

Schedule 2.2 (a)(ii)

[REDACTED]

via email: Schedule 2.2 (a)(ii)

Dear Schedule 2.2 (a)(ii)

FREEDOM OF INFORMATION REQUEST

I refer to your application under section 30 of the *Freedom of Information Act 2016* (the Act), received by Major Projects Canberra (MPC) on 22 July 2021, in which you sought access to:

All documents generated for or directed to the Minister for Sustainable Building and Construction regarding the design and implementation of both Phase One and Phase Two of the Private Buildings Cladding Scheme. This request includes, but is not limited to, general briefs and Question Time briefs, internal correspondence, and Ministerial directions.

Your request specifically did not include Estimates briefs or Annual Reports briefs.

Authority

I am an Information Officer appointed by the Chief Projects Officer under section 18 of the Act to deal with access application made under Part 5 of the Act.

Decision on access

Searches were completed for relevant documents and thirty-six (36) documents were identified that fall within the scope of your request.

I have included as **Attachment A** to this decision the schedule of relevant documents. This provides a description of each document that falls within the scope of your request and the access decision for each of those documents.

My decision in relation to the documents relevant to your request is summarised as follows:

- full release of thirteen (13) documents;
- partial access to twenty (20) documents and
- withheld access to three (3)

My decision is detailed further in the following statement of reasons.

Statement of Reasons

In making my decision on disclosing government information, I must identify all relevant factors in schedule 2 of the FOI Act and determine, on balance, where the public interest lies. In reaching my access decision, I have taken the following into account:

Factors favouring disclosure in the public interest (Schedule 2, Section 2.1)

- Section 2.1(a)(i) - promote open discussion of public affairs and enhance the government's accountability; and
- Section 2.1(a) (ii) contribute to positive and informed debate on important issues or matters of public interest.

Factors favouring non-disclosure (Schedule 1 Information disclosure of which is taken to be contrary to the public interest)

- Section 2.2(a)(ii) prejudice the protection of an individual's right to privacy or any other right under the *Human Rights Act 2004*.
- Information that is outside the scope of your request

Online Publishing – Disclosure Log

Under section 28 of the Act, MPC maintains an official online record of access applications called a disclosure log. Your original access application, my decision and documents released to you in response to your access application will be published in the MPC disclosure log three (3) to ten (10) business days after the date of the decision. Your personal contact details will not be published. You may view the MPC disclosure log at <https://www.act.gov.au/majorprojectscanberra>.

Ombudsman Review

My decision on your access request is a reviewable decision as identified in Schedule 3 of the Act. You have the right to seek Ombudsman review of this outcome under section 73 of the Act within 20 working days from the day that my decision is published in the MPC disclosure log, or a longer period allowed by the Ombudsman.

If you wish to request a review of my decision you may write to the Ombudsman at:

The ACT Ombudsman
GPO Box 442
CANBERRA ACT 2601

Via email: actfoi@ombudsman.gov.au

ACT Civil and Administrative Tribunal (ACAT) Review

Under section 84 of the Act, if a decision is made under section 82(1) on an Ombudsman review, you may apply to ACAT for review of the Ombudsman decision. Further information may be obtained from the ACAT at:

ACT Civil and Administrative Tribunal
Level 4, 1 Moore Street
GPO Box 370
CANBERRA CITY ACT 2601

Telephone: (02) 6207 1740
<http://www.acat.act.gov.au>

Should you have any queries in relation to your request, please contact me by telephone on (02) 6205 5288 or email MPCFOI@act.gov.au.

Yours sincerely

Schedule 2.2 (a)(ii)

Damon Hall
Information Officer
Major Project Canberra

10 September 2021

FREEDOM OF INFORMATION REQUEST SCHEDULE

Please be aware that under the *Freedom of Information Act 2016*, some of the information provided to you will be released to the public through the ACT Government's Open Access Scheme. The Open Access release status column of the table below indicates what documents are intended for release online through open access.

Personal information or business affairs information will not be made available under this policy. If you think the content of your request would contain such information, please inform the contact officer immediately.

Information about what is published on open access is available online at: <https://www.act.gov.au/majorprojectscanberra/home>

FOI Reference Number		Request Details				
MPCFOI2021/09		<p><i>.All documents generated for or directed to the Minister for Sustainable Building and Construction regarding the design and implementation of both Phase One and Phase Two of the Private Buildings Cladding Scheme. This request includes, but is not limited to, general briefs and Question Time briefs, internal correspondence, and Ministerial directions.</i></p> <p><i>This request does not include Estimates briefs or Annual Reports briefs.</i></p>				
Ref No.	No. of Folios	Description	Date	Status	Reason for non-release or partial release	Open Access release status
1.	1-7	Ministerial Brief	11 November 2020	Partial	Out of Scope	
2.	1	Attachment A to Ministerial Brief	11 November 2020	Withheld	Out of Scope	
3.	60	Attachment A1 to Ministerial Brief	11 November 2020	Withheld	Out of Scope	
4.	12	Attachment B to Ministerial Brief	11 November 2020	Withheld	Out of Scope	
5.	8-10	Question Time Brief	19 November 2020	Partial	Out of Scope	
6.	11	Ministers Correspondence	18 December 2020	Partial	Schedule 2.2(a)(ii) Personal Privacy	

7.	12-15	Ministers Advisory Note	19 December 2020	Partial	Schedule 2.2(a)(ii) Personal Privacy	
8.	16-18	Question Time Brief	27 January 2021	Partial	Out of Scope	
9.	19-21	Question Time Brief	18 February 2021	Partial	Out of Scope	
10.	22-24	Question Time Brief	16 March 2021	Partial	Out of Scope	
11.	25-27	Question Time Brief	15 April 2021	Partial	Out of Scope	
12.	28 – 31	Question Time Brief	27 April 2021	Partial	Out of Scope	
13.	32 – 33	Email Correspondence	27 May 2021	Partial	Schedule 2.2(a)(ii) Personal Privacy	
14.	34	ACT Cladding Rectification Program Factsheets Tenant Lessee or Occupant	27 May 2021	Full		
15.	35	ACT Cladding Rectification Program Factsheets Strata	27 May 2021	Full		
16.	36	ACT Cladding Rectification Program Factsheets Owner	27 May 2021	Full		
17.	37	ACT Cladding Rectification Program Factsheets Managing Agent	27 May 2021	Full		
18.	38 - 39	ACT Cladding Rectification Program Factsheets FAQ	27 May 2021	Full		
19.	40 -49	Application form for the Register of Potential Suppliers	27 May 2021	Full		
20.	50-51	Email Correspondence	27 May 2021	Partial	Schedule 2.2(a)(ii) Personal Privacy	
21.	52	List of Peak Bodies	27 May 2021	Partial	Schedule 2.2(a)(ii) Personal Privacy	

22.	53-56	Question Time Brief	27 May 2021	Partial	Out of Scope	
23.	57-59	Email Correspondence	10 June 2021	Partial	Schedule 2.2(a)(ii) Personal Privacy	
24.	60-63	Question Time Brief	10 June 2021	Partial	Out of Scope	
25.	64	Ministers Correspondence	8 July 2021	Partial	Schedule 2.2(a)(ii) Personal Privacy	
26.	65-66	Ministerial Brief	13 July 2021	Partial	Schedule 2.2(a)(ii) Personal Privacy	Y
27.	67 – 82	Attachment A to Ministerial Brief	13 July 2021	Full		Y
28.	83 – 88	Attachment B to Ministerial Brief	13 July 2021	Full		Y
29.	89 - 96	Attachment C to Ministerial Brief	13 July 2021	Full		
30.	97-101	ACT Private Buildings Cladding Scheme Talking Points	16 July 2021	Partial	Out of scope	
31.	102 – 103	Ministerial Brief	21 July 2021	Partial	Schedule 2.2(a)(ii) Personal Privacy	
32.	104-111	Attachments A & B to Ministerial Brief	21 July 2021	Full		Y
33.	112-113	Attachment C to Ministerial Brief	21 July 2021	Full		
34.	114	Attachment D to Ministerial Brief	21 July 2021	Full		
35.	115 – 119	Attachment E to Ministerial Brief	21 July 2021	Partial	Out of Scope	
36.	120 - 122	Attachment F to Ministerial Brief	21 July 2021	Full		
Total Number of Documents						
36						

Major Projects Canberra

OFFICIAL

To:	Minister for Sustainable Building and Construction	Tracking No.: Click here to enter text.
Date:	11 November 2020	
CC:	Click here to enter text.	
From:	Chief Projects Officer, Major Projects Canberra	
Subject:	Background information – Cladding rectification programs	
Critical Date:	As soon as practicable	
Critical Reason:	Prior to your next meeting with MPC (week beginning 16 Nov 2020)	

Recommendations

That you:

1. Note the information contained in this brief.

Noted / Please Discuss

Rebecca Vassarotti MLA /...../.....

Minister's Office Feedback

Background

1. Investigations into the 2014 Lacrosse building fire in Melbourne and the 2017 Grenfell Tower fire in London determined that aluminium composite panels (ACP) used for external cladding significantly contributed to the spread of the fires.
2. Investigations findings also highlighted a wide range of issues surrounding non-compliant building materials and the failure of constructors to use appropriate fire limiting construction processes as part of the installation of these materials. This prompted governments across Australia to initiate audits and rectification programs.
3. In 2019, the Cladding Audit Response Taskforce (CART) was established by the Environment, Planning and Sustainable Development Directorate (EPSDD) to investigate 71 sites where potentially combustible cladding had been identified on buildings owned by the ACT Government. CART also undertook preliminary analysis of potential issues in the private sector. The CART investigation was taken to Cabinet for approval and direction on the actions to be taken.
4. This investigation along with the Cabinet direction has provided the foundation for the development of the Cladding Rectification Program that Major Projects Canberra (MPC) is now delivering across the public and private sectors.

Issues

Out of Scope

- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]

Out of Scope

Private Sector Program

12. Assessment of the potential extent of cladding issues in the private sector was undertaken through CART which advised that:
 - a. A large percentage of office and commercial buildings with potential cladding issues were undertaking rectification (Class 5 and 6 buildings);
 - b. A number of aged care buildings (Class 3 or 9c) are being addressed proactively; and
 - c. Strata developments (typically Class 2 and 3) and smaller building owners (Class 2 and 9) are more challenging to deal with due to having disaggregated ownership structures and/or that they are reluctant to fund risk assessments and/or rectification of cladding issues.
13. Based upon this assessment, the ACT Government is creating a program to support the replacement of combustible cladding across eligible private sector buildings. The scheme previously approved will provide for the establishment of a two-phase voluntary scheme to support the testing, assessment and potential rectification of cladding in private buildings which meet certain criteria.
14. The scheme is proposed to involve a concessional loan arrangement and is designed to encourage and assist in the replacement of higher-risk potentially combustible cladding on private buildings where their multi-owner nature may otherwise present a practical impediment to the replacement of such cladding.
15. Phase 1 of the scheme is to undertake an audit of the eligible properties and provide recommendations on the required rectification works. Phase 2 will then involve the implementation of the rectification works.
16. Surveys undertaken by ACT Fire and Rescue identified 91 apartments or multi-unit buildings which exhibit potential ACP cladding.
17. The initial stages of development of the scheme will require agreement to the administrative, financial, and governance arrangements. This will need to:
 - a. Establish eligibility requirements, including whether the scheme can be applied retrospectively to assist owners that have already implemented rectification works;

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- b. Determine technical processes including what requirements will be placed on the asset owners to provide assurance the works are designed and constructed in compliance with necessary standards and the National Construction Code. This would include determining any requirements for the appointment of Building Certifiers, designers and contractors;
 - c. Develop the concessional loan scheme; and
 - d. Determine application processes and appropriate governance arrangements.
18. The timing of the commencement of the private scheme will depend in large part upon the time required to establish concessional loan arrangements. Major Projects Canberra understands that in very recent discussions between Treasury officials and the Treasurer it was determined that Treasury should take the lead in developing concessional loan arrangements for various projects across government. Subject to the establishment of those concessional loan arrangements, Phase 1 is targeted to commence in the current financial year, with Phase 2 to be opened later in the 2021 calendar year.
19. Engagement with industry associations/representatives is planned to enable industry input to the development of the scheme. This should also provide a mechanism to better define likely demand.

Cabinet Information

[Redacted content]

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Cabinet Information

[Redacted content]

Financial Implications

Out of Scope

- [Redacted content]
- [Redacted content]

Private Sector Program

26. \$2.439 million has been provisioned to deliver Phase 1 of the private sector program (assessment).
27. Phase 2 of the program will be fully costed and budget approval sought once the parameters of the scheme, and probable demand, are determined.
28. Market sounding with banks has commenced to obtain feedback on the most effective mechanism to set up the scheme.

Consultation

Out of Scope

[Redacted content]

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Not in Scope

[Redacted]

[Redacted]

[Redacted]

Benefits/Sensitivities

33. **Out of Scope** [Redacted]

Not in scope

[Redacted]

Communications, media and engagement implications

35. Reactive media followed the release of the Economic Statement in August 2020, with interest in the program budget and timing.

36. **Out of Scope** [Redacted]

37. **Out of Scope** [Redacted]

38. A communications strategy for the private sector program will be developed in early 2021 once details of the scheme are confirmed.

39. A project webpage, including high-level project detail and timing, is under development.

Signatory Name: Duncan Edghill

Phone:

Action Officer: Adrian Piani

Phone:

Attachments

Attachment	Title
Out of Scope	[Redacted]
[Redacted]	[Redacted]

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Portfolio/s: Sustainable Building and Construction**Cladding Rectification****Talking points:**

- The safety of our community is of the utmost importance and has guided our approach to the handling of potentially combustible cladding on buildings in Canberra.
- In 2017, the Government formed the inter-agency Building Cladding Review Group to determine whether combustible materials had been used in Territory buildings in a way that poses a risk to building occupants.
- In December 2019, a Cladding Audit Response Team was established to progress the important work in addressing issues identified with ACT Government buildings through further detailed assessments and identification of remediation options. The Response Team also undertook a desktop analysis of certain privately owned buildings.
- **Out of Scope** [REDACTED]
- The Cladding Rectification Scheme consists of two elements:
 - **Out of Scope** [REDACTED]
 - a Private Sector Program to support the rectification of combustible cladding on certain private sector buildings.

Out of Scope [REDACTED]

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

- **Out of Scope**

[REDACTED]

[REDACTED]

Private Sector Program

- The ACT Government is creating a program to support the replacement of combustible cladding across eligible private sector buildings.
- This will involve a two-phase voluntary scheme to support the testing, assessment and potential rectification of cladding in private buildings which meet certain criteria.
- The scheme is proposed to involve a concessional loan arrangement and is designed to encourage and assist in the replacement of higher-risk potentially combustible cladding on private buildings where their multi-owner nature may otherwise present a practical impediment to the replacement of such cladding.
- The scheme will be implemented in two phases:
 - Phase 1: A 'testing and assessment' phase,
 - Phase 2: A 'cladding rectification phase.'
- A project team within Major Projects Canberra is being established to progress development of the eligibility criteria and administrative processes, which will be finalised over the coming months. Further information on the scheme will be available in the first half of 2021.
- ACT Government assistance is focused on the market segment most in need of practical assistance; multi-owner residential developments, rather than single-owner buildings already better placed to assess and rectify potentially combustible cladding.
- Engagement with industry associations/representatives is planned to enable industry input to the development of the scheme.

Out of Scope

[REDACTED]

[REDACTED]

Cleared as complete and accurate: 19/11/2020
Cleared for public release by: Executive Branch Manager Ext:55466
Contact Officer name: Adrian Piani Ext: 54326
Lead Directorate: Choose directorate:
TRIM Ref:

Cleared as complete and accurate: 19/11/2020
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TRIM Ref:



Rebecca Vassarotti MLA
Minister for the Environment
Minister for Heritage
Minister for Homelessness and Housing Services
Minister for Sustainable Building and Construction

Member for Kurrajong

Schedule 2.2 (a)(xii)
[Redacted]

Dear Ms [Redacted]

Thank you for your correspondence of 14 December 2020 to Mr Mick Gentleman MLA regarding ACT Government assistance to rectify combustible cladding. I am responding to you as this matter falls within my portfolio responsibilities.

In August 2020 the ACT Government announced a program will be established to support the replacement of combustible cladding across eligible private sector buildings. The design of the scheme is currently underway, with Major Projects Canberra leading this process. As part of this, they are engaging with key stakeholders to ensure that the scheme's success. Details of what assistance will be provided, to whom, and how to apply will be publicly released as soon as they are available. I currently expect this to be in the first half of 2021.

Thank you for raising this matter, I hope this information is of assistance.

Yours sincerely

A handwritten signature in blue ink that reads 'Rebecca Vassarotti'.

Rebecca Vassarotti MLA
Minister for Sustainable Building and Construction
18/12/2020

UNCLASSIFIED - FOR OFFICIAL PURPOSES ONLY

ADVISORY NOTE

Minister for Sustainable Building and Construction

Subject	Proposed Stakeholder Engagement – Non-Government Building Cladding Rectification Program	
Critical Date	In the ordinary course of business	
Chief Projects Officer	Duncan Edghill	16/12/2020
Executive General Manager Infrastructure Delivery Partners	.Adrian Piani	16/12/2020
Executive Branch Manager, Governance and Ministerial Services	Nikki Pulford	16/12/2020

Purpose:

This Advisory Note sets out the proposed approach Major Projects Canberra (MPC) will take to initial engagement with stakeholders in relation to the establishment of a cladding rectification scheme for non-government buildings in the ACT.

In turn, this initial consultation will inform a Cabinet Submission which will be drafted by MPC for your consideration early in the 2021 new year.

