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Cladding case: Lacrosse building did not meet fire standards, Elenberg Fraser says

by [Michael Bleby](#)

Melbourne's Lacrosse tower failed to meet the required fire performance standards, architect Callum Fraser agreed on Thursday during a tribunal hearing as part of a [\\$24 million damages](#) claim.

Mr Fraser, whose commercial architecture firm Elenberg Fraser designed the 21-storey residential building that suffered a potentially fatal fire after its combustible cladding caught alight on the night in November 2014, agreed on the building's failings during cross-examination by builders LU Simon's barrister Romauld Andrew on Thursday.

LU Simon, which is being sued for damages by the 328 apartment owners, is seeking to shift responsibility for [use of the polyethylene-core cladding](#) on the residential building – in the event that the Victorian Civil and Administrative Tribunal finds it failed to build a building with cladding that complied with the building code – on to its consultants.

Earlier this week, LU Simon's [Mr Andrew accused building surveyor Stasi Galanos of making up evidence](#) about the way he approved the aluminium composite panels used on the building.

Regulatory review

In his second day of questioning Mr Fraser, Mr Andrew asked him to read from a 2007 regulatory review for the planned Lacrosse development that declared it "imperative" the building was constructed in a way that met objectives of the building code.

"And those regulation objectives would include – relevant to this case – to limit the risk of the spread of fire?" Mr Andrew asked.

"Yes," Mr Fraser replied.

"And you've seen video footage of the fire on TV?"

Mr Fraser replied that he had.

"You're aware that it's an important life safety objective of the Building Code of Australia to limit the risk of spread of fire?" Mr Andrew asked.

Mr Fraser said yes.

"Would you agree with the proposition that the design and construction of the Lacrosse building failed to achieve the regulation objective in relation to the risk of spreading fire?" Mr Andrew asked.

"Yes," Mr Fraser answered.

"Do you agree that as an architect Elenberg Fraser was required to prepare architectural design documentation which complied with the performance requirements of the Building Code of Australia?" the barrister asked.

"Yes," the architect answered.

Scathing in his criticism

The finger-pointing in the case that the country's building industry is watching closely – as strata bodies and contractors nationally prepare for their own cladding rectification claims – goes in many directions. In his own witness statement, Mr Fraser, whose firm has designed many of Melbourne's recent residential towers, is scathing in his criticism of the way LU Simon managed the Lacrosse construction process.

"LU Simon did what it wanted to do, at their own impetus and mostly without asking our opinion," he said. "We felt LU Simon often did not follow our advice when it came to points of disagreement and they often simply ignored our drawings."

Mr Fraser stood by his criticism during cross examination earlier in the week.

"In my experience there are many things that didn't happen on this project that a builder would typically do under his design management process," Mr Fraser said.

"You seem to be in your statement, more than a little critical of LU Simon?" Mr Andrew asked.

"I'm not sure if I need to apologise for that, Mr Andrew," Mr Fraser replied.