

## Hannah Stephenson

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**From:** RMLPolicySM  
**Sent:** Friday, 18 October 2019 10:34 AM  
**To:** Matthew Beattie  
**Subject:** COR-02614-2019 request for meeting with Minister

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Hi Matt

I have allocated this to the Cladding Support Unit in eApprovals. The Minister has declined the meeting request.

See below email trail.

Evelyn

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**From:** Ministerial Services <[MinisterialServices@customerservice.nsw.gov.au](mailto:MinisterialServices@customerservice.nsw.gov.au)>  
**Sent:** Friday, 18 October 2019 10:28 AM  
**To:** RMLPolicySM <[rmlpolicy@customerservice.nsw.gov.au](mailto:rmlpolicy@customerservice.nsw.gov.au)>  
**Subject:** FW: request for meeting with Minister

Hi Reg Pol

Please see below from MO. Is this going to be possible?

Thanks  
Ben

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**From:** Saira Yousef <[Saira.Yousef@minister.nsw.gov.au](mailto:Saira.Yousef@minister.nsw.gov.au)>  
**Sent:** Friday, 18 October 2019 10:25 AM  
**To:** Ministerial Services <[MinisterialServices@customerservice.nsw.gov.au](mailto:MinisterialServices@customerservice.nsw.gov.au)>  
**Subject:** FW: request for meeting with Minister

Hi MS,

**Following up** COR-02614-2019. The Constituent is chasing reply from Department, can we please expedite this for the constituent on Monday by 3pm.

Thank you.

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**From:** Saira Yousef  
**Sent:** Tuesday, 1 October 2019 1:13 PM  
**To:** 'Ministerial Services' <[MinisterialServices@customerservice.nsw.gov.au](mailto:MinisterialServices@customerservice.nsw.gov.au)>  
**Subject:** RE: request for meeting with Minister

Yes thank you Ben

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**From:** Ministerial Services <[MinisterialServices@customerservice.nsw.gov.au](mailto:MinisterialServices@customerservice.nsw.gov.au)>  
**Sent:** Tuesday, 1 October 2019 1:12 PM  
**To:** Saira Yousef <[Saira.Yousef@minister.nsw.gov.au](mailto:Saira.Yousef@minister.nsw.gov.au)>  
**Subject:** RE: request for meeting with Minister

Hi Saira

Would I be right in assuming the Minister has declined the meeting?

Thanks  
Ben

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**From:** Saira Yousef [<mailto:Saira.Yousef@minister.nsw.gov.au>]  
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**To:** Ministerial Services <[MinisterialServices@customerservice.nsw.gov.au](mailto:MinisterialServices@customerservice.nsw.gov.au)>  
**Subject:** FW: request for meeting with Minister

Hi MS

Please register for a departmental response

Thanks

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**From:** Lyn Tuit <[ltuit@afsydney.com.au](mailto:ltuit@afsydney.com.au)>  
**Sent:** Wednesday, 25 September 2019 5:22 PM  
**To:** Public Anderson's Office Email <[Office@Anderson.minister.nsw.gov.au](mailto:Office@Anderson.minister.nsw.gov.au)>  
**Subject:** request for meeting with Minister

Dear Sir/Madam

On behalf of the Alliance Française de Sydney, I am requesting a meeting with the Minister concerning the issue of combustible cladding.

We are a not-for-profit independent organisation based at 257 Clarence St in the city. We recently celebrated our 120th anniversary which has unfortunately been marred by a very serious discovery. Ten years ago we redeveloped our building and were given as gift, the design of the last building ever designed by Harry Seidler, arguably Australia's most famous architect.

Lucas Stewart were the developers and like so many of them, put themselves into liquidation at the conclusion of the project and set up operations elsewhere under a different name. They used the highly inflammable ACP panels on the external sunshades and awning of our signature building which is part of the nation's architectural heritage. The product was imported from Malaysia and the installation was signed off on by Dix Gardner who were also the certifiers for the Lacrosse building in Melbourne and many other buildings in Sydney's CBD now implicated in this cladding scandal.