Discussion:

Timing

MPC envisages that stakeholder engagement will occur on an iterative basis throughout the course of the project. The initial round of consultation is proposed to commence in December 2020 to assist in the drafting of a Cabinet Submission being prepared by MPC for your consideration early in the new year.

Parties to be Initially Consulted

Initial consultation is proposed to occur on a one-on-one basis with the following peak industry bodies:

ACT Law Society - Property Law Committee	Schedule 2.2 (a)(ii)

Strata Communities Australia - ACT	Schedule 2.2 (a)(ii)
cc. Schedule 2.2 (a)(ii) into comms	Schedule 2.2 (a)(ii)
Schedule 2.2 (a)(ii)	Schedule 2.2 (a)(ii)
Leading Age Services Australia - NSW-ACT	Schedule 2.2 (a)(ii)
Master Builders Association ACT	Schedule 2.2 (a)(ii)
REIACT	Schedule 2.2 (a)(ii)
Owners Corporation Network ACT	
Legal Aid ACT	Schedule 2.2 (a)(ii)
Property Council of Australia - ACT	Schedule 2.2 (a)(ii)
Insurance Council of Australia	Schedule 2.2 (a)(ii)
Housing Industry Association - ACT	Schedule 2.2 (a)(ii)

Initial Focus of Consultation

The initial focus of consultation will be on the eligibility criteria for participation in the scheme. There are effectively two eligibility considerations:

1. Eligibility for 'Phase 1' of the scheme; and
2. The criteria for assessing 'Phase 1' test results for potential entry into the 'Phase 2' rectification phase of the scheme.

The opportunity may also be taken in discussions to canvass thoughts on possible 'phase 1 – 50% rebate' structures and the proposed 'phase 2 – concessional loan scheme' features.

Proposed Questions

Questions which may be asked during consultation include:

Questions on general issues:

Issue	Response
What is your industry view on the level of awareness of property owners to the flammable cladding issue?	
The ACT Government is implementing an 'opt-in' scheme which will involve concessional loans to support cladding rectification. What do you think might be the demand for such a scheme?	
Are you aware of properties in the ACT (all	

classes and specifically high risk apartments) already taking action on getting risk assessments or rectifying cladding? How many?	
What is your view on why they might not be taking action?	
What sector of the market in your opinion needs the most support to take action?	

Questions on eligibility criteria:

Feature	Response
<p>Research indicates that the multi-owner apartment segment is the highest priority for support given its complex ownership structures and risk activities. What's your assessment/feedback?</p> <p>Prompts for conversation: High rise apartments (2 storeys or higher? 7 storeys or higher?).</p>	
Are there other very high-risk or complicated ownerships structures segments that may be unable to address this issue by themselves?	
Being up to date with your rates may be a requirement for participation in the scheme. Do you believe this to be a reasonable requirement? Should there be any other requirements the ACT Government should consider?	
We are considering whether retrospective assistance should be available for those owners that have already undertaken a risk assessment. What do you think might be appropriate boundaries to place around any retrospective assistance?	
In your view, and following initial testing, what are appropriate criteria for determining whether cladding should actually be replaced (i.e. what is the threshold for proceeding into the 'Phase 2' concessional loan?)	
Other assistance suggestions?	
<p>What are your views on the appropriateness of the following potential criteria for 'Phase 1'?:</p> <ul style="list-style-type: none"> • Building must be in the ACT • The relevant building should be: <ul style="list-style-type: none"> ○ 6 stories (measured from ground level) or higher; or ○ Involve a cluster of buildings; or 	

<ul style="list-style-type: none"> ○ Involve 50 or more people residing in the building; • The relevant building should have continuous or substantial potentially combustible cladding; and • The relevant building should be managed by an owners corporation (or as otherwise approved by the ACT Government). • Acceptance into the scheme will be at the discretion of the ACT Government. In particular, it is proposed that the ACT Government retain discretion to (i) include in the scheme buildings which may not strictly meet the above criteria, and (ii) deny participation in the scheme where the relevant owners corporation is in dispute or payment arrears with the ACT Government. 	
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Questions on practicalities:

Issues	Response
What issues do we need to consider about the practicalities of getting owners corporations to sign up to this scheme or get the assessments actually carried out?	
Who is allowed to sign up an owners corporation to such a scheme ie Chair/responsible officer/strata manager?	
What's the availability of fire engineers, builders and cladding contractors to undertake works? Any timing issues?	
Discussion of potential timeframes for acceptance of participants into the scheme.	

Questions on particular sector Issues:

Issues	Response
Any particular sector issues you would like us to know?	

Noted / Please Discuss

Rebecca Vassarotti MLA
Minister for Sustainable Building and Construction



19/12/2020
.../.../....

Portfolio/s: Sustainable Building and Construction**Cladding Rectification****Talking points:**

- The safety of our community is of the utmost importance and has guided our approach to the handling of potentially combustible cladding on buildings in Canberra.
- In 2017, the Government formed the inter-agency Building Cladding Review Group to determine whether combustible materials had been used in Territory buildings in a way that poses a risk to building occupants.
- In December 2019, a Cladding Audit Response Team was established to progress the important work in addressing issues identified with ACT Government buildings through further detailed assessments and identification of remediation options. The Response Team also undertook a desktop analysis of certain privately owned buildings.
- **Out of Scope** [REDACTED]
- The Cladding Rectification Scheme consists of two elements:
 - **Out of Scope** [REDACTED]
 - a Private Sector Program to support the rectification of combustible cladding on certain private sector buildings.

Out of Scope [REDACTED]

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

- **Out of Scope** [Redacted]

Private Sector Program

- The ACT Government is creating a program to support the replacement of combustible cladding across eligible private sector buildings.
- This will involve a two-phase voluntary scheme to support the testing, assessment and potential rectification of cladding in private buildings which meet certain criteria.
- The scheme is proposed to involve a concessional loan arrangement and is designed to encourage and assist in the replacement of higher-risk potentially combustible cladding on private buildings where their multi-owner nature may otherwise present a practical impediment to the replacement of such cladding.
- The scheme will be implemented in two phases:
 - Phase 1: A 'testing and assessment' phase,
 - Phase 2: A 'cladding rectification phase.'
- A project team within Major Projects Canberra is being established to progress development of the eligibility criteria and administrative processes, which will be finalised over the coming months. Further information on the scheme will be available in the first half of 2021.
- ACT Government assistance is focused on the market segment most in need of practical assistance; multi-owner residential developments, rather than single-owner buildings already better placed to assess and rectify potentially combustible cladding.
- Engagement with industry associations/representatives has occurred and will continue to enable industry input to the development of the scheme.

Q+A

- **Out of Scope** [Redacted]

- **Out of Scope** [Redacted]

[Redacted]

- [Redacted]

[Redacted]

- **Out of Scope** [Redacted]

[Redacted]

- [Redacted]

- [Redacted]

[Redacted]

- *How can the Government ensure that only skilled, insured professionals and companies with experience in cladding are undertaking work under this Scheme?*

The Government will establish a pre-qualification scheme specifically for companies and construction professionals wanting to undertake work under this Scheme. This will not only include the usual quality checks required under the ACT Construction Pre-Qualification Scheme, but specifically assess their direct experience in cladding work.

Portfolio/s: Sustainable Building and Construction**Cladding Rectification****Talking points:**

- The safety of our community is of the utmost importance and has guided our approach to the handling of potentially combustible cladding on buildings in Canberra.
- In 2017, the Government formed the inter-agency Building Cladding Review Group to determine whether combustible materials had been used in Territory buildings in a way that poses a risk to building occupants.
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Out of Scope [REDACTED]

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
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- The scheme is proposed to involve a concessional loan arrangement and is designed to encourage and assist in the replacement of higher-risk potentially combustible cladding on private buildings where their multi-owner nature may otherwise present a practical impediment to the replacement of such cladding.
- Further information on the scheme will be available in the first half of 2021.
- Engagement with industry associations/representatives has occurred and will continue to enable industry input to the development of the scheme.

Q+A

- *Why are you letting people continue to occupy the building if the combustible cladding makes it a higher risk? How can you guarantee it's safe?*

Out of Scope [Redacted]

Owners of private buildings are responsible for ensuring the ongoing safety of their buildings.

- **Out of Scope** [Redacted]
- [Redacted]

- **Out of Scope** [REDACTED]
[REDACTED]
[REDACTED]
 - [REDACTED]
 - [REDACTED][REDACTED]

- *How can the Government ensure that only skilled, insured professionals and companies with experience in cladding are undertaking work under this Scheme?*

The Government is investigating the development of a pre-qualification register specifically for companies and construction professionals wanting to undertake work under this Scheme. This will not only include the usual quality checks such as those required under the existing ACT Construction Pre-Qualification Scheme, but specifically assess their direct experience in cladding work and their insurance coverage for cladding rectification work.

Portfolio/s: Sustainable Building and Construction**Cladding Rectification****Talking points:**

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Out of Scope [REDACTED]

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

- **Out of Scope** [Redacted]
- [Redacted]

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- Further information on the scheme will be available in the first half of 2021.
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Q+A

- *Why are you letting people continue to occupy the building if the combustible cladding makes it a higher risk? How can you guarantee it's safe?*

Out of Scope [Redacted]

Owners of private buildings are responsible for ensuring the ongoing safety of their buildings.

- **Out of Scope** [Redacted]
- **Out of Scope** [Redacted]

- **Out of Scope** [Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]

- *How can the Government ensure that only skilled, insured professionals and companies with experience in cladding are undertaking work under the Private Buildings Scheme?*

The Government is investigating the development of a pre-qualification register specifically for companies and construction professionals wanting to undertake work under this Scheme. This will not only include the usual quality checks such as those required under the existing ACT Construction Pre-Qualification Scheme, but specifically assess their direct experience in cladding work and their insurance coverage for cladding rectification work.

Portfolio/s: Sustainable Building and Construction**Cladding Rectification****Talking points:**

- The safety of our community is of the utmost importance and has guided our approach to the handling of potentially combustible cladding on buildings in Canberra.
- In 2017, the Government formed the inter-agency Building Cladding Review Group to determine whether combustible materials had been used in Territory buildings in a way that poses a risk to building occupants.
- In December 2019, a Cladding Audit Response Team was established to progress the important work in addressing issues identified with ACT Government buildings through further detailed assessments and identification of remediation options. The Response Team also undertook a desktop analysis of certain privately owned buildings.
- **Out of Scope** [REDACTED]
- The Cladding Rectification Scheme consists of two elements:
 - **Out of Scope** [REDACTED]
 - a Private Sector Program to support the assessment and rectification of combustible cladding on certain private sector buildings.

Out of Scope [REDACTED]

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

- **Out of Scope** [Redacted]

[Redacted]

Private Sector Program

- The ACT Government is creating a program to support the replacement of combustible cladding across eligible private sector buildings.
- The scheme is proposed to involve a concessional loan arrangement and is designed to encourage and assist in the replacement of higher-risk potentially combustible cladding on private buildings where their multi-owner nature may otherwise present a practical impediment to the replacement of such cladding.
- Further information on the scheme will be available in mid 2021.
- Engagement with industry associations/representatives has occurred and will continue, to enable industry input to the development of the scheme.

Q+A

- *Why are you letting people continue to occupy the building if the combustible cladding makes it a higher risk? How can you guarantee it's safe?*

Out of Scope [Redacted]

Privately-owned buildings

It is important to remember that the presence of combustible cladding on the façade of a building does not necessarily mean that it is unsafe. Many buildings have this cladding in limited amounts or only on certain aspects of the façade.

- Owners of private buildings are responsible for ensuring the ongoing safety of their buildings, including through the installation and maintenance of fire safety systems, such as fire alarms and fire doors **Out of Scope** [Redacted]

[Redacted]

- **Out of Scope** [Redacted]

[Redacted]

- **Out of Scope** [Redacted]

[Redacted]

- [Redacted]

- [Redacted]

[Redacted]

- *How can the Government ensure that only skilled, insured professionals and companies with experience in cladding are undertaking work under the Private Buildings Scheme?*

The Government is investigating the development of a register specifically for companies and construction professionals wanting to undertake work under this Scheme. This will not only include the usual quality checks similar to those required under the existing ACT Construction Pre-Qualification Scheme, but specifically assess their direct experience in cladding work and their insurance coverage for cladding rectification work.

Portfolio/s: Sustainable Building and Construction**Cladding Rectification****Talking points:**

- The safety of our community is of the utmost importance and has guided our approach to the handling of potentially combustible cladding on buildings in Canberra.
- In 2017, the Government formed the inter-agency Building Cladding Review Group to determine whether combustible materials had been used in Territory buildings in a way that poses a risk to building occupants.
- In December 2019, a Cladding Audit Response Team was established to progress the important work in addressing issues identified with ACT Government buildings through further detailed assessments and identification of remediation options. The Response Team also undertook a desktop analysis of certain privately owned buildings.
- **Out of Scope** [REDACTED]
- The Cladding Rectification Scheme consists of two elements:
 - **Out of Scope** [REDACTED]
 - a Private Sector Program to support the assessment and rectification of combustible cladding on certain private sector buildings.

Out of Scope [REDACTED]

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

- **Out of Scope** [Redacted]
- [Redacted]
- [Redacted]

Private Sector Program

- The ACT Government is creating a 'Government Concessional Loan Scheme' (the Scheme) to support the remediation of combustible cladding across eligible private sector buildings.
- The Scheme will involve a Government concessional loan scheme and is designed to encourage and assist in the remediation of higher-risk potentially combustible cladding on private buildings where their multi-owner nature may otherwise present a practical impediment to the replacement of such cladding.
- Apartment buildings including mixed-use apartment buildings of three storeys or higher will be eligible for the program.
- Phase 1 of the scheme will commence in the 2021/22 Financial Year with support provided by the ACT Government in the form of concessional loans for Owners Corporations to undertake initial testing and engineering investigations. This will enable owners corporations of eligible buildings to understand the cladding related risk of their buildings and the potential costs for remediation.
- Further information on the scheme will be available in mid 2021, including information on eligibility, the concessional loan arrangements, and the application process for building owners corporations.
- As Phase 1 progresses, the ACT Government will consider the best approaches to then encourage and support remediation works as part of Phase 2.
- Engagement with industry associations/representatives has occurred and will continue, to enable industry input to the development of the scheme.

Q+A

- *Why are you letting people continue to occupy the building if the combustible cladding makes it a higher risk? How can you guarantee it's safe?*

Out of Scope [Redacted]

Cleared as complete and accurate: 27/04/2021
Cleared for public release by: Executive Group Manager Ext:55466
Contact Officer name: Adrian Piani Ext: 54326
Lead Directorate: Major Projects Canberra

Privately-owned buildings

It is important to remember that the presence of combustible cladding on the façade of a building does not necessarily mean that it is unsafe. Many buildings have this cladding in limited amounts or only on certain aspects of the façade.

Owners of private buildings are responsible for ensuring the ongoing safety of their buildings, including through the installation and maintenance of fire safety systems, such as fire alarms, sprinklers and fire doors .

- **Out of Scope** [Redacted]

- **Out of Scope** [Redacted]

- **Out of Scope** [Redacted]

- *How can the Government ensure that only skilled, insured professionals and companies with experience in cladding are undertaking work under the Private Buildings Scheme?*

The Government is investigating the development of a panel of project managers specifically for qualified project managers with extensive experience in cladding remediation work, wanting to undertake work under this Scheme. This will not only include the usual quality checks similar to those required under the existing ACT Construction Pre-Qualification Scheme, but specifically assess their direct experience in cladding work and their insurance coverage for cladding rectification work.

Background

Milestones	Date to be completed
Cleared as complete and accurate:	27/04/2021
Cleared for public release by:	Executive Group Manager Ext:55466
Contact Officer name:	Adrian Piani Ext: 54326
Lead Directorate:	Major Projects Canberra

1. Public announcement of Scheme details and commencement of education campaign	June 2021
2. Opening of registrations of interest for the Scheme	1 July 2021
3. Opening of full loan applications (subject to Treasury advice)	1 October 2021
4. Reporting back on the levels of take-up of the Scheme	First half 2022
5. Closing of applications for the Scheme	October 2022 (12 months after commencement)
Completion date of the Loan Scheme and receipt of all building reports (where there is sufficient take-up of the scheme):	1 December 2022

Cleared as complete and accurate: 27/04/2021
Cleared for public release by: Executive Group Manager Ext:55466
Contact Officer name: Adrian Piani Ext: 54326
Lead Directorate: Major Projects Canberra

Shea, Patrick

From: Murray, Gerry
Sent: Thursday, 27 May 2021 11:18 AM
To: Elliston, Ben; Roberts, Lachlan
Cc: Stewart, Di; Srivastava, Sunila; Piani, Adrian; MPC Comms
Subject: ACT Cladding Rectification Program_updated factsheets and FAQs...
Attachments: 21219 MP ACT Cladding Rectification Program Factsheets FAQ's v5.pdf; 21219 MP ACT Cladding Rectification Program Factsheets Owner V5.pdf; 21219 MP ACT Cladding Rectification Program Factsheets Strata V6.pdf; 21219 MP ACT Cladding Rectification Program Factsheets Tenant, Lessee or Occupant V6.pdf; 21219 MP ACT Cladding Rectification Program Factsheets Managing Agent V6.pdf; Application form for the Register of Potential Suppliers.pdf

UNOFFICIAL

Morning Ben and Lachlan,

Hope all's well with you both. Please find attached the updated ACT Cladding Rectification Program package to include:

- 4 x factsheets
 - Building Owners
 - Strata Managers
 - Managing Agents
 - Tenants, Lessee or Occupants
- Plus:
 - Frequently Asked Questions (generic)

These respective documents were sent to each stakeholder group in consultation for review. The attached documents incorporate collective feedback received. We have sent through the Managing Agent Factsheet back to Real Estate Institute of ACT (REIACT) for final review.

