

**Submission  
No 35**

**INQUIRY INTO REGULATION OF BUILDING  
STANDARDS, BUILDING QUALITY AND BUILDING  
DISPUTES**

**Name:** Mr Che Leonard

**Date Received:** 20 July 2019

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Dear Public Accountability Committee,

RE: Submission to the Inquiry into the regulation of building standards, building quality and building disputes

Thank you for the opportunity to make a submission to this Inquiry.

### Background

I am the director of a small Accredited Certification firm. I employ 2 people additional to myself and had hoped to expand slightly. We are thorough and accurate in our processes, and pride ourselves in fulfilling our role to service the Building Industry and Public Interest as best we can. The current climate around Accredited Certifiers and Insurance is creating huge uncertainty around our current business position. We, along with many other Certifiers, can't be sure our position will be financially feasible, or even be sure we'll be legally able to operate. This is causing huge stresses in all of our lives. A key part of the Accredited Certifier business model is an exit plan and succession. Trying to attract new younger employees is nearly impossible with the sales pitch our industry presents now. Without succession, our business along with all other Accredited Certifiers faces long close down periods with no income, and an even longer insurance run off period.

The industry and insurance requirements need desperate repair, starting with all recommendations in the Sheargold Weir report.

### Issues

Some of the key issues that need to be addressed in the NSW building industry include:

- Access to Professional Indemnity (PI) Insurance – including availability and costs
- Historic liability issues confronting Accredited Certifiers
- The skewed nature of liability facing Accredited Certifiers
- Insufficient licensing and education requirements for Licenced Builders
- No licencing requirement for work outside of the Home Building Act
- The need for all parties involved in the building product supply chain need to be accountable for the products that they prescribe, specify, purchase and use in the construction of a building
- Allocate responsibility and liability to individuals throughout the design and construction chain, supported by an insurance framework which can be relied on in perpetuity].

### Solutions

Potential solutions that could be introduced in NSW include:

- All recommendations of the Sheargold Weir report
- All professionals involved in the design, installation and approvals process must be accredited and insured.
- All key personnel in the process who are not accredited must be licensed and be required to prove their competency at regular intervals.

- All documents related to the certification of a building should be in a standard form developed by industry and Government.
- All persons involved in the certification of any engineering design or technical aspect of construction must issue a certificate on a standard form.
- Comprehensive auditing of all accredited or licensed persons.
- All parties involved in the building product supply chain need to be accountable for the products they prescribe, specify, purchase and use.
- Amend the BASIX scheme to allow applicants to design buildings based on predetermined standards.
- Strengthen the administration of building regulation in NSW by bringing building regulations and control functions into one portfolio, reporting to one Minister.]

Yours sincerely,

Che Leonard BPB 1812