

Schedule 2.2 (a)(ii)

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 10 March 2022, in which you sought access to:

Any final briefs prepared for any ACT Minister(s) or ACT Government witnesses during the 2020 – 2021 Annual Reports Hearings

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 five (5) 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 five (5) documents;

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.

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) working 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 Your personal contact details will not be published.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)

Clare Guest
Information Officer
Major Project Canberra
14 April 2022

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				
MPCFOI2022/01		Any final briefs prepared for any ACT Minister(s) or ACT Government witnesses during the 2020 – 2021 Annual Reports Hearings.				
Ref No.	No. of Folios	Description	Date	Status	Reason for non-release or partial release	Open Access release status
1.	3	Canberra Theatre Centre Project Question Time Brief	31 January 2022	Full		Y
2.	3	Major Projects Canberra Staffing Profile Talking points	As at 31 January 2022	Full		Y
3.	6	Cladding Remediation Q&A Question Time Brief	15 February 2022	Full		Y
4.	4	Cladding Remediation Question Time Brief	15 February 2022	Full		Y
5.	3	Construction Industry Arrangements Question Time Brief	16 February 2022	Full		Y
Total Number of Documents						
5						

Portfolio/s: Arts**Canberra Theatre Centre Project****Talking points:**

- I announced my Statement of Ambition for the Arts in 2021 for Canberra to be recognised as Australia's Arts Capital.
- As part of that vision, a new Canberra Theatre, will be the centrepiece of the revitalisation of the area around Civic Square to create a vibrant Canberra Civic and Culture District.
- The ACT Government is committed to continuing the Canberra Theatre Centre expansion and redevelopment Project (the Project) in the Parliamentary Agreement for this term of government.
- The ACT Infrastructure Plan released by the ACT Government in October 2019 identifies the Project as a government five year priority.
- Government has invested \$1.6 million in early design, planning and commercial analysis to identify options for the delivery of the Project.
- In the 2021/22 budget handed down on 6 October 2021, government made available further funding of \$2.779 million to the Project, with \$1.053 million allocated for the 2021/22 and \$1.726 million for the 2022/23 financial year.
- Government is progressing site investigations and engineering services studies to identify and advance options to address planning, design, traffic and urban design while undertaking due diligence to ensure that the new major theatre has the capacity to accommodate the widest possible artistic range of local, national and international touring shows.
- The ACT Government has completed a draft Conservation Management Plan for the Theatre Precinct, and is progressing with project scoping, master planning assessments, early design development and commercial analysis for a new theatre centre that will have the seating capacity and facilities to support large scale national and international concerts, musicals, theatre and dance.
- Government is also investing a further \$1.442 million in essential upgrades at the Canberra Theatre Centre to enhance the safety of patrons, ensure a high level of Work Health and Safety standards for staff, enhance security infrastructure, and implement other essential works.
- On 12 February 2021, the Chief Minister announced that the project could be built as part of a mixed-use development on the site of the London Circuit carpark opposite the Sydney Building and Bailey's corner.
- Under this arrangement, the land could be expected to be sold, with revenue from the sale to partially offset the cost of building the theatre.

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Contact Officer name: David Lawrence 6205 9910
Lead Directorate: Major Projects Canberra
TRIM Ref:

- The Canberra Civic and Culture District will link together the Canberra Museum and Gallery, the Legislative Assembly building, the Civic Library building and Civic Square with hotel, retail and commercial facilities.
- The District will become a renewed hub for Canberra’s artistic and cultural life, while providing a new attraction for visitors to Canberra.
- The Civic Square precinct including the Canberra Theatre Centre was heritage listed on 22 September 2020. Detail design of the facility will support the heritage values of the precinct. Architectural heritage consultant, Phillip Leeson Architects were appointed to prepare a Conservation Management Plan for the Civic Square precinct, including the exterior of the Canberra Theatre Centre. A draft Conservation Management Plan was submitted to the ACT Heritage Council in late 2021 for its consideration.