While we are mindful that these documents are web-based and will be located on the MPC website under the ACT Cladding Rectification webpage(s), as we reference the 'website' on these documents, one additional update we will make across this package is to include the Program web address.

This is for anyone who either prints off a copy or receives a printed version of these factsheets / FAQs.

We are looking to have all content related to this Program - Register of Potential Suppliers webpages + accompanying Application Form, factsheets and FAQs - live on the MPC website by COB Friday 28 May (providing we have full feedback from REIACT and MO clearance to do so).

Under separate cover, I will send you through the list of Peak Body organisations and an accompanying email that we intend to send to the appropriate recipient to advise them that this Program has launched and encourage their member groups to participate.

Please let me know if you'd like me to clarify any of the above or attached.

Look forward to hearing back from you.

Best regards, Gerry

Gerry Murray | Senior Director, Communications and Engagement





WHAT CAN I DO?

I am a **tenant, lessee or occupant** in a building that may have combustible cladding



Tenants in residential or commercial properties should feel safe in all buildings where they live and work.



STEP 1 - Be proactive - Discuss this with your lessor or property managing agent

- Raise your concerns with your lessor or your property managing agent. The lessor has obligations in relation to the safety of the premises. Please note that having combustible cladding does not necessarily make the building unsafe.
- If you are a tenant or occupant under a sub-lease speak to the head tenant and ask him/her to raise this issue with the lessor or managing agent.



STEP 2 - Ask to be updated on any progress

- You can ask your lessor or property managing agent to keep you updated on any investigations undertaken on the cladding or any decision to rectify the cladding.



STEP 3 - Take steps to practice fire safety

- Some handy tips on practicing fire safety from ACT Fire and Rescue are on our website.
- Please comply with any directives from the lessor or property manager about keeping balconies clean, usage of BBQs on balconies, candles or smoking on balconies, etc.



STEP 4 - Check your fire safety systems

- Fire detection and alarm systems, fire doors, emergency lighting and fire hydrants should all be working properly.
- Contact your lessor or property manager if these are not working properly.

More Information?

This webpage has resources which you can use and these may be updated from time to time. If you are a residential tenant or occupant and have concerns about how your lessor is responding to your concerns you can seek advice from Legal Aid ACT.

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WHAT CAN I DO?

I am a **strata manager** or a **building property manager** of a building that may have combustible cladding



Strata and building property managers oversee the day-to-day management of large properties, and usually oversee properties that have multi-units, multi-offices or a combination of functional spaces.

While it will depend upon the terms of your engagement, usually a professional body corporate or strata manager would be expected to bring relevant matters, such as the existence or potential existence of combustible cladding, to the attention of the unit owners and recommend a course of action to deal with it. It is also likely you would be responsible for ensuring the owners corporation complies with any obligations to notify insurers in relation to any flammable cladding.



STEP 1 - Raise this issue with your client

- As a manager under the Unit Titles (Management) Act 2011, you are required to keep the owners corporation informed of any significant developments or issues relevant to the owners corporation. The owners may ask you to investigate the combustibility of the cladding and what rectification action can be taken.
- Before you take any action to investigate the type of cladding on the building or engage any professionals to do investigatory work, obtain clear instructions from the owners corporation or body corporation which record their willingness to proceed.



STEP 2 - Consider how you can assist owners to deal with the issue

- As owners, tenants and potential future purchasers become more aware of combustible cladding, property owners will want to know what the implications of cladding mean for them. You may want to consider recommending to the owners that they investigate to test whether it is combustible cladding.
- Many strata managers have contacts with building professionals – consider using your contacts in the building industry for the names of fire engineering/cladding or other building service professionals (such as project managers).



STEP 3 - Provide owners with options to rectify the cladding

- Seek advice from building professionals to advise you of the likely cost and time involved in rectification of the cladding. You should also find out whether occupants of the building will be able to remain in the building during the rectification process.
- When providing information to the owners on the costs, process and time involved in rectification you should also include the potential costs of *not rectifying* the cladding in the long term – these costs may include increased insurance costs or the likelihood of not obtaining sufficient insurance; potentially fewer prospective tenants interested in renting accommodation in the building and potentially fewer people interested in purchasing into the building. If the cladding poses a fire safety risk it is much better to get the cladding fixed.



STEP 4 - Make sure insurances are current

- Under your management contract with the owners corporation, you may be responsible for matters in connection with building insurance and public liability insurance. If so, it would be prudent to ensure you comply with any obligations to keep the insurer informed of any matters pertinent to the existence of any flammable cladding.



STEP 5 - Fire safety is part of building maintenance

- Regardless of how the owners want to proceed you may have a responsibility to maintain fire safety systems in common areas - including maintaining alarm system, fire detection systems, hydrants and fire emergency doors. Many strata manager engage professionals to undertake this work.
- If any of these fire systems are not working properly, you may need to let the owners corporation know and take steps to fix the issue.

More Information?

The ACT Government is currently working on providing assistance to owners whose buildings have combustible cladding. Keep regularly checking this website for updates or sign up to receive updates. The Real Estate Institute of the ACT may also be able to assist on any specific questions regarding your role as managing agent.

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WHAT CAN I DO?

I am an **owner** and I think my building has combustible cladding

Building owners and owners corporations of buildings that have or might have combustible cladding can take a number of steps to reduce the risk of a cladding fire



STEP 1 - Owners need to act together

- Individual owners should raise this with their owners corporation. As not all cladding is combustible, the owners corporation should consider undertaking investigations to assess the combustibility of the cladding. The owners corporation may want to engage the buildings strata manager, if there is one.



STEP 2 - Get professional assistance to test whether the building *might* have combustible cladding

- Not all cladding is combustible - so a good starting point is to actually confirm whether the cladding is combustible. A fire engineer can test the cladding and confirm whether it is combustible. The fire engineer, together with other professionals, can also recommend next steps including the cost of rectifying the issue and improving the fire safety of your building.



STEP 3 - Remedy the situation

- Owner corporations should advise all owners of the findings of the fire engineers investigations and decide what next steps should be taken, including whether the cladding needs to be replaced. In making any decisions as to next steps it is important to understand the level of fire safety risk posed by the cladding and put in place a plan to deal with this risk. Any decisions or actions should be undertaken by the owners together through the owners corporation or the strata manager, if there is one.



STEP 4 - Insurance implications

- Building owners should consider whether to take steps to replace the cladding.
- If you have not already done so, you should review the terms of your unit owners insurance and ask the owners corporation to do the same in relation to the building policy. You may be under an obligation to notify the insurer in relation to the existence of any combustible cladding.
- The presence of combustible cladding is likely to be a material fact relevant to the insurer deciding whether they will continue the insurance policy and/or alter the terms of the policy.



STEP 5 - Make sure that your building is up to date with fire safety requirements

- Even if you decide to rectify the cladding, it is your responsibility to make sure that your building is compliant with all fire safety requirements. Take this opportunity to make sure that this is the case.

More Information?

The ACT Government is currently working on providing assistance to owners whose buildings have combustible cladding. Keep regularly checking this website for updates or sign up to receive updates. The Owners Corporation Network may also be able to assist you with any specific questions you have.

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WHAT CAN I DO?

I am a **managing agent** of a property within a building that may have combustible cladding

Property owners have a responsibility to ensure that the properties they offer for rent are safe to occupy. Managing agents manage individual properties within a building (such as a unit) and not the entire building.

As the agent of a property owner, managing agents act on their behalf and property owners can be held liable for the actions of their agents. Your responsibilities as a managing agent is governed by the contractual arrangements you have with the owner and exist regardless of whether the building is a residential or a commercial property.



STEP 1 - Raise this issue with your client

- If you are a managing agent for a property, the tenant or lessee may contact you about combustible cladding issues, including questioning whether the building has combustible cladding. You may also be asked about the steps the property owner is taking to manage the cladding.
- Managing agents will generally have a duty to raise pertinent issues with their clients including issues relating to safety. You should advise the owner of any concerns or questions raised by tenants or lessees. The property owner can then raise this issue directly with the owners corporation or the strata manager who manages the entire property.



STEP 2 - Get clear instructions

- Obtain clear instructions from the owner as to how you should respond to any inquiries.
- The assessment of fire safety risk is complex and many property owners are still finding out about combustible cladding and may not know whether their building has combustible cladding - so it is important that you say only as directed by the owner.



STEP 3 - Direct concerned tenants to fire safety resources

- Help tenants to be aware of the practical steps they can take to be fire safe. This protects both your clients and their tenants.
- The website has lots of fire safety tips and guidance. Feel free to direct tenants to this website.



STEP 4 - Ensure fire alarms are working

- Property owners are responsible for fitting smoke alarms in rented properties. Check that the properties have functional fire alarms. You may also need to remind tenants that they are responsible for replacing batteries on alarms.



STEP 5 - Keep up the communication

- Remember, you are the conduit between the property owners and tenants and may be the first person contacted by both. Property owners need to understand tenant concerns so that they can factor this into their decision making. Tenants need to be reassured that they can take steps to ensure their own safety.

More Information?

The ACT Government is currently working on providing assistance to owners whose buildings have combustible cladding. Keep regularly checking this website for updates or sign up to receive updates. The Real Estate Institute of the ACT may also be able to assist on any specific questions regarding your role as managing agent.

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ACT
Government

FREQUENTLY ASKED QUESTIONS

WHAT IS COMBUSTIBLE CLADDING?

Cladding is one type of building material that can form the outside skin of a building. It is used to provide thermal insulation and weather resistance, and to improve the appearance of buildings. While there are many different types and brands of cladding available, there are some types of cladding that are combustible and can be dangerous if a fire occurs. There are two common types of combustible cladding:

- metal composite panels (MCP) – which are sandwich-type panels consisting of two metal outer layers and a core material. Often the outer panels are made of aluminium and these are referred to as aluminium composite panels (ACP), and
- expanded polystyrene (EPS) - a lightweight cellular plastic material consisting of small hollow spherical balls, which is often rendered and often looks like rendered concrete.

THE BUILDING I LIVE IN HAS CLADDING – DOES THIS MEAN IT HAS COMBUSTIBLE CLADDING?

No, not all cladding is combustible. Many types of cladding are not combustible and are perfectly safe. It is very hard to be certain of the type of cladding used on a building without expert advice and testing.

THE BUILDING I LIVE IN HAS COMBUSTIBLE CLADDING – IS IT SAFE TO LIVE IN?

The presence of combustible cladding on a building may not necessarily pose a fire safety risk and may not require any remediation work. There are a number of factors which are considered when determining whether combustible cladding on a building may pose a fire safety risk including the total coverage of the cladding, vertical alignment, positioning around balconies, windows or doors, as well as the type of building, the points of egress and the way a building is used. The individual characteristics of each building will determine what the risk of the spread of fire is.

Owners of private buildings with cladding that may be combustible are responsible for ensuring that their building is safe to occupy. Building occupants are responsible for practising fire safety in the building and following the fire safety plan for their building.

Residents of buildings with combustible cladding requiring removal/rectification will usually not need to leave their homes. With active awareness of fire safety behaviours, functioning fire systems and other items identified in a fire risk assessment prepared for their building, most buildings can be safely occupied until rectification works are completed. This is a decision for the building owner (e.g. owners corporation) with professional advice from a fire engineer.

HOW DO I IDENTIFY IF COMBUSTIBLE CLADDING HAS BEEN USED ON MY BUILDING?

In most cases, building owners are not generally aware of the type of external cladding materials used, or its combustibility. An owners corporation can engage an experienced fire engineer to sample the cladding to evaluate its fire risk. Owners can then be guided by professional advice as to the best course of action. Further information can be gained from the fact sheet for owners.

I AM A TENANT IN A BUILDING, WHAT CAN I DO ABOUT THE CLADDING?

You can talk to your lessor or the managing agent for the property, who can alert the owners corporation to the issue – they can investigate whether the cladding is combustible and take steps to improve fire safety and/or rectify the cladding.

I AM PLANNING TO BUY A PROPERTY, BUT AM WORRIED THAT IT MAY HAVE COMBUSTIBLE CLADDING, HOW DO I FIND OUT WHETHER IT DOES?

As a prospective property buyer you could ask the sales agent selling the property or the vendor whether they are aware if the property has combustible cladding. You can also commission a building report as part of your own due diligence prior to purchase.

Other sources of information include:

- Asking the strata managing agent and real estate agent about the history of the building and the outcomes of any assessments of the building
- Meeting minutes.

If you have a solicitor helping you with the purchase he/she may be able to assist you to access this information.

More Information?

The ACT Government is currently working on providing assistance to owners whose buildings have combustible cladding. Keep regularly checking this website for updates or sign up to receive updates.

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Register of Potential Suppliers

Application Form

How to complete this Application Form

- When preparing the application, please separately save each document as a pdf limited to 10 Mb per file
- Complete the relevant information in the boxes provided
Ensure you have included the individual resumes of all key personnel performing these services
- If you are not prequalified with the ACT Government, please ensure your organisational structure is included in your submission
- Review your application against the “Checklist of documents” on pages 9-10 of this Application Form
- On completion of your application, print, sign (authorised signatory) and date your application before scanning and emailing it along with all related documentation to claddingprogram@act.gov.au
- On receipt of your application, you will receive a return email confirmation from the ACT Cladding Rectification Program team
- If you have any questions relating to this application process, please contact claddingprogram@act.gov.au.

1. Company Details

a	Name of the company or entity under which this Application is being made	
b	Trading name (if different)	
c	Type of Entity	Public Company <input type="checkbox"/> Private Company <input type="checkbox"/> Individual <input type="checkbox"/>
d	State of registration of company (if applicable)	
e	ABN, ACN or ARBN	

g	Preferred address (please tick)	Address of Registered Office	<input type="checkbox"/>
		Postal Address	<input type="checkbox"/>
		Business Address	<input type="checkbox"/>
h	Please write your preferred address		
j	Contact Name for purposes of inclusion on the register (this will be the person contacted by potential customers)		
k	Contact number		
l	Email address		
m	Website address		

2. Existing Pre-qualification Status with ACT Government

Y/N

Currently Pre-qualified under the ACT Government Prequalification Scheme?

YES: Please complete sections 3-6 below only

NO: Please complete all sections of this application form

3. Resumes

Each resume will need to be attached separately as a pdf.

Resumes should include the following information:

- current position and title
- current role/responsibilities
- evidence of qualifications
- evidence of licences held in the state or territory
- work history experience relevant to façade works
- dates of relevant project experience
- identification of previous employment
- details of up to three (3) projects on which the person has participated, including their roles and responsibilities, and
- Two (2) referees relevant to the category(ies).

Provide the name(s) of key personnel, position and a resume for each person. (Minimum one - Maximum five resumes)

NAME	POSITION	Resume Provided - Yes
		<input type="checkbox"/>
		<input type="checkbox"/>
		<input type="checkbox"/>
		<input type="checkbox"/>
		<input type="checkbox"/>

4. Corporate Capability Statements

Corporate capability statements that describe the applicant's competence and experience in the category(ies) sought should be listed here, with particular reference to experience in cladding.

Please specify the category(ies) that the applicant wishes to be considered for.

- Architect
- Building Certifier/Building surveyor
- Quantity surveyor
- Structural and/or Façade Engineer
- Fire Engineer
- Project Manager

Please provide capability statement (no more than 1000 words)

5. Insurances

Evidence of insurances (including Workers' Compensation) relevant to the type of work undertaken in the ACT must also be provided. Potential suppliers should have the minimum insurance levels detailed below.

Certificates of currency will need to be separately attached to the application form:

- (a) **Professional Indemnity – minimum stated in Table 2**
In the aggregate of all claims (Note: Certificate of Currency or other official documentation from the Insurer must indicate specific inclusions or exclusions regarding cladding work)

Insurer

Sum Insured

Category	Professional Indemnity Insurance (for cladding-related work) in the aggregate
Building Certifier (Building Surveyor)	\$5M
Fire Engineer	\$5M
Architect	\$5M
Structural and/or Façade Engineer	\$5M
Quantity surveyor	\$5M
Project Manager	\$5M

- (b) **Public Liability – min \$20 million per claim and in the aggregate of all claims**

Insurer

Sum Insured

- (c) **Workers Compensation**

Insurer

No. of
Workers
covered

6. Consent to Share Information

Information submitted will not be disclosed for a purpose other than that intended. Relevant information contained in this application will be made publicly available for inclusion on the Register of Potential Suppliers.

Applicants acknowledge in submitting and signing this application that all information pertaining to this application may be shared with Major Projects Canberra, other ACT government agencies and for the purpose of inclusion on the Register of Potential Suppliers.

Company Name:

Name of Person Authorised on
Behalf of Applicant:

Position of Authorised Signatory

Signature

Date

Below sections are to be filled by applicants not prequalified with the ACT Government

7. Organisational Structure

Applicants should attach an organisational chart showing the relationship between the applicant and parent and subsidiary companies (where relevant).

Newly-formed companies with a trading history of less than three years are required to provide sufficient work history documentation that demonstrates considerable work capacity, competency and organisational structure.

Please provide following information as applicable.

	Local state/territory	Nationally	Internationally
Years under current structure			
Years under current ownership			

8. Quality Management System

Y/N

Applicant has a Quality Management System in place that meets minimum requirements and independently audited.

Minimum requirements are either:

- ACT Second Party -an independently audited system that meets the requirements of a checklist to be provided by the assessing authority, OR
- Full 3rd party AS/NZS ISO 9001:2015



Checklist of documents needed to accompany application

Please include the following documents with your application.

