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Tuesday, 26 July 2022

Home Building Compensation Reform Consultation

SIRA

Locked Bag 2906

Lisarow NSW 2259.

Submission on requests on faults/ remedies within the housing industry.

Sir/ Madam,

I am a retired house builder aged 83 years and I have spent my trade life of over 65 years specialising in renovation of low income owners houses and assisting wherever and in whatever manner I can to make homes affordable / livable.

It has been my privately funded and time expended analysing the legal corruption and the indifferent attitudes of both politicians of all parties and the indifference of select committees such as your current committee.

My studies have been hands on since 2008. I have been abused by politicians in NSW and QLD and told to never to come back because I asked a few basic questions on the right to own a home.

I have been ignored and abused because I have in my presentation of remedies included the resumption of all levels of government retaking action and basic responsibilities for the ingress of developers powers and therefore enticing of unscrupulous insurance imposts on the home owner.

The content of this file is a small sample of over a decade of questioning and attempts to interview people in responsible positions which could and does have the power and authority to improve the total housing industry and making it so much less burdensome to all involved within this industry.

The present scenario is that no entity be it state/ federal or local government have done in the past and continue to do so it is to cast off responsibility and that has led to the supreme power of the developer and the insurance companies. From the era mainly of the Howard government has our building industry become corrupted and declining.

Developers own or corruptly control building certifiers simply by restricting the number of inspections allocated to any particular firm. The numbers required in a fixed period of time are more often as not too much to be thorough enough to be an honest inspection. This brings about the passing of faulty workmanship that becomes approved and becomes the source of legal bickering and a hopeless win for the home owner.

At present all corruption within the housing industry emanates from the association of the councils and the developers. The power of the developer has to be eroded and left to be not all powerful.

This can be circumvented by the councils that when a subdivision is to be approved invitations to any and all building certifiers interested in being available for this or any other requirement of

inspections to register with council and for council when required to have an inspection done to simply pull a name out of a list and request that certifier to undertake the inspection.

By removing the power of the developer to appoint their own preferred or staff certifier confers responsibility directly to a specific entity. It also has removed the developer from the