

Submission  
No 92

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

**Name:** Name suppressed

**Date Received:** 26 July 2019

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Partially  
Confidential

## **Regulation of building standards, building quality and building disputes NSW Inquiry – July 2019**

I recently bought an apartment in a three-storey walk up in Parramatta.

The building received its occupation certificate in January 2014.

In the seven months I have lived here, I have had water flooding into my lounge and dining room through the walls.

The first incident occurred during the February storm on a Friday evening, which resulted in more than 60mm of rain falling in Parramatta in less than an hour.

My third floor balcony was ankle deep in water and as my balcony has no spitters to cope with such a large rain event, the water seeped through the bottom of the exterior wall into my dining and lounge rooms, saturating the carpet.

The strata has since organised for a hole to be drilled into the balcony concrete gutter to allow water to escape, in lieu of spitters, but this should have been part of the building design.

Every apartment building I walk past in Parramatta has spitters off the balcony.

How could my building be approved and certified without them, given the important purpose they serve?

Then after recent rain, water started running down my wall from the ceiling and the ceiling now has water damage caused by water pooling in the roof cavity. There is also mould now growing on the ceiling, which is a health hazard.

My first thought was to check in the roof cavity to see how much water is pooling in there, but I don't have a man hole and I have a metal roof, so you can't remove any tiles to see in there.

How can a building be constructed without access to the roof cavity?

This is a serious issue, as access is often required.

What if the building has vermin in the roof?

How are we supposed to treat it when we have no way of throwing up baits in there?

What if we get termites?

We have no way of knowing, as the pest inspector is not able to check inside the roof cavity.

Recently I had the NBN installed, but I was told by the technician I couldn't have it installed in my computer room as he'd need to run a cable in the roof cavity to reach the room, but he can't because there is no access.

He said he'd never seen an apartment building without access, and not having access to the roof cavity is a big risk.

As a consequence, I don't have as good a connection as I did with ADSL, which ran on the phone line in my computer room, which was installed while they were constructing the building.

These things – not having spitters or access to the roof cavity – seem like standard components of an apartment building that are ubiquitous in other apartments, so why did my building get approved and certified without them?

Common sense tells you that self-regulation doesn't work, and there are countless examples of instances where this has failed in other industries.

My apartment was not a small, inexpensive purchase, yet if I buy a toaster and it is defective, I take it back to the retailer, and they either give me another one or a refund.

If builders and developers were faced with the prospect of having to give someone another apartment if the customer found components were faulty, I'm sure more care would be taken in the build, as it would cost them a lot of money.

Why are there not similar protections for apartments as there are for electrical appliances, particularly when people spend their life savings as well as take out large mortgages on such purchases?

Certifiers should be independent, not chosen by the builder or the developer who they have a cosy relationship with.

They should be chosen at random from a list and there should be a limit on how many times they can certify that company's buildings.

Due to poor regulation, confidence in apartments is now at a low ebb.

I have spoken to friends and colleagues who have also had issues with leaking apartments, so mine is not an isolated case.

What are governments for if it isn't to protect consumers' rights and regulate industries?

It's interesting that commercial buildings haven't experienced similar problems, probably because in the commercial sector, owners have deep pockets, unlike apartment owners who have spent most of their money on their home and are a disparate group who have no expertise in these matters or in how to fix them.

The building industry is one of the state's largest employers, and our economy depends on its growth and success.

This is my first apartment purchase, but I am reluctant to ever buy one again.

I hope the Berejiklian Government will take this Inquiry's findings seriously and implement the necessary reforms to restore confidence in purchasing apartment buildings in Sydney.