Dob Yourself in About Cladding

The NSW Government move to address the risks arising from non-compliant cladding has progressed with the passing of new regulations, which take effect from **22 October 2018.**

The new laws:

- Apply to a broad range of buildings, including new and existing buildings of two or more storeys of the following types:
    - Residential apartment buildings.
    - Other types of residential buildings where unrelated people sleep, e.g. hotels, boarding houses, backpackers, student accommodation.
    - Aged-care buildings; hospitals and day surgeries (and any associated single dwellings within the building).
    - Public assembly buildings. For example, theatres, cinemas, schools and churches (and any associated single dwellings within the building).
- Apply where the building has external cladding made of the following materials:
    - Metal composite panels, including products that consist of aluminium, zinc, or copper outer layers and a core material; or
    - Insulated cladding systems including systems comprised of polystyrene, polyurethane, and polyisocyanurate.
- Require owners of applicable buildings to register their building with the NSW Government through an online portal. The deadline for registration is:
    - existing buildings - **22 February 2019.**
    - new buildings - within four months of first occupation.
- Do not require the “combustible cladding statement” proposed in the initial draft copies of the new laws.

Given the significant penalties imposed, as well as the potentially serious risks arising from non-compliant cladding, it would be prudent for owners corporations, on an urgent basis:

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- to comply with the registrations' requirements.
- to obtain advice from expert consultants as to appropriate remedial measures.

Key takeaways

- New regulations regarding non-compliant cladding in NSW take effect from 22 October 2018.
- The laws apply to various types of buildings, including residential apartments and public assembly buildings.
- Owners must register their buildings with the NSW Government by specific deadlines.
- It is crucial for owners corporations to seek expert advice on remedial measures.

****The information contained in this article is general information only and not legal advice. The currency, accuracy and completeness of this article (and its contents) should be checked by obtaining independent legal advice before you take any action or otherwise rely upon its contents in any way.*

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