Key Information

- The Canberra Theatre site comprises Blocks 18, 20 and 23, Section 19 City. All are identified as Designated Areas and fall under the jurisdiction of the National Capital Authority and require Works Approval for redevelopment.
- On 24 October 2019, the Canberra Theatre Centre Project was announced as a designated project, determining that the project will be delivered by Major Projects Canberra as listed in the Administrative Arrangements for government.
- In 2018-19 financial year, \$800,000 ex GST was allocated for preparation of a business case and a further \$400,000 ex GST was provided in 2019-2020 for the same purpose.
- Under the August 2020 appropriation, \$400,000 ex GST was allocated to progress planning for the project.
- A cross agency steering committee oversees the redevelopment project with representatives from the Canberra Theatre Centre, Cultural Facilities Corporation, artsACT, the City Renewal Authority, Treasury, and Major Projects Canberra.
- Major Projects Canberra and the City Renewal Authority are leading preparation of a submission to Infrastructure Australia, seeking to have the Canberra Civic and Culture District, including the Canberra Theatre Centre Project included on the Infrastructure Priority List. Early engagement with Infrastructure Australia has been encouraging and a Commercial Advisor consultant has been procured to prepare social and economic analysis to support the submission. The Consultancy commenced in November 2021 with a final submission target date of Q2 2022.

Background

- The current Canberra Theatre was built in 1965, meaning it predates the Sydney Opera House. Designed for a city of 85,000 people, it has a current seating capacity of approximately 1,200.

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- The Canberra Theatre Centre now services the ACT and surrounding catchment of just under 1,000,000 people.
- Because of the era in which it was built, the theatre lacks the space, facilities, and equipment to accommodate the requirements of modern touring shows.
- Canberra's population today makes our city an attractive market for touring shows and artists. However, the capacity and technical constraints of the Canberra Theatre means some larger touring shows bypass the ACT.
- The new facility is intended to see the existing theatre repurposed with a flexible flat floor and a new theatre constructed to accommodate approximately 2,000 people, while retaining The Playhouse Theatre which was built in 1998. The new facility will also include additional, and more flexible, spaces for live music, experimental and local performances.

Major Projects Canberra Staffing Profile

Talking points:

As at 31 January 2022

- 208.78 FTEs (213 headcount)

Financial year ending 30 June 2021

- 202.4 FTEs (205 headcount)

DIVISION	2020 - 2021		As at 31 January 22	
	FTE	Headcount	FTE	Headcount
CIT Woden Project	14	14	16.71	17
Infrastructure Delivery Partner (IDP)	90.3	92	89.74	91
Light Rail	25	25	19	19
Office of Chief Project Officer, including Office of Deputy Chief Projects Officer	2.7	3	6.65	7
Project Development and Support	53.5	54	60.32	62
Canberra Hospital Expansion Team (previously SPIRE)	16	16	13	13
Theatre Project and City Projects Unit	1	1	3.36	4
Total	202.4	205	208.78	213

Key Information

Core staffing numbers have increased from 205 to 213 since the 2020 - 2021 financial year, an increase of 8 employees.

The increase of staff are a result of the creation of the Deputy Chief Projects Officer Office (one backfilling arrangement in January 2022?), and the City Projects Unit.

Major Projects Canberra as at 31 January 2022 had:

- 158 permanent employees;
- 54 employees on temporary contracts ranging from 12 months to 5 years;

- 15 Executive contracts, one backfilling arrangement for January 2022;
 - 4 Board Members; and
 - 35 temporary employee contracts
- One casual employee, who's contract finished during January.

Major Projects Canberra's temporary employees' contracts are in line with the project funding or the phase of the project that requires the specific skillset for the successful completion of the work.

Staff breakdown/overview to the end of the second quarter of the 2021 – 22 financial year.

Table one sets out the gender balance of FTE employees.

Table two sets out the classification groups across the directorate.

Major Projects Canberra had 26 employees whose classification was an Infrastructure Manager/Specialist 1 – 3, and 81 employees whose classification was an Infrastructure Officer 1 – 5. All 107 employees have professional qualifications and/or relevant years' experience in engineering, architecture or project management.

