamp, as currently the old standard light fittings are still for sale, based on Incandescent lamps. They should be banned also.

e. Building material, base energy costs

Some materials, such as standard concrete, is a high overall energy consuming product, whereas if the waste products from steel making are included, it reduces the manufacturing costs, as well as improving the on-site performance of the material.

All building materials must be classified on their manufacturing costs and energy consumption, so in the original dwelling building costs, the

best combination is used.

Local Australian manufacturing should be identified and supported; with a high energy levy on all imported materials. It is understood that the world's container shipping operations generate over 4% of the World's carbon dioxide.

- f. **Grey water** This is a contentious subject. There are considerable doubts about any individual "grey water" installations on a small urban allotment. All systems require constant servicing, or they become a health hazard:

There appears to be two different types:

i. **Type A**

A limited separation unit that simply handles the grey water. It contains a surge tank that captures selected dump loads of washing machine, bath and shower drainage water to then distribute the water into a series of sub-surface drippers, placed underground in appropriate locations to water plants, shrubs and trees.

It requires human management of the system, because certain greasy washing loads, harsh chemicals in bleaches, other cleaning fluids or compounds, nor other bacterial concerns cannot be flushed into the surge tank. Such foul waters must be manually diverted into the sewerage system.

Only specific washing powders, cleaning fluids, etc can be used in such a system.

The grey water must be used within 24 hours, or problems occur.

It would require a limited service every so often to ensure that it is functioning satisfactorily, and to clean out the device.

This type of system is available for around \$3,000 plus installation and distribution bits and pieces.

ii. **Type B**

The other type treats the water so that it could be used again in a washing machine, flush a toilet, and wash a car. Again certain limitations of what washing powders, chemicals, etc are used. This type will require regular servicing, removal of collected compounds, testing and certifying the water output quality, etc, to ensure it operates at an acceptable level.

This system costs around \$10,000 plus, the cost of installation and distribution, together with the necessary periodic service costs.

- iii. **The local soil type has a great influence on the use of grey water systems:** sandy soil areas usually have a useable water table where the clean water is a valuable commodity. If it is fouled by any grey water, it is totally destroyed. In the Blue Mountains, care has to be taken because of the underground rock formations that will simply disperse any fouled grey water to other areas.

It is a very questionable idea, and only succeeds with a community or local authority system which is subjected to strict controls and checks.

- g. High power consumption products such as **Plasma television sets should be a banned import.** The retail sales industry will sell anything, as long as it is a sale.

- h. **The paper and the proposed actions are based on people understanding the technical terms and implications, so they can make a meaningful decision.**

Unfortunately product development and technology is moving far ahead of many people's understanding and comprehension.

The reports approach will create another seller/salesperson's dream; come in suckers, etc. Most people who rent cannot control, access, maintain, nor it is suggested relate to such features in your report. Plus how many landlords will relate to the complications, extra costs, problems, etc, included for rental properties, as stated in the report?

Who trusts what a real estate salesperson puts over in their spiel?

[Page 44, Point of disclosure, etc]. *Unfortunately too many people are caught out, because of the complication and detail in the purchase of a dwelling, townhouse, unit, villa, etc.*

Unfortunately the report is seemingly written by people who believe that *fairies can be seen at the bottom of the garden!*

- i. **Maintenance** Unfortunately most items suggested require a degree of maintenance to function in the proper manner.
For example: We have a heat-pump, off peak electric hot water service, new in 2007 that has failed twice, with an expensive pump failure. It is a well known brand, and it was purchased on the basis that domestic and commercial refrigeration equipment is very good, maintenance free and reliable, so as it is based on similar technology we would be OK. But no, it has failed twice! There is a hot water circulating pump that has been clogged with muck, normally not noticed in the drinking water supply, but when such water is heated and circulated around, the residue collects in the pump and fails the system. I enquired as how to fix it? Put a filter on the cold water supply pipe.
All very good, but you seemingly cannot obtain a large enough or fine separation quality filter that will remove such micro sized particles, and not reduce the water pressure in the hot water house piping! I have contacted the water supply authority and await the possible action where they will flush out the supply mains more often, because we are at the end of the mains' system!
We it works it works well, at a much lower energy consumption. However just multiply the up and coming problems with such a system in general use!
- j. **Gas alternatives** Not every body has access to gas supplies. We lived at Carlingford originally and we had gas. However at North Rocks, Salamander, and here at Springwood there is no gas, and this access factor has been ignored in the report.