1.	<p>Resumes of key personnel detailing previous experience and capability relevant to the proposed category for which the applicant is seeking inclusion on the Register.</p> <p>Your resume should outline details of your knowledge and experience of:</p> <ul style="list-style-type: none"> • façade and cladding work in relation to: <ul style="list-style-type: none"> o management o approval o certifications o inspections o project management o risk management o design o rectification works • fire engineering deemed to satisfy and performance solutions <p>Specifically, resumes should include the following information:</p> <ul style="list-style-type: none"> • current position and title • current role/responsibilities • evidence of qualifications • evidence of licences held in the state or territory • work history experience relevant to façade works • dates of relevant project experience • identification of previous employment • two referees relevant to the category(ies). 	<input type="checkbox"/>
2.	<p>Copies of any professional qualifications held in relation to your qualifications for any of the following categories:</p> <ul style="list-style-type: none"> • building certifier or building surveyor • fire engineer • architect • Structural and/or façade engineer • quantity surveyor • project manager 	<input type="checkbox"/>

3.	<p>Copies of any licences held in relation to your qualifications for any of the following categories:</p> <ul style="list-style-type: none"> • building certifier or building surveyor • fire engineer • architect • Structural and/or façade engineer • quantity surveyor • project manager 	<input type="checkbox"/>												
4.	<p>Details of all relevant insurance policies and certificates of currency for these insurances including workers' compensation, professional indemnity insurance, public liability insurance – these details should be included in the application form.</p> <p>Please note the professional indemnity insurance required for each category of professional in relation to cladding work:</p> <table border="1" data-bbox="181 792 1321 1133"> <tr> <td>Building Certifier (Building Surveyor)</td> <td>\$5M</td> </tr> <tr> <td>Fire Engineer</td> <td>\$5M</td> </tr> <tr> <td>Architect</td> <td>\$5M</td> </tr> <tr> <td>Structural and/or Façade Engineer</td> <td>\$5M</td> </tr> <tr> <td>Quantity surveyor</td> <td>\$5M</td> </tr> <tr> <td>Project Manager</td> <td>\$5M</td> </tr> </table> <p>For Public Liability – insurance covering a minimum of \$20 million per claim and in the aggregate of all claims is required.</p>	Building Certifier (Building Surveyor)	\$5M	Fire Engineer	\$5M	Architect	\$5M	Structural and/or Façade Engineer	\$5M	Quantity surveyor	\$5M	Project Manager	\$5M	<input type="checkbox"/>
Building Certifier (Building Surveyor)	\$5M													
Fire Engineer	\$5M													
Architect	\$5M													
Structural and/or Façade Engineer	\$5M													
Quantity surveyor	\$5M													
Project Manager	\$5M													
5.	An organisational chart showing the relationship between the applicant and parent and subsidiary companies (where relevant).	<input type="checkbox"/>												
6.	Evidence of certification of quality management system.	<input type="checkbox"/>												
7.	Make sure that the consent to share information has been signed and dated by an authorised person.	<input type="checkbox"/>												

Shea, Patrick

From: Murray, Gerry
Sent: Thursday, 27 May 2021 12:01 PM
To: Elliston, Ben; Adams, Lachlan
Cc: Stewart, Di; Srivastava, Sunila; Sohail, Muhammad; Piani, Adrian; MPC Comms
Subject: ACT Cladding Rectification Program_Peak Bodies communication...
Attachments: List of Peak bodies - Communication team.docx

OFFICIAL

Hi Ben and Lachlan,

Email two of two in relation to this stage of the Program.

Background:

We are in the process of contacting (by phone) the five Peak Body Organisations (list attached) whose members may be able to act as supplier(s) of services for the ACT Cladding Rectification Program.

Purpose:

AWARENESS: to ensure each Peak Body understands this Program is underway

INTEREST: to generate Peak Body involvement to provide information to their members

ENGAGEMENT: to use their connected networks to expand reach and participation

Peak Body - key contacts:

The intention is to locate the appropriate person within each peak body and speak to this person in advance of sending an email, to advise them that the Register of Potential Suppliers has been set up. We will then send through the below email to ask for Peak Body support in engaging their relevant members by forwarding on this information.

Proposed email (for consideration):

Dear Xxxxx,

(On the basis that we are able to make phone contact with the appropriate person at the relevant Peak Body)

Thank you for your time over the phone. Following on from our conversation, I am writing to you as a peak body organisation for potential suppliers of services for the ACT Cladding Rectification Program. The purpose of this email is to inform you that the ACT Government has set up a Register to assist private building owners in carrying out investigations relating to cladding on their buildings. <INSERT WEBPAGE LINK HERE> Often building owners are not quite sure where to get help on a technical building issue such as cladding. This Register has been set up as an open, publicly available list of potential suppliers, their qualifications, licences, related experience and insurances (as advised by the suppliers) to undertake cladding work in the ACT.

We are putting out an expression of interest in seeking applications from qualified and licensed professionals through your member organisations. Could I ask you to pass this information on through your connected networks. If you, or your members have any questions relating to this Program, please don't hesitate to contact me via email or on the phone number listed below.

Thank you for your help in relation to this matter.

Best regards,

<INSERT EMAIL SIGNATORY HERE>

Timing:

If we have all content approvals in place, I would anticipate this email going out to these Peak Body organisations from Tuesday 1 June. (While we may be in a position to send it out on Friday 28 May, in consideration of sending out an email of this nature on Friday afternoon, it is more likely to be read and actioned following the long weekend).

Next steps:

The expectation is that we would follow-up with a phone call to each Peak Body late next week to ensure they have received and circulated the information to their members.

Please let me know if you have any feedback in relation to this approach or would like any additional information.

Best regards, Gerry

Gerry Murray | Senior Director, Communications and Engagement
Major Projects Canberra | ACT Government
(02) 6207 6356 | [Schedule 2.2 \(a\)\(ii\)](#) Email: gerry.murray@act.gov.au



List of Peak bodies for Register of Potential suppliers

Organisation	Peak body for	Contacts	Designation	Email	Address	Phone
Engineers Australia	Engineers	Schedule 2.2 (a)(ii)	National Media Manager	Schedule 2.2 (a)(ii)	11 National Circuit, Barton ACT 2600	Schedule 2.2 (a)(ii)
Australian Institute of Project Management	Project Manager	Schedule 2.2 (a)(ii)	CEO	Schedule 2.2 (a)(ii)	100 Miller Street North Sydney NSW 2060	Schedule 2.2 (a)(ii)
Australian Institute of Architects	Architects	Schedule 2.2 (a)(ii)	CEO	Schedule 2.2 (a)(ii)	2a Mugga Way Red Hill, ACT 2603	Schedule 2.2 (a)(ii)
Australian Institute of Building Surveyors	Building Surveyor	Schedule 2.2 (a)(ii)	Director NSW/ACT	Schedule 2.2 (a)(ii)	Level 5 828 Pacific Highway Gordon NSW 2072	Schedule 2.2 (a)(ii)
Australian Institute of quantity Surveyors	Quantity surveyor	Schedule 2.2 (a)(ii)	Education Manager	Schedule 2.2 (a)(ii)	Suite 303, 70 Pitt Street, Sydney, NSW, Australia 2000	Schedule 2.2 (a)(ii)

Portfolio/s: Sustainable Building and Construction**Cladding Rectification****Talking points:**

- The safety of our community is of the utmost importance and has guided our approach to the handling of potentially combustible cladding on buildings in Canberra.
- In 2017, the Government formed the inter-agency Building Cladding Review Group to determine whether combustible materials had been used in Territory buildings in a way that poses a risk to building occupants.
- In December 2019, a Cladding Audit Response Team was established to progress the important work in addressing issues identified with ACT Government buildings through further detailed assessments and identification of remediation options. The Response Team also undertook a desktop analysis of certain privately owned buildings.
- **Out of Scope** [REDACTED]
- The Cladding Rectification Scheme consists of two elements:
 - **Out of Scope** [REDACTED]
 - a Private Sector Program to support the assessment and rectification of combustible cladding on certain private sector buildings.

Out of Scope [REDACTED]

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

- **Out of Scope** [Redacted]

- [Redacted]

Private Sector Program

- The ACT Government is creating a ‘Government Concessional Loan Scheme’ (the Scheme) to support the remediation of combustibile cladding across eligible private sector buildings.
- The Scheme will involve a Government concessional loan and is designed to encourage and assist in the remediation of higher-risk potentially combustibile cladding on private buildings where their multi-owner nature may otherwise present a practical impediment to the replacement of such cladding.
- Apartment buildings including mixed-use apartment buildings of three storeys or higher will be eligible for the program.
- Phase 1 of the scheme will commence in the 2021/22 Financial Year with support provided by the ACT Government in the form of concessional loans for Owners Corporations to undertake initial testing and engineering investigations. This will enable owners corporations of eligible buildings to understand the cladding related risk of their buildings and the potential costs for remediation.
- Further information on the scheme will be available in mid 2021, including information on eligibility, the concessional loan arrangements, and the application process for building owners corporations.
- As Phase 1 progresses, the ACT Government will consider the best approaches to then encourage and support remediation works as part of Phase 2.
- Engagement with industry associations/representatives has occurred and will continue, to enable industry input to the development of the scheme.

Q+A

- **Out of Scope** [Redacted]

Privately-owned buildings

It is important to remember that the presence of combustible cladding on the façade of a building does not necessarily mean that it is unsafe. Many buildings have this cladding in limited amounts or only on certain aspects of the façade.

Owners of private buildings are responsible for ensuring the ongoing safety of their buildings, including through the installation and maintenance of fire safety systems, such as fire alarms, sprinklers and fire doors .

- **Out of Scope** [Redacted]

[Redacted]

- [Redacted]

- **Out of Scope** [Redacted]

[Redacted]

- [Redacted]
- [Redacted]

[Redacted]

- *How can the Government ensure that only skilled, insured professionals and companies with experience in cladding are undertaking work under the Private Buildings Scheme?*

The Government is developing a register specifically for companies and construction professionals with experience in cladding remediation work, , wanting to offer their services to Owners Corporations under this Scheme. This will not only include applying checks similar to those required under the existing ACT Construction Pre-Qualification Scheme, but specifically assess their direct experience in cladding work and their insurance coverage for cladding rectification work.

Background

Milestones	Date to be completed
1. Commencement of education campaign	June 2021
2. Opening of registrations of interest for the Scheme	1 July 2021
3. Opening of full loan applications (subject to Treasury advice)	2 August 2021
4. Reporting back on the levels of take-up of the Scheme	First half 2022
5. Closing of applications for the Scheme	August 2022 (12 months after commencement)
Completion date of the Loan Scheme and receipt of all building reports (where there is sufficient take-up of the scheme):	1 December 2022

Cleared as complete and accurate: 27/05/2021
Cleared for public release by: Executive Group Manager Ext: 55466
Contact Officer name: Adrian Piani Ext: 54326
Lead Directorate: Major Projects Canberra

Shea, Patrick

From: Murray, Gerry
Sent: Thursday, 10 June 2021 9:08 AM
To: Stewart, Di; Piani, Adrian
Subject: FW: ACT Cladding Program Media Enquiry_RiotACT...

UNOFFICIAL

Responses to these questions, cleared through to Mins office and now back with the journalist.

Best regards, Gerry

From: Roberts, Lachlan <Lachlan.Roberts@act.gov.au>
Sent: Thursday, 10 June 2021 8:48 AM
To: Murray, Gerry <Gerry.Murray@act.gov.au>; Elliston, Ben <Ben.Elliston@act.gov.au>
Cc: EPSDD Media <EPSDDMedia@act.gov.au>; Drennan, Matthew <Matthew.Drennan@act.gov.au>; MPC Comms <mpccomms@act.gov.au>
Subject: RE: ACT Cladding Program Media Enquiry_RiotACT...

I'm happy for this to be provided.

Thanks Gerry and team.

Lachlan Roberts (he/him)
Media Adviser | ACT Greens
Minister Shane Rattenbury and Minister Rebecca Vassarotti
m: Schedule 2.2 (a)(ii) | t: 02 6207 6478
e: Lachlan.Roberts@act.gov.au

The Greens acknowledge Aboriginal and Torres Strait Islander peoples' relationship with the land and water, and their rights and obligations as Traditional Custodians must be respected. As sovereignty was never ceded, the Greens recognise that to become a truly reconciled nation, we must act to empower, listen to, and support Aboriginal and Torres Strait Islander peoples, their families and communities.



From: Murray, Gerry <Gerry.Murray@act.gov.au>
Sent: Wednesday, 9 June 2021 9:16 PM
To: Elliston, Ben <Ben.Elliston@act.gov.au>; Roberts, Lachlan <Lachlan.Roberts@act.gov.au>
Cc: EPSDD Media <EPSDDMedia@act.gov.au>; Drennan, Matthew <Matthew.Drennan@act.gov.au>; MPC Comms <mpccomms@act.gov.au>
Subject: ACT Cladding Program Media Enquiry_RiotACT...

UNOFFICIAL

Evening Ben and Lachlan,

We have received the below **six questions** from RiotACT in relation to the ACT Cladding Program.

The responses below have been reviewed and approved through to Duncan Edghill. We have sought advice from EPSDD in relation to **Q.4** and received a response to this question, cleared through to EPSDD Deputy Director-General. On your review and approval, I will respond to the RiotACT journalist.

RiotACT are requesting fully cleared responses to their questions by 4:00pm, Thursday 10 June.

Any questions, please let me know.

Many thanks.

Best regards, Gerry

1. Could you please provide a timeframe as to when the assistance scheme for eligible private building owners is expected to be introduced in the ACT?

The ACT Government is currently working on a voluntary scheme to assist eligible private building owners. It is expected an announcement will be made relating to this Scheme in the second half of 2021.

2. How will this scheme help to improve the safety of buildings for owners and tenants?

The ACT Government is developing a Scheme for privately owned buildings designed to provide financial assistance to encourage the replacement of higher-risk, potentially combustible cladding on private apartment buildings where their multi-owner nature may otherwise present a practical impediment. The testing and assessment of cladding will assist owners by confirming whether their cladding is combustible, the fire safety risks it poses and the options available to them to reduce this risk.

3. How will the scheme help to reduce insurance costs for building owners and body corporates etc?

The nature of the Scheme proposes funding for the testing and assessment of cladding to help Owners understand whether their building does have combustible cladding and what their options are. Knowledge of the fire safety risk posed by the cladding will assist Owners to determine their next steps in relation to insurance and allow them to have well-informed conversations with their insurers.

4. Will the ACT govt be following Victoria's lead and introducing a prohibition on the use of the external wall cladding products (From 1/2/2021)?

The ACT already has processes in place that other jurisdictions did not or do not have. The government will continue to use the processes that were implemented in 2009-10 to assess the use of aluminium composite panel on medium-high rise buildings in the territory, through the building approval process. Additionally, the government will continue to consider the best long term arrangements for the territory. The National Construction Code (NCC) clearly requires any use of materials to be appropriate for the type of building and meet fire safety requirements. The NCC has also been updated to further clarify when materials must be non-combustible.

5. Will the ACT govt be taking or considering further steps to assist with the cost of replacing non-compliant cladding? If so, what are those steps? (ref Victoria below)

The ACT Government is developing a financial assistance scheme to support eligible building owners undertake testing and assessment of cladding. Further action, if needed, may be considered after the testing and assessment of buildings with potentially combustible cladding has been completed.

6. In higher risk situations, Cladding Safety Victoria is providing funding for approved works such as project management support, professional design service, building surveying, permits and approvals and building materials and rectification works. Will the ACT Govt consider providing funding for high risk works?

The ACT Government Scheme will help owners to understand the risk posed by the cladding on their buildings. Further action, if needed, may be considered after the testing and assessment of buildings with potentially combustible cladding has been completed.

Portfolio/s: Sustainable Building and Construction**Cladding Rectification****Talking points:**

- The safety of our community is of the utmost importance and has guided our approach to the handling of potentially combustible cladding on buildings in Canberra.
- In 2017, the Government formed the inter-agency Building Cladding Review Group to determine whether combustible materials had been used in Territory buildings in a way that poses a risk to building occupants.
- In December 2019, a Cladding Audit Response Team was established to progress the important work in addressing issues identified with ACT Government buildings through further detailed assessments and identification of remediation options. The Response Team also undertook a desktop analysis of certain privately owned buildings.
- **Out of Scope** [REDACTED]
- The Cladding Rectification Scheme consists of two elements:
 - **Out of Scope** [REDACTED]
 - a Private Buildings Cladding Scheme (the Scheme) to support the assessment and rectification of combustible cladding on certain private sector buildings.

Out of Scope [REDACTED]

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

- **Out of Scope** [Redacted]

Private Sector Program

- The ACT Government is creating the Scheme to support the remediation of combustible cladding across eligible private sector buildings.
- The Scheme will provide financial support to Owners Corporations of eligible buildings and is designed to encourage and assist in the remediation of higher-risk potentially combustible cladding on private buildings where their multi-owner nature may otherwise present a practical impediment to the replacement of such cladding.
- Apartment buildings including mixed-use apartment buildings of three storeys or higher will be eligible for the program.
- Phase 1 of the scheme is planned to commence in the 2021/22 Financial Year with support provided by the ACT Government for Owners Corporations to undertake initial testing and engineering investigations. This will enable owners corporations of eligible buildings to understand the cladding related risk of their buildings and the potential costs for remediation.
- Further information on the scheme will be available in mid 2021, including information on eligibility, and the application process for building owners corporations.
- As Phase 1 progresses and the outcomes of the risk assessments are known, the ACT Government will consider the best approaches to encourage and support remediation works.
- Engagement with industry associations/representatives has occurred and will continue, to enable industry input to the development of the scheme.

