



strata
community
association®
NSW

16 OCTOBER 2019
PREPARED BY: SCA (NSW)

SUBMISSION

*Proposed Design and Building
Practitioners Bill 2019*

Thank you for the opportunity to assist the Committee in examining the cause of the current crisis of confidence in construction of high-density residential housing in NSW. More importantly, we welcome the committee's consideration of solutions to a set of issues that are both long standing and urgent.

Strata Community Association (NSW) is the peak industry body for Strata and Community Title Management in New South Wales. Membership includes strata managers, support staff, committee members and suppliers of products and services to the industry. SCA (NSW) has in excess of 3,000 members who help oversee, advise or manage a combined property portfolio with an estimated replacement value of over \$400 Billion. In the same way that our members act as professional advisers and advocates for owners' corporations, SCA (NSW) proudly fulfils the dual roles of a professional institute and consumer advocate.

Further to our submission of 27 July 2019, we welcome the changes proposed by the Design and Building Practitioners Bill to the extent that it assists in addressing the issues raised in our five-point plan below. Having a main concern and objection that item no.1 is not addressed.

1. Reintroduction of a robust and accessible Home Owners' Warranty Insurance scheme for all levels of strata development, removing the current four-story exclusion.
2. Increasing the two year statutory warranty period to at least three years.
3. Along the lines of the precedent now established in Victoria, provide an assistance package for cladding and structurally affected schemes. This may include a combination of subsidised loans, rate/taxation relief and other financial assistance.
4. Introduce mandatory supervision of private certification
5. Introduce a record of occupation certificates accessible to owners' corporations that is separate from the Office of Fair Trading. This will avoid any conflict of interest with its regulatory functions and enforcement of compliance, licensing and administration of home building compensation fund.

In respect of point 4, we will address any submissions we wish to make separately by

reference to the Building and Development Certifiers Regulation 2019. Our preliminary view is that whilst provisions such as the extended 'Duty of Care' will be a positive driver for change in the conduct of 'registered design practitioners' and 'registered building practitioners', there is a notable lack of such provisions when it comes to 'building and development certifiers' – such provisions should be equally applicable.

Our members have a wealth of experience in dealing with these matters on behalf of owners' corporations and SCA (NSW) would welcome any opportunity to elaborate on our experience and the benefits of our plan before the committee.



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