

Dissenting Report by Coalition Senators

1.1 Coalition Senators recognise there are genuine concerns about the use of combustible cladding in the built environment.

1.2 Government members of the committee recognise that the National Construction Code (NCC) is jointly overseen by state, territory and Commonwealth governments, and is adopted in state and territory laws.

1.3 Government members are concerned with compliance with the NCC, the state and territory enforcement of laws, and the system of private certification.

1.4 Coalition Senators acknowledge that the Australian Government has provided leadership by calling for a nation-wide audit of multi-storey buildings to determine the extent of the problem. Also through the Building Ministers' Forum (BMF) it has established an independent review to assess the broader compliance and enforcement problems within the building and construction system across Australia. It has also supported the expedition of the Australian Building Code Board's (ABCB) new comprehensive package of measures for fire safety in high rise buildings.

1.5 Coalition Senators support the intention behind the committee recommendations 2, 3 and 4, and note recommendation 6 and 7 and 8. Coalition Senators do not support recommendations 1 and 5.

1.6 Coalition Senators do not support recommendation 1. As noted in 3.55, polyethylene core aluminium composite products are used widely in the signage industry and other applications. Banning an individual product will not solve the issue; however consideration should be given to mechanisms to ensure better identification and evidence of suitability for use of these materials along the supply chain.

1.7 Coalition Senators support the intention behind recommendations 2 and 3. Recognising the autonomy of the states and territories, it is ideal to have consistent best practise legislation across the jurisdictions. It is noted that the independent review commissioned by the BMF will develop recommendations for a national best practise model. Consideration should be given to model law adopted across the jurisdictions and common training standards and competencies.

1.8 Coalition Senators also support the intention behind recommendation 4. Easier access to standards makes it easier to comply with the requirements. With recommendation 6, Government members note that the Federal Safety Commissioner is currently resourced to fulfil its statutory roles and functions. Government members also note recommendation 7 and 8, and whilst not specifically disagreeing, are concerned at the potential creation of additional layers of oversight and regulation that would duplicate existing state and territory mechanisms.

1.9 Government members disagree with recommendation 5 as the Commonwealth has limited powers to impose penalties but does recognise the ability for the Federal Safety Commissioner to revoke accreditation which is a major threat to companies accessing government funded projects.

Senator Jane Hume

Deputy Chair

Senator the Hon Ian Macdonald

Senator for Queensland