

Submission
No 52

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

Name: Mr Matt Gregory

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Issues with PCA's and issuing Occupation Certificates prematurely examples

DA/186/2014 – 427-431 Pac Highway, Asquith

Following construction of a residential flat building, the nature strip area would normally restore prior to 'Occupation Certificate', which is issued by the engaged Private Certifier to show that all works are completed and permitting residents to move into the building. In this instance however, an 'interim' Occupation Certificate was issued prior to nature strip being restored, thus permitting residents to move in prematurely. This has created unforeseeable complications for the developer to obtain Roads and Maritime Services (RMS) approval to entirely close the area in able to undertake the necessary works and for Council's waste vehicles to enter the basement car park as they are reluctant to travel on a gravel driveway into a basement for safety reasons. This issue has been unresolved for almost two years and the developer has now moved on and taken his money, sure he may have paid the Bond to the RMS but who now constructs the driveway and kerb and guttering works??.

As bad as this incident is, it's not a separate incident as a similar scenario currently exists at No.2A Mills Road, Asquith DA/723/2016 whereby the PCA allowed another interim Occupation Certificate before all roadworks and public domain improvements were completed and now all residents are moved in, residents now drive into there basement via a temporary gravel driveway and Council's waste trucks refuse to service the development as it is unsafe to enter. It has now been 2 months and still no road works, The Pacific Highway has no kerb and gutter and large holes in the side of the footpath remain which is dangerous to cars.

DA/1049/2014/G - 109 Copeland rd, Beecroft – This incident resulted in a PCA allowing a full Occupation Certificate despite numerous conditions not being met. The PCA decided to ignore all landscaping conditions relating to replacement tree planting, ignore strict heritage conditions relating to materials and finishes, and ignore acoustic measures. The consent specifically stated dark brown colours to be used for shade sails yet blue and orange shade sails were installed. The consent clearly stated a landscaper should provide a certificate stating that landscape works were in accordance with the approved plans yet this certificate was never obtained, the certifier signed off on balustrades being blue yet the consent specified brown.

Hornsby Council also conducted an Audit on all approved RFB's in it's shire and found that only 30% of developers has complied with their landscape plans despite every consent specifically stating that a certificate must be provided by a landscaper stating that the landscaping has been planted in accordance with the approved landscape plans. What is the point of requesting these landscape plans if the PCA can just sign off on the development so easy.

Look at majority of the RFB's constructed in Epping and compare to the landscape plans and you will quickly realised only half have planted canopy trees despite all these developments requiring canopy trees. How do you ever get these trees back in once the PCA and developer has walked away from the job!.

Thank you for your assistance in improving the PCA process.