Table three shows the variety of ages across MPC.

Table four shows the diversity profile for MPC.

Table 1 Gender Balance of FTE Employees	Second Quarter 2021 - 2022		
	Female	Male	Total
Headcount by gender	102	115	217 ¹
Percentage of workforce	47%	53%	100%

Table 2 Classification Group Headcount	Second Quarter 2021 - 2022		
	Female	Male	Total
Administrative Officers	28	7	35
Executive Officers	5	12	17
Professional Officers	4	11	15
Senior Officers	65	85	150

¹ 4 resignations or retirements during December 2021

Percentage of workforce	102	115	217
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Table 3 Age Group	Second Quarter 2021 - 2022		
	Female	Male	Total
Under 25	1	3	4
25 - 34	31	14	45
35 - 44	37	31	68
45 - 59	29	43	72
60 - 70+	4	24	28
Percentage of workforce	102	115	217

Table 4 Diversity	Second Quarter 2021 - 2022	
	Headcount	Percentage of staff
Aboriginal and/or Torres Strait Islander	3	1.38%
Culturally and Linguistically Diverse	52	23.96%
People with a disability	9	4.97%

SERBIR

The two matters in 2021 - 2022 referred to HR to undertake preliminary assessments pursuant to section H of the Enterprise Agreements. Both assessments determined that no investigations were warranted and the matters were closed with counselling.

Portfolio/s: Sustainable Building and Construction

Cladding Remediation

Q+A

Government-Owned Buildings

- *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?*

All ACT Government owned buildings have been assessed by fire engineers and have undergone a risk assessment, taking into account the use of the building. The risk assessments recommended that implementing a series of interim actions would maintain and improve the level of fire safety whilst remediation works are planned. These risk assessments were also reviewed by ACT Fire and Rescue who concurred with this assessment.

- *Will the ACT Government sites with potentially combustible cladding be identified to the public?*

Out of an abundance of caution, we do not propose releasing a public list of the sites before remediation work has been completed, where there is any risk of it prompting untoward behaviours in respect of those buildings. Information on the identity of the buildings will be made to those who need to know as remediation activities continue.

Following successful completion of remediation works on twelve (12) Government buildings, those buildings are: Yarralumla Primary School, Melrose High School, Arawang Primary School, Erindale College, Lyneham Primary School, National Convention Centre, Gungahlin Oval, Tuggeranong Child and Family Centre, Howard Florey House, ACT Magistrates Court and two ACT Housing properties.

- *How will the Government Buildings Program ensure that the replacement cladding products used on the Government buildings are safe and suitable?*

All replacement cladding products must comply with the 2019 National Construction Code, which addresses the combustible cladding issue.

- *What products will be installed and how do we ensure that the new products actually rectify the problem?*

The specification for the replacement cladding on ACT Government buildings is:

- proprietary panels comprising prefinished skins continuously laminated over a non-combustible core or solid aluminium panels
- NATA tested to comply with AS1530.1 (Methods for fire tests on building materials, components and structures – Combustibility test for materials) and the National Construction Code.

Cladding products are available in the market that meet this high standard as building owners across the world seek to remediate their buildings.

Private Buildings Cladding Scheme

- *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?*

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.

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.

- *Why isn't the ACT banning cladding products or making this compulsory for owners to take action by a deadline?*

The ACT is following a national approach to the National Construction Code and any further amendments that may be necessary to that code. The ACT Government has found local building owners to be positive towards this issue and the need to take action, and believes a voluntary approach is sensible in this instance. We will monitor action under this voluntary scheme and assess whether any further measures need to be put in place in the future.

- *Should the Government have approved these buildings and materials in the first place? As the ACT Government certified buildings with affected cladding, shouldn't the Government have responsibility to rectify them?*

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

The Government is required to issue a certificate of occupancy if satisfied that the work has been completed in accordance with the prescribed requirements and is fit for occupation and use as a building of the class stated in the approved plans. The building certifier's functions include advising the Government about the completeness of building work and compliance with the National Construction Code.

