

Submission
No 37

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

Name: Name suppressed

Date Received: 20 July 2019

Partially
Confidential

Dear Committee,

Our building was on the council list that was deemed to have inflammable cladding. An order was issued by council to the owners corporation to test, verify and provide a full report on the composition of the cladding at the owners cost. Considering the building was only 4 years old and the developer was approached to verify the type of cladding installed on the building, no information was provided by the builder. Council was not interested in pursuing the builder for this information, who was and is still in business, developing building and submitting request for approvals to the same council.

The owners had to pay to verify the type of cladding. It was found to be highly inflammable and council issued an order to remove all the inflammable cladding and replace them with a compliant product within 90 days (extensions to the 90 days was granted). The builder was sent 3 letters of demand by our solicitor and just responded that they have receive the letter. The builder feels they are not responsible to replace the cladding and we are in a deadlock. The owners may have to replace the cladding at our cost to comply with council's order. This highlights all the flaws in the current system where builders can continue to operate without taking responsibility for major defects and council's actions encourages them to operate in the current manner by holding the tax and rate paying owners corporation responsible rather than the builder and developers! They system has to be fixed and fair.