Q+A

- *Why are you letting people continue to occupy the building if the combustible cladding makes it a higher risk? How can you guarantee it's safe?*

Out of Scope [Redacted]

Background

Milestones	Date to be completed
1. Commencement of education campaign	July 2021
2. Opening of applications for the Scheme	July 2021
3. Reporting back on the levels of take-up of the Scheme	First half 2022
4. Closing of applications for the Scheme	July 2022 (12 months after commencement)
Completion date of Phase 1 of the Scheme and receipt of all building reports (where there is sufficient take-up of the scheme):	December 2022

Cleared as complete and accurate: 10/06/2021
Cleared for public release by: Executive Group Manager Ext: 55466
Contact Officer name: Adrian Piani Ext: 54326
Lead Directorate: Major Projects Canberra



Rebecca Vassarotti MLA
 Minister for the Environment
 Minister for Heritage
 Minister for Homelessness and Housing Services
 Minister for Sustainable Building and Construction

Member for Kurrajong

Schedule 2.2 (a)(xii)

Schedule 2.2 (a)(xii)

Schedule 2.2 (a)(xii)

Schedule 2.2 (a)(xii)

Thank you for your follow up letter regarding financial assistance to support building owners dealing with combustible cladding. I am responding to you as this matter falls within my portfolio responsibilities.

The Government will shortly be in a position to advise Owners' Corporations of the details of a financial assistance scheme to address combustible cladding. I appreciate your patience as the Government has worked through this complex issue.

The Government is aware that Owners' Corporations in the ACT are at varying stages of action on this issue and that **Schedule 2.2 (a)(xii)** is further progressed than others. The ACT Government's financial assistance scheme will be designed to encourage Owners' Corporations to undertake testing, assessment and replacement activities where those activities have not already been undertaken. I acknowledge the comments you have made regarding concessional loans and the current status of works at **Schedule 2.2 (a)(xii)**.

I encourage you to visit www.act.gov.au/majorprojectscanberra/our-projects/act-cladding-rectification-program to stay up to date with future announcements.

I trust this information is of assistance.

Yours sincerely

Rebecca Vassarotti MLA
 Minister for Sustainable Building and Construction

8/7/2021



Major Projects Canberra

OFFICIAL

To:	Minister for Sustainable Building and Construction	Tracking No.: 21/55973
Date:	13 July 2021	
From:	Chief Projects Officer, Major Projects Canberra	
Subject:	Private Buildings Cladding Scheme – Approval of Public Materials	
Critical Date:	16 July 2021	
Critical Reason:	To enable all materials to be finalised for a launch on 21 July	

Recommendations

That you:

1. approve the Private Buildings Cladding Scheme materials for public use at Attachments A, B and C.

Approved / Not Approved / Please Discuss

Rebecca Vassarotti MLA  19/7/2021

Minister's Office Feedback

Thank you for this information. Please ensure that stakeholders have signed off their attributed statements prior to releasing the media statement.

OFFICIAL

Background

1. The Private Buildings Cladding Scheme (the Scheme) was approved by Cabinet (CAB/21/124) with budget approval given on 29 June 2021.
2. On 13 July 2021, Cabinet approved that Phase 2 of the Scheme can be publicly announced in general terms at this time.
3. A public announcement to launch the Scheme is scheduled for Wednesday, 21 July 2021.

Issues

4. Materials have been prepared to support the Scheme and are provided for your approval:
 - a. The Scheme Guidelines at Attachment A have been prepared with reference to other ACT Government grant scheme guidelines and accurately reflects Cabinet decisions on eligibility and financial support to be provided by Government.
 - b. The Scheme application form at Attachment B is provided in PDF for ease of viewing. However, the application process is actually undertaken in the SmartyGrants system, as is common for ACT Government grant schemes. Therefore, the applicant will see and complete the application form online. Any issues you may notice in regard to pagination do not occur in the online version. The Scheme application form will be available on both the Grants ACT website and the Major Projects Canberra website to enable the widest level of coverage on the Scheme.
 - c. The Guide to Identifying Combustible Cladding at Attachment C closely follows similar guidance given in other jurisdictions and an earlier version was previously published by Environment, Planning and Sustainable Development Directorate.

Recommendation

5. It is recommended that you approve the public materials for the Private Buildings Cladding Scheme, so that they may be finalised before the public launch date.

Signatory Name: Duncan Edghill

Phone: x53842

Action Officer: Di Stewart

Phone: Schedule 2.2 (a)(ii)

Attachments

Attachment	Title
Attachment A	ACT Cladding Program - Testing and Assessment Grants Scheme Guide
Attachment B	Private Buildings Cladding Scheme Application Form Application
Attachment C	ACT Cladding Program - Combustible Cladding Guide



ACT
Government

PRIVATE BUILDINGS CLADDING SCHEME

Scheme Guidelines

July 2021



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SUMMARY OF GRANTS (REBATE) SCHEME

Opening date:	21 July 2021
Closing date:	Owners Corporations have until 21 July 2022 to apply for the Grant.
Enquiries:	<p>If you have any questions, contact the Private Buildings Cladding Team by email or phone.</p> <p>Email: claddingprogram@act.gov.au</p> <p>Phone: (02) 6205 3303</p>
Type of grant opportunity	<p>Open non-competitive.</p> <p>Applications will be assessed individually against the eligibility criteria, with funding decisions in relation to each application being determined without reference to the comparative merits of other applications</p>
When does the testing and assessment of the cladding have to be completed by?	Grantees (approved applicants) have until 20 December 2022 to undertake the testing and assessment of the cladding.
When does the Testing and Assessment Report have to be provided by?	The Testing and Assessment Report must be provided to the ACT Government via the Scheme's SmartyGrants portal within 14 days of being received by Grantees.
When will the rebate be paid?	<p>To be paid the rebate, Grantees must submit:</p> <ul style="list-style-type: none"> (a) all invoices and receipts of payment received; (b) where relevant, all receipts of payments made; and (c) all Testing and Assessment Reports received. <p>The rebate will be paid within 30 days of acceptance of all required documents.</p>
How much is the rebate?	The rebate is 50% (up to a maximum of \$20,000 ex GST) of the cost of the testing and assessment of the cladding on a building.
Defined terms	Capitalised words are defined in the Glossary at clause 15 .
Relevant websites	All websites mentioned in these guidelines are hyperlinked and are also available in full in the Website Addresses section at clause 16 .

THE GRANTS PROCESS

The grant opportunity opens

You have until 21 July 2022 to apply for a Grant.

You complete a grant application and submit the application online using the **SmartyGrants** Portal.

A member of the Cladding Team will assess your application and you will be notified of the outcome.

If your application is approved you will need to sign a Grant Agreement and submit a completed Supplier Account form and provide details of your professional services provider(s).

When all the work has been done, you need to submit all invoices, receipts of payments and all Testing and Assessment Reports. You should receive your rebate within 30 days of all required information having been received.



1. INTRODUCTION

These guidelines contain information about the Private Buildings Cladding Grants Scheme.

You should read these guidelines before completing an application.

This document sets out:

- the purpose of the grant opportunity
- the eligibility and selection criteria
- how grant applications are considered and selected
- how Grantees are notified and receive grant payments
- the steps the Grantee must undertake to fulfill their obligations under the grant
- when the Grantee will receive the rebate; and
- responsibilities and expectations in relation to the grant opportunity.

We have defined key terms (which are capitalised) in the **Glossary at clause 15**.

The Scheme has been established by the ACT Government. This grant opportunity and process will be administered by Major Projects Canberra, a directorate of the ACT Government.

An online application form is available from Grants ACT www.grants.act.gov.au.

2. THE PRIVATE BUILDINGS CLADDING SCHEME

The ACT Government is committed to ensuring the safety and well-being of all ACT residents.

Combustible cladding has been used on apartments and other buildings within the ACT and may pose an unacceptable fire safety risk if not properly installed or managed. The level of risk posed will depend on several factors including the type of cladding used and the way it is fixed to the building, the total coverage of the cladding, where it is located on the building, and fire safety systems present on the building.

The responsibility to maintain a safe premise, which may include identifying and addressing combustible cladding, is held by the building owner(s) for each building in the ACT.

Understanding the level of risk posed by combustible claddings on ACT apartment buildings will help Grantees and

the ACT Government understand the nature of any future response required.

On 21 July 2021, the ACT Government announced an assistance scheme – the Private Buildings Cladding Scheme (the Scheme) – a voluntary scheme for Grantees of eligible Class 2 (residential apartment) or mixed use (residential apartment and other uses) buildings in the ACT.

This Scheme will assist eligible Owners Corporations to ensure the safety and wellbeing of residents in eligible buildings. This grant opportunity aligns with the ACT's Wellbeing Framework to achieve wellbeing in relation to Housing and home and Safety objectives.

What does the Scheme offer?

The Scheme supports Grantees of eligible buildings to obtain professional advice to undertake testing and assessment of the cladding on their building to:

- confirm whether their building has combustible cladding (testing of cladding);
- understand the level of safety risk to residents of the building by the presence of combustible cladding (assessment of risk);
- understand the scope of any remediation works which may be required to reduce the risk to an appropriate level, including an assessment of cost and time to complete the works; and
- understand any interim fire safety measures that should be implemented in the building while remediation works are considered.

The ACT Government will provide **financial assistance** towards the cost of obtaining this professional advice by providing a rebate to eligible Owners Corporations (50% of the cost of obtaining this advice to a maximum rebate of \$20,000 ex GST).

The ACT Government will provide **practical assistance** to Owners by providing clear information on combustible

cladding and how Owners may approach the task of remediating their building.

The ACT Government will also host a **Register of Potential Suppliers**, which is a list of professional service providers in the ACT who have met the criteria of the Register to undertake cladding testing and assessment work.

After testing and assessment - then what?

Testing and assessment is the critical first step in assessing the fire safety risk of the cladding on a building. For some buildings, the Testing and Assessment Report (the Report) may suggest fire mitigation strategies, while for other buildings the Report may recommend wholesale or partial removal of the cladding (remediation).

The ACT Government is committed to developing a remediation scheme which will provide financial assistance through concessional loans to eligible property owners needing to remediate the cladding on their buildings. Generally, participation in the testing and assessment phase will be required in order to be eligible for participation in the future remediation scheme.

3. REBATE AMOUNTS AND PERIOD OF GRANTS

Rebates of up to 50% of the costs of testing and assessment work (to a maximum of \$20,000 ex GST) are offered per building.

Grantees have until 21 July 2022 to apply for the Scheme and until 20 December 2022 to undertake the testing and assessment of the cladding.

4. ELIGIBILITY CRITERIA

4.1 Who is eligible to apply for the Scheme?

Owners Corporations of **eligible** buildings located in the ACT can apply to join the Scheme. Individual owners of apartments within a building are not eligible to apply.

Only one application can be made for each building.

An authorised representative of an Owners Corporation, such as a Strata Manager, may submit the application on behalf of the Owners Corporation and undertake all administrative steps required under the Scheme.

Eligible building types

To be an eligible building under the Scheme, a building must:

1. be a multi-use or solely residential-use building;
2. have a **rise of at least three (3) storeys** under the National Construction Code;
3. be a class 2 apartment building or involve a Cluster of buildings¹; and
4. be reasonably judged by the Owners Corporation to have cladding, which may be combustible cladding. Guidance is available from [Does my building have cladding? Might it be combustible cladding?](#)

4.2 Exceptional circumstance - discretion for Owners with non-eligible building types

Generally, the Scheme is intended to cover testing and assessment of cladding on multi use residential and solely residential apartment buildings which are three (3) storeys or above.

However, if a building does not meet the criteria (above), but the owners believe that:

- the cladding on the building poses a significant fire safety risk; and
- that the ownership structure of the building means that it is unlikely that the owners would be able to fund testing and assessment without access to the Scheme's rebate;

then the Owner may apply for admission to the Scheme.

All applications for discretionary entry into the Scheme will be considered by the ACT Government which may exercise its discretion to allow the Owner access to the Scheme.

If an Owner is seeking admission under this discretionary provision, the Owner will need to attach to the application:

- reasons why the Owner thinks the cladding on the building poses a significant fire safety risk (reasons could include age of building, numbers of exit points from the building, location of the building);
- any evidence the owners may have of the increased fire safety risk (eg photos, professional reports etc);
- reasons why the operation of the ownership structure is such that access to the Scheme is required; and
- if an Owner is in the business of providing a service or goods for profit from that building – a certified profit and loss statement for the last three years.

4.3 Can an Owners Corporation apply for the Scheme if testing and assessment has already been undertaken on their building?

The ACT Government will decide applications for retrospective access to the Scheme. Owners Corporations may only be considered for retrospective access to the Scheme if the testing and assessment they have undertaken has resulted in a written, comprehensive report (or series of separate reports) that details:

- Whether the cladding is combustible cladding;
- The level of fire safety risk posed by the cladding on the building;
- The scope of remediation works which may be required to reduce the risk to an appropriate level;
- The cost estimate of the required remediation; and
- Any interim fire safety measures that should be implemented.

Testing and assessment services that are being claimed retrospectively cannot have been undertaken prior to 27 August 2020. The company conducting the testing and assessment must meet the eligibility requirements of the Register of Potential Suppliers.



¹ See definition in the [Glossary at Clause 15](#).

5. ELIGIBLE SERVICES UNDER THE GRANT

The Scheme will provide a rebate towards the cost of testing and assessment of the cladding to (a) confirm whether it is combustible cladding (b) assess the fire safety danger posed by the cladding and (c) provide options to minimise the fire safety risk posed by the cladding.

To undertake this work, the Scheme will provide the rebate on any combination of or all of the following services:

- a visual inspection and/or approved laboratory testing to confirm whether a building has combustible cladding;
- detailed expert building inspection/s to understand the level of safety risk to residents of the building by the presence of combustible cladding, to be carried out in accordance with the [Engineers Australia Fire Safety Verification Method](#);
- initial design work to scope remediation works required to address the issues identified in the detailed building inspection to at least reduce the risk to a low level and ensure new works continue to comply with the National Construction Code;
- initial costing of the scoped works, statutory costs including Building Approval, and an assessment of time to complete the works;
- identification of any interim fire safety measures that should be immediately implemented in the building; and
- the preparation of a Comprehensive Testing and Assessment Report.

6. WHAT SHOULD THE TESTING AND ASSESSMENT REPORT CONTAIN?

The Testing and Assessment Report should:

- confirm whether the cladding which has been tested is combustible cladding;
- detail the level of fire safety risk to residents of the building by the presence of combustible cladding;
- explain the scope of remediation works which may be required to reduce the risk to an appropriate level;
- provide a cost estimate of the required remediation works; and
- detail any interim fire safety measures that should be implemented in the building until remediation works are implemented.

7. HOW TO APPLY

7.1 Online process

Application for admission to the Scheme is online through the grants web portal [SmartyGrants](#).

If further assistance is required with the system, please go to the [Guide to using SmartyGrants](#) in the first instance.

There are three parts to the Scheme application:

- questions about the applicant;
- questions about the building; and
- questions about the professional service providers that the Owners Corporation is proposing to use.

In addition, Owners Corporations will be asked to include any supporting information that they may have (e.g. photos).

Owners Corporations are responsible for ensuring that their application is complete and accurate. Under section 338 of the Criminal Code 2002, giving false or misleading information may incur a fine and/or imprisonment of up to a year and may exclude your application from further consideration.

Applications will not be accepted after the closing date.

7.2 Assessment and notification of application outcomes

The ACT Government will assess each application and approve (or otherwise) admission to the Scheme. Each applicant will be advised of the outcome by email.

7.3 Review Rights

The decision of the ACT Government is final in all matters, including:

- the approval of a grant;
- the terms and conditions of the grant;
- the approval of a rebate; and
- the rebate amount to be paid.

7.4 Confidentiality

All material submitted as:

- part of an application or
- in a Testing and Assessment Report provided to the ACT Government at the completion of the services or
- as part of an invoice or
- as part of a professional service providers submission that they have the experience, qualifications, memberships, licenses and insurances to undertake cladding work will be treated **confidentially**.

Due to the sensitivities of this project and the need to protect the identity of buildings that may have a heightened risk of arson, the names and addresses of Grantees will not be posted in ACT Government public reports. However, data may be de-identified or grouped in order to provide public reporting on this Scheme.

Testing and Assessment Reports, or any components of those reports relating to fire risk which are provided to the ACT Government may be provided to ACT Fire and Rescue and other parties for their review and advice.

8. KEY RESPONSIBILITIES OF GRANTEES

8.1 Agreement between the Grantee and the ACT Government

All Grantees will be required to enter into a grant agreement with the ACT Government before they are admitted to the Scheme. Grant Agreements will set out:

- the terms and conditions of the grant;
- the length of time of the grant;
- the responsibilities of each party;
- the use of professional services providers; and
- how and when the rebate will be paid.

8.2 Key requirements of the Scheme

All grants are conditional and include terms and conditions that must be complied with in order to receive the rebate.

The key terms of the Grant Agreement are detailed below.

8.2.1 Successful applicants will be required to enter into a Grant Agreement with the ACT Government, which sets out the terms and conditions on which grant funding will be provided, including acquittal arrangements.

Once the grant has been approved, the ACT Government will send the Grantee:

- a Letter of Offer;
- the Grant Agreement;
- a Supplier Account Form seeking the bank account details of the Grantee into which the rebate shall be paid; and
- a request for details of their professional service provider.

The Grantee must execute the Grant Agreement, complete the Supplier Account Form, provide details of their professional services provider and return all information and documentation to the ACT Government within 14 days of receiving the Letter of Offer, via the [SmartyGrants](#) portal.