The Government recognises the difficulties that some Owners Corporations may face in addressing this issue, and has designed the Private Buildings Cladding Scheme with reference to legal advice to provide practical and financial assistance to those Owners Corporations.

- *Has the National Construction Code actually changed the requirements for cladding?*

The National Construction Code was amended between the 2016 edition and the 2019 edition to provide absolute clarity that in Type A or B construction (apartments over three storeys are Type A), the external walls and common walls including the façade covering, the framing and the insulation must be non-combustible. Previously, the NCC did not specifically mention these elements of the façade with regards to non-combustibility, which led to the general interpretation across Australia that the requirements for non-combustibility did not apply to cladding. This amendment came into effect in the ACT in March 2018.

- *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.

- *Is this the next Mr Fluffy-type issue for the ACT?*

Comparing combustible cladding to Mr Fluffy is not accurate for many reasons. A planned and considered approach to remediation by private Owners Corporations is what is required to deal with this issue. Cladding does not spontaneously combust, and having it is not necessarily an indicator of risk to a building or its occupants. By practicing good fire safety and taking some very reasonable measures such as reducing clutter on balconies and moving BBQs away from walls, residents can continue to occupy their homes and are not required to move out. Cladding is reasonably obvious to identify on the outside of buildings, and with some expert testing and assessment, owners and residents will know whether they have combustible cladding, what risk level it represents on their building, and interim fire safety measures they can take to manage the risk while they undertake remediation works. Unlike Mr Fluffy, it can then be removed if required in a safe manner, without needing to demolish the whole building or evacuate the premises.

- *Why isn't the ACT following the Victorian or NSW model to resolve the cladding 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.

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Cleared for public release by: Executive Group Manager Ext: 55466
Contact Officer name: Adrian Piani Ext: 54326
Lead Directorate: Major Projects Canberra

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.

Key features of the Victorian Scheme are:

- Regulatory approach
- Class 2 apartment buildings, three storeys or higher, with a high or extreme fire risk are eligible
- The Victorian Government pays for and undertakes the works on those private properties, including providing a project manager, in a three way contractual arrangement with the Government, builder and Owners Corporation
- Remediation is to a low risk level, not always a complete removal of all cladding
- This is paid for via a new levy imposed on the property industry
- Required works to fix latent conditions are paid for by the Owners Corporation.

Key features of the NSW scheme are:

- Regulatory approach
- Class 2 apartment building, three storeys or higher, with a high or extreme fire risk are eligible
- The NSW Government is making available a concessional loan to assist Owners Corporations to fund these works
- The Government has appointed a head contractor and project manager to provide assurance of remediation works.

- *Why is assistance not being provided to 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.

- *Will the Government step in to ensure that no building is left without building insurance coverage?*

There is a competitive national market for building insurance and combustible cladding is a well-known issue. The Insurance Council of Australia has advised the Government that they support a risk-based approach to cladding insurance, rather than a blanket 'no coverage'. However, individual insurance companies will offer their own products and settings. Therefore, Owners Corporations may need to consider sourcing a new insurer who will give them the coverage they need in the knowledge that the Owners Corporation is aware of and actively addressing the cladding risk. A comprehensive testing and assessment report as an outcome of the first phase of this Scheme should assist Owners Corporations to have well-informed discussions with insurance companies.

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There could be multiple issues beyond cladding that impact insurance premiums for private apartment buildings, and it is the responsibility of Owners Corporations to address these.

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

To assist building owners, the ACT Government has established a Register of Potential Suppliers who have qualifications, experience, licences and insurance to provide assistance to owners of private buildings in the ACT. Potential suppliers can test and assess whether the cladding on buildings may be combustibile and advise the building owners on next steps.

The Register is accessible to building owners on the MPC website and remains open for new applications from potential suppliers.

- *What can tenants do about cladding?*

Tenants can talk to their property owner or the managing agent for the property, who can alert the owners corporation to the issue. The Owners Corporation can investigate whether the cladding is combustibile and take steps to improve fire safety and/or remediate the cladding.

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

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

- *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.

- *What if buildings are ready to undertake their remediation works now?*

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.

Background

Milestones	
1. Commencement of education campaign	July 2021
2. Opening of applications for the Scheme	21 July 2021
3. Reporting back on the levels of take-up of the Scheme	First half 2022
4. Closing of applications for the Scheme	21 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):	21 December 2022

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Portfolio/s: Sustainable Building and Construction

Cladding Remediation

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, including a kerbside identification of buildings with cladding material carried out by ACT Fire and Rescue in the most likely suburbs of Canberra – around town centres, transit corridors and areas of apartment development.
- The outcome of this kerbside identification process was around 90 apartment buildings of 3 storeys or higher potentially with combustible cladding. There will be more buildings identified beyond the 90 number, although this is not expected to result in a large increase, and some of the 90 buildings may be found not to have combustible cladding.
- Equity Economics released a paper “The Cost of Building Defects” in August 2019 in which they estimated the ACT to have 11 extreme risk, 60 high risk, 57 medium risk and 29 low risk properties, totalling 157 combustible cladding affected properties. The authors have indicated that they have “relied on publicly available information, used conservative costings and, where data was limited, applied a range to reflect the high level of uncertainty”.
- Specifically in regards estimating the number of affected properties in the ACT, the authors have used the total apartment approvals between 2009 and 2018 as a proxy and applied the results that were found in an initial high level assessment of Victorian properties across all other jurisdictions. As the ACT Fire and Rescue kerbside identification process was completed more recently, utilising expert local knowledge of actual buildings as constructed, the figure of around 90 buildings is more likely to be accurate. Calculating the risk profile of ACT properties based on those found in Melbourne is likely to be very misleading.
- The government assessed the Cladding Audit Response Team’s recommendations and approved the remediation of cladding across ACT Government sites.
- The Cladding Remediation Scheme consists of two elements:
 - an ACT Government Program to rectify combustible cladding on ACT Government owned facilities; and

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- the Private Buildings Cladding Scheme to support the assessment and remediation of combustible cladding on eligible privately-owned buildings.

ACT Government Program

- A review of ACT Government owned buildings has identified 23 sites requiring cladding remediation works.
- Of these, 21 sites are being progressed through Major Projects Canberra (MPC), with two sites within the Education portfolio being progressed directly by the Education Directorate.
- Current cost estimates indicate a total of around \$17m will be required to complete all works.
- The remediation options range from full replacement of all cladding to removal of certain elements of cladding to achieve a low risk ranking. The recommended level of remediation varies by building and cladding elements based on risk assessment criteria.
- It is important to note that fire safety measures have been applied as part of managing cladding that remains on Government buildings, either on an ongoing basis or as an interim measure until the cladding is replaced.
- The first round of remediation works were completed by the end of December 2021. This included 12 of the 21 ACT Government sites being delivered by MPC.

The completed projects are:

- Canberra High School;
 - Melrose High School;
 - Arawang Primary School;
 - Yarralumla Primary School;
 - Howard Florey House;
 - Civic Youth Centre;
 - National Convention Centre;
 - Gungahlin Oval;
 - Tuggeranong Child and Family Centre;
 - Two Housing ACT properties; and
 - ACT Magistrates Court.
- The two Education-led projects are also complete. They are Erindale College and Lyneham Primary School.
 - Of the Nine projects comprise the remaining program of work:
 - All projects have contracts awarded;
 - Five sites commenced work in January 2022.

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Private Buildings Cladding Scheme

- 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.
- The Government has made available \$1.8 million for grants under this 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) for 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.
- 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; and
 - the Owners Corporation for the building must have made a judgement based on reasonable grounds that the building has combustible cladding.
- Owners Corporations have until 21 July 2022 to apply for the grant and until 21 December 2022 to ensure that the testing and assessment work has been undertaken.
- 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.
- 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.
- Engagement with industry associations/representatives has occurred and will continue, to enable industry input to the development of the scheme.
- Online seminars have occurred with Strata Managers Owners Corporations and industry, with the assistance of Strata Communities Australia and Owners Corporation Network. Over 150 people have attended the seminars so far and these have been very

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well received, with calls and emails to the Cladding Program growing as a result. Direct engagement with Owners Corporations and individual strata managers is also ongoing.

- As at 14 February 2022, the application status is:

Applications Submitted	24
Applications fully complete and able to be assessed	24
Applications not complete and seeking more information	0
Status of fully complete applications	(24)
Applications approved	16
Applications declined or withdrawn	8
Applications under assessment	0
Rebates	
Rebates paid (number)	3
Rebates paid (dollars)	\$26,993

- Professional suppliers are continuing to be added to the Register of Potential Suppliers to grow the number of firms available to offer professional advice to building owners regarding cladding remediation.
- There are currently 21 companies on the Register: 14 local and 7 interstate.

Portfolio/s: Sustainable Building and Construction

Construction Industry Arrangements

Talking points:

Background

- In response to the extreme risks posed by the delta variant of COVID-19, the ACT Chief Medical Officer implemented a lockdown of the ACT on 12 August 2021 which included a shut-down of the building and construction sector.
- There was an initial partial re-opening of the sector on 3 September 2021 which enabled large scale commercial projects and ACT and Commonwealth Government projects to re-commence.
- The balance of the construction sector re-opened on 10 September 2021, consisting primarily of residential construction.
- As the ACT has progressively moved out of lockdown, specific construction sector COVID-19 controls have been amended to bring them in line with Public Health Directions.
- For example, an updated version of the ACT Building and Construction Industry COVID-19 Guidance document was recently published to reflect changes to test, trace, isolate and quarantine requirements and changes to public health social measures

Consultation and Advice

- Each step in this process – including both the initial lockdown and the steps to re-open the sector – have been informed by advice from the Chief Health Officer.
- The ACT Government acknowledges and thanks the ACT construction sector for its close engagement both during the lockdown period and in pre-planning activities which occurred throughout 2020 and 2021, and continue in 2022.
- This close engagement between industry and Government assisted in the development of a COVIDSafe plans which facilitated the sector re-opening.
- The sector is now completely open in Canberra.

COVIDSafe Restrictions

- All construction activities have to be undertaken in accordance with their COVID-19 Safety Plan which must be consistent with the ACT Building and Construction Industry COVID-19 Guidance document.
- Contractors are encouraged to consider the particular circumstances of their construction sites to develop and implement the necessary controls to minimise the risks of the spread of COVID-19 on their specific sites.
- There are a number of controls that can be implemented on construction sector to keep our sites, workers, and the community safe.

- These controls are in the Guidance document and include:
 - Development of a COVIDSafe Plan;
 - Site inductions and screening of workers coming on to site;
 - Wearing of face masks when indoors;
 - Social distancing and Density Limits;
 - Hygiene and cleaning standards; and
 - The use of COVID Marshall to oversee the implementation of COVID-19 controls.
- The construction sector deals with physical risks on a day to day basis, so the ACT Government's expectations regarding the management of COVID risks on worksites is very high.

Compliance

- The ACT Government is taking a strict approach to compliance, and WorkSafe continues to have a strong role to ensure implementation of COVIDSafe practices.

Cases on Construction Sites

- Where there have been positive cases on construction sites, thorough site records have assisted in the implementation of the necessary management responses. The continued diligence of the sector is noted and welcomed as we move from a strategy of suppression and the goal of no community transmission, to a context of 'living with COVID-19'.

Conclusion

- I thank industry for their ongoing commitment and ability to work with the ACT Government in this very challenging time.
- I encourage all industry, including employers and employees to work together to implement the required COVIDSafe practices, to keep themselves and the broader community safe.

Cleared as complete and accurate:	12/11/2021	
Cleared for public release by:	Executive Group Manager	Ext: 55466
Contact Officer name:	Adrian Piani	Ext: 54326
Lead Directorate:	Major Projects Canberra	