3. Reference your report pages:

a. The Pie Chart:

- i. This shows that the main consumption of energy is by industry 21%; commercial 7%; transport 38%; a total of 66!
Where are the plans to reduce those areas?
- ii. With the reports suggestions being put in place, **what will the overall % savings in power, energy, water etc, for residential?**
This important value could not be found.

b. **Page 16 Real estate marketing advertisements:** All real estate adverts gloss up a property's description: *Ideal for renovations= it is a wreck; recently upgraded= watch out for bad workmanship; nice area [except for the barking dog next door]; quiet area= a real porkey for selling a home near Newcastle RAAF Base and Airport [it means it is quiet Monday to Friday when the RAAF are not flying!* The RAAF base was there first, and people who arrived on a weekend believed the local real estate that it was a quiet area!

c. **Page 50, self assessment.** This will be a *make believe operation*, similar to the *good things that a developer lists when submitting a DA for approval, it has only the best, etc, etc,, etc.* A very doubtful exercise.

d. **Page 47-48: Assessment in time for a home owner to be present whilst a dwelling is assessed!**

Today, most couples both work, and in many instances, they work some distance away from home; then there will be the time variations between when the assessor arrives, say mostly later than promised! So the cost will be at least half a days pay.

Higher real estate fees! Somebody must live in another world, as currently real estate selling is a very competitive business, with fewer properties available for sale, so they do try to reduce any expenses in their operation.

e. **Page 42:** Many new homes only have air-conditioning, **without any opening windows!** The Australian climate allows fresh air to be used for a major portion of the year.

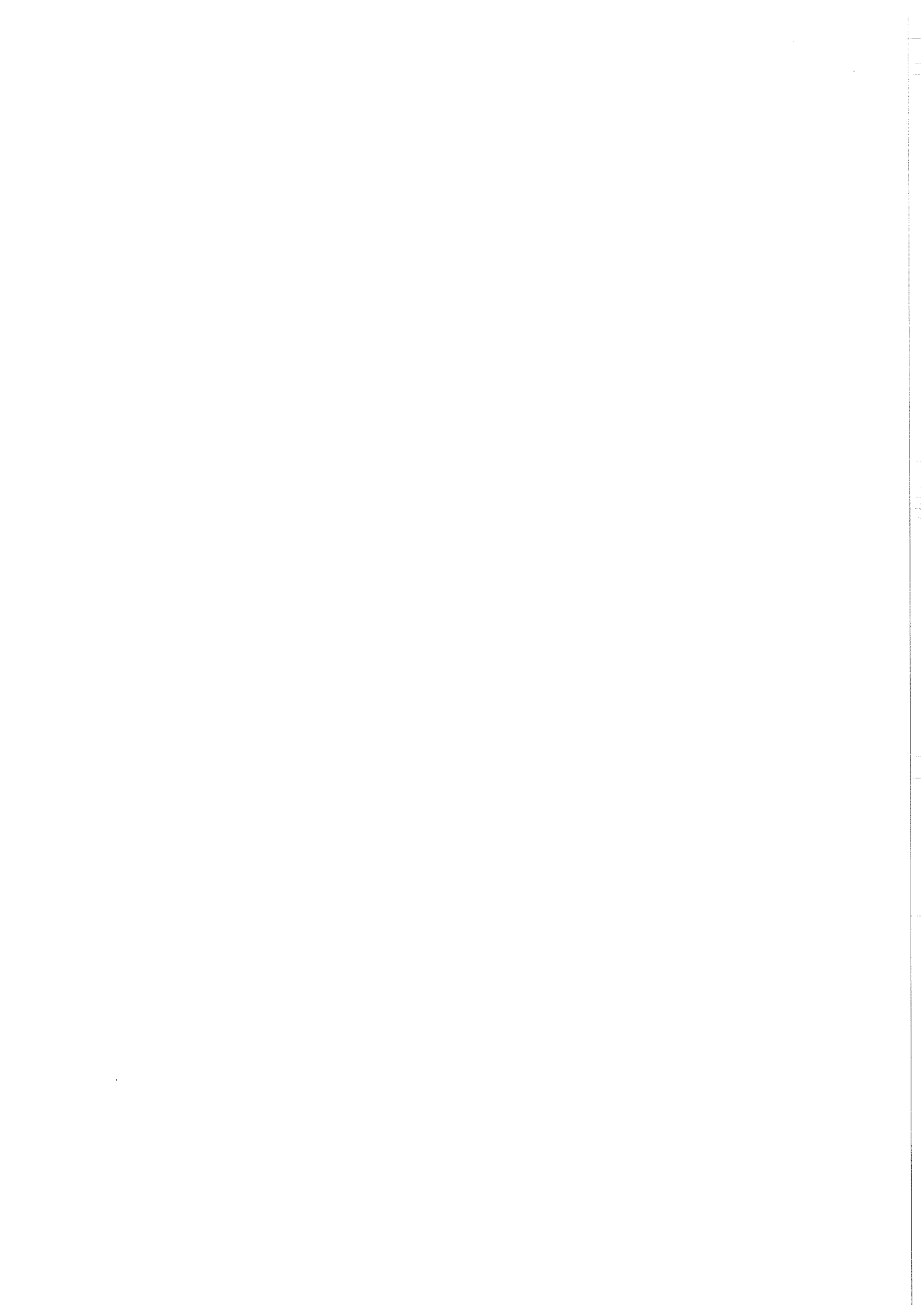
Such actions are cheap; use no power [as long as you do not have to lock your windows to stop a hoon entering]. So let us increase the number of Police to allow more people to open their windows, and make this feature a requirement of the Australian Building Code.

