

Resolution of Council

2 July 2020

Item 16.1

Safer Cladding for City Buildings

Moved by Councillor Scott, seconded by Councillor Thalís –

It is resolved that:

(A) Council note:

- (i) there are 299 properties in the City of Sydney Local Government Area that have been identified as being clad with potentially flammable materials;
- (ii) the City's dedicated team of building surveyors specialising in fire safety compliance have completed 73 building investigations that concluded these buildings are safe, and the cladding material can remain;
- (iii) City officers are continuing to investigate the remaining buildings through a risk-based methodology;
- (iv) the City has issued 130 fire safety notices for either the removal and replacement of flammable cladding or for an audit to be undertaken to establish suitability of the cladding installed;
- (v) the City also maintains a register of properties subject to the submission of annual fire safety statements. This register currently lists some 5,400 properties;
- (vi) the submission of annual fire safety statements helps to ensure that required fire systems within buildings are being maintained to the appropriate standards of performance and will operate where and when required;

- (vii) following a Resolution of Council in August 2019, the Lord Mayor wrote to the Premier calling on the NSW Government to fund the accelerated investigation and rectification of buildings with defects and provide support to those affected by the crisis in the building and construction sector. The response to that letter from Kevin Anderson, Minister for Better Regulation and Innovation did not refer to any financial assistance program or fund to assist building owners with the enormous cost of addressing building defects to their properties;
 - (viii) in light of the NSW Government's decision to fast track developments to take advantage of the unique circumstances of the Covid-19 pandemic, there is the potential for an increased number of developments to be constructed;
 - (ix) these fast-tracked projects will be constructed under the same legislative and regulatory controls as those in place during the construction of the Opal Tower; and
 - (x) Local Government NSW advocated that the Design and Building Practitioners Bill and the Residential Apartments (Compliance and Enforcement Powers) Bill be considered and passed by the NSW Parliament as soon as possible, to ensure tighter regulations that will reduce the risk of unsafe buildings so that the effects of dangerously made buildings are not felt by future owners and residents for years to come; and
 - (xi) in April 2020, the Public Accountability Committee released its final report for the inquiry into the regulation of building standards, building quality and building disputes. The report makes 22 recommendations including that the NSW Government provide a substantial funding package, proportionate to the Victorian Government's \$600 million package, to fund the rectification of buildings containing flammable cladding;
- (B) the Chief Executive Officer be requested to provide Council with regular updates on the status of the City's investigations relating to defective buildings in the City of Sydney including those with flammable cladding known to the council, and whether any known plans of management are required or in place to ensure the building meets relevant safety standards, via the CEO Update; and
- (C) the Lord Mayor be requested to write to the NSW Premier, the Minister for Better Regulation and Innovation, and the Shadow Minister for Building Reform and Property, requesting that the NSW Government adopt all of the recommendations of the Public Accountability Committee outlined in its final report for the inquiry into the regulation of building standards, building quality and building disputes, including that the NSW Government provide a substantial funding package, proportionate to the Victorian Government's \$600 million package, to fund the rectification of buildings containing flammable cladding.

Carried unanimously.

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