

PUBLIC ACCOUNTABILITY COMMITTEE

Parliamentary inquiry into the regulation of building standards, building quality and building disputes

Wednesday 11 December 2019

Cr Linda Scott

Response to questions on notice

Questions on Notice	LGNSW Response
<p>Question 1</p> <p>The Hon. JOHN GRAHAM: What sorts of questions would councils be asking? Is it about whether a product is safe or is it about the risk of the way a product is applied in a particular building?</p> <p>Ms SCOTT: In one example I have from a council, they say, “Two fire engineering reports proposing alternative fire solutions were referred to Fire and Rescue NSW for comment six months ago. We are still awaiting a reply”. I have another example: “Council referred all of our received cladding assessment fire engineer reports to Fire and Rescue NSW for comment and after several months council is yet to receive a reply.”</p> <p>The Hon. JOHN GRAHAM: And really your point has been-</p> <p>The Hon. TREVOR KHAN: Are you able to give us on notice any more of these sorts of examples?</p> <p>Ms SCOTT: We have sought these examples on a de-identified basis.</p> <p>The Hon. TREVOR KHAN: I am not asking to point the finger at councils or-</p> <p>Ms SCOTT: If we have more examples that our staff are aware of I am happy to provide them on a de-identified basis – yes.</p>	<p>ANSWER:</p> <p>LGNSW is only aware of one other council that has also referred fire engineering reports for cladding assessments to Fire and Rescue NSW for advice. Due to delays in the response time from Fire and Rescue we understand that many councils have elected not to refer any cladding assessment reports to Fire & Rescue NSW.</p>
<p>Question 2</p> <p>The Hon. COURTNEY HOUSSOS: So local government does not have representation on the NSW Cladding Taskforce?</p> <p>Ms SCOTT: No.</p> <p>The Hon. COURTNEY HOUSSOS: They do not provide a direct source of information? Let me get this right. The NSW Cladding Taskforce-and we have covered this in previous testimony-has sent through a range of options including facts to local governments in order for them to verify where the issues may be. Is there no reporting back to government on what this is?</p> <p>Ms SCOTT: We are not on the taskforce, so I do not know how the taskforce is reporting back to the Government. I do not have knowledge of that because Local Government NSW is not on it.</p> <p>The Hon. COURTNEY HOUSSOS: Are you able to take the question on notice and see if there is any way that councils are reporting back to the taskforce or to the delivery unit on the status of individual buildings and the ways they are working through that?</p> <p>Ms SCOTT: Yes.</p> <p>The CHAIR: Councillor Scott, do you think it would be useful, given the crucial role that local government has, to have Local Government NSW on the taskforce?</p>	<p>ANSWER:</p> <p>LGNSW did not request representation on the NSW Cladding Taskforce. However, we have worked with the NSW Cladding Taskforce since its inception, to provide an informal communication conduit between councils and the taskforce.</p> <p>LGNSW understands that the Cladding Support Unit (established in September 2019) is liaising directly with councils which have buildings with potentially ‘high risk’ aluminium cladding. Councils provide updates to the unit regarding their investigations of these buildings.</p>

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<p>Ms SCOTT: Yes, it would be useful. As a regulator, along with a range of other State regulators, it would be helpful to have coordination.</p> <p>The CHAIR: Have you requested that?</p> <p>Ms SCOTT: I am happy to double check. I know that there has been liaison with our staff, but I do not know whether there has been a formal request.</p>	
<p>Question 3</p> <p>The CHAIR: Councillor Scott, this is no criticism of you and the position that councils are taking- which relies on the banned product list – but we had two home owners give evidence earlier today who said that they are very anxious about what they replace the existing flammable cladding with because there is material on the market now that their own consultants and experts are saying is likely to be banned or banned for cladding purposes in the future. Is the only advice you are getting from the State Government about products that are banned or not banned? Is it giving you any guidance about the uncertainty into the future?</p> <p>Ms SCOTT: I might have to take that on notice. I do not have any feedback from councils about that.</p>	<p>ANSWER:</p> <p>The Fair Trading website has information about some banned products. LGNSW understands that councils are not receiving advice from the NSW government about specific banned products and no information has been provided regarding proposed future bans.</p>
<p>Question 4</p> <p>The Hon. COURTNEY HOUSSOS: Can you take two things on notice: If you or any of your councils have received any advice in the wake of the NCAT decision around the Biowood products, or any other type of cladding that may now be considered flammable. The second thing is if you could just provide us on notice any of your motions that were passed by your councils at your conference on cladding.</p> <p>The CHAIR: That is advice from the State Government.</p> <p>The Hon. COURTNEY HOUSSOS: That is right, yes.</p> <p>Ms SCOTT: I can leave the motions here and table that today and take on notice the advice from the State about Biowood and other newer products.</p>	<p>ANSWER:</p> <p>LGNSW understands that councils have not received any specific information from the NSW government about Biowood and other newer products. Further, LGNSW has been advised that some councils are aware that this and other materials are combustible and do not comply with the Deemed-to-Satisfy Provisions of the Building Code of Australia for use as an external wall on certain buildings.</p>