

Media release



Monday, 4 December 2017

DRAFT REGULATION RELEASED FOR COMBUSTIBLE CLADDING REFORM

A package of reforms proposed by the State Government will improve fire safety checks of buildings, following the high-rise fire disaster at London's Grenfell Tower earlier this year.

Among the proposed reforms is draft legislation that aims to reduce the risks around the use of combustible external wall cladding. Also included in the package is an explanation of intended effect, which limits the use of combustible cladding as exempt developments.

The Department of Planning and Environment's Deputy Secretary for Policy, Strategy and Governance, Alison Frame, said the draft regulation will require building owners to register with the NSW Government if their building has combustible external wall cladding and, if needed, undertake a fire safety assessment.

"These new laws are proposed as a part of the NSW Government's response to the fire safety risks associated with external wall cladding, particularly after the Grenfell Tower fire. It also builds on action taken following Melbourne's Lacrosse Tower fire in November 2014," Ms Frame said.

"When finalised, the regulation will require owners of buildings with combustible cladding on all or part of the external walls to register their building details with the government within three months of the regulation commencing.

"After that they will need to submit a statement about the cladding material used on the building, whether the cladding presents a risk to safety, and what actions might be necessary to address those risks.

"A deadline will apply for submitting the statement. A properly qualified person will need to inspect the building and advise the owner who is preparing the statement."

The regulation will not apply to separate houses and outbuildings, or to residential buildings under two storeys and non-residential buildings under three storeys.

The NSW Government also announced new powers earlier this month that allow the Commissioner of Fair Trading to stop building products being used where they are unsafe including cladding being used unsafely in high-rise residential buildings.

Breaches could attract fines of more than \$1 million for companies and more than \$200,000 for individuals.

Under the new laws, builders, building product suppliers, manufacturers and importers will be compelled to produce their records so dangerous products can be tracked and

pinpointed. Failure to provide this information to Fair Trading will be a criminal offence, with penalties of up to \$11,000.

The proposed regulation and explanation of intended effect are on public exhibition until Friday, 16 February 2018. To view the proposal, and to have your say visit <http://www.planning.nsw.gov.au/cladding>

Media: mediaunit@planning.nsw.gov.au