

Before You Dig Australia submission to the Productivity Commission's Housing Supply Regulation inquiry

17 August 2026

1. About Before You Dig Australia (BYDA)

Before You Dig Australia (BYDA) is the national not-for-profit peak body for underground utility damage prevention. BYDA operates the national referral service that connects excavators, contractors, developers and homeowners with the owners of underground assets — electricity, gas, water, sewerage, telecommunications and other buried infrastructure — before excavation work begins.

BYDA's membership spans utility companies and asset owners across every state and territory and our mission is to eliminate infrastructure damage, personal injury and harm, and service disruption caused by excavation striking buried utility infrastructure, through better legislation, data standards and industry practice.

BYDA also has over 700,000 registered service users and processes more than 2.7 million requests for underground utility asset location plans annually. BYDA's mission goals - **Zero damage, Zero harm, Zero disruption** - are directly relevant to this Housing Supply Regulation inquiry as it addresses principle 3: coordination with infrastructure.

2. Overview and context

BYDA welcomes the opportunity to respond to the Productivity Commission's interim report on housing supply regulation. While the interim report does not directly address underground utility strike risk, BYDA's evidence goes to the heart of the Commission's own best-practice principle of coordinating housing with infrastructure and to several specific reform directions and information requests concerning infrastructure planning, coordination and data.

Our key message is this: as Australia accelerates housing supply through upzoning, faster approvals and greater greenfield and infill construction activity, the volume of excavation occurring near existing underground infrastructure will rise.

Unless this is matched by nationally consistent safeguards, the **reforms proposed in the interim report risk increasing the incidence of utility strikes**, with consequences including injuries and fatalities, service outages, construction delays, cost blowouts and reputational damage to the housing reform agenda itself.

This is an unaddressed cost of the very reform directions the Commission has prioritised, and a genuine opportunity to strengthen them.

BYDA strongly recommends the Commission's final report:

- Recognises excavation damage to existing buried infrastructure as **a material risk and cost** within the 'coordinate with infrastructure' principle and Chapter 4 reform directions;
- Supports a **national, legislated mandatory pre-excavation enquiry duty**, so that referrals to Before You Dig Australia are a standard, upfront requirement in development and construction, consistent with reform direction 3.1;
- Supports nationally consistent minimum data standards for underground utility asset information (aligned to AS 5488), to reduce both **strike risk and planning uncertainty for developers**; and
- Support the development of a national data and reporting framework for excavation damage and utility-strike casualties, to **fill a current and significant evidence gap**.

3. Excavation damage: an unaddressed cost of housing supply reform

The interim report correctly identifies that poorly coordinated infrastructure delivery can delay or prevent new housing, citing the Torana Estate greenfield development in Sydney, where postponed sewerage connections stalled construction for years.

BYDA's evidence points to a related but distinct problem from another angle: damage to existing infrastructure caused during the excavation and construction process itself.

When excavation works, including trenching for new connections, footings, driveways, landscaping or civil works, proceed without accurate knowledge of the location of existing underground assets, the results can include:

- Injury or loss of life to workers and members of the public;
- Outages to electricity, gas, water, sewerage or telecommunications services affecting households and businesses;
- Direct repair costs borne by asset owners, developers and, ultimately, the community and consumers through passed-on costs;
- Construction delays while damaged assets are made safe and repaired, and while incident investigations occur, and;
- Erosion of public and industry confidence in fast-tracked or streamlined approval pathways, if these are seen to increase risk to essential services.

These outcomes work directly against the Commission's stated objectives. A best-practice housing regulatory system that is 'welfare maximising' must account for this externality, in the same way the interim report already accounts for externalities such as construction noise, environmental damage and neighbourhood amenity. Currently, it does not.

4. Response to the Productivity Commission's best-practice principles and reform directions

Principle 3: Coordinate with infrastructure

BYDA strongly supports Principle 3 and its objective of planning housing and infrastructure together.

BYDA submits that 'infrastructure' in this context must explicitly include existing buried infrastructure that new development sits alongside or above, not only the new infrastructure required to service a development.

Coordination failures affect both directions: failing to plan for new infrastructure delays housing (as the PC's interim report documents); failing to identify existing infrastructure before excavation damages assets and endangers lives.

