

Submission  
No 110

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

**Name:** Name suppressed

**Date Received:** 28 July 2019

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Partially  
Confidential

**Re: Parliamentary Inquiry into the regulation of building standards, building quality and building disputes**

While not directly affected by cracks or cladding, I am concerned about the impact of sub-standard building practices on our local environment and trust this can be addressed within the terms of reference.

Epping, Cheltenham and Beecroft are on the footsteps of the Lane Cove National Park, surrounded by Terrys Creek, Devlins Creek and Byles Creek, habitat of vulnerable Powerful Owls and other threatened species.

Our suburbs have been subjected to significant development over the past five years, particularly Epping, since it was deemed Sydney’s first “Urban Activation Precinct” back in March 2014. The area has also been subjected to major transport infrastructure projects including the Epping to Thornleigh Third Track, NorthConnex and Sydney Metro NorthWest which have impacted on wildlife habitat.

Having reported numerous water pollution breaches (together with others) from a number of these building sites between February 2016 and March 2018, I am concerned about the damage that can be caused as a result of poor environmental management. The following table lists those incidents:

<b>Date</b>	<b>Development Site</b>	<b>Issue</b>	<b>Resolution</b>
29-2-2016	Devlins Creek, Epping Canal – near ETTT worksite	Dead eels found in Devlins Creek causeway	Investigated by EPA and HSC, but source of pollution never found
20-6-2016	Cambridge Street Epping - near Poly Horizon worksite	Construction wastewater pumped into storm water flowed through channel alongside rail line and into Devlins Creek.	Fines totaling \$24,000 issued by PCC
27-7-2016	Hazlewood Place Epping – near Epping Grove/Epping Juniper worksite	Construction wastewater pumped into canal adjacent to reserve at Kent Street and Delaware Street flowed through Epping Canal and into Devlins Creek.	Fines totaling \$24,000 issued by PCC
2-3-2017	Cliff Road Epping – near Watson Grove worksite	Construction wastewater pumped into storm water flowed through Epping Canal into Devlins Creek.	Fines circa \$8,000 issued by PCC
16-6-2017	Devlins Creek near Epping Canal to Big Ducky Waterhole	Water pollution found for kilometres	Investigated by PCC, HSC, EPA & NPWS, but source of pollution never found
September 2015 to March 2018	Beecroft Road Cheltenham – near The Millner worksite	Tree removal, tree root protection zones, wastewater pumped into storm water, obstructions on footpath	Fined \$6,000 by HSC for placing skip bin on root protection zone

*NB: Further documentation can be provided on request.*

By way of example, at one site, a protracted building and occupation process over several years involved numerous incidents. These included wastewater being flushed from the basement into the stormwater, other properties being subjected to flooding – some a distance from the site, breaches of tree protection zones and trip hazards for local pedestrians. In this case, a Private Certifier located over 460 kilometres or a 5-hour drive from the site had been contracted for the project.

There were a number of frustrations associated with identifying, reporting, investigating and following up these incidents, so I would like to make two recommendations:

### **1. Simplify Reporting Lines**

Blurred reporting lines meant that numerous authorities had to be contacted to lodge reports including the Environmental Protection Agency, local council (exasperated by the changes to Hornsby Shire Council and Parramatta City Council borders with the Council de-amalgamations), National Parks & Wildlife Service, Roads & Maritime Service and Sydney Water.

Questions also arose as to whether one should simply phone the relevant authority or gather evidence (photos, videos, water samples etc) and then email the authority, or escalate to the local media.

Associated issues of dumping building materials, shopping trolleys, tenant furniture and junk mail outside these new apartment blocks during the acquisition, construction, and post construction/occupation phase were also problematic.

### **2. Establish a “Name and Shame” Register**

On 15 March 2017, at a meeting with the State Member for Epping, I suggested a “Name and Shame” register of developers, construction companies, builders and their associated directors that breached environmental responsibilities.

This would publicly report entities on a quarterly basis that failed to meet environmental standards, similar to food outlets that don’t meet safety standards, sending a warning to future purchasers or off-the-plan buyers of their next project.

Unfortunately, this was not adopted, so to this day, entities that show disregard for their environmental actions simply escape punishment or get a small “slap on the wrist” fines paid out of a big “slush funds” for disregarding environmental controls.

My purpose in writing this submission is to ensure that not only the human impact, but the environmental effect is considered in any recommendations and legislation flowing from this inquiry.

With thanks for your consideration of this matter,