- f. **Page 43.** Does anybody associated with this report ever relate to the real world situation: properties for rent are rare; there is a shortage of some 700,000 homes in Sydney!
- g. **Page 44 Public register:** Such information will only be *possibly* accurate at the time of placing on the public register! The identified entities have to be: still in place; been maintained to be efficient; still operational; not covered in paint, dirt, or other factors that will effect their operation, etc.
Then they must be accessible by all, which is impossible, because not all individuals have an internet, can operate it, can afford it, will trust what may be listed, etc. In our village of 40 villas, there are some five or six internet interested people.
- h. **Page 54** A bit of a contradiction:
- i. In reality a 10 or 30 pay-off of the extra costs is questionable, because it ignores maintenance or replacement costs [*they will wear out*] of the more expensive entities involved; It is amazing that the *benefits or savings would be useful things such as entertainment!!!*
 - ii. **Page 137 table D31** shows that dwellings were turned over in 18.89 years, so a ten year payoff provides a limited return, and a 30 year payoff is of no value. At 18.89 years items will be approaching their end of life cycle, so the actual value of energy saving will be falling!

Our turnover was 10, 23, 13, years, with 3 years where we are today.

- i. **Page 63-4; 70:** Very theoretical tables!
- j. **The groupings of proposed building/dwelling improvements is bad.** It should recognise the different types of dwellings; then the possible energy saving entities should be divided into those sections.:
 - i. **Existing buildings:** lighting; hot water systems; sealing external doors; dual flush cisterns'; shower heads; insulated ceilings; hot water systems [if there is space or roof areas available]; window furnishings;
 - ii. **Strata Title dwellings;** the owner and particularly the renter has no control or access to the building structure or external fittings. A multi-storey building has further limitations. In many instances it is impossible to provide clothes lines [that are not a thief's paradise]; outdoor living areas; fixed heating and cooling systems; water tanks;
 - iii. **New dwellings: include zonal closing doors** [see para 1 above]. See my letter of Aug 29, 2011 [attached]; floor insulation; wall insulation; double glazing;
 - iv. **Rented dwellings:** a very doubtful area that needs direction. We have some 5 rented villas, where the remote owners simply collect the rent!
 - v. **Solar power systems:** These seem to be an area without any standards. What will happen if every body has a system that is coupled into the community power supply [*in various ways, and possibly questionable standards of application? We have our own power supply into the village from a transformer, so the system will have some questionable voltage there, with questionable, variable safety features, all in different levels of repair! The mind boggles?*]
 - vi. **Halogens: Page 98, p 132:** The cost in replacing these is too low: licensed electrician, with new fittings say @ \$60 each, with say ten lights= \$750. minimum!
 - vii. **Any disclosure must be in plain every day English, with out recouring o graphs, etc, that people will not understand.**
 - viii. **Forget: top-up ceiling insulation** too expensive and difficult, with many problems in workmanship and safety.