Reform direction 3.1: early consideration of infrastructure interactions

This reform direction already contemplates "engaging with referral agencies or owners of existing infrastructure to identify potential barriers to development early."

BYDA's national referral service is the practical operating mechanism for this engagement.

BYDA recommends the final report explicitly references pre-excavation enquiry services as the delivery mechanism for this reform direction. Further, we strongly recommend that state and territory governments legislate a mandatory duty to make pre-excavation enquiries before excavation begins; thereby closing the current gap where use of these services is voluntary or inconsistently required across jurisdictions.

Reform directions 4.1 and 4.2: infrastructure planning, sequencing and accountability

These reform directions call for accountability frameworks setting out clear responsibilities across government and infrastructure service providers and for infrastructure sequencing to be transparent and consistent.

BYDA supports this and recommends that any national accountability framework **include obligations on developers and excavators** to obtain and act on current underground asset location data before works commence, plus obligations on asset owners to maintain and supply accurate, timely data in response, underpinned by a consistent national data standard (see Recommendation 2 below).

Information request 4.1: infrastructure planning, coordination and timely utility connections

The Commission has specifically asked what reforms are needed to support more timely utility connections and whether there is a misalignment of incentives between levels of government and infrastructure service providers.

BYDA's experience is that inconsistent state and territory legislative requirements for pre-excavation enquiries, and inconsistent data standards among asset owners, contribute directly to this misalignment: excavators and developers face a patchwork of obligations

that vary by jurisdiction and by asset owner, increasing both the compliance burden the Commission is seeking to reduce and the risk of asset strikes.

Reform directions 4.3 and 4.4: developer contributions and cost transparency

The Commission's reform directions call for developer contributions that reflect the accurate, cost-reflective price of infrastructure, and for transparent reporting on infrastructure costs and delivery.

BYDA submits that the cost of excavation damage to existing assets - repair costs, service restoration, delay costs and insurance claims - is currently an invisible, unbudgeted cost that falls unpredictably on asset owners, developers, insurers and, indirectly, the community.

Requiring a pre-excavation enquiry and accurate underground asset data as a standard, upfront step would allow this risk to be planned for and priced accurately, rather than surfacing as an unplanned cost during construction, consistent with the Commission's own aim of cost-reflective, predictable infrastructure charging.

5. Existing state-based reforms already demonstrate feasibility

The Commission has asked participants to identify Australian and international examples that exemplify best-practice regulation (information request 1.2) and evidence of effective past reforms (information request 2.3, 3.4).

BYDA notes that a number of jurisdictions have begun moving in the direction BYDA recommends nationally, demonstrating that these reforms are practical and can be implemented without unduly increasing regulatory burden on developers:

- Victoria's Occupational Health and Safety Regulations 2017 and its Excavation Compliance Code¹ already impose pre-excavation identification requirements on employers and principal contractors under the OHS Act 2004, showing that a legislated duty to identify underground services before excavation is a workable, established regulatory model.
- New South Wales's WHS Regulation 2025 has formally embedded 'Look Up and Live' and use of BYDA as required pre-work planning tools, illustrating a recent, practical precedent for legislating use of a national referral service as a standard planning step.

However, these existing Australian state-based models are inconsistent with one another and are not universal across all jurisdictions or all classes of excavation work (including much residential and small-scale development excavation, which is where housing supply reforms will have their greatest effect). BYDA recommends the Commission's final report identifies this inconsistency as a specific regulatory gap and recommends national harmonisation, building on these existing state models rather than starting from scratch.

¹ [Compliance code: Excavation | WorkSafe Victoria](#)

Internationally, the United Kingdom's National Underground Asset Register (NUAR) offers a directly relevant best-practice model for both data standards and infrastructure coordination.

NUAR is a digital map consolidating underground pipe and cable data from asset owners across England, Wales and Northern Ireland into a single, standardised platform; replacing a system in which excavators previously had to contact each asset owner individually and wait an average of six days for a response².