8.2.2 After the Grantee has entered into the Grant Agreement they must organise an eligible service provider to test and assess the cladding before 20 December 2022.

8.2.3 To be paid the rebate, the Grantee must provide to the ACT Government a copy of:

- all invoices received from their building professional/s for the testing and assessment of the cladding

- the receipt of these payments; and
- all testing and assessment reports from their building professionals for the testing and assessment of the cladding.

8.2.4 The ACT Government will not pay the rebate until and unless all Testing and Assessment Reports have been submitted.

8.2.5 The invoice/s and receipt/s must be provided via the [SmartyGrants](#) portal and be properly rendered in that it includes:

- the name and address of the building on which the testing and assessment was done
- the name of the building professional and their ACN, ABN or ARBN number
- the contact details of the building professional
- any GST payable; and
- sufficient details as to services provided and the costs incurred.

8.2.6 The ACT Government will rebate 50% of the value of all receipts (up to the maximum rebate of a total of \$20,000 ex GST) into the nominated account of the Grantee following receipt of all required information.

9. RELEVANT TIMEFRAMES

Grantees have until 21 July 2022 to apply for admission to the Scheme.

Grantees have until 20 December 2022 to:

- engage the required professionals; and
- receive all Testing and Assessment Report(s).

Grantees may submit all Testing and Assessment Reports received when they submit their invoices and/or receipts for the payment of the rebate payment.

Program Timetable

DATE	MILESTONE
21 July 2021	Applications open for the Scheme
21 July 2022	Applications close
20 December 2022	All services must be completed

10. PROFESSIONAL SERVICE PROVIDERS

10.1 Ensuring professional service providers are appropriately skilled

Professional service providers utilised by Grantees must be appropriately skilled, qualified and insured to provide services under the Scheme.

Grantees are able to propose their choice of professional service providers if they are successful in admission to the Scheme.

Major Projects Canberra hosts, on its website, a Register of Potential Suppliers (the Register) who are able to undertake cladding services. These companies provide relevant professional services in the ACT to address cladding testing and assessment, and have qualifications, experience, and insurance coverage relevant for cladding work.

The Register contains project managers, fire engineers, architects, façade and structural engineers, building surveyors/certifiers, and quantity surveyors.

If a Grantee chooses a professional service provider(s) from the Register, this professional service provider(s) will be considered automatically able to provide services to Grantees.

Grantees who are not using professional service providers from the Register, will be required to provide the Cladding Team with details of the professional service provider(s) they intend using.

These professional service providers will be required to satisfy the ACT Government that they meet the requirements of inclusion on the Register before being able to provide services under this Scheme.

Professional service providers not on the Register will be required to provide proof of:

- the experience of relevant staff – by providing resumes for each staff member likely to be contracted by the Grantee, as a result of the Scheme;
- the qualifications of relevant staff;
- appropriate levels of insurance; and
- memberships of relevant professional bodies.

10.2 Negotiation to provide services from professional service providers on the Register

It is the responsibility of each Grantee to choose its own professional service providers to meet the needs of each building.

The ACT Government does not warrant the services of any providers on the Register and Grantees are to undertake their own due diligence and make enquiries to satisfy themselves before committing to a contract of services.

The ACT Government has not negotiated any set rates with any professional service provider – rates must be negotiated, as per normal commercial practice, between a Grantee and a professional service provider.

The ACT Government is not responsible for any failure to provide services or failure to pay between contracted parties.

11. OUTCOMES AND HOW THIS WILL ASSIST IN FUTURE REMEDIATION WORK

The expected outcome from the Scheme is that participating Grantees of buildings with combustible cladding will:

- undertake a detailed inspection of their building; and
- receive a Testing and Assessment Report (the Report) which details the level of risk the cladding may pose, next steps to mitigate the potential fire risk, and details the likely cost of rectification work.

The Report can be used by Grantees to identify risk and prioritise remediation of buildings according to the risk level posed by the cladding.

The Report can be used to provide accurate information to residents and potential purchasers of apartments.

The Report can also be used by Grantees to discuss insurance options with insurers and ensure that remediation actions taken will result in the building being able to be fairly insured without cladding caveats.

A copy of any Report produced under this Scheme will be required to be provided by the Grantee to the ACT Government.

Each Report will be reviewed by ACT Fire and Rescue in order to advise Government on the risk profile of apartment buildings in the ACT. Information in the reports may be used by the ACT Government to develop the remediation scheme to assist eligible property owners. The Reports will not be publicly released.

12. PROCESS FLOWCHART



13. ACCESSIBILITY INFORMATION

The ACT Government is committed to making its information, service, events and funding opportunities accessible to as many Canberrans as possible.

If you have difficulty reading a standard print document and would like to receive this publication in an alternative format – such as large print or audio – please telephone **(02) 6205 3303**.

If you are deaf, or have a hearing or speech impairment, contact us through one of the following:

- National Relay Service (NRS) www.relayservice.gov.au then ask for **1800 199 090**.
 - TTY users phone **133 677** then ask for **1800 199 090**.
 - Speak and Listen users phone **1800 555 727** then ask for **1800 199 090**.
- For interpreting assistance in languages other than English, telephone the Translation and Interpreting Service on **13 14 50**.

14. QUESTIONS?

Additional information can be obtained from the website of the ACT Cladding Rectification Program at www.act.gov.au/majorprojectscanberra/our-projects/act-cladding-rectification-program.

If you would like to talk to a staff member, please contact us on **(02) 6205 3303** between 9.30am and 5pm daily. You can also email us at CladdingProgram@act.gov.au.

For media enquiries please contact Major Projects Canberra at MPC.Media@act.gov.au.

15. GLOSSARY

TERM	DEFINITION	SOURCE OF DEFINITION
Class 2 buildings	Class 2 buildings are apartment buildings. They are typically multi-unit residential buildings where people live above and below each other. Class 2 buildings may also be single storey attached dwellings, where there is a common space below.	National Construction Code, Building Classifications
Cluster of buildings	A cluster of buildings is defined as a tight grouping of residential dwellings with the potential for fire spread between buildings posing a high risk, should a fire event occur.	
Grant	An arrangement where money is provided to a recipient as financial assistance by the Territory for a specified purpose that enables the recipient to achieve goals and objectives that are consistent with Territory policy.	Administration of Government Grants in the ACT policy
Grants ACT	The website on which all ACT grant opportunities are advertised.	
Grant activity/s	Refers to the tasks/services that the grantee is required to undertake or ensure is undertaken	
Grant Agreement	Sets out the relationship between the parties to the agreement, and specifies the details of the grant	
Grantee	An Owners Corporation or Owner which has applied for a Private Buildings (Rebate) Grant and has been approved.	
Major Projects Canberra (MPC)	Major Projects Canberra is a directorate of the ACT Government and was established on 1 July 2019 to lead the procurement and delivery of the ACT'S infrastructure program.	
Owners	An Owner is the registered proprietor of the lease of the unit and includes a part-owner.	
Owners Corporation	Owners Corporations are established under section 8 of the <i>Unit Titles (Management) Act 2011</i> . Collectively the owners corporation is responsible to carry out tasks required under relevant laws including the maintenance of common property, infrastructure, and shared amenities.	
Professional Service Provider	A person who has the qualifications, experience, licences, insurances and memberships to undertake cladding works in the ACT.	
SmartyGrants	SmartyGrants is a grants management system used by the ACT Government. It helps grant recipients and granting organisations to record and track all the details around grant transactions.	
Strata Manager	Strata Managers are individual employees of a Strata Managing Agency. The Agency is engaged by the Owners Corporation to manage the day-to-day affairs of the Units Plan under direction of the Executive Committee and Owners Corporation.	
Supplier Account Form	A form which requires details of the nominated bank account into which a Grantee wants their rebate paid.	
Testing and Assessment Report	A report provided by building professionals engaged by an Owners Corporation or Owner which details: <ul style="list-style-type: none"> • whether a building has combustible cladding; • the fire safety risks posed by the cladding; • options to mitigate the risks posed by the cladding and recommended way forward; and • costs of each option. 	

16. WEBSITE ADDRESSES

WEBSITE	ADDRESS
SmartyGrants	smartygrants.com.au
Major Projects Canberra	www.act.gov.au/majorprojectscanberra
Act Cladding Rectification Program	www.act.gov.au/majorprojectscanberra/our-projects/act-cladding-rectification-program
Grants ACT	www.grants.act.gov.au
National Relay Service	www.relayservice.gov.au
Engineers Australia Fire Safety Practice Guides	www.engineersaustralia.org.au/FSVM



Private Buildings Cladding Scheme Application Form

Form Preview

Note: This form will be filled out electronically and will be accessed from the same page that the Guidelines are housed. For this reason, we have not specified the full URL of the Guidelines within this form.

Information for Applicants

* indicates a required field

Before completing this application form, you should have read the [Private Buildings Cladding Scheme Guidelines](#).

This application has three parts:

- questions about the applicant
- questions about the building; and
- questions about the building professionals you are proposing to use.

How to complete this application form

All parts must be answered.

Incomplete applications and/or applications received after the closing date will not be considered.

Providing false or misleading information may constitute an offence under section 338 of the Criminal Code 2002 (ACT), and is punishable by a fine or imprisonment of up to maximum 12 months.

Eligibility Criteria

This section of the application form is designed to help you, and us, understand if you are eligible for this grant. It's crucial that you read this section before any others to ensure you do not waste your time applying for an unsuitable grant.

To be eligible an applicant must be an Owners Corporation of an eligible building in the ACT.

An eligible building under the Scheme:

- is a multi-use or solely residential-use building;
- has a [rise of at least three \(3\) storeys](#);
- is a class 2 apartment building or is a Cluster of buildings;
- is reasonably judged by the Owners Corporation of having cladding which may be potentially combustible. The guide, [Does my building have cladding? Might it be combustible cladding?](#) may assist you making this assessment.

If you are not an Owners Corporation or do not have an eligible building you may still apply for discretionary access to this Scheme if:

- the cladding on the affected building could pose a significant fire risk; and
- the ownership structure of the affected building is such that access to this Scheme is required.

Retrospective access - an applicant may seek consideration for access to the Scheme if testing and assessment of the cladding on the affected building was undertaken before the Scheme opened on 21 July 2021. To seek consideration for retrospective access, testing and assessment must have been undertaken on or after 27 August 2020 and before 21 July 2021.

URL to be updated once web page is made live

URL to be updated once web page is made live

Private Buildings Cladding Scheme Application Form

Form Preview

If you have any questions in regard to these eligibility criteria, please contact us at **claddingprogram@act.gov.au**

Confirmation of Eligibility

I confirm that:

- I am applying for a grant on behalf of an Owners Corporation or I am an owner seeking discretionary access;
- if I am a strata manager, that I have permission from the Owners Corporation to apply for this grant;
- I have obtained the relevant Owners Corporation approvals and authorisations to undertake activities associated with the application; and
- I am prepared to enter into a Grant Agreement with the ACT Government.

*

Yes No

You must confirm that all statements above are true and correct.

Part A: Questions about the Applicant

* indicates a required field

Privacy Notice

The ACT Government pledges to respect and uphold your rights to privacy protection under the [Australian Privacy Principles](#) (APPs) as established under the *Privacy Act 1988* and amended by the *Privacy Amendment (Enhancing Privacy Protection) Act 2012*. To view our privacy policy, go to [Privacy - Major Projects Canberra \(act.gov.au\)](#)

Applicants Details

Are you an *

- Owner Corporation or Strata Manager with an eligible building?
- An owner seeking discretionary access to the grant?

Are you authorised to apply on behalf of the Owners Corporation? *

- Yes
- No

If you are not authorised by the Owners Corporation to submit this application, the ACT Government can not accept your application.

Authorised representative role *

- Strata managing agent
- Strata committee member

Address of the affected building *

Address

Private Buildings Cladding Scheme Application Form

Form Preview

Address Line 1, Suburb/Town, State/Province, and Postcode are required.

Primary contact person *

Title	First Name	Last Name
<input type="text"/>	<input type="text"/>	<input type="text"/>

Phone Number *

Must be an Australian phone number.

Email *

You must include an email address

Part B: Questions about the building

* indicates a required field

Is the affected building a class 2 apartment building? *

- Yes
 No

Class 2 buildings are apartment buildings. They are typically multi-unit residential buildings where people live above and below each other. Class 2 buildings may also be single storey attached dwellings where there is a common space below. For example, two dwellings above a common basement or carpark.

If the affected building is not a class 2 apartment, is it a cluster of buildings? *

- Yes
 No

* Question enabled if answer to above question is "No".

Does the affected building have a rise of three storeys or more? *

- Yes
 No

Is the affected building solely residential or multi-use with residential apartments? *

- Yes
 No

On what basis have you come to a reasonable judgement that the affected building has cladding, which may potentially be combustible? *

- Visual inspection from the ground
 Result of documentation about the cladding
 As result of a conversation with architect/builder

Private Buildings Cladding Scheme Application Form

Form Preview

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If there is another basis for your judgement not specified above, please detail below

Please provide details of how you have come to this judgement

Please upload any photos that you may have of the cladding on the building

Attach a file:

Applicants seeking discretionary access

Discretionary access refers to access to the Scheme which is at the discretion of the ACT Government. Discretionary access may be available where

- (a) the cladding on the affected building poses a significant fire safety risk; and
- (b) the ownership structure of the affected building means that it is unlikely that the owners would be able to fund testing and assessment without access to the Scheme's rebate.

Are you seeking discretionary access? *

- Yes
- No

Does the cladding on the affected building pose a significant fire risk? *

- Yes
- No

Question enabled if answer to above question is "Yes".

Please provide the basis on which you consider the cladding poses a significant fire risk. *

Question enabled if answer to above question is "Yes".

Please attach relevant evidence to support the claim that the cladding poses a significant fire risk

Attach a file:

Is the ownership structure of the affected building such that access to this Scheme is required? *

- Yes
- No

Question enabled if answer to "Are you seeking discretionary access" is "Yes".

Private Buildings Cladding Scheme Application Form

Form Preview

Please provide a description of the ownership structure and explain why this would necessitate access to the Scheme *

Question enabled if answer to above question is "Yes".

Applicants seeking retrospective access

Retrospective access may be sought where an applicant has undertaken testing and assessment of the cladding on an affected building before the Scheme opened. Retrospective access may be considered if the testing and assessment occurred between 27 August 2020 and 21 July 2021.

Are you seeking retrospective access to the Scheme? *

- Yes
- No

If you are seeking retrospective access to the Scheme, please provide the date/s on which the testing and assessment of the affected building took place *

Question enabled if answer to above question is "Yes".

Testing and assessment must have occurred after 27 August 2020 in order for an Applicant to be considered for retrospective access.

Please upload any testing and assessment reports for the affected building *

Attach a file:

Part C: Questions about the professional(s) you are proposing to use

* indicates a required field

Are you proposing to use a professional(s) from the Register of Potential Suppliers (Register) to assess the cladding on the affected building ? *

- Yes
- No

Register of Potential Suppliers: <https://www.act.gov.au/majorprojectscanberra/act-cladding-program/potential-suppliers-database>

If you are not using a professional from the Register, does the professional you are proposing to use have the required qualifications, licences, memberships and insurance to undertake testing and assessment of the cladding on the affected building? *

- Yes
- No

Private Buildings Cladding Scheme Application Form

Form Preview

Your application will not be approved if the professional(s) you are proposing to use are not suitably qualified. Your proposed professional(s) need to be able to demonstrate that they would be able to join the Register of Potential Suppliers.

Grant Agreement

* indicates a required field

Successful applicants will need to sign a grant agreement and meet all grant terms and conditions in order to receive grant funding. The grant agreement will be sent to successful applicants by email as an attachment to the letter of offer.

I understand that I am required to enter into a grant agreement with ACT Government and meet all the terms and conditions of the grant in order to receive grant funding *

- Yes
- No



ACT
Government

MAJOR PROJECTS CANBERRA

Does my building have cladding?
Might it be combustible cladding?

July 2021



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01

1. INTRODUCTION

The ACT Government is establishing a grant (rebate) scheme to assist Owners Corporations of multi-unit apartment buildings to undertake initial testing and engineering investigations.

This will enable Owners Corporations to understand the cladding related risk of their buildings and the potential costs for remediation.

The identification of buildings with combustible cladding through testing and assessment will:

- inform building owners whether their building presents a safety risk due to the materials used in the external walls;
- give clear, expert guidance to Owners Corporations as to what actions they need to take to manage the risk level of their building; and
- inform the ACT Government about what level of remediation support might be needed to assist Owners.

One of the criteria of the Scheme is that only Owners Corporations who make a **reasonable judgement that the cladding on their building may be combustible cladding** are eligible for the Scheme. For Owners Corporations interested in applying for the Scheme - this Guide should be read in conjunction with the Scheme Guidelines. This Guide provides tips on which Owners Corporations can base a reasonable judgement as to whether the cladding on their building is combustible cladding.

It is important to note that the only definitive way to know whether a building has combustible cladding is to have the cladding tested by a building professional, such as a fire engineer. This Guide helps Owners Corporations determine whether they should undertake this step.

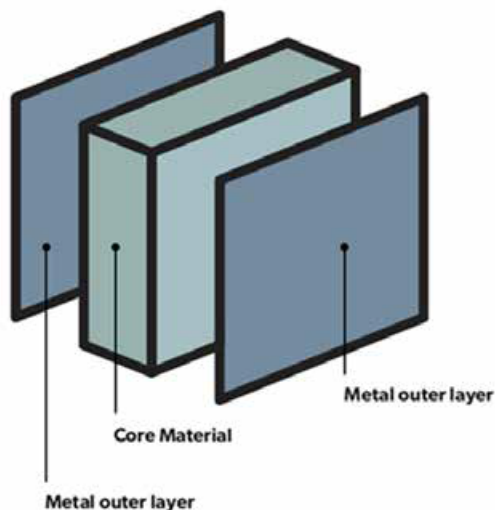
Given that such tests may be costly and time consuming, this Guide may also be used by building owners, of all other types of buildings that are not eligible for the Scheme, if they are uncertain whether they might have combustible cladding on their buildings and are seeking guidance before spending money on testing.

