

Submission
No 108

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

Name: Name suppressed

Date Received: 28 July 2019

Partially
Confidential

To whom it may concern

I would like to support those who have expressed concerns with the regulation of building standards, building quality and building disputes. I support there being an inquiry into these matters. Significant improvements need to be made to the system for monitoring building standards as it appears to be broken. People purchasing new apartments need more certainty that their buildings are safe, liveable and they will not need to spend large sums of additional funds to rectify construction defects. The problems with the Opal Tower and Mascot Tower have alerted the public and governments to the fact the system is not working. Australia is like a third world country in regards to its building standards or lack thereof.

Concerns include:

The use of private certifiers has problems:

Their use presents a conflict of interest.

They also do not do proper inspections. My experience with a private certifier for a new building near me demonstrated that they rely on the builder, who pays them, to tell them that things are OK.

Lack of knowledge of private certifiers.

Lack of customer services of private certifiers. I was not happy with the way the private certifier approached my question about the adequacy of the setback for the building across the road. He sent my email enquiry onto the builder who replied to me with a sarcastic email. This infringed on my privacy and was inappropriate and unprofessional for a number of reasons. My question was never answered.

The private certifier system allows buck passing. The private certifier told me that the Council was responsible for monitoring the landscaping and Council told me the building was the private certifier's responsibility. In the end no one seemed accountable.

Warranty timeframe is inadequate:

Two years is inadequate for the building warranty period. This allows the developer to keep the apartments for two years then sell them just as the faults become evident. The new owners are then left to deal with the problems out of the warranty period. This can be very costly.

A neighbouring building had to wait for an expert report to claim under warranty. By the time the report was finalised the 2 years had lapsed.

The use of building products from China which cannot be repaired:

Several tradespeople have told me they cannot repair building products from China because they cannot get parts. (eg toilets and venetian blinds) This doesn't support sustainability as rather than repairing the product it has to be thrown away and replaced.

Chinese products need to be made to fit with Australian Standards so that the parts can be purchased and the item repaired.

Design of building inappropriate

Many of the building designs are not suited for the Australian climate. They do not capitalise on the use of the northerly sun. They do not provide privacy etcetera This results in people needing to keep the windows closed and the air conditioners on.

Consumer protection is inadequate:

Better protection needs to be afforded for those purchasing new buildings. Even when the developer has closed the company following construction, they should remain accountable and liable within a reasonable timeframe.

Thanking you.