

POLITICS VICTORIA **COMBUSTIBLE CLADDING CRISIS**

Tower was a boarding house, not apartments, says fire engineer who signed off cladding

By [Clay Lucas](#)

September 22, 2019 – 5.10pm



Fire engineer Bruce Thomas at his Kinglake West home on Sunday. CHRIS HOPKINS

A fire engineer being pursued by the Andrews government's building authority over a cladding blaze at a city skyscraper says so many residents were crammed into the tower it was operating more as a boarding house than an apartment block.

The Neo200 apartment tower on Spencer Street, opposite Southern Cross Station, [caught fire](#) in February this year.

The fire engineer who approved the tower said it should have been classed as a greater risk than ordinary apartments because of the number of residents and the high amount of flammable possessions on balconies.

Bruce Thomas is now locked in a Supreme Court battle with the Victorian Building Authority over the blaze – he wants the court to cancel his licence to practice, while the authority wants to force him to keep it [so that it can pursue him](#) over the blaze.

Mr Thomas signed off on fire protections for Neo200 in 2004, ahead of its 2007 completion.

His firm [also signed off on Dockland's Lacrosse tower](#), where flammable cladding caught fire in 2014, causing millions of dollars of damage. His other work includes signing off on fire safety at Crown Casino.

In February this year, a discarded cigarette sparked a fire at the 41-level Neo200 building.

Around 200 residents were evacuated in the early hours of the morning as fire fuelled by flammable cladding spread up the building's exterior.

No one was injured in the blaze, but it led the government's Victorian Building Authority to take action against Mr Thomas.

The building authority can only pursue Mr Thomas – and levy hefty fines against him – if he is still registered as a fire engineer and building surveyor.

In a bid to avoid fines for both this project and others he approved with flammable cladding, Mr Thomas has taken the unusual step of going to the Supreme Court to force cancellation of his qualifications. The building authority is trying to block the move.



A resident's view of the Neo 200 fire as it climbs the building's facade, fuelled by flammable cladding.

The 67-year-old said the Victorian Building Authority was pursuing him not because he was culpable, but to make him a scapegoat so it could be seen to be regulating the industry.

Mr Thomas said the authority's refusal to deregister him essentially meant he remained a fire engineer and building surveyor against his will.

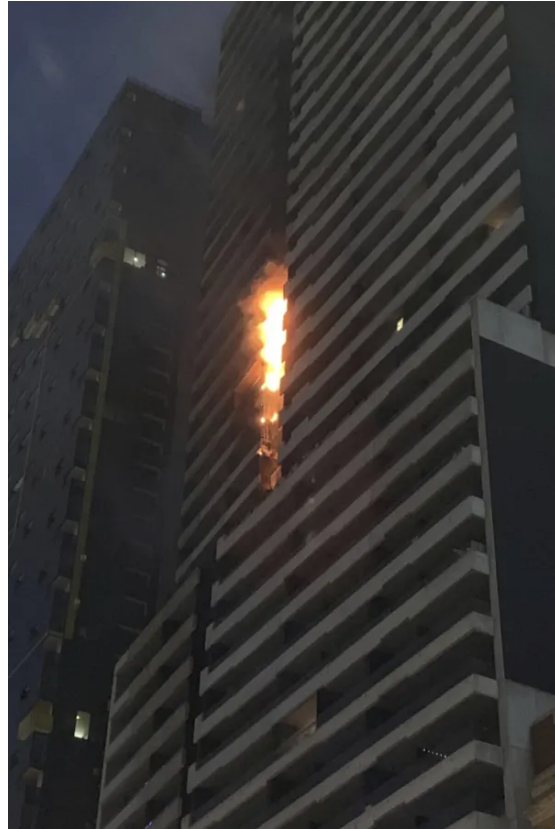
But Victorian Building Authority chief executive Sue Eddy said Mr Thomas' bid to surrender his registrations was a deliberate attempt to avoid further scrutiny over the Neo200 blaze.

She said it would be unacceptable to allow him or others to "attempt to walk away from their rightful responsibilities by simply handing in their registration".

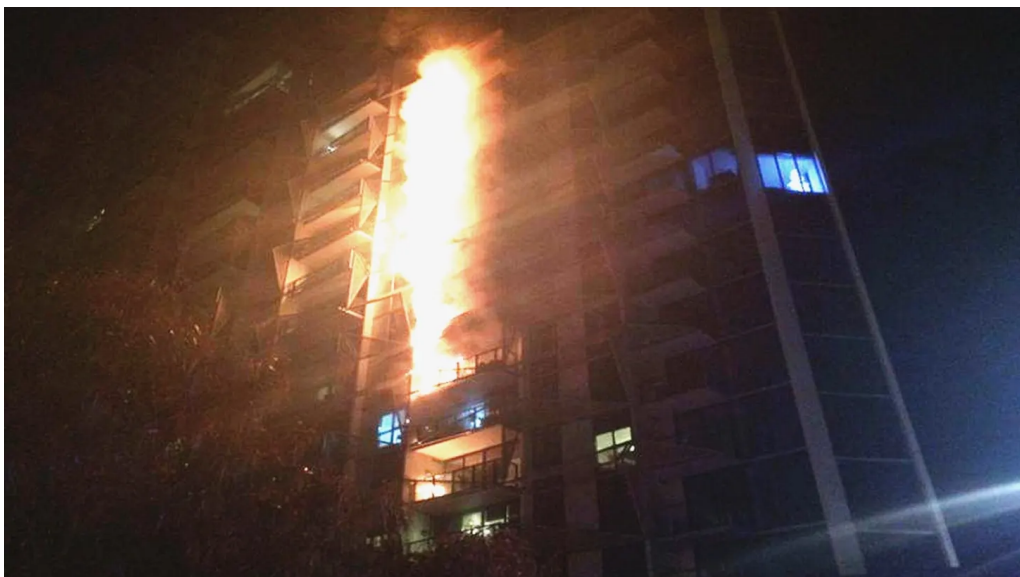
"The Neo200 building was the site of a serious cladding fire," Ms Eddy said, promising her authority's investigation would "identify those responsible and hold them to account".

Mr Thomas has produced documents in court showing the authority assessed the Neo200 building in 2016, in an initial audit after the Lacrosse fire. The documents show the authority declared Neo200 safe to occupy, despite not visiting the site.

But in the wake of London's deadly Grenfell tower blaze in 2017, another audit was done and the building was visited. This audit found the Neo200 building had dangerous flammable cladding and was a "moderate risk".



The Neo 200 tower burns. SIMONE FOX KOOB



Cladding on the Lacrosse apartments in Docklands burns in the 2014 fire. GREGORY BADROCK

Mr Thomas said the high number of student residents and Airbnb short-stay lettings in Neo200 meant it qualified as a boarding house under the National Construction Code.

This was a major factor in the building proving dangerous, he said, because it was being used in an “unauthorised” manner.

Boarding houses fall into the same category as motels and are a higher fire risk due to the greater numbers of residents – although it's unlikely the tower would have required different specifications even if it was a different class of building.



Clay Lucas



Clay Lucas is a senior reporter for The Age. Clay has worked at The Age since 2005, covering urban affairs, transport, state politics, local government and workplace relations for The Age and Sunday Age.