WHAT IS CLADDING AND WHAT IS COMBUSTIBLE CLADDING?

Cladding is one type of building material that can be used on the outside skin on a building. Cladding is used to provide thermal insulation and weather resistance, and to improve the appearance of buildings. Certain types of cladding can catch alight at relatively low temperatures – these are known as combustible cladding. There are two types of combustible cladding:

- Aluminum Composite Panels, and
- Expanded Polystyrene.

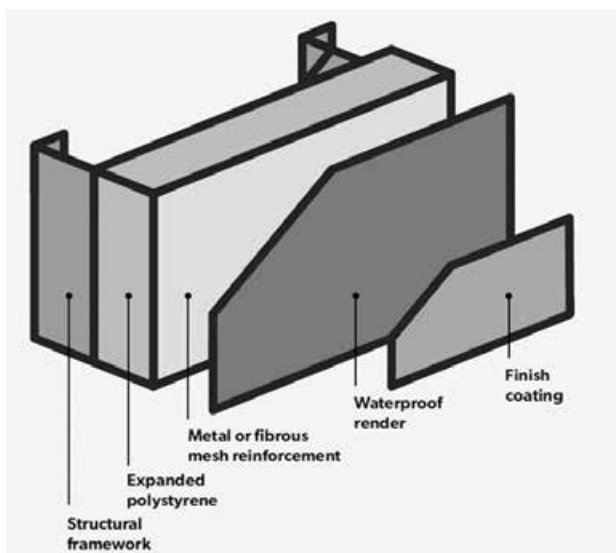
These types of combustible cladding are described below.



Metal composite panels

Metal Composite Panels (MCP) also known as Aluminium Composite Panels (ACP) are commonly used as cladding or applied to a building as part of a cladding system.

MCPs are comprised of a core material laminated between two sheets of metal, such as aluminium, zinc or copper. Depending on the panel, the core may be aluminium, mineral or a polymer. MCP has been used in cladding on walls, balconies, palings, decorative features and around doors.



Expanded Polystyrene

Expanded Polystyrene comprises of expanding foam, foam panels or similar products that are fixed to a structural frame and then sealed, rendered and painted. To identify expanded polystyrene tapping on the wall will produce a hollow thud sound, which is unlike the sound made when tapping brick, concrete or other high-density forms of construction.

02

2. WAYS OF IDENTIFYING WHETHER A BUILDING MAY HAVE COMBUSTIBLE CLADDING

It is not possible to confirm cladding is combustible by looking from the ground.

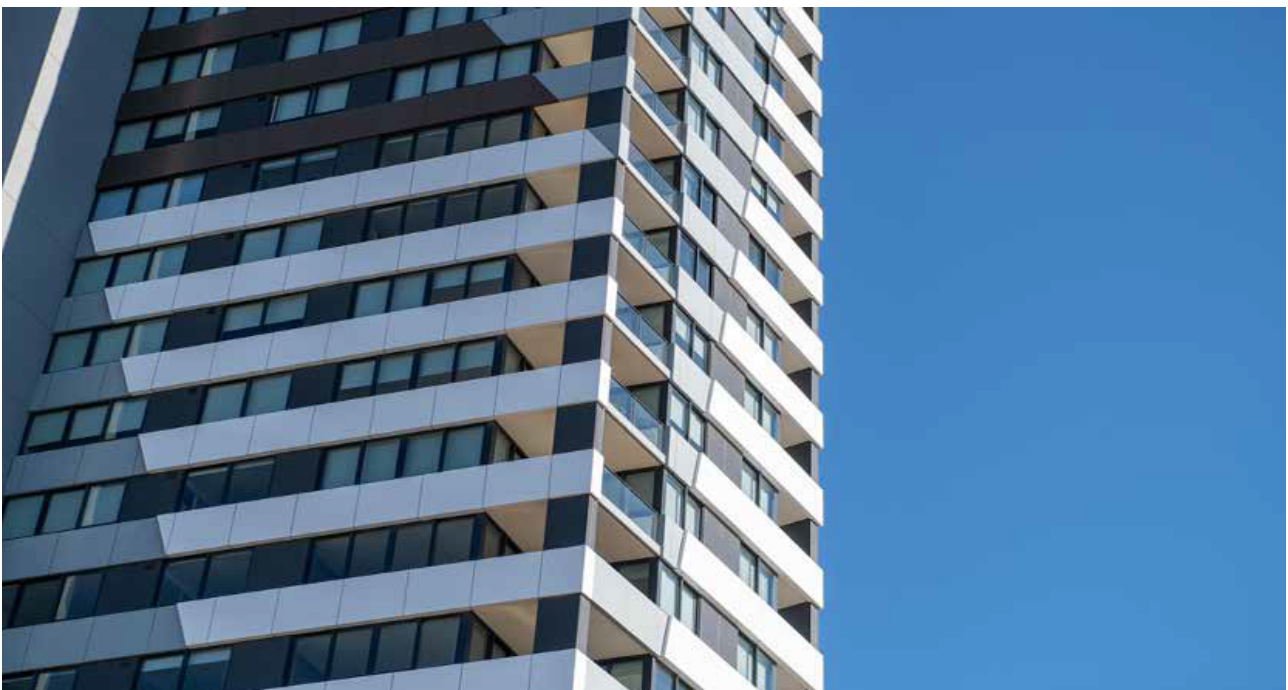
Expert investigations, including removing panels or taking samples for testing, is the only reliable way of differentiating combustible cladding from other types of cladding.

At this stage, the presence of cladding is grounds for reasonable judgement that it may be combustible cladding, unless building owners are satisfied that other information they have, such as documentation of materials actually installed on the building, indicate that a non-combustible cladding product was used.

2.1 VISUAL INSPECTION

A visual inspection of the building may be able to assist you assess whether a building has cladding. Cladding may be white, grey or it may be coloured. It may be used to cover a whole external wall of a building or only part of it, such as around windows or doors or on balconies. While a visual guide may not be conclusive – it is often a good starting point for further investigation. Examples of buildings with cladding are below.

Building with cladding underneath windows



Cladding on one external wall of a building



Cladding interspersed with other materials



Note – the images provided above have been gratefully provided by Fairview

Brightly coloured cladding over entire walls of buildings



2.2 INSPECTION OF DOCUMENTS

While it is not a requirement of the application for the Private Buildings Cladding Scheme, your Owners Corporation or Strata Manager may want to obtain relevant documents pertaining to the building, such as permits and drawings from the ACT Planning and Land Authority (ACTPLA) or the relevant building certifier. These documents may document the types of building material that was used when the building was being built. However, not all documents record this type of information and the products actually installed on the building may differ from those specified and approved to be installed.

2.3 SPEAK TO THE ORIGINAL BUILDER OR ARCHITECT

Again, it is not a requirement of the application, but an Owners Corporation may want to approach the builder who installed the cladding, the architect who designed the building, or the product manufacturer to seek information they may have on the materials used on their building.

03

3. ELIGIBILITY – WHEN IS THE REASONABLE ASSESSMENT TEST FULFILLED?

If you have taken any or all of the steps above, and are of the view that:

- Your building looks like it has cladding (and therefore that it could possibly be combustible cladding);
- Your documentation indicates that an Aluminium Composite Panel or Expanded Polystyrene System was used; or
- Your architect, builder or certifier has advised you that these products were used on your building;

then this is sufficient to meet the eligibility criteria that you have reasonable grounds to suspect that the building has combustible cladding.

QUESTIONS?

Additional information can be obtained from our website at:

act.gov.au/majorprojectscanberra/our-projects/act-cladding-rectification-program

If you would like to talk to a staff member, please contact us on **(02) 6205 3303** between 9.30am and 5pm daily. You can also email us at CladdingProgram@act.gov.au.

Date: 16 July 2021

SUBJECT: ACT Private Buildings Cladding Scheme

Introduction:

- In August 2020, the ACT Government announced that it would develop a scheme to financially assist eligible building owners to test whether their building has combustible cladding.
- The ACT Government recognises the challenges faced by apartment building owners to address combustible cladding without assistance.
- On 21 July 2021, the Government announced the Private Buildings Cladding Scheme which will provide grants to eligible Owners Corporations of apartment buildings to undertake testing and assessment of their building's cladding.
- If a building is assessed as requiring cladding remediation work, the Government will offer a concessional loan to Owners Corporations to assist with funding the remediation works. The details of the concessional loan are currently being developed and will be released when available.

The Private Buildings Cladding Scheme:

- The Scheme will assist owners of eligible apartment buildings by providing a rebate of 50% of the costs (up to a maximum of \$20,000 ex GST) of testing and assessing the cladding on their buildings.
- Testing and assessing cladding on apartment buildings will:
 - confirm whether the cladding on an apartment building is combustible cladding;
 - inform building owners of the level of fire safety risk to the residents by the presence of combustible cladding;
 - detail the scope of any remediation works which may be required to reduce the risk to an appropriate level including potential costs; and
 - detail any interim fire safety measures that should be implemented in the apartment building while remediation works are considered.

Who is eligible for a grant?

- Owners Corporations of eligible buildings which are situated in the ACT may apply for a grant.
- An eligible building is one which:
 - is an apartment building with a rise of three storeys or more, or a cluster of residential buildings close to each other that represents a high fire risk;
 - the building or buildings must have residential apartments, or they can have a mix of uses such as residential apartments with ground floor shops or offices;
 - the Owners Corporation for the building must have made a judgement based on reasonable grounds that the building has combustible cladding.

Key Dates:

- The Scheme opened on 21 July 2021.
- Owners Corporations will have until 21 July 2022 to apply for a grant.

Register of potential suppliers:

Messaging for owners about the Register

- We are committed to ensuring that the testing and assessment of cladding is done professionally and that Owners get as much assistance as they need to guide them through the testing and assessment process.
- Stakeholders have asked for practical assistance from government in sourcing skilled providers in this technical area.
- The ACT Government is hosting a Register of Potential Suppliers comprising professional services providers who have qualifications, experience, licences and insurance relevant to undertaking cladding work in the ACT.

Messaging for professional service providers to join the Register

- The ACT Government is seeking applications from service providers to participate on this Register under the categories of:
 - project managers;
 - architects;
 - building certifiers and building surveyors;
 - fire engineers
 - structural and façade engineers; and
 - quantity surveyors
- This Register is an open, publicly available list detailing suppliers who have qualifications, experience, licences and insurances relevant to undertaking cladding work in the ACT.
- If you are looking to apply to become a potential supplier of professional services, please visit the ACT Cladding Program section of the Major Projects Canberra website.
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Background:

- Cladding is one type of building material that can be used as an outside skin on a building.
- Cladding is used to provide thermal insulation and weather resistance, and to improve the appearance of buildings.
- Certain types of cladding may catch alight at relatively low temperatures which is recognised as combustible cladding.
- The definitive way to know whether a building has combustible cladding is to have the cladding tested and assessed by a professional services provider (s) who has qualifications, experience, licences and insurances to test, assess and undertake cladding work in the ACT.

Out of Scope



- Out of Scope

Questions & Answers:

Why isn't the ACT following the Victorian or NSW model to resolve the cladding issue?

States and territories have taken a variety of approaches to this issue. Each state and territory has chosen an approach according to its own circumstances. The ACT has closely monitored the approaches of other jurisdictions, but designed a scheme that suits ACT's needs: a comparatively small number of affected properties, much smaller in height and therefore cost per building and a voluntary scheme which recognises the positive approach of the ACT population towards fixing issues such as this.

While Victoria has offered a support package to rectify higher risk private apartment buildings, NSW is offering a concessional loan scheme to assist owners with rectification. In Queensland, Western Australia and South Australia, property owners are required to fund their own professional advice and remediation works.

Why is the Scheme only supporting owners of apartment blocks?

Maintaining the safety of a building is the responsibility of the building owner. However, the Government recognises that Owners Corporations have many more practical impediments in dealing with this issue than other private building owners. These include:

- The need of voluntary executive committees and owners to understand a very technical issue and assemble quality advice from professionals;
- The need to gain agreement of all owners to the issue and agree on the action that will be taken;
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- The need to ensure that this issue is resolved as quickly as possible for the benefit of the building's residents.

Why is assistance not being provided to assist owners of buildings such as aged care, private hospitals or university student accommodation?

Organisations that operate buildings such as aged care, private hospitals and university accommodation are professional, commercial operations with management structures and ownership structures used to dealing with risk issues such as this.

Why has it taken the Government so long to implement a Scheme?

Each state and territory has tackled this issue in a way relevant to its circumstance. Considered and careful planning has gone into developing the right scheme for Canberra.

The ACT has been able to learn from the approaches of other jurisdictions and their approaches to ensuring that cladding remediation works are carried out on the highest risk privately-owned residential buildings.

Why are only apartment buildings which are at least three storeys allowed into the Scheme?

This is a consistent approach almost all jurisdictions in Australia and recognises that buildings that are two storeys or less represent a lower risk level because they have less vertical cladding than taller buildings, easier egress to the ground in case of fire and are readily able to have fires extinguished from the ground.

Are residents safe in their apartments tonight?

Building owners are responsible for ensuring that buildings continue to be safe to occupy. By being aware of the risks of their building and by practising strong fire safety, building owners and residents together can best manage the safety of their building until any remediation works that may be required can be carried out.

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Isn't this the Government's fault by approving these building products to be used in the ACT? Shouldn't the Government pay for these works in full?

All buildings in the ACT are certified through a private certification scheme to comply with the National Construction Code at the time they are constructed.

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The Government is developing a concessional loan scheme to assist eligible owners with the costs of remediating the cladding on their building, where the testing and assessment process has demonstrated the need for this remediation. I will be releasing details of this as soon as they are available.

Can an Owners Corporation apply for the Scheme if testing and assessment has already been undertaken on their building?

Owners Corporations may seek consideration for access to the Scheme if they undertook testing and assessment of their cladding between 27 August 2020 and the date the Scheme opened, 21 July 2021. The ACT Government will decide applications for retrospective access to the Scheme.

As a potential supplier, how can I register?

To assist building owners, the ACT Government has established a Register of Potential Suppliers who are able to provide assistance to owners of private buildings in the ACT by testing and assessing whether the cladding on their building may be combustible and advising the building owners on next steps.

The application form can be found on the ACT Cladding Program section of the Major Projects Canberra website.

As an Owners Corporation, can I choose a professional services provider who is not on the Register?

Yes, you can choose any professional services provider you prefer – they do not have to be on the Register. However, any professional service provider you choose must be able to demonstrate that they would be able to meet the same requirements as those on the Register.

I am a tenant, what can I do about cladding?

You can talk to the property owner or the managing agent for the property, who can alert the owners corporation to the issue. They can investigate whether the cladding is combustible and take steps to improve fire safety and/or remediate the cladding.

You should also be aware of the fire safety plan for your building and practice good fire safety including following any direction of the Owners Corporation or Strata Manager regarding fire safety practices required in your building.

Fact-sheets are available on the Major Projects Website for owners, occupants, strata managers and managing agents.

Where should people go if they have questions relating to this Scheme or want to know if they are eligible to participate as part of this Scheme?

If anyone has any questions relating to this Scheme, they should visit the ACT Cladding Program section of the Major Projects Canberra website.

People can also contact the ACT Government Private Buildings Cladding Team by email at claddingprogram@act.gov.au

Action Officer: Di Stewart
Cleared By: Duncan Edghill

Major Projects Canberra

OFFICIAL

To:	Minister for Sustainable Building and Construction	Tracking No.: 21/61886
Date:	16 July 2021	
From:	Chief Projects Officer, Major Projects Canberra	
Subject:	Private Buildings Cladding Scheme – Approval of Public Launch Event Materials	
Critical Date:	By 16 July to enable all materials to be finalised by 20 July	
Critical Reason:	In preparation for a Scheme launch on 21 July	

Recommendations

That you:

1. approve the Private Buildings Cladding Scheme public launch event materials at Attachment A, B, C, D, E and F.

Approved / Not Approved / Please Discuss

Rebecca Vassarotti MLA  18/7/2021

Minister's Office Feedback

Thank you for this information. Please ensure that stakeholders quoted in the media release have approved their quotes prior to release.

OFFICIAL

Background

1. The Private Buildings Cladding Scheme (the Scheme) was approved by Cabinet (CAB/21/124) with budget approval given on 29 June 2021.
2. On 13 July 2021, Cabinet approved that Phase 2 of the Scheme can be publicly announced in general terms at this time.
3. An announcement launching the Scheme has been scheduled for Wednesday, 21 July 2021.
4. A separate brief seeking approval of the public materials for the Scheme will be sent to your office simultaneous to this one.

Issues

5. Ministerial approval is required for the proposed launch event materials:
 - a. Arrangements brief at Attachment A;
 - b. Announcement speaking points at Attachment B;
 - c. Draft media release at Attachment C;
 - d. Draft media alert at Attachment D;
 - e. Talking points and possible media Q&As at Attachment E; and
 - f. New web content in regards the Scheme at Attachment F.

Recommendation

6. It is recommended that you approve the launch materials for the Private Buildings Cladding Scheme, so that they may be finalised before the public launch date.

