

**Supplementary  
Submission  
No 30b**

**INQUIRY INTO INQUIRY INTO THE OPERATIONS OF  
THE HOME BUILDING SERVICE**

**Organisation:**

**Name:** Mrs Kalavati Magan

**Telephone:**

**Date received:** 2/01/2007

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This submission has been kept partially confidential by resolution of the Committee.

Kalavati Magan

RECEIVED

- 2 JAN 2007

GPSC's

3 January, 2006

CGP07/55

CGP232

PERSONAL ATTENTION

**URGENT**

Ms Rebecca Main  
Principal Council Officer  
Parliament House,  
Macquarie Council Officer,  
Sydney, NSW, 2000

**RE: Inquiry into the operations of the Home Building Service**

Dear Ms Main,

I refer to my submission to the "GPSC No.4" and my addendum and wish to request that you withdraw the private and confidential statement allowing the Committee to undertake their own inquiries in relation to my case and discuss the issues raise with the appropriate people.

Please find attached recent Liverpool City Council correspondence dated 30/11/06 in reply to our letter of the 9/11/06 which states: -

*"It is advised that an Occupation Certificate has not been issued by Council nor will such a Certificate be issued until the issues as raised with the builder have been certified."*

**NB: How can the builder certify the issues raised?**

Council has requested a reply from the builder since 6/10/06 the numerous reports we obtained demonstrate that our house does not comply with the DA and Council Conditions of Consent, BCA and AS.

**Please refer to my submission at Page 12 Section C of the Terms of Reference,** Where I discussed the investigation of my complaint, by the OFT/HBS and Principal Building Inspector Mr. Peter Stubbs there is a letter by OFT Attachment 21 dated 14/9/06 which advised us after 8 months since we lodged our complaint to the OFT and provided them with reports by several building experts (costing us in excess of \$20,000) to prove our serious defects the OFT on 14/9/06 advised that:-

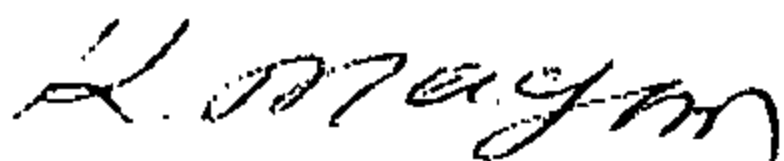
*"The Principal Building Inspector concluded that from his inspection of the premises there was no evidence of defective work".*

**To date the Council acknowledges issues and for that reason alone will not issue an Occupation Certificate. Refer letter attached herewith.**

We request what structural engineering qualifications does the Principal Building Inspector have to base his findings? The OFT has not appropriately assessed our defective building causing us protracted delay, great financial and emotional stress.

**When will our suffering end now?**

Kind Regards,



**Kalavati Magan**

cc:

Hon J Della Bosca

Hon F Sartor

Hon S Hale

Hon A Megarrity

Hon. P. Breen

Hon Dr Chesterfield Evans

Hon. C. Hartcher

Hon J Gardiner

Hon D Beama

Hon P Debnam

Hon G Moyes

Hon Dr P Wong

Hon D Clarke

Hon M Iemma

Hon J Turner

Hon D Vale

Hon Dr J Jenkins

Hon D Oldfield

Hon J. Ryan

Hon F Nile



**Liverpoolcitycouncil**  
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= 6 DEC 2006

Our Ref: 84676.2006  
GM Ref: 2006/0211  
Contact: TM 9821 9120  
Date: 30 November 2006

Ms A Megarrity MP  
Member for Menai  
PO Box 688  
MOOREBANK NSW 1875

Dear Ms Megarrity

**Re: Alleged Defective Works. Development Consent 2553/1999**

I write in response to your letter dated 9 November 2006 on behalf of Mrs Kalavati Magan, who constructed a two storey dwelling concerning a complaint against at the above mention premises.

Following this matter being raised, Council Officers have reviewed the Development Consent, inspected the site and prepared correspondence in relation to this matter.

The following is a brief summation of Council's involvement and actions in relation to this matter:

- Inspections during the construction of the dwelling have been undertaken and as a result of these inspections some rectification works were noted.
- Onsite meetings have been held between Council officers, owner of the premises and their representatives in relation to their concerns
- Correspondence has been forwarded to the Builder dated 26 September 2006, in relation to a number of issues to be addressed by the builder and a copy of this correspondence has been forwarded to Mrs Magan
- Discussions have been held with the builder in relation to the issues, however to date nothing further has eventuated.
- A meeting and telephone conversations have been held with officers of the Office of Fair Trading and Council with advise being given that their final decision in relation to the matters will be advised in the near future. Further contact has been made with the Office of Fair Trading who have advised that a final decision to date has not been made.

It is advised that an Occupation Certificate has not been issued by Council nor will such a Certificate be issued until the issues as raised with the builder have been clarified.

I trust that this information is of assistance. Should you require further information, please do not hesitate to contact Mr Owen Sargeant, Manager Building Services, on 9821 9361.

Yours sincerely

**Phil Tolhurst**  
General Manager