Cladding Information for Residents and Property Owners

Due to concerns regarding combustible cladding on buildings, the Victorian Government established a Taskforce to provide advice on the most appropriate approach to address these concerns. As a result of Taskforce recommendations, the Victorian Building Authority has commenced auditing of 3 or more storey apartments and 2 or more storey public buildings in Victoria, identified as being of potential concern. Each audit report is then assessed by an expert panel comprised of the Victorian Building Authority, Metropolitan Fire Brigade and Fire Engineers. The recommendations from the expert panel are then expected to be enforced by Council Municipal Building Surveyors.

If you live or own a property in one of these buildings; should it comprise of a combustible cladding it may be subject to an audit in the future. This depends on the type, configuration and amount of cladding.

**What is combustible cladding and why is it of concern?**

Combustible cladding is material that is usually comprised of expanded polystyrene, (EPS) or aluminium composite panel, (ACP) and has been used on the external facing of buildings in Australia since the 1990’s. New rules however were put in place by the Victorian Government in March, 2018 to prohibit the use of certain types of cladding for new developments.

Combustible cladding has caused the rapid spread of fires in buildings in Victoria, such as the Lacrosse building fire in Southbank in 2014. It has also contributed to overseas building fires with tragic outcomes.

**What happens if a determination to issue the Enforcement Order/Notice is made on my building?**

The decision to issue enforcement will be made by Council’s Municipal Building Surveyor after examining the results of the Victorian Cladding Audit and in consultation with a panel which includes representatives from the Victorian Building Authority, Metropolitan Fire Brigade and Fire Engineers.

The Municipal Building Surveyor is legally charged with ensuring that buildings in Bayside comply with the Victorian Building Code. The Notice or Order will be served on the Owners Corporation; as your representative.

**What works are required?**

The full details of the specific work required for your building are detailed on the Enforcement Order / Notice and it may involve removal of part of the combustible cladding from part of your building as well as other possible works. The Enforcement will also specify the time frame in which the works must occur.

**Who is responsible for the works / what will my Owners Corporation need to do?**

The owners, through the Owners Corporation will be responsible for ensuring that any works required are completed to bring your building up to code. Your Owners Corporation will be the recipient of the Enforcement Order / Notice and will have been contacted by the Victorian Building Authority prior to the audit.

Owners will have to ensure that works are undertaken as necessary to make the building safe. As part of this process owners may need to engage and seek advice from a qualified Building Surveyor and other relevant specialists including registered Fire Engineer/s, Architects / designers, engineers and builders.

These services are not provided by Council and will need to be engaged privately by the Owners Corporation. Details for qualified Private Building Surveyors are available at [www.aibs.com.au](http://www.aibs.com.au) under Building Surveying / Find a Building Surveyor, or the yellow pages.

The Owners Corporation will need to meet the costs of the advice and any works. There may be an opportunity for the Owners Corporation to recoup costs from a third party. Owners Corporations will need to seek independent legal advice in relation to these matters.

**What should I do if enforcement is issued on my building?**

* Contact your Owners Corporation to determine their plan to address the requirements in the Enforcement Order.
* Immediately take steps to minimise the risk of fires, including:
  + Ensure smoke alarms are in working order.
  + Keep fire exits and doors clear at all times
  + Make a fire escape plan and ensure you are familiar with the plan and your fire exits;
  + Keep clothing and such materials at least 1 metre clear of air conditioning units.
  + Keep BBQs and other ignition sources at least 50cm away from walls and anything that could burn.
  + If you are a smoker, always use a heavy, non-flammable high-sided ashtray.
* You may need to notify your insurer about these circumstances.

**Why were buildings allowed to be built with combustible cladding and will there be any compensation?**

The Government Taskforce examined why buildings have been constructed with combustible cladding and identified concerns with many aspects of the building process including the certification of cladding materials, the regulatory oversight by the Victorian Building Authority, the role of Private Building Surveyors, builders and architects, and designers.

There is currently no compensation in place by Government. Owners and owners corporations should seek legal advice to determine whether there are any avenues for compensation in their specific circumstances.

**What is Council’s role?**

While Council has not been involved in the processes that have led to the installation of combustible cladding, Council’s Municipal Building Surveyor do have a role under the Building Act is to ensure that buildings in Bayside comply with the Victorian Building Code and are safe to occupy. This means that where urgent works are required as part of the audit and assessment process, Council is requested to issue Enforcement Orders and /or Notices.

**More information**

The Victorian Building Authority has important resources that;

* Explain the current audit
* Provide guidance to residents and owners corporations on their responsibilities
* Actions you can take to reduce fire risks in your home

This information is available at [www.vba.vic.gov.au/cladding](http://www.vba.vic.gov.au/cladding).

Council’s Building Services team are available on 9599 4660 during business hours, however, owners are advised that a Private Building Surveyor will be better placed to provide specific information about the works required for their property. Details for qualified Private Building Surveyors are available at at [www.aibs.com.au](http://www.aibs.com.au) under Building Surveying / Find a Building Surveyor, or the yellow pages.