Signatory Name: Duncan Edghill

Phone: x53842

Action Officer: Di Stewart

Phone: Schedule 2.2 (a)(ii)

Attachment

Attachment	Title
Attachment A	Arrangements brief
Attachment B	Speaking Points
Attachment C	Draft Media Release
Attachment D	Draft Media Alert
Attachment E	Talking Points
Attachment F	New Webpage for Private Buildings Cladding Scheme



Rebecca Vassarotti MLA

Minister for the Environment

Minister for Heritage

Minister for Homelessness and Housing Services

Minister for Sustainable Building and Construction

Member for Kurrajong

CHECK LIST FOR FUNCTION BRIEFS

(Reference only, please do not include)

Function Brief – Rebecca Vassarotti MLA Template (please include list of invitees)

Attachment A: Arrangements Brief

Attachment B: Speaking Notes

Attachment C: Map / Travel Details

Attachment D: (if required) Media Release

Attachment E (if required): Social media posts

Rebecca Vassarotti MLA - Arrangements brief

Attachment A: ARRANGEMENTS BRIEF

FUNCTION:	ACT Private Buildings Cladding Program
VENUE:	Legislative Assembly
HOST:	Adrian Piani
DAY:	Wednesday
DATE:	21 July 2021
TIME:	11am
TIME COMMITMENT:	45-minutes
CATERING:	N/A
DRESS CODE:	Business
YOUR ROLE:	Media doorstep to announce the ACT Private Buildings Cladding Scheme, and address the media, responding to any questions.
WHERE TO PARK:	N/A
WHO WILL MEET YOU:	Adrian Piani
ADVISOR ATTENDING:	Ben Elliston, Advisor Minister Vassarotti's office Julia Marais-vanVuuren, Media Advisor
AUDIENCE:	Local media outlets in attendance
VIPs:	Schedule 2.2 (a)(ii) President OCN Schedule 2.2 (a)(ii) - Strata Community Association Schedule 2.2 (a)(ii) - Real Estate Institute, ACT Schedule 2.2 (a)(ii) - MBA
PAST INVOLVEMENT:	This follows extensive preparatory work undertaken in late 2020/21 in relation to this Scheme.
SENSITIVITIES:	<ul style="list-style-type: none"> Industry is following Victoria and NSW closely, and their schemes are more generous than ACT. Counter to this, QLD, WA and SA have not offered any funding assistance to owners and have introduced strict regulatory deadlines to have this issue fixed by owners. Victoria and NSW has banned certain cladding products. ACT will be considering any future ban via a national approach through the National Construction Code. MBA is openly supportive of 50% rebate approach and use of local contractors. OCN, SCA and REI ACT are supportive of any financial assistance, voluntary approach and clarity being provided to industry.

Rebecca Vassarotti MLA - Arrangements brief

ORDER OF CEREMONIES	11am: Minister Vassarotti announces the ACT Private Buildings Cladding Scheme 11:10pm: Minister Vassarotti takes any questions from media in attendance 11:20pm: Photo opportunity 11:30pm: Event concludes
MEDIA:	Media Alert and Media Release prepared (in DRAFT)
SOCIAL MEDIA ACCOUNTS	N/A
OUTSTANDING REGULATORY ISSUES	N/A

Rebecca Vassarotti MLA - Arrangements brief

Speaking Notes:

The Government takes the safety of ACT residents seriously and is committed to reducing the risk of combustible cladding on residential apartment buildings in the ACT.

Today, I am pleased to announce this Government's plan for supporting the testing, assessment and remediation of combustible cladding on privately owned buildings in the ACT.

Combustible cladding is a world-wide issue. It has been found that some external cladding materials used on buildings here in the ACT and around the world can present a higher fire risk in the circumstances where a flame source is applied to the cladding. For example, where a BBQ is placed too close to the cladding, where cigarettes or candles are left unattended on apartment balconies, or when tradespeople use equipment that produces sparks or flames.

It is a complex issue. Not all cladding is combustible. It is not possible to categorically determine what type of cladding has been used on a building without professional testing and assessment. I cannot stress enough that this material does not just catch fire of its own accord and vigilant fire safety management can be used in the interim to ensure that the risk of a fire is very much reduced. However, for the long term, buildings with this cladding that is assessed as representing a heightened fire risk need to have their external cladding removed and replaced.

It remains the responsibility of all building owners to maintain a safe premises, and to address the risk that combustible cladding may pose to their premises.

Rebecca Vassarotti MLA - Arrangements brief

The Government's Private Buildings Cladding Scheme has been designed specifically for the circumstances in the ACT. The ACT Government has been able to assess the varying considered approaches of other jurisdictions and in ensuring that cladding works are carried out on the highest risk privately-owned residential buildings.

Combustible cladding has been used on all types of buildings – commercial, offices, industrial and apartment buildings. However, Government is particularly focussed on the challenges that apartment building Owners Corporations face in dealing with this issue: many individual owners, the need to gain collective agreement, the need to levy significant funds to address the issue and to deal with complex technical information.

The Government is also very aware of the concerns of apartment residents, to ensure that their homes continue to be safe to occupy.

I have listened to the consolidated stakeholder guidance from peak body organisations, some of whom are with me today, and I thank these groups for their ongoing engagement in relation to this issue.

I am pleased to announce today that the Government has designed the Private Buildings Cladding Scheme to assist:

- Owners Corporations of apartment buildings or mixed-use apartment buildings that are 3 storeys in rise or higher located in the ACT;
- Private residential buildings that otherwise may be in a tight cluster and therefore pose a high risk of fire spread, and whose ownership structure poses significant practical difficulties, may also be considered on a case-by-case basis.

Three avenues of assistance for these private building owners will be offered:

Rebecca Vassarotti MLA - Arrangements brief

1. Firstly, **education and information** on combustible cladding;
2. Secondly, **practical assistance** in sourcing suitable professional service providers in the ACT; and
3. Finally but importantly, **financial assistance** by offering financial support for testing and assessment of the building cladding fire risk and in undertaking the rectification works, if necessary.

Phase 1 of the Scheme commences today and covers testing and assessment of a building's cladding to determine whether it is combustible.

I will reiterate that not all cladding is combustible, and not all combustible cladding poses an unacceptable risk beyond low level.

The Government's Private Buildings Cladding Scheme provides a building-specific assessment that will allow each Owners Corporations to have a well-informed approach to this issue.

The Government is pleased to be able to assist Owners Corporations by offering a 50% rebate on the cost of undertaking the testing and assessment on each building, up to a maximum rebate of \$20,000 excluding GST.

This is a voluntary scheme, but I strongly recommend that Owners Corporations take action and avail themselves of the Government's funding assistance.

Rebecca Vassarotti MLA - Arrangements brief

I have also heard from stakeholders that this issue is very complex to understand and Owners Corporations would benefit from assistance to source service providers who have qualifications, licences, experience, and insurances to undertake specialised cladding assessment work in the ACT. To assist with this, Major Projects Canberra is hosting a Register of Potential Suppliers.

Owners Corporations can find professional service providers in the categories of fire engineers, architects, façade engineers structural engineers and project managers on the Register.

Owners Corporations are also able to select their own providers outside of those on the Register, as long as they are qualified, experienced, licenced and insured for cladding rectification work in the ACT.

Following the Phase 1 testing and assessment stage of the cladding remediation process, the Government is committed to offering concessional loans to Owners Corporations to assist financially with undertaking any required remediation works on their buildings. The details of the concessional loan are still being worked through and I will announce these in due course.

In summary, Owners Corporations can participate in the Private Buildings Cladding Scheme knowing that they can access a 50% rebate, up to \$20,000 threshold, to cover the testing and assessment of their building, and that a concessional loan will be available if they need to follow with building works.

Rebecca Vassarotti MLA - Arrangements brief

The Government believes that this is a suitably measured approach that addresses the critical needs of private building owners and residents without taking on large economic imposts on our jurisdiction nor taking on the responsibilities of private building owners.

I strongly encourage affected Owners Corporations to join the Private Buildings Cladding Scheme and begin the process of addressing potentially combustible cladding on their building.

Thank you.

ENDS



Media release

Rebecca Vassarotti MLA

Minister for the Environment

Minister for Heritage

Minister for Homelessness and Housing Services

Minister for Sustainable Building and Construction

Member for Kurrajong

21 July 2021

Reducing the risk of potentially combustible cladding to keep Canberrans safe

From 21 July 2021, eligible private building owners in Canberra will benefit from a grant scheme to respond to potentially combustible cladding issues in the ACT.

Minister for Sustainable Building and Construction, Rebecca Vassarotti has today announced with the launch of the Private Buildings Cladding Scheme for eligible building owners in the ACT.

This scheme has been designed to provide assistance for eligible private building owners in the ACT, with phase one covering the testing and assessment of a building's cladding to determine the level of risk (if any) that cladding represents and what actions the building owners should take to reduce the risk.

"The Government takes the safety of Canberra residents seriously and we are committed to reducing the risk of potentially combustible cladding on residential apartment buildings in the ACT," Minister Vassarotti said.

The Government will assist eligible Owners Corporations by offering a 50% rebate on the cost of undertaking the testing and assessment on each building, up to a maximum rebate of \$20,000 (excluding GST).

The scheme is open to Owners Corporations of Class 2 apartment or mixed-use apartment buildings that are three storeys in rise or higher. The building must be in the ACT and the Owners Corporation must make a reasonable judgement that the building may have combustible cladding.

ACT Legislative Assembly London Circuit, GPO Box 1020, Canberra ACT 2601



+61 2 6207 8975



vassarotti@act.gov.au



@RebeccaVassarot



RebeccaVassarottiACT

Residential building clusters that may pose a high risk of fire spread and that have complex ownership structures may also be considered for eligibility onto this scheme.

“We have been able to assess the approaches of other jurisdictions and design a scheme specifically for our region to ensure cladding works are carried out on the highest risk privately-owned residential buildings.”

“I have consulted with stakeholders and received advice from related peak body organisations and I thank these groups for their ongoing engagement and support in communicating this scheme to their members.” said Ms Vassarotti.

President of the Owners Corporation Network **Schedule 2.2 (a)(ii)** said, “It is important to note that not all cladding is combustible, and not all combustible cladding poses an unacceptable risk beyond low level. The Government’s Private Buildings Cladding Scheme provides a building-specific assessment.” We believe that this scheme addresses the critical needs of private building owners and assists with the financial burden in undertaking testing and assessment of their building,”

To assist Owners Corporations to source professional service providers to undertake specialised cladding assessment work, the ACT Government is hosting a Register of Potential Suppliers where Owners Corporations can find professionals who have qualifications, experience, licences and insurance for cladding rectification work in the ACT.

“I encourage Owners Corporations to participate in the Private Buildings Cladding Scheme knowing they can access a 50% rebate up to a \$20,000 threshold to cover the testing and assessment of their building, and that a concessional loan will be available if they need to follow with building works.”

Details of the concessional loans to be offered in the next phase of the scheme for cladding remediation works will be available once outcomes from phase one are known.

For more information and full details on the Private Building Cladding Scheme, please visit www.act.gov.au/majorprojectscanberra/act-cladding-program.

Statement ends

Media contact/s:

Julia Marais-van Vuuren M 0468 568 967 Julia.MaraisvanVuuren@act.gov.au



Media alert

Rebecca Vassarotti MLA

Minister for the Environment

Minister for Heritage

Minister for Homelessness and Housing Services

Minister for Sustainable Building and Construction

Member for Kurrajong

<Ministerial media releases should only be issued by Ministerial staff>

20 July 2021

ACT Government announces the Private Buildings Cladding Scheme

Attention news editors and chiefs of staff

Not for broadcast or distribution

Minister for Sustainable Building and Construction Rebecca Vassarotti will announce a grant scheme to support eligible private building owners to respond to combustible cladding issues in the ACT.

WHAT: Private Buildings Cladding Scheme announcement

DATE: Wednesday 21 July 2021

TIME: 11am

WHERE: ACT Legislative Assembly, 196 London Circuit, Canberra 2601

Statement ends

Media contact/s:

Julia Marais-van Vuuren M 0468 568 967 Julia.MaraisvanVuuren@act.gov.au

Lachlan Roberts M 0481 035 764 Lachlan.Roberts@act.gov.au

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RebeccaVassarottiACT

Date: 16 July 2021

SUBJECT: ACT Private Buildings Cladding Scheme

Introduction:

- In August 2020, the ACT Government announced that it would develop a scheme to financially assist eligible building owners to test whether their building has combustible cladding.
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Questions & Answers:

Why isn't the ACT following the Victorian or NSW model to resolve the cladding issue?

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Owners Corporations may seek consideration for access to the Scheme if they undertook testing and assessment of their cladding between 27 August 2020 and the date the Scheme opened, 21 July 2021. The ACT Government will decide applications for retrospective access to the Scheme.

As a potential supplier, how can I register?

To assist building owners, the ACT Government has established a Register of Potential Suppliers who are able to provide assistance to owners of private buildings in the ACT by testing and assessing whether the cladding on their building may be combustible and advising the building owners on next steps.

The application form can be found on the ACT Cladding Program section of the Major Projects Canberra website.

As an Owners Corporation, can I choose a professional services provider who is not on the Register?

Yes, you can choose any professional services provider you prefer – they do not have to be on the Register. However, any professional service provider you choose must be able to demonstrate that they would be able to meet the same requirements as those on the Register.

I am a tenant, what can I do about cladding?

You can talk to the property owner or the managing agent for the property, who can alert the owners corporation to the issue. They can investigate whether the cladding is combustible and take steps to improve fire safety and/or remediate the cladding.

You should also be aware of the fire safety plan for your building and practice good fire safety including following any direction of the Owners Corporation or Strata Manager regarding fire safety practices required in your building.

Fact-sheets are available on the Major Projects Website for owners, occupants, strata managers and managing agents.

Where should people go if they have questions relating to this Scheme or want to know if they are eligible to participate as part of this Scheme?

If anyone has any questions relating to this Scheme, they should visit the ACT Cladding Program section of the Major Projects Canberra website.

People can also contact the ACT Government Private Buildings Cladding Team by email at claddingprogram@act.gov.au

Action Officer: Di Stewart
Cleared By: Duncan Edghill

Updated existing web page

Information for Property Owners

Three new tabs:

New tab - How to get financial assistance

New tab – Practical tips and information about combustible cladding and what you can do to lower the risk of a fire

New tab – Where to find a service provider who can help you with your cladding

UNDER FIRST TAB: How to get Financial Assistance

[NEW WEB PAGE]

Private Buildings Cladding Scheme

To assist building owners and to ensure the safety of residents, the ACT Government is offering Owners Corporations of eligible apartment buildings a rebate to assist with the cost of having their cladding tested and assessed.

What assistance is available?

The grant program offers eligible owners corporations a rebate of 50% (up to a maximum of \$20,000 GST excl) of the cost of testing and assessing the cladding on their buildings.

The grant supports Owners Corporations of eligible buildings to get advice and assistance from qualified professionals who can:

- confirm whether their building has combustible cladding (testing of cladding);
- provide details on the level of safety risk to residents of the building by the presence of combustible cladding (assessment of risk);
- detail the scope of any remediation works required to reduce the risk to a low level, including an assessment of cost and time to complete the works; and
- explain any interim fire safety measures that should be implemented in the building while remediation works are considered.

Who is eligible to get a rebate under the Scheme?

Owners Corporations of **eligible buildings** located in the ACT are eligible for a grant. Individual owners of apartments within a building are not eligible to apply.

An authorised representative of an Owners Corporation, such as a Strata Manager, may submit the application on behalf of the Owners Corporation.

What is an eligible building?

An eligible building under the Scheme is:

- located in the ACT;
- an apartment building which has a rise of at least 3 storeys and is either all residential or is multi-use (residential and other types of uses); or
- is a cluster of residential buildings where all the buildings are close together;
- is reasonably judged, by the Owners Corporation to have cladding, which may be combustible cladding.

How can I apply for the Scheme?

To apply for the Scheme, an authorised representative of an Owners Corporation must complete and lodge an application form (accessible using the tab below).

An authorised representative may be:

- a committee member of an Owners Corporation; or
- a Strata Manager appointed by the Owners Corporation.

Only one application per building will be accepted.

Important dates

Owners Corporations have until 21 July 2022 to apply for the Scheme.

Owners Corporations who have successfully obtained a grant have until 20 December 2022 to undertake the testing and assessment of the cladding on their building.

Further details

Please read the Grant Guidelines information below.

Quick links

(these are tab buttons)

Grant Guidelines

Application Form

Does my building have cladding? Might it have combustible cladding?

I do not fit the eligibility criteria can I still apply for the Scheme?

In exceptional circumstances, other building owners may be able to apply for discretionary entry into the grants program if:

- the cladding on their building could pose a significant fire safety risk; and
- the ownership structure of their building is such that access to the Scheme is required to enable testing and assessment of the cladding.

Owners applying under these discretionary provisions will have to provide evidence of why they believe the cladding poses a significant fire risk and why the ownership structure requires access to the Scheme. Applications seeking discretionary access will be determined by the ACT Government.

If I have already undertaken testing and assessment of the cladding can I still apply for Scheme?

You may apply to be considered for the Scheme if you have undertaken testing and assessment after 27 August 2020 and before 21 July 2021. This is called retrospective access. The ACT Government will determine applications for retrospective access to the Scheme.

Owners Corporations or Owners who gain retrospective access to the Scheme will need to provide:

- a copy of all testing and assessment reports received; and
- a copy of all invoices and receipts

before they will be paid the rebate.

Can I get financial assistance to undertake cladding remediation works?

The Government is developing a concessional loan scheme to assist eligible owners to undertake remediation of the cladding on their building. Generally, participation in the testing and assessment phase will be required in order to be eligible for participation in the future remediation scheme.

More information about the concessional loan scheme will be provided when available.



Get in Touch with Us

Get in touch with the ACT Cladding Team