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Victoria airs laws to chase 'dodgy' builders for cladding bills

Michael Bleby *Senior Reporter*



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Victoria has announced new laws allowing the state government to chase builders for the cost of cladding rectification, prompting the main industry body to fume that it is being singled out for a problem caused by many players, including the government.

On Tuesday Planning Minister Richard Wynne said the Building Amendment (Cladding Rectification) Bill 2019, allowing the government to raise building permit costs as well as create the "step-in" power to claw back costs on behalf of owners corporations, would be effective by year-end.

"It gives a robust tool to pursue those that have done the wrong thing," Mr Wynne told *The Australian Financial Review*.



Victorian Planning Minister Richard Wynne says the new laws will give government a 'robust tool' to chase builders for costs. **Pat Scala**

"The advice provided to government was clear that we needed to ensure that we had an adequate pathway to in fact really step in in place of a body corporate to pursue building professionals and builders who've done the wrong thing."

But the new law, crucial to allowing a clawback of costs to rectify combustible cladding on a first group 15 buildings, out of what the government says will be a total 500 that are due to start rectification work before year-end, put all the focus

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"The majority of builders are not cowboys and the majority are not dodgy," Ms Casson told the *Financial Review*.

"There are just a few that probably have done the wrong thing and should be held to account. But that's not the story being put forward today, unfortunately."



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"We have talked a lot about our members not walking away from their response," she said.

"But to be fair we do need to look at the whole supply chain, as well as agencies that have overseen the approval of projects and buildings as well."

While the circumstance around every cladding-affected building was different, a VCAT judgment earlier over the installation of flammable cladding on Melbourne's Lacrosse residential tower that assigned greater liability to the fire engineer, building surveyor and architect than to the builder showed the matter was not as clear-cut as the government was making it out to be, Ms Casson said.

"There's major evidence that showed it's a much bigger issue than just builders alone," she said.

The Lacrosse judgment is being appealed.

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