

# Combustible Cladding

## What do Owners Corporations need to know?



As a consequence of the Grenfell fire in London, the Lacrosse fire in Melbourne and the recent Neo 200 Complex fire in Melbourne, the State Government has implemented reforms to the *Environmental Planning & Assessment Regulations 2000* to reduce the risk of flammable cladding in NSW.

One of the changes was the introduction of the combustible cladding register (**Cladding Register**). This means that those living in high rise residential apartments constructed from certain types of metal composite panels or insulated cladding systems will need to register their building within four months of completion. By June 2019, there are over 300 properties across Sydney on the Cladding Register.

While residential buildings may have been registered, there is no mandatory regime in place to assess the building to mitigate the potential fire risk. However, after registration, local councils and Fire and Rescue NSW will have access to the details and undertake any assessments at their discretion. This means that if your building is inspected and Council believes it does not meet the requirements of the Building Code of Australia for fire safety (in any respect), a fire order may be issued.

As at the date of this legal update, there are more than 100 buildings on the register that have yet to be properly assessed.

In light of the above, we recommend Owners Corporations to take steps to minimise any risks:

1. engaging a C10 fire safety engineer to provide an independent assessment of the building to ensure there are no building defects;
2. ensuring annual fire safety statements for the building are obtained and complied with;
3. amending or adopting by laws for strata schemes to mitigate fire risk which would include:
  - (a) prohibition on smoking on balconies or outside common property;
  - (b) ensuring there are no obstructions of common property; and
  - (c) restricting potential fire hazards.

### Contact

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