



**Reforms for building with combustible cladding Submission
Submission**

February 2018

**To: Director, Environment and Building Policy
GPO Box 39
Sydney NSW 2001**

**Submission:
http://planspolicies.planning.nsw.gov.au/index.pl?action=view_job&job_id=8923**

Submission Date: Friday 16 February 2018 by 5pm

Estate Agents Co-operative or EAC was established by a group of seven real estate agents in 1960 to help agencies meet the challenges of the time. While our purpose hasn't changed, today we are a network of more than 300 member agencies representing over 6,000 real estate professionals from independent and franchise agencies, based in Australia, bringing like-minded agents together, providing the support you need.

We enable and inspire real estate agents to work together to build strong, prosperous and sustainable businesses that are well-equipped to cope with the modern era. We provide end to end support to independent and franchise organisations via a comprehensive suite of real estate support services, including:

- Agency Practice Support and Advice
- Business Consulting and Coaching
- Professional Development and Training
- Insurance Services in conjunction with Aon
- Real Estate Forms & Merchandise
- Real Estate Publications
- Property Data and Mapping
- Listing Services and a property portal
- Digital Marketing including video, 360 virtual tours, website design and hosting.

EAC as an industry body represents its members by working with government and other bodies to ensure the views of our members and the greater industry are heard, as well as ensuring that consumers' interests are protected. We are part of the NSW Fair Trading Real Estate Reference Group and sit on NCAT and other industry forums.

Our submission includes feedback from our members, Jemmeson & Fisher Solicitors and Accountants who provide legal support to EAC and its members, Rosy Sullivan from the Australian College of Professionals who are the preferred training provider to EAC Members.

EAC would like to note its appreciation for the opportunity to provide feedback on the discussion paper and are happy to meet with those government agencies involved to clarify any points within our submission.

Yours sincerely

A handwritten signature in black ink, reading "David Crombie". The signature is written in a cursive, flowing style.

David Crombie
Chief Executive Officer

We have reviewed the draft Environmental Planning and Assessment Amendment (Identification of Buildings with Combustible Cladding) Regulation 2017 and the Explanation of Intended Effect and make the following comment.

Given the level of construction that is taking place in NSW especially in regards to high rise unit development, we believe that the reforms are necessary to protect the safety and interests of owners and the general public.

While there was media at the time surrounding the incidents with the Lacrosse Tower in Melbourne and the Grenfell Tower in London, we believe more communication and education needs to occur. We believe that this may prompt owners of potentially affected buildings to have the necessary inspections and assessments performed.

EAC is happy to assist where possible in relation to the real estate industry.

Draft Environmental Planning and Assessment Amendment (Identification of Buildings with Combustible Cladding) Regulation 2017

With some approximately 1100 buildings having been identified to date we believe that an emphasis needs to be placed on the identification of potentially affected buildings. The application of 186U is paramount in this regard. Without this first step the proposed amendments may not achieve the desired outcomes.

The cost of this identification and the resulting requirements need to be given consideration. It may well be a barrier to some owners and more so when the reporting and placing of the property on the register could have a negative financial effect. We see this as no different to properties that are affected by Loose-Fill Asbestos.

186U - Owners of buildings may be directed to provide details of building and its cladding.

Under 186U (1) an owner of a building may be directed in writing to provide the Secretary with details of any cladding that has been applied to the building. We assume that this refers to any type of cladding.

186U (3) (e) and (f) refer only to 'combustible' cladding. Is it a requirement that the information still be provided if the cladding used on the building is not 'combustible' cladding?

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (Codes SEPP)

We agree with the proposed amendment.

State Environmental Planning Policy (Infrastructure) 2007 (ISEPP)

We agree with the proposed amendment.

State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 (Education SEPP)

We agree with the proposed amendment.

State Environmental Planning Policy (Three Ports) 2013 (Three Ports 2013)

We agree with the proposed amendment.

State Environmental Planning Policy (Affordable Rental Housing) 2009 (Affordable Rental Housing SEPP)

We agree with the proposed amendment.

State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 (Mining SEPP)

We agree with the proposed amendment.

State Environmental Planning Policy (Western Sydney Parklands) 2009 (Western Sydney Parklands SEPP)

We agree with the proposed amendment.

State Environmental Planning Policy (Kosciuszko National Park – Alpine Resorts) 2007 (Alpine Resorts 2009)

We agree with the proposed amendment.