- k. Page 132 Plumbers! The cost in replacing a shower rose would be \$63 + plumber \$150, per house call! *Not every person understands how to change a shower rose.*
- l. Page 139 table D32: Suggest that the in practice costings will exceed those quoted for many reasons.
 - i. Forget window tinting, as there are no standards enforced in this area. Most available products crinkle after a short time, provide a distorted image, are expensive, with doubtful results.
 - ii. External blinds are another questionable, expensive product, without any standard.



The *proposed* Federal Government proposed legislation

Aug 20, 2011

For mandatory energy star ratings for residential properties that are either sold or rented out [2012].

It was reported in the Sydney Telegraph on Saturday August 13, 2011, and in other newspapers that the Federal Government is proposing the introduction of a mandatory energy rating for *all* residential properties before they can be sold.

Such legislation is questioned: because **there is no reasonable purpose for such action; and it will achieve nothing except to increase home purchase prices and/or weekly rental cost.** It lacks common sense; it does not relate to the sale or rental of existing dwellings/residential properties constructed *before any new energy standards were legislated by the various State Governments.*

It is a complete farce.

As our Representative, could you please consider the following issues and make due representation to resolve the question in a better way:

There is a better way, please read on:

The understood legislation:

1. *To require that all residential properties are assessed before their sale, to determine an energy rating, seemingly based on an existing 1999 ACT legislation][with a zero to eight or ten star rating; to an outline:*
 - a. *Having north facing living areas; insulated walls and ceilings; insulated concrete slab flooring; double glazed windows; tested for heat leakage [around doors, windows, or other leakage points]; ventilation efficiency; energy efficient construction; fitted and constructed to reduce domestic water consumption; the quality and features of electrical and/or gas appliances [as to their comparative and low energy consumption].*
 - b. *There would be a mandatory disclosure system required before the property is either sold or rented. Based on an assessment cost of around \$200 per property; this would cost some \$1.1 billion over the first ten years; where vendors, landlords, property investors would have to foot the assessment bill.*
 - c. *No doubt that it would be based upon "private assessors" who will climb aboard the new system; with questionable qualifications in this very new skill area. So we will have the "blind leading the blind; with some very questionable results, at a great cost to the community, particularly the elderly!*
2. **The whole idea lacks any purpose, nor will it improve any existing residential building's energy qualities; it will not sort out any problems or issues; how things could be improved; any grants or other support to improve the situation, particularly for any low income people. It does not relate to the different climate differences around Australia, It will achieve nothing, except to identify the obvious; we have a lot of older dwellings. It is suggested that over 90% of existing dwellings do not comply!**
 - a. *It seems the Canberra one-star rating difference could reduce the selling price by 3%. What a load of gobbley-gook! The approach is typical Canberra rubbish, conceived around a possibly important issue, which totally ignores the actual facts, particularly that Australian dwellings are located across vast climatic differences, from the Tropics to cold Mediterranean climates in Tasmania.*
 - b. **The building development industry is based on: a maximum return to the developer; building residential buildings to a minimum**

legislation/standard requirement; then selling the dwelling at the maximum price the market will allow. *Note that all property sales are based upon a legal contract where the dwelling is "sold, as is"!*

- c. Any property purchase relates to what monies and finance are available; the visual appeal to the buyer; the location and relationship to services, education, health, employment, transport, etc; and most importantly, can the purchaser afford to purchase the property.
- d. Similarly with a rented property. Landlords seemingly have a reputation in most instances of asking for the highest rent the market can afford, for the existing quality and fit out of that dwelling.

