

**DAVID SHOEBRIDGE**  
Greens NSW MP

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Mr Michael Fuller  
Commissioner of Police  
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The Hon. Anthony Roberts  
Minister for Homes  
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Ms Natasha Mann  
NSW Fair Trading Commissioner  
[natasha.mann@customerservice.nsw.gov.au](mailto:natasha.mann@customerservice.nsw.gov.au)

21 January 2022

Dear Minister and Commissioners,

**Re: Concerns regarding a Class 1 Build by Metricon, including potential fraud**

I am writing following serious concerns raised with my office by Salv and Melissa Barbagallo, who have experienced a number of issues with their residential build, stemming from poor industry regulation and a lack of accountability for unscrupulous operators, leaving consumers unprotected, often homeless or forced to live in unsafe homes. Extensive supporting documentation can be accessed via this link:

[https://drive.google.com/drive/folders/1RUXiuJuZjrZ\\_Bc8kAjO94EjlkWJVErQk?usp=sharing](https://drive.google.com/drive/folders/1RUXiuJuZjrZ_Bc8kAjO94EjlkWJVErQk?usp=sharing)

Most alarmingly, the Barbagallos raise serious concerns relating to potential fraud having been committed during their current build with Metricon.

I understand the Barbagallos have previously made a complaint to NSW Fair Trading against Metricon Homes (reference number 10380492) and a subsequent complaint regarding the conduct of Metricon in April 2021 (reference number 10573760, still outstanding).

The enclosed supporting documentation includes photographs showing what the Barbagallos note are images that have been doctored fraudulently to misrepresent a joint that never existed (see the document entitled "Photo attachments- Part One .pptx", linked from the document "Index of Documents provided by the Barbagallos". The Barbagallos assert this has been verified by their engineer, as well as by Matt Whitton and Sean O'Hara

from NSW Fair Trading (see enclosed CCTV footage of Mr Whitton and Mr O'Hara being made aware of this).

The Barbagallos highlight that when defects or issues of non-compliance arise in a Class 1 build, the responsibility rests with the builder, engineer and the independent certifier to do the right thing, which often leaves consumers poorly protected and with little redress.

**Action Requested:**

1. I urge Commissioner Fuller to immediately refer the allegations of fraud, along with supporting documentation, to the appropriate Police Command for urgent investigation.
2. I request that Commissioner Mann direct NSW Fair Trading to progress a rapid investigation of the alleged fraud which has previously been reported to the Department (reference number 10573760).
3. Given the systemic issues raised including the urgent need to reform regulation of Class 1 builds, as well as the personal hardship outlined in the attached correspondence, I urge Ministers Toole and Roberts to carefully review the correspondence, request further investigation where appropriate, and respond to the substantive issues raised.

Thank you in advance for your consideration and action. I am available to discuss further.

Kind regards,



David Shoebridge, Greens NSW MP