As a private French language teaching institution, we are not a wealthy organisation and have been shocked to discover that the costs of remediation as requested by the City of Sydney could be between \$500,000 and \$1,000,000 which is going to place a huge burden on us. It appears that the importing of this particular product (which was known to be highly flammable at the time), was not covered under the building code and there appears to have been no protection provided to consumers to stop such a product being used in their buildings. Clearly we, like so many others, are the victims in the sorry saga of lack of oversight of the building industry, the privatisation of certifiers who are in the pocket of developers and as a result, developers have had a free ride on the back of consumers.

This is the kind of stuff you expect to hear in third world countries, not in NSW. In spite of the lack of oversight by governments at various levels and over many years, it appears that there are few options for legal redress. We are therefore seeking a meeting with you to discuss this matter and find out what your government intends to do to assist companies such as ours.

Thanking you in anticipation,

Kind regards

Lyn Tuit  
President  
T: 0405 160 275

\*\*\*\*\*

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## Hannah Stephenson

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**From:** Matthew Beattie  
**Sent:** Wednesday, 12 February 2020 11:26 AM  
**To:** Matthew Wunsch; Helen Ting  
**Cc:** Stephen Durnford  
**Subject:** FW: Letter from the President of Alliance Francaise de Sydney  
**Attachments:** Letter to Matthew Beattie signed LT.pdf

BPU colleagues, are you able to provide some information about BCA provisions that I can relay to Alliance Francaise in response to their attached letter?

Thank you

Matt

### **Matt Beattie**

#### **Senior Project Officer / Secretariat, NSW Cladding Taskforce**

Cladding Support Unit | Department of Customer Service

**p** 02 9219 3912 | **m** 0436 651 940

**e** [matthew.beattie@customerservice.nsw.gov.au](mailto:matthew.beattie@customerservice.nsw.gov.au) | [www.customerservice.nsw.gov.au](http://www.customerservice.nsw.gov.au)

McKell Building, 2-24 Rawson Place, Sydney NSW 2000



**Customer  
Service**



Alliance Française  
SYDNEY

NSW Customer Service  
Cladding Support Unit  
Mr Matthew Beattie  
McKell Building  
2-24 Rawson Place  
Sydney NSW 2000

Sydney 10/12/2019

Dear Mr Beattie

We have been referred to you by Ms Gabrielle Gallagher, Executive Director, Regulatory Policy Better Regulation Division on behalf of Minister, The Honourable Kevin Anderson MP, who responded to our correspondence from September 2019.

In the response on behalf of the Minister we are informed that we can take action against the builder "where they have failed to meet their legal or contractual obligations", or against parties who may have contributed to the installation of non-compliance cladding.

We are aware of the recent retrospective legislation about inflammable cladding however for us to be able to pursue any claim against certain parties, can you please provide the clauses in the 2006 BCA that did not permit ACP cladding on buildings and any situation, legislation or codes that prohibited the use of ACP cladding around the 2006 timeframe.

Your early response would be appreciated.

Yours sincerely,

Lyn Tuit,  
President

## Hannah Stephenson

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**From:** Dominique Giovanangeli <dominiqueg@afsydney.com.au>  
**Sent:** Thursday, 12 December 2019 2:28 PM  
**To:** Matthew Beattie  
**Cc:** Lyn Tuit  
**Subject:** Letter from the President of Alliance Francaise de Sydney  
**Attachments:** Letter to Matthew Beattie signed LT.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear Mr Beattie,

We attach a letter from Ms Lyn Tuit, President of Alliance Francaise de Sydney Ltd.

Yours sincerely,

*Dominique Giovanangeli CPA*  
Finance & Administration Manager

---



Alliance Française  
*Sydney*

Alliance Française de Sydney  
257 Clarence Street, Sydney NSW 2000  
E: [dominiqueg@afsydney.com.au](mailto:dominiqueg@afsydney.com.au)  
T: +61 2 9292 5711  
[www.afsydney.com.au](http://www.afsydney.com.au)





Alliance Française  
SYDNEY

NSW Customer Service  
Cladding Support Unit  
Mr Matthew Beattie  
McKell Building  
2-24 Rawson Place  
Sydney NSW 2000

