

Submission  
No 159

**INQUIRY INTO REGULATION OF BUILDING  
STANDARDS, BUILDING QUALITY AND BUILDING  
DISPUTES**

**Name:** Mr Chris Rumore  
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Partially  
Confidential

Dear Committee members,

I am the Chair of the sub-committee of the Owners Corporation of [redacted] which is a residential unit development comprising two [redacted] buildings in [redacted]. Our buildings have external flammable cladding.

Sydney City Council intends to issue an Order for it to be replaced in the near future and we have expert reports and test results with respect to our current cladding. Further we are already fairly advanced in seeking to appoint a cladding expert consultant to assist us in the process of identifying an acceptable replacement product, having it appropriately signed off by all regulatory authorities and having the cladding replacement works undertaken.

The purpose of writing to you is that there are (as we understand it) over 2,000 buildings in NSW affected by ACP flammability issues. The costs and stress that this issue is giving rise to is not being addressed or ameliorated by the State Government which is not putting together an appropriate package to assist affected owners. Victoria has done so recently in an emphatic manner, but our State Government is just standing by allowing Work Orders to issue against affected building owners (the majority of whom are residential owners) with no offer of financial assistance or contribution. This is notwithstanding that the NSW Government and Councils approved the use of cladding which has now retrospectively been banned and in respect of which Occupation Certificates were issued (as was the case with [redacted]).

Therefore, even though this cladding issue affects so many households, the NSW Government is not treating this issue with the same degree of urgency or seriousness as the recent high profile defects disasters (such as Opal Tower and Mascot residential buildings). It seems perverse to us that the cladding issue is not being given due consideration and attention as a separate and serious issue (we feel partly because, thankfully, there have been no disasters caused by cladding leading to premises evacuation or worse).

The NSW Government is taking an unreasonable and unfair approach to the handling of this, whereas the Victorian government (see recent Press Release attached) is taking a much more reasonable and helpful approach. The contrast is as follows ...

Victoria ... Providing financial assistance by way of grants to affected building owners and the establishment of a new agency, Cladding Safety Victoria, to "manage funding and work with Owners Corporations from start to finish"

NSW ... Providing zero financial assistance and placing the entire responsibility onto Owners Corporations. Also they are issuing Mandatory Rectification Orders notices to Owners Corporations to pay for and manage the replacement of affected cladding in unreasonably short timeframes with absolutely no assistance, against the threat of legal action and fines.

Further, it is of significant concern that there are no clear proclamations from governmental authorities as to what replacement cladding will definitively be acceptable. Many of the consultants we have spoken to with a view to project managing the cladding replacement for our buildings have stated that certain "waffle" cladding products presently on the market and which is currently approved almost certainly within the next year will become banned products. Further, while aluminium cladding is accepted by most governmental agencies as compliant, it is not by NSW Fire & Rescue as, above certain temperatures in a fire, it melts dropping large molten masses onto people below (including emergency personal). The Government needs to take responsibility for giving the public and industry clear directions on what will be compliant

replacement cladding materials long term. It is totally unacceptable for people to be forced to embark on cladding replacement projects, at significant financial and other disturbance/inconvenience, when there is great uncertainty as to what products on the market (if any) will be long-term compliant.

The proprietors of \_\_\_\_\_ would ask that you take up and champion the issues of appropriate compensation and financial assistance to affected owners, not only those in our two buildings but all those in NSW affected by this catastrophe, and also of not forcing any replacement of cladding orders to be issued or complied with until there is a selection of replacement materials approved by all government stakeholders.

We await your response.

Chris Rumore  
Consultant