

# BUILDING MINISTERS' FORUM

6 October 2017

## *Communiqué*

The third Building Ministers' Forum (BMF) for 2017 held in Brisbane on Friday, 6 October 2017, continued to drive decisive action on potentially hazardous aluminium cladding and other efforts to improve the compliance and safety of Australian buildings.

BMF Ministers recognise the public safety concern and clear risk arising around the use of cladding that does not comply with the National Construction Code (NCC). All Ministers agreed that they will use their available laws and powers to prevent the use of aluminium composite cladding with a polyethylene (PE) core for class 2, 3, or 9 buildings of two or more storeys, and class 5, 6, 7 or 8 of three or more storeys, until such time as they are satisfied that manufacturers, importers, and installers, working in collaboration with building practitioners, will reliably comply with:

- the newly established standard setting test against which fire retardant cladding products are deemed to be reasonable for use in high rise settings; and
- an established and implemented system of permanent labelling on cladding products to prevent substitution.

For its part, the Commonwealth will regularly provide the states and territories with import data on aluminium composite cladding and other building products. This will help reduce the information barriers and support states and territories to track movements of cladding and ensure these products are used in ways that comply with the NCC.

The BMF has tasked the Senior Officers' Group, in consultation with industry and regulators, to provide further advice in respect of other materials.

In addition, the BMF agreed to address inappropriate advertising and labelling of PE aluminium composite cladding utilising available laws and powers, and to ask the Consumer Affairs Forum to create a national information standard for these products.

Building Ministers also agreed the powers set out in Queensland's *Building Construction (Non-conforming Building Products – Chain of Responsibility and Other Matters) Amendment Act 2017* set a model for jurisdictions to consider.

Building Ministers heard from Professor Peter Shergold AC and Ms Bronwyn Weir's progress on their *Assessment of the Effectiveness of Compliance and Enforcement Systems for Building and Construction Industry across Australia*. Professor Shergold and Ms Weir will report back to the BMF before the end of 2017.

On 5 October 2017, Building Ministers were taken on a tour of the Princess Alexandra Hospital in Brisbane by Minister de Brenni, where they were able to observe first-hand the complexity of the issues around the non-compliant use of ACPs and discussed strategy for addressing this issue.

The BMF, in consultation with Disability Ministers, will undertake a national Regulatory Impact Assessment (RIA) regarding accessible housing for private residences. The RIA will examine the silver and gold performance levels as options for a minimum accessible standard; use a sensitivity approach; and be informed by appropriate case studies.

Ministers finalised the 2017 Australian Building Codes Board (ABCB) Intergovernmental Agreement (IGA), ensuring it continues to support the BMF's priorities for the national building reform agenda.

The BMF considered fire safety measures relating to child care facilities in high rise buildings and the accessible sanitary facilities Regulation Impact Assessment and asked the ABCB to ensure this work is prioritised.

The BMF also discussed sustainability measures for the NCC.

The BMF would like to acknowledge and thank the Hon John Thwaites for his six years of service as Chairman of the ABCB. Mr Thwaites finishes his term on 4 November 2017. Ministers also welcome the Hon John Fahey AC who will take on the role as Chairman of the ABCB from 5 November 2017.

BMF will reconvene in December 2017.

