

Submission
No 126

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

Name: Name suppressed

Date Received: 27 July 2019

Partially
Confidential

TO,
THE PARLIAMENT OF NEW SOUTH WALES.

Dear Members of the Parliament.

I am writing this letter on behalf of the owners of the above mentioned property.

In this submission, I would like to bring your attention to the way defect works are handled by the builder and some suggestions.

The statutory warranty period is not long enough, most defects do not appear until after the 2 year or 6-year period, on items that are meant to last a lot longer.

In our example, the initial design of the flat roof on two of the apartment buildings did not factor in a minimum fall to prevent the ponding of water. A defect report showed areas on the building where ponding was occurring, and where the waterproof membrane had failed. The suggested fix was only around the ponded area not to the roof itself, that is, it was to fix the symptom but not the cause.

Subsequently, booth roofs now need to have the waterproof membrane replaced at a cost of up to \$300,000 because the original defect report did not recommend a fix of the issue, but rather of the symptoms.

There is no recourse to the Owners Corporation due to the industry practice of 'deed of releases', which gives builders and developers free licence to offer a fix that might not be suitable long term and then have any further liability removed.

This is an issue and an issue that should be looked as part of this inquiry.

Thank you