

Stand up. Speak out. Come home.

CFMEU

NATIONAL OFFICE

Construction Forestry Mining & Energy Union

Tuesday, 26 May 2015

The Hon Mike Baird MP
Premier of NSW
GPO Box 5341
SYDNEY NSW 2001

Via email: manly@parliament.nsw.gov.au

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MR. NIGEL DAVIES

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ANDREW RATCHFORD

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Dear Premier,

I write to you in relation to an urgent matter of public safety.

As you are most likely aware there is significant community alarm following the November 2014 fire at the *Lacrosse Docklands* apartment building (673-675 La Trobe Street Melbourne).

This frightening incident highlights that Australia has no mechanism by which it can verify if products made and certified overseas as meeting Australian standards, do actually conform to those standards. In short, we have no way of knowing if these products are safe.

A report arising out of this incident and produced by the *Metropolitan Fire Brigade* (MFB) confirmed suspicions that the aluminium/polyethylene external cladding used in this instance does not meet the requirements of the Australian Building Code due to the fact that it was combustible and as such contributed to the fire spreading at the extraordinary rate that it did.

Although the *Lacrosse Docklands* fire was the first incident of this kind in Australia, the MFB outlined how similar products have exacerbated the spread of fire in high rise buildings in fire incidents in the United Arab Emirates, the United States, South Korea and France. These fires resulted in nine deaths.

The *Fire Protection Association* Chief Executive described the issue as a "time bomb" with tens of thousands of apartment buildings nationwide at risk because of the widespread use of the *Alcuobest* and numerous other aluminium cladding products with a plastic core. Our information would suggest that the product and similar products which have a plastic core (specifically those with less than 70% mineral fibre in the core) is not of a fire resistant grade suitable for use in projects such as high rise buildings. The use of these products is of considerable concern.

We are alarmed that when the CSIRO tested the product for combustibility they found sustained flaming on the specimen at 55 seconds into the test. This resulted in the test being terminated at 93 seconds due to excessive flaming and smoking. These results should raise serious questions as to the suitability of allowing this product in other applications which are non-high rise buildings, particularly in cases where the public is at risk, such as in shopping centres, kindergartens, nursing homes, schools etc.

Construction Forestry
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In Victoria the Victorian Building Authority has written to all building surveyors, including municipal building surveyors, and commercial builders, domestic builders, architects and designers asking them to clarify the extent of the use of this and other non-compliant cladding. The problem with this single-based approach is that the recipients of the letter do not have an obligation to respond. They also might consider their product technically compliant even when its application might still be dangerous and the product may not as a matter of fact actually be compliant.

As a matter of urgent public safety we are formally requesting that you direct the relevant government department to conduct an audit of the use of this product with a view to compelling building surveyors, builders, architects and designers to outline wherever the use of this product has occurred in your State. The purpose of the audit would be to ascertain the extent of the problem, then place the information on the public record along with a site-specific explanation to be shared with the at-risk public. This information would include the methods used to determine the products respective applications are safe and/or what remedial action will be taken to ensure that is the case.

The Australian Industry Group stated to the Australian Government last year that many respondents to their survey outlined that manufactured goods imported from China do not meet Australian safety and quality regulations and standards; and in addition to that the removal of tariffs under an Australia-China FTA may exacerbate this situation. They recommended that conformity with Australian safety and quality standards needs to be strengthened and a process developed for legal enforcement of insurance claims and contract breaches.

Dealing with this challenge in the way we propose would be a good first step in showing that Governments are protecting Australians from unsafe imported products and also defend Australian manufacturers who must ensure that their products reach Australian Standards.

We look forward to your response to our proposal within two weeks of the receipt of this letter.

Sincerely,

MICHAEL O'CONNOR
National Secretary
CFMEU