The UK Government's own analysis estimates that accidental asset strikes cost the UK economy approximately £2.4 billion a year (\$4.5 billion) and that NUAR's instant, standardised access to underground asset data will generate more than £350 million (\$668m)³ in annual economic benefit through fewer strikes, reduced delays and lower administrative burden on asset owners.

Reflecting its significance, the UK's Data (Use and Access) Act 2025 has now placed NUAR on a statutory footing, with over 300 asset owners already contributing data to the platform.

NUAR demonstrates at national scale two of the reforms⁴ BYDA is recommending for Australia: a single, consistent, national data standard for underground asset information, and a coordination mechanism that makes accurate asset location data available quickly and consistently to excavators and developers alike; directly supporting, rather than slowing, faster housing and infrastructure delivery.

6. BYDA's recommendations for the final report

Recommendation 1: A national mandatory pre-excavation enquiry duty

BYDA recommends that all states and territories legislate a mandatory duty to lodge a pre-excavation enquiry through Before You Dig Australia's referral service before any excavation work near underground infrastructure.

This aligns directly with reform direction 3.1's call for early engagement with owners of existing infrastructure and would deliver a consistent, predictable, low-cost compliance step for developers consistent with Principle 4 (Keep the process simple) rather than adding a new discretionary approval layer.

Recommendation 2: National minimum data standards for underground utility infrastructure

BYDA recommends the Commission supports the adoption of nationally consistent minimum data standards for recording and sharing the location of underground utility assets, aligned with AS 5488 (classification of subsurface utility information).

² [Ordnance Survey named future operator of National Underground Asset Register | OS](#)

³ [What Royal Assent Means for the National Underground Asset Register | HAUC\(UK\)](#)

⁴ <https://www.byda.com.au/about/advocacy/evidence-and-impact/>

Inconsistent asset data across jurisdictions and asset owners is a source of delay, cost and risk for developers and excavators alike, and undermines the Commission's broader ambition for consistent, transparent and reliable planning and infrastructure information.

Recommendation 3: A national evidence base for excavation damage and utility-strike casualties

BYDA recommends the Commission's final report supports the development of a national, consolidated dataset on underground utility strikes and asset damage, injuries and fatalities, and service disruption.

No such consolidated national metric currently exists. This is analogous to gaps the Commission has already identified elsewhere in the housing system; for example, its own information request on whether governments should report a land-readiness measure distinguishing zoned, serviced and commercially feasible land.

Just as the Commission seeks better data to support evidence-based land-use and infrastructure decisions, a national damage and casualty dataset would support evidence-based decisions on excavation safety and underground asset protection and would allow the impact of the housing supply reforms recommended in this inquiry to be monitored over time.

Recommendation 4: Recognise damage-prevention referral services within infrastructure coordination frameworks

BYDA recommends that any national or state-based infrastructure coordination or accountability framework arising from this inquiry (reform directions 4.1 and 4.2) formally recognise pre-excavation referral services as part of the infrastructure planning and delivery chain. This would sit alongside utility connection approvals, developer contribution frameworks and infrastructure sequencing plans, rather than treating damage prevention as a matter separate from infrastructure coordination policy.

7. Response to other information requests

Information request 4.2 (feedback on reform directions for infrastructure planning): BYDA supports these reform directions and submits that their scope should extend explicitly to protection of existing infrastructure, not only delivery of new infrastructure, for the reasons set out above.

Information request 4.5 (the role of the Australian Government in supporting housing-enabling infrastructure): BYDA submits that the Federal Government has a legitimate coordinating role in supporting nationally consistent pre-excavation enquiry legislation and data standards, given that underground infrastructure, excavation practices and housing construction activity cross state and territory boundaries and given the inconsistency that currently exists between jurisdictions.

Conclusion

BYDA supports the Productivity Commission's overall objective of building more homes, faster, through better-coordinated regulation.

Our evidence and experience point to a practical, low-cost way to strengthen the Commission's own reform directions on infrastructure coordination: by ensuring that as the pace and volume of housing construction increases, the safety of the underground infrastructure networks that new housing is built alongside is protected through consistent, mandatory national pre-excavation enquiry requirements, data standards and reporting.

BYDA welcomes the opportunity to discuss this submission further with the Commission and to provide additional data and case studies to support its final report.

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