



# IMPORTING UNSAFE BUILDING PRODUCTS

THE IMPORTATION OF NON-COMPLIANT BUILDING PRODUCTS INTO THE COUNTRY HAS LONG BEEN A PROBLEM AND WILL CONTINUE TO BE IF TIGHTER MEASURES AREN'T BROUGHT IN. **PAUL COTT** EXPLAINS.

In late 2013, a fire in a Melbourne apartment tower which the MFB have said was made far worse than it otherwise may have been, has raised issues in the industry as to what can happen when unsafe building products are used on building projects.

Apparently the cladding which was used was not tested for fire safety; it was combustible, which potentially put hundreds of lives at risk. There is the potential for occupants of other new high-rise building developments to be at the same risk.

There is a real public issue that needs to be addressed. It is not sufficient to say conclusively or indeed at all that professionals such as building surveyors should bear the lion's share of the responsibility for the situation here. Asserting that the relevant building surveyor should not have issued an occupancy permit in such cases is not satisfactory, at least without a thorough examination of the facts. Even the regulatory body, the Victorian Building Authority (VBA), which some may have 'in the gun' for an alleged lack of exercise of regulatory muscle over relevant players in the building industry is not responsible in many cases.

The real culprit in this situation is in fact the importing of unsafe cladding and other building products into Australia from overseas, notwithstanding the fact that in the case of the Lacrosse fire, the fire also spread faster due to the fact that the building's storage facilities were overloaded.

In this fire, the building's fire sprinkler, smoke detection system and early emergency warning system all worked well, the MFB has found. Diabolic consequences may well have resulted if they hadn't.

A class action lawsuit may ensue as a result of the circumstances arising from this fire. However, the issue with this is that the wrong players may be being pursued,

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Non-compliant product entering our shores can pose great risks to both builders and the public who use the buildings on which they have been installed.

such as building surveyors. The issue here was alleged combustibility of the cladding products, an issue that often is not or will not be picked up by a building surveyor and nor should it be.

The real problem with the combustible may be 'at its source,' that is, the manufacturer of these products, and where such products are imported, that 'source' may be a manufacturer in an overseas country. The risks can be exemplified by the fact that this overseas country may well have different building standards to Australia and so products which are compliant in the other country may not be here. The importer may or may not claim the particular product is a complying product.