3. The suggested legislation totally ignores some very important issues:

- a. It ignores the age of the building; what was the original building standard used in construction; where the building is located [ACT residential house design and construction are totally unsuitable for Brisbane, Darwin Cairns, etc; and any dwelling must relate to the prevailing, local climate conditions; and so on! NSW and Qld, rightly have different approaches to energy saving building standards, inclusion requirements, etc.
- b. Not every building allotment faces north; nor is it located on the northern landform slopes in a subdivision. Currently your single storey dwelling can be blanketed by an adjoining development, as building regulations allows a two storey dwelling/building some 8 metres high to be built close to the allotment boundary [you have no rights to a view, to sunshine, etc. So later, adjoining developments can easily limit any thermal qualities of a dwelling; growing trees can easily change the local climate of any one allotment; etc. No legislation can change those situations.
- c. In Australia there is a strong dream to own your own home. Now that home can vary in type, construction, age, location and other factors, *but it is still the family home!* It was and it is currently a struggle to own your home, but many people have achieved this. Now that home can be a 40+ year old fibro cottage, cared for and loved over those years, so what right has any other person got to criticise, devalue and be smart about that home.
- d. You cannot expect such a dwelling to be destroyed and rebuilt to a 2012 standard! Nor is it practical to rip off the interior wall linings, fit insulation, seal all air leaks, upgrade all fixtures, etc. Most people cannot afford such an approach. Then many Australians live under "Strata Title", where it is virtually impossible to change the building structure, construction, insulation, double glazing, and all the other desirable ideals set down in the legislation. The writer and his wife [late 70s] lives in a 40 villa, Over Fifty-Five, Self Care Village, where such changes are impossible, and more important, it is suggested that a majority of our villagers could not afford, or even understand what the Canberra-ites have in mind. There are 19 single/widowed ladies; 7 single males; along with senior married couples in our village. The new legislation totally ignores our Village's situation, and people's financial circumstances.
- e. Which raises the question: **What is the actual total ENERGY COSTS RELATED TO A NEW DWELLING; THE MANUFACTURE OF NEW AND REPLACEMENT MATERIALS, LABOUR COSTS, how much carbon would be generated in a**

destroy and rebuild; PLUS ALL THE "RED TAPE ASSOCIATED WITH CURRENT DAY Local Government APPROVALS, etc for a new dwelling! It is respectively suggested that replacement of all low star rated dwellings will consume more energy than some other more constructive approach. The proposed legislation is simply to line other people's pockets for no overall gain what so ever!

- f. **Education and understanding** In today's society there are many "con merchants" around, thieving people's assets, the world is full of them! Consider the effect on our older generations? The current day legislators must realise that there are older citizens around who will not understand nor comprehend the *continued changes* that are happening these days! Yes and one day they will grow old and will realise life's situations. All this tripe is not helping our communities and society to live a happy, comfortable life! **The legislative "goal posts" are continually changing, and it has been difficult to stay ahead in 16 years that we have been retired!!!!!!**

There must be better education and understanding of things; our legislators must not impose another legislation that requires a solicitor or other legal entity to sort it all out. **And do not refer us to CanberraComplexitySite.com.gov, as such subjects are amplified, dissected, written in PublicServicespeak, to simulate a maze of misunderstanding. Not every one in our age bracket can even access, or afford the high cost of internet access; in comparison to an excellent letter box, serviced by our obliging postman.**

Surely there is a better way.

4. **Simple solutions:** Require the existing Local Government 149 certificate to include the building's related building standard; star standard; date completed. This would be the simplest means of conveying the same information; along with the normal, existing building inspection certificate that most residential buyer obtain from qualified senior trades people.

- a. Better education of local environmental standards; there is a lot of *gobbledygook* out there.

- b. If we are fair dinkum about reducing energy usage in the community, it would be a much better thought to: **REQUIRE ALL NEW COMMERCIAL, OFFICE, AND RETAIL ESTABLISHMENT BUILDINGS to be energy efficient and self contained entities.** Some years ago such a building was built in Parramatta. Just consider the difference between the existing buildings planned for Barangaroo in Sydney to a fully environmental friendly complex! *[I don't know the detail, but it can be sure that the current ideas are based upon a minimum approach][para 2[b] above].*

Just think about it!

There is a better way.

Kevin Russell, Springwood, NSW 2777.

Senator Doug Cameron
2011
Unit 6, 5 Raymond Rd Springwood
NSW 2777

Aug 29,

Subject: Proposed legislation for: mandatory energy star ratings for residential properties that are either sold or rented out [2012]

Dear Senator Cameron

I am writing to you re the above, as you are our only Federal Government Representative, I am sure that you would consider the concerns, as set out on the attached and be in a position to do something about the proposed legislation.

Please read the attached, and consider the options of a better way.

Australia needs some positive forward thinking, as to where we are all going, providing individuals; working people; parents and families; young and old, an opportunity to live in acceptable circumstances and conditions, where all are respected in our society.

Fortunately, my life provided me with the ability to understand, listen, learn from my seniors how to create and build using my own hands and ability, serving then some five years in a trade apprenticeship, then moving into another skill of designing and creating Australian built transportation vehicles.

I was and still am a proud Australian, and I can look back on my life as being creative, for better things for others to use, and I have pride in seeing my work, and the work of other co-workers still being used for the benefit of our communities through out Australia.