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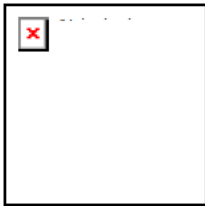
Lyn Tuit,  
President

## Hannah Stephenson

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**From:** Ministerial Services <MinisterialServices@customerservice.nsw.gov.au>  
**Sent:** Friday, 10 January 2020 3:27 PM  
**To:** eApprovals (webforms)  
**Subject:** FW: flammable cladding  
**Attachments:** Alliance-Francaise-Cladding-REP-190109-tnl.pdf

**From:** [digital@dpc.nsw.gov.au](mailto:digital@dpc.nsw.gov.au) <[digital@dpc.nsw.gov.au](mailto:digital@dpc.nsw.gov.au)>  
**Sent:** Friday, 10 January 2020 12:14 PM  
**To:** Webform Anderson <[webform@anderson.minister.nsw.gov.au](mailto:webform@anderson.minister.nsw.gov.au)>  
**Subject:** flammable cladding



<b>Title</b>	Mr
<b>First Name</b>	Alex
<b>Last Name</b>	Greenwich
<b>Phone</b>	
<b>Email</b>	<a href="mailto:sydney@parliament.nsw.gov.au">sydney@parliament.nsw.gov.au</a>
<b>Street Address</b>	
<b>Suburb</b>	
<b>State</b>	nsw
<b>Postcode</b>	
<b>Subject</b>	flammable cladding
<b>Type of Enquiry</b>	comment
<b>Message</b>	Please find attached a letter from Alex Greenwich MP to the minister
<b>Attachments</b>	Alliance-Francaise-Cladding-REP-190109-tnl.pdf - <a href="#">Download File</a>
<b>I would like a response</b>	Yes
<b>I would like to receive regular updates from the NSW Government</b>	No



10 January 2020

The Hon. Kevin Anderson MP  
Minister for Better Regulation and Innovation  
GPO Box 5341  
Sydney NSW 2001

Dear Minister

### Flammable Cladding Assistance

I write to request government assistance for not-for-profit organisations which have buildings affected by flammable cladding.

I have been contacted by the Alliance Française of Sydney, whose building on Clarence Street in the city was constructed 11 years ago and was recently found to have flammable cladding in the sun louvres and awnings.

Alliance representatives tell me the cost of replacing the cladding is estimated at \$1.5 million. As a not-for-profit organisation, they point out that they have few means to access the funds needed to make the building safe and that the cost is putting their operations at risk. They seek interest free loans from the government to ensure they can carry out the necessary rectification works.

Like residential owners, not-for-profit owners are not responsible for their buildings being unsafe. I have previously written to you and raised in Parliament the need for government assistance to home owners for cladding rectification works and I share the alliance's view that non-profit organisations which need to replace flammable cladding also need government assistance.

***Could you please urgently establish an assistance package for non-profit organisations affected by flammable cladding that ensures they can make their buildings safe without hardship, and inform me what action you will take?***

Yours sincerely



Alex Greenwich  
Member for Sydney



10 January 2020

The Hon. Kevin Anderson MP  
Minister for Better Regulation and Innovation  
GPO Box 5341  
Sydney NSW 2001

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Yours sincerely



Alex Greenwich  
Member for Sydney




## Minister - Routine - building and construction regulation – flammable cladding

<b>Type</b>	Correspondence
<b>Issue</b>	Outline the issue in one or two sentences and no more than three lines.
<b>Priority</b>	<input type="checkbox"/> Routine <input type="checkbox"/> High Priority
<b>Minister to approve by</b>	[insert date] Please include the reason for this deadline and what will happen if the brief is not signed by this date (delete this section if not high priority).

### Recommendations

- 1 Outline the action(s) you are seeking to have approved.
- 2 Start each recommendation with the word 'Approve', 'Oppose', 'Note' or 'Sign'.

Minister's signature: 

Date: 1900-01-01

### Purpose

- Why is the Minister receiving the brief? Dot point your reasoning and keep it short and to the point.

### Background

- This section should summarise the context.
- Note financial and risk implications.
- If mentioning attachments, refer to them clearly e.g. 'In the attached report (Tab A)'.

