

**Senate public hearing
Non-conforming building products - external cladding materials
19 July 2017 Sydney**

AFAC Presentation

Thank you for the opportunity to address the Committee today.

I would like to acknowledge the traditional owners of the land and pay my respects to their elders past and present.

AFAC wishes to send its condolences to all of those who have been affected by the Grenfell Tower tragedy. We extend our thoughts to the emergency services who showed extreme courage and professionalism whilst tackling the incident, putting their lives at risk in doing so.

The unprecedented fire at Grenfell Tower and its tragic human impacts on those directly involved serve as a sobering reminder that the threat to the community from structure fire is ever present.

AFAC remains deeply concerned that there are many high-rise buildings around the world that have flammable materials installed with the potential for external fire spread.

AFAC is the Australian and New Zealand National Council for fire, emergency services and land management, creating synergies across the emergency management sector. We represent 31 member organisations,

comprising permanent, part-time and volunteer personnel, totalling around 288,000 fire and emergency service workers.

We have no legislative power, this rests with our members through their respective State/Territory legislation. Our role is one of influence, co-ordination and advocacy.

Australian fire authorities have an expectation that new buildings are constructed in accordance with the National Construction Code and developers, architects, builders, building surveyors, fire engineers, and others involved, all check and certify that construction meets the required standards. These processes are also in place to protect the health and safety of building occupants and fire-fighters who may be required to enter burning buildings and search for occupants during fire events.

We seem to have a situation where we may have potentially a large number of buildings Australia wide, with non-compliant combustible materials. What we don't definitively know, is why?

Is it certification, code interpretation, procurement, importation, falsifying records or all of these.

We also need clarity, simplification and consistency across the states and territories of the application of clauses in the NCC, building material certification, compliance and regulatory enforcement.

We have also identified a need to formalise building commissioning practices on a national basis to ensure the building functions correctly and all the fire and life safety systems function as designed. Once commissioned these systems need to be maintained. Currently this is to state and territory requirements; however, AFAC recommends a national maintenance regime be mandated.

AFAC has held meetings and detailed workshops with the Australian Building Codes Board and Fire Protection Association Australia to progress fire safety measures and seek a way forward to balance the need for new developments to have effective fire protection and the increasing costs to builders and developers. Fire authorities have in the past received criticism from state and territory officials and building authorities because the fire agencies are not all consistent in their approach to fire safety regulations. We acknowledge that and are working to establish a better national approach. However, we need to improve the current compliance, certification and enforcement regime.

There is also discussion among fire authorities that we should be able to conduct audits to ensure the existing system is functioning correctly. This would speed development approval and potentially reduce costs for developers, particularly where we can adopt a national approach. But currently, there is a lack of confidence in state and territory arrangements to ensure existing private certifiers are fulfilling their responsibilities. Fire authorities are independent of the certification system and our interest is

in maintaining and upholding public safety, consequently we must remain part of the approval process.

The more we can focus on engineering out the risk of high-rise fires, the less fire services will need to respond to emergencies. That is in everyone's interest. Relying on fire services to put out the fire is too late and for high-rise fires where compliance has not been met, this can be very challenging.

In the built environment, there is a chain of responsibility which is detailed in legislation and extends from the building concept stage through to building occupation. The legislative environment places obligations on a range of parties to ensure buildings are "Safe for Occupation" and fit for purpose.

AFAC does not advocate for wholesale change. Rather, there are opportunities to examine the current effectiveness and improve regulatory controls in key areas to improve building safety outcomes and the performance of building practitioners. These changes are necessary.

If change does not happen it is fire and emergency services that must attend the catastrophic fires that will inevitably occur, as we have seen overseas recently and also in the Lacrosse building in Melbourne. It is the fire and emergency services who must decide to send more fire fighting appliances to some buildings because the risk to life is greater than if the building was constructed properly.

It is the firefighters who must confront risks and try to assist scared, vulnerable, elderly, and disabled residents. It is the senior officers who must make decisions about whether the risk at a fire is so great that fire fighters must be withdrawn to protect their own safety, with residents consequently unable to be assisted as they otherwise would.

Change is needed so that the emergency services are not forced to make these decisions and the community does not bear the human and financial cost of regulatory failure.

In a more recent development, AFAC is working with our research partner, the Bushfire and Natural Hazards Cooperative Research Centre to commission some public good research to assist fire services in relation to dealing with cladding fires. We are attempting to gain understanding into the risk to occupants and emergency responders when buildings are identified as not complying with regulations and, what strategies can be implemented to reduce the risk. We seek to understand why people take the actions they do when confronted by a major fire event.

We are also considering a further research project to identify Best Practice Operational Responses internationally to the increased risk associated with fires related to non-conforming products.

AFAC and member agencies are also part of a NSW research project investigating a fit-for-purpose sprinkler system for residential buildings under 25 metres in height. This is as a result of a tragic apartment fire in

Bankstown NSW. The aim is to provide a sprinkler system that will provide a safer environment for occupants to escape the fire or take refuge within the occupancy until the arrival of fire crews.

Thank you and happy to take questions.