We must consider our environment, our homes, employment, education, and such in a way that there is a positive forward movement.
Unfortunately the proposed legislation does nothing in that direction.

There is a simpler way.

I ask that the basic question be reconsidered and a simpler solution be utilised that will achieve something positive.

Yours faithfully

Kevin Russell
15/110 Lalor Drive Springwood

Ph 4751 6069.

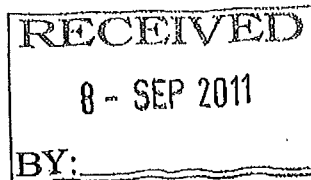
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One simple solution is *[quoted from the attached text]*:

5. **Simple solution:** Require the **existing** Local Government 149 certificate to **include the building's related building standard; star standard; date completed.**

This would be the simplest means of conveying the same information; along with the normal, existing building inspection certificate that most residential buyer obtain from qualified senior trades people.

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- c. **In Australia there is a strong dream** to own your own home. Now that home can vary in type, construction, age, location and other factors, *but it is still the family home!* It was *and it is currently* a struggle to own your home, but many people have achieved this. Now that home can be a 40+ year old fibro cottage, cared for and loved over those years, so what right has any other person got to criticise, devalue and be smart about that home.
- d. You cannot expect such a dwelling to be destroyed and rebuilt to a 2012 standard! Nor is it practical to rip off the interior wall linings, fit insulation, seal all air leaks, upgrade all fixtures, etc. Most people cannot afford such an approach. Then many Australians live under "Strata Title", where it is virtually impossible to change the building structure, construction, insulation, double glazing, and all the other *desirable ideals set down in the legislation*. **The writer and his wife [late 70s] lives in a 40 villa, Over Fifty-Five, Self Care Village, where such changes are impossible, and more important, it is suggested that a majority of our villagers could not afford, or even understand what the Canberra-ites have in mind.** There are 19 single/widowed ladies; 7 single males; along with senior married couples in our village. The new legislation totally ignores our Village's situation, and people's financial circumstances.
- e. *Which raises the question: What is the actual total ENERGY COSTS RELATED TO A NEW DWELLING; THE MANUFACTURE OF NEW AND REPLACEMENT MATERIALS, LABOUR COSTS, how much carbon would be generated in a destroy and rebuild; PLUS ALL THE "RED TAPE ASSOCIATED WITH CURRENT DAY Local Government APPROVALS, etc for a new dwelling!* It is respectively suggested that replacement of all *low star rated* dwellings will consume more energy than some other more constructive approach. The proposed legislation is simply to line other people's pockets for no overall gain what so ever!
- f. **Education and understanding** In today's society there are many "con merchants" around, thieving people's assets, the world is full of them! Consider the effect on our older generations? The current day legislators must realise that there are older citizens around who will not understand nor comprehend the *continued changes* that are happening these days! Yes and one day they will grow old and will realise life's situations. All this tripe is not helping our communities and society to live a happy, comfortable life! *The legislative "goal posts" are continually changing, and it has been difficult to stay ahead in 16 years that we have been retired!!!!!!*
There must be better education and understanding of things; our legislators must not impose another legislation that requires a solicitor or other legal entity to sort it all out. *And do not refer us to Canberracomplexitysite.com.gov, as such subjects are amplified, dissected, written in Publicservicespeak, to simulate a maze of misunderstanding. Not every one in our age bracket can even access, or afford the high cost of internet access; in comparison to an excellent letter box, serviced by our obliging postman. Surely there is a better way.*
4. **Simple solutions: Require the existing Local Government 149 certificate to include the building's related building standard; star standard; date completed.** This would be the simplest means of conveying the same information; along with the normal, existing building inspection certificate that most residential buyer obtain from qualified senior trades people.
- a. Better education of *local* environmental standards; there is a lot of *gobbledygook* out there.
- b. **If we are fair dinkum about reducing energy usage in the community, it would be a much better thought to: REQUIRE ALL NEW COMMERCIAL, OFFICE, AND RETAIL ESTABLISHMENT BUILDINGS to be energy efficient and self contained entities.** Some years ago such a building was built in Parramatta. Just consider the difference between the existing buildings planned for Barangaro in Sydney to a fully environmental friendly complex! *I don't know the detail, but it can be sure that the current ideas are based upon a minimum approach [para 2(b) above].*

Just think about it!

There is a better way.

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