### Consultation (delete if not applicable)

People and Culture  Legal  Media  Other (please specify)

- Include the name and title of who was consulted, and the date they were consulted.

### Attachments (delete if not applicable)

- Ensure the attached item is Tabbed and clearly named, e.g. Tab A – Title. Ensure the titles on the attachments themselves match the title referenced here.

### Approval

Contact Officer: Name, Position and Contact Number	
<b>Final Departmental Approver</b>	<b>Date Approved</b>
Name and Position	



Mr Alex Greenwich MP  
Member for Sydney  
By email: sydney@parliament.nsw.gov.au

Dear Mr Greenwich

Thank you for your correspondence on behalf of not-for-profit organisations about interest free loans to replace flammable cladding on buildings.

Sequence your letter with the plain English CREDO™ structure. Write in short, readable sentences and avoid needless detail.

**Context:** Start by outlining why you are writing. Thank the reader for a letter you are responding to or state why you are writing. For instance:

- for members of the public; 'Thank you for your letter / email about...'
- for MPs; 'Thank for your representations on behalf of X about...'
- explain why this person is responding if responding to correspondence originally addressed to someone else.

**Result:** What is the main point the reader will want to know? Put this in the second paragraph. Either answer the question raised by a correspondent or state clearly what you want from your reader. Include any contact made with the customer, including date/s and the outcome of the contact.

**Explanation:** Explain the reasons for your response or request and why the Department takes this position. Keep this to one or two paragraphs at most.

**Details:** If necessary, detail reasoning and evidence for the position. Keep it short and to the point, and ensure information is accurate and up-to-date.

Use headings in longer letters

If a correspondent raises several issues, you can replace the 'explanation' and 'details' paragraphs with topic-by-topic discussion using information-rich subheadings.

**Our contact:** Finish politely with the name, title and phone number of the Department contact, if appropriate, so your reader can follow up. For example: If you have any further queries, please contact [name], [title] of [area] on (02) [number].

Yours sincerely



**Kevin Anderson MP**  
Minister for Better Regulation and Innovation

Date: 1900-01-01

## Hannah Stephenson

---

**From:** Saira Yousef <Saira.Yousef@minister.nsw.gov.au>  
**Sent:** Tuesday, 1 October 2019 9:08 AM  
**To:** Ministerial Services  
**Subject:** FW: request for meeting with Minister

**Categories:** Ben

Hi MS

Please register for a departmental response

Thanks

---

**From:** Lyn Tuit <ltuit@afsydney.com.au>  
**Sent:** Wednesday, 25 September 2019 5:22 PM  
**To:** Public Anderson's Office Email <Office@Anderson.minister.nsw.gov.au>  
**Subject:** request for meeting with Minister

Dear Sir/Madam

On behalf of the Alliance Française de Sydney, I am requesting a meeting with the Minister concerning the issue of combustible cladding.

We are a not-for-profit independent organisation based at 257 Clarence St in the city. We recently celebrated our 120th anniversary which has unfortunately been marred by a very serious discovery. Ten years ago we redeveloped our building and were given as gift, the design of the last building ever designed by Harry Seidler, arguably Australia's most famous architect.

Lucas Stewart were the developers and like so many of them, put themselves into liquidation at the conclusion of the project and set up operations elsewhere under a different name. They used the highly inflammable ACP panels on the external sunshades and awning of our signature building which is part of the nation's architectural heritage. The product was imported from Malaysia and the installation was signed off on by Dix Gardner who were also the certifiers for the Lacrosse building in Melbourne and many other buildings in Sydney's CBD now implicated in this cladding scandal.

As a private French language teaching institution, we are not a wealthy organisation and have been shocked to discover that the costs of remediation as requested by the City of Sydney could be between \$500,000 and \$1,000,000 which is going to place a huge burden on us. It appears that the importing of this particular product (which was known to be highly flammable at the time), was not covered under the building code and there appears to have been no protection provided to consumers to stop such a product being used in their buildings. Clearly we, like so many others, are the victims in the sorry saga of lack of oversight of the building industry, the privatisation of certifiers who are in the pocket of developers and as a result, developers have had a free ride on the back of consumers.

This is the kind of stuff you expect to hear in third world countries, not in NSW. In spite of the lack of oversight by governments at various levels and over many years, it appears that there are few options for legal redress. We are therefore seeking a meeting with you to discuss this matter and find out what your government intends to do to assist companies such as ours.

Thanking you in anticipation,

Kind regards

Lyn Tuit

President

T: 0405 160 275



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[Yes thank you Ben](#)

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Thanks

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President  
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*Our reference: COR-02614-2019*

Ms Lyn Tuit  
President  
Alliance Francaise de Sydney  
By email: [ltuit@afsydney.com.au](mailto:ltuit@afsydney.com.au)

Dear Ms Tuit

Thank you for your correspondence to the Hon Kevin Anderson MP, Minister for Better Regulation and Innovation about combustible cladding installed on your organisation's building. The Minister has asked me to respond to you.

The NSW Government takes any potential fire safety risks from combustible cladding very seriously and has established an interagency taskforce to focus on this issue. The NSW Cladding Taskforce has worked to identify buildings, have them inspected by Fire and Rescue NSW, and refer affected buildings to consent authorities (local councils or the Department of Planning, Industry and Environment) for investigation where necessary.

The presence of this cladding does not increase the risk of a fire starting, however, when installed inappropriately, it can pose a risk of increased spread of fire. For this reason it is important for identified buildings to be assessed by a fire safety expert to determine what, if any, remediation should take place.

Consent authorities will liaise with owners about actions needed to assess and ensure buildings comply with fire safety requirements. To help coordinate efforts by local consent authorities, in particular local councils, a Delivery Unit within the Department of Customer Service has been focusing on expediting assessments. The Delivery Unit has provided local councils new support measures which include:

- A package of support materials including assessment guidance and fire safety order templates; and
- A new Cladding Support Unit. The unit is a single point of contact for local councils on cladding issues. It is staffed with officers that can provide information or help source fire safety and building code expertise, as well as co-ordinate issues across government.

Affected buildings are assessed by Fire and Rescue NSW as a high priority. Those that are found to have cladding in a quantity, location and/or arrangement which potentially increases fire risks are further assessed. These buildings may be found to either, not necessarily be at increased fire risk, or, to be non-compliant and require rectification.

For every building referred for further assessment to a local consent authority, Fire and Rescue NSW takes steps to strengthen fire safety plans and procedures to mitigate risks should a fire occur. Training, awareness initiatives and Pre-Incident Plans for firefighters who might have to respond to these fires are enhanced where necessary. In addition enhanced Alarm Response Protocols are developed for all identified buildings at higher risk.

I note your comments about the NSW Government's approach to this issue. Residential building owners in NSW are protected by statutory warranties on all residential building work, and owners

of all building types can take action to recover costs from builders where they have failed to meet their legal or contractual obligations. In addition to claims against a builder for breach of statutory warranties or other contract conditions, owners can exercise their legal rights to pursue claims against other parties who may have contributed to the installation of non-compliant cladding.

The decision about the design and use of cladding materials on buildings is one which is ultimately made by building designers and developers. All products used in the building and construction industry, including the varying types of cladding, must be used in a way that ensures buildings meet the requirements of the Building Code of Australia.

I encourage you and the owners of your building to work with the consent authority and any relevant fire safety professionals to develop and implement a suitable remediation plan to make sure the building is fire safe.

If you would like further information please contact Mr Matt Beattie, Cladding Support Unit, on 9219 3912.

Yours sincerely



**Gabrielle Gallagher**  
A/Executive Director, Regulatory Policy  
Better Regulation Division

1900-01-01



*Our reference: COR-02614-2019*

Ms Lyn Tuit  
President  
Alliance Francaise de Sydney  
By email: [ltuit@afsydney.com.au](mailto:ltuit@afsydney.com.au)

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of all building types can take action to recover costs from builders where they have failed to meet their legal or contractual obligations. In addition to claims against a builder for breach of statutory warranties or other contract conditions, owners can exercise their legal rights to pursue claims against other parties who may have contributed to the installation of non-compliant cladding.

The decision about the design and use of cladding materials on buildings is one which is ultimately made by building designers and developers. All products used in the building and construction industry, including the varying types of cladding, must be used in a way that ensures buildings meet the requirements of the Building Code of Australia.

I encourage you and the owners of your building to work with the consent authority and any relevant fire safety professionals to develop and implement a suitable remediation plan to make sure the building is fire safe.

If you would like further information please contact Mr Matt Beattie, Cladding Support Unit, on 9219 3912.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'G. Gallagher', written in a cursive style.

**Gabrielle Gallagher**  
A/Executive Director, Regulatory Policy  
Better Regulation Division

22 October 2019

## Hannah Stephenson

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**From:** ministerialservices@customerservice.nsw.gov.au  
**Sent:** Tuesday, 22 October 2019 10:34 AM  
**To:** ltuit@afsydney.com.au  
**Subject:** COR-02614-2019 - Response to your letter to the Minister for Better Regulation and Innovation  
**Attachments:** COR026142019 LETTER Letter to customer final.pdf

Dear MsTuit

Please see the attached letter in response to your correspondence to the Minister for Better Regulation and Innovation

Kind regards

Department of Customer Service



*This is a no-reply email address, if you wish to send further correspondence, please submit it through the [Minister's webform](#).*

email: EmailAttachmentAdvice3



*Our reference: COR-02614-2019*

Ms Lyn Tuit  
President  
Alliance Francaise de Sydney  
By email: [ltuit@afsydney.com.au](mailto:ltuit@afsydney.com.au)

Dear Ms Tuit

Thank you for your correspondence to the Hon Kevin Anderson MP, Minister for Better Regulation and Innovation about combustible cladding installed on your organisation's building. The Minister has asked me to respond to you.

The NSW Government takes any potential fire safety risks from combustible cladding very seriously and has established an interagency taskforce to focus on this issue. The NSW Cladding Taskforce has worked to identify buildings, have them inspected by Fire and Rescue NSW, and refer affected buildings to consent authorities (local councils or the Department of Planning, Industry and Environment) for investigation where necessary.

The presence of this cladding does not increase the risk of a fire starting, however, when installed inappropriately, it can pose a risk of increased spread of fire. For this reason it is important for identified buildings to be assessed by a fire safety expert to determine what, if any, remediation should take place.

Consent authorities will liaise with owners about actions needed to assess and ensure buildings comply with fire safety requirements. To help coordinate efforts by local consent authorities, in particular local councils, a Delivery Unit within the Department of Customer Service has been focusing on expediting assessments. The Delivery Unit has provided local councils new support measures which include:

- A package of support materials including assessment guidance and fire safety order templates; and
- A new Cladding Support Unit. The unit is a single point of contact for local councils on cladding issues. It is staffed with officers that can provide information or help source fire safety and building code expertise, as well as co-ordinate issues across government.

Affected buildings are assessed by Fire and Rescue NSW as a high priority. Those that are found to have cladding in a quantity, location and/or arrangement which potentially increases fire risks are further assessed. These buildings may be found to either, not necessarily be at increased fire risk, or, to be non-compliant and require rectification.

For every building referred for further assessment to a local consent authority, Fire and Rescue NSW takes steps to strengthen fire safety plans and procedures to mitigate risks should a fire occur. Training, awareness initiatives and Pre-Incident Plans for firefighters who might have to respond to these fires are enhanced where necessary. In addition enhanced Alarm Response Protocols are developed for all identified buildings at higher risk.

I note your comments about the NSW Government's approach to this issue. Residential building owners in NSW are protected by statutory warranties on all residential building work, and owners

of all building types can take action to recover costs from builders where they have failed to meet their legal or contractual obligations. In addition to claims against a builder for breach of statutory warranties or other contract conditions, owners can exercise their legal rights to pursue claims against other parties who may have contributed to the installation of non-compliant cladding.

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I encourage you and the owners of your building to work with the consent authority and any relevant fire safety professionals to develop and implement a suitable remediation plan to make sure the building is fire safe.

If you would like further information please contact Mr Matt Beattie, Cladding Support Unit, on 9219 3912.

Yours sincerely

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**Gabrielle Gallagher**  
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22 October 2019