

Senate Economics References Committee

Inquiry into non-conforming building products

Written questions on notice

Response from EPSA (Expanded Polystyrene Australia)

Note : These responses are in relation to cladding materials associated with the EPS industry .

- What do you consider to be the primary factor leading to the use of non-compliant external cladding materials? For example, is the issue with importation, fraudulent certification or just product substitution?

The primary factor is due to :

- Incomplete or inappropriate building / construction standards (such as Australian Standards or Building codes) during design and specification plus :
- A break down in the inspection / sign off process at completion and during the construction process (including competency/professional weaknesses in current protocols)

- Would you consider that the enforcement and audit regime has failed? Could this be addressed with a nationally consistent approach across jurisdictions?

There are clear failings in the current enforcement / audit regimes (also see response above). A National consistent approach is warranted.

- Should it be mandatory that testing of imported products be conducted in Australia? What would be the implications of such a move?

There should be clear accountability through the supply chain for product compliance with significantly higher consequential sanction for non-compliance. This can be achieved not solely through physical testing within Australia but also through verified certification.

- Do you consider that the type of external cladding material used in the Lacrosse apartment building should be banned, or are there legitimate uses for such materials in some building projects?

There are legitimate uses within construction for such materials HOWEVER the compliance standards for material performance – which should include fire performance - should be clearly identified in conjunction with approved and regulated methods for installation and fixing of the complete system.

- The committee heard evidence at its hearing on 14 July 2017 suggesting that there could be thousands of buildings in Australia with non-compliant external cladding materials. Would you agree with this assessment?

EPSA does not have such information.

Additionally, EPSA is not aware of any applications of EPS as external cladding in commercial or residential High Rise buildings similar to Lacrosse, within Australia. The use of fire retardant grade EPS foam as the insulation within External Thermal Insulation Cladding (ETIC's), is an approved system overseas. In these systems, non-combustible insulation may be called up as a fire break above window or balcony openings, and above the fire break EPS foam based ETICS is used. The whole building facia is then rendered in a continuous render system to provide a non-combustible barrier across the insulation substrate.

In the case of Grenfell, the insulation system had foil face PIR panel against the wall of the building, with no render system. The Aluminium composite panels with non fire retardant polyethylene core were installed in front of the PIR. It appears that fire caught in the non fire rated aluminium composite panel and the gap between the panel and the PIR against the building wall acted as a chimney to draw air, flames and heat up the wall between the composite panels and the PIR – eventually causing the PIR to also ignite and produce toxic vapours.

EPSA is aware of EPS cladding being used in residential dwellings. In residential applications there is no requirement for foam to comply with the fire and physical properties detailed in AS1366.3 1992. In many cases, but not all, the system may be Code Mark certified and/or it may have been certified to BAL29, or both. EPSA believes that the minimum requirement should call up EPS foam materials that comply with AS1366.3 1992 and consideration should be given as to whether the cladding system needs to be Code Mark certified or certified as being BAL 29 compliant.

- In what ways could the Australian Building Codes Board improve its guidance information on the types of evidence of suitability and the building products that should be aligned with each type of evidence based on their risk?

Significantly more research and in-situ –based testing could be supported by the ABCB

- In your view, are the current penalties for knowingly selling non-compliant product, installing it, or importing it directly for use in Australia adequate?

No

- What is your view of the work of the Building Ministers' Forum and the Senior Officers' Group in addressing non-conforming and non-complying products? Were there any recommendations you would have included in the Senior Officers' Group report, *Strategies to address risks related to non-conforming building product*?

No further comment

- How important is third party certification and how could the CodeMark System be improved?

Third party certification has a place but is not, in itself , an assurance of building products quality.

A Codemark “tick” can refer to isolated components of a building product rather than the full system.

There have also been examples of fraudulent certification documents.