

The discoveries of major structural defects in the Opal Tower at Homebush and Mascot Towers in Sydney's south have made it clear that the current system of private building certification is failing.

News of serious problems at two other apartment blocks in Zetland and Erskineville in the City of Sydney have highlighted the problems surrounding self-regulation in the construction sector, at a time when our growing population means increasing numbers of such buildings are being approved.

Concerns over these issues have prompted calls from the Mayors of several local Councils for a tightening of regulation around private certifiers, greater oversight of structural designs and improved monitoring of construction standards.

The NSW Government's commitment to ensuring the safety and quality of buildings via its response to the Building Confidence Report is welcome. This commitment has already been backed by the Government's reforms under the Building and Development Certifiers Act 2018 and four-point plan to improve the certification industry.

The four key reforms outlined in the Government's response to the BC Report, aimed at delivering a more robust regulatory framework for building and construction, are also welcome. But its response could be further strengthened by the re-introduction of qualified, independent construction experts (Clerks of Works) to oversee and inspect larger projects in their entirety.

Such full-time Clerks of Works could be employed at the cost of the developer but independently appointed by the local Council or building designers.

I ask the Government to refer to an article published on 17 January 2019 on the website of the Association of Consulting Architects Australia by registered architect Michael Hegarty AIA RIBA: <https://aca.org.au/article/bring-back-the-clerk-of-works>

In his article Mr Hegarty outlines a strong case for the re-introduction of Clerks of Works, which I fully support.

He notes that in the UK: "The daily on-site presence of a Clerk of Works building inspector is supported by weekly, fortnightly or monthly inspections by the design team, and Local Authority Building Inspectors have the right to inspect at any stage."

Mr Hegarty goes on to contend that the presence of a Clerk of Works mitigates the competitive tensions between those in the industry whose interests are in cost-cutting and those whose interests are in quality.

As he points out: "A Clerk of Works checks standards of workmanship and materials, making sure that the design specifications of a project are actually followed. They can challenge contractors about why they have made changes and ask them to defend their decisions, and will report back to the client if not satisfied. On site, the Clerk of Works is on the lookout for any poor workmanship or defects in building works that could lead to time and cost problems further down the line. Any issues will be flagged immediately rather than being compiled near to the end of a project."

In such a role, Clerks of Works could not only ensure that construction is completed as approved and to appropriate safety and quality standards, they could inform and support the work of certifiers, whether they be private or Council.

I urge the NSW Government, as part of its progress toward these important reforms of the building and construction sector, to consider the re-introduction of Clerks of Works on larger building projects across the state.