
Confusion, inconsistency dog NSW cladding fix

Michael Bleby and Martin Kelly

Apr 13, 2022 – 6.20pm

The NSW government was slow to implement its own plan for identifying and rectifying buildings with potentially dangerous combustible cladding and even four years after announcing the plan, there was insufficient information to know whether all known affected buildings were safe or not.

The findings were part of an auditor general assessment that found numerous failings in processes the NSW government implemented 2017, within six weeks of the tragic Grenfell Tower fire in London that killed 72 people.

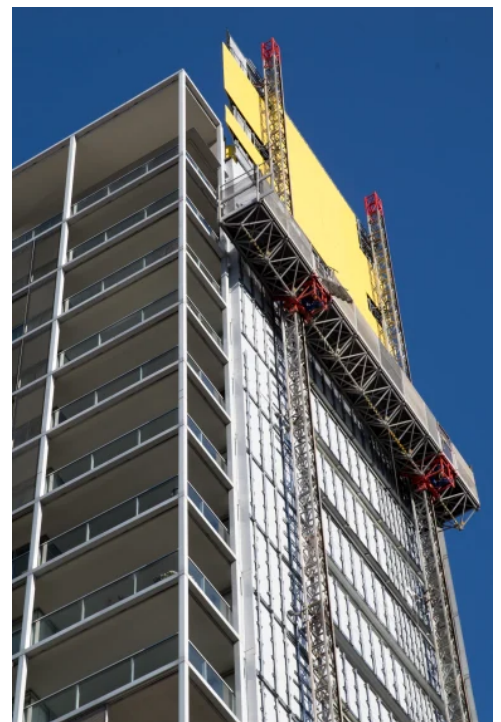
“Confusion and inconsistency” were problems across local councils and some state government departments, particularly in relation to the Fair Trading Commissioner’s product use ban on aluminium-clad panels with a core of 30 per cent or more polyethylene, the report by auditor general Margaret Crawford said on Wednesday.

The process of clearing buildings with combustible cladding had been inconsistent and the government departments should have acted faster to use expert advice to assess and remediate buildings and to advise on the ban, announced in 2018, on buildings with 30 per cent-plus PE panels, which was still causing confusion, the report said.

The departments of customer service and planning and environment took two years to formulate key guidelines for local councils.

“In the more than four years since the NSW Government’s ten-point plan was announced, around 40 per cent of the (1200) buildings brought to the attention of councils have been cleared by either rectification or being found not to pose an unacceptable fire risk,” the audit found.

“Also, around 50 per cent of (66) NSW Government-owned buildings identified with combustible external cladding and almost 90 per cent of (137) identified buildings



An apartment building in Pymont, Sydney, in the process of having its flammable cladding removed. **Photo: Janie Barrett**

for which [planning and environment department] is consent authority have been cleared or remediation is underway.”

The audit found some of the work done to date may need to be done again.

“Clarifying the application of the product use ban may require consent authorities and building owners to revisit how some buildings have been cleared,” it said.

Fair Trading minister Eleni Petinos acknowledged the report on Wednesday and said she was reviewing its findings and recommendations.

“I have asked the NSW Cladding Taskforce to make the recommended improvements, where possible,” Ms Petinos said.

“Safety is always the NSW Government’s number one priority. Clearing and remediating cladding is a highly complex job that must be done right the first time and in collaboration with a wide-range of stakeholders including councils, homeowners and consumers.”

Another issue, the report said, was that there were no compliance or enforcement strategies for the product use ban, introduced by the Commissioner of Fair Trading in August 2018.

“We found that DCS had no compliance or enforcement strategies,” the Auditor-General said. “Moreover, communication of the ban by DCS was not underpinned by a documented communications strategy or plan.

“This is despite the importance of the product use ban to meeting the NSW government’s commitment in its 10-point plan to ‘ensure there is a comprehensive building product safety scheme that prevents the dangerous use of combustible external cladding products’.”

The report called the Cladding Taskforce’s information management practices “inadequate” and said there was no “assurance that all known affected buildings have been given proper attention”.

It also noted that the NSW government, which last year embarked on a cladding rectification program, was aware of the risks in 2014 with the Lacrosse Tower fire in Melbourne, but that three years later there was no list of impacted buildings.

The Auditor-General recommended that DCS and DPE address the confusion surrounding the product use ban by ensuring councils and government departments have assessments conducted for existing buildings with combustible external cladding.

“By December 2022, DCS and DPE should [also] improve information systems to ensure there is an accurate, timely and complete history of how buildings with combustible external cladding have been identified, assessed and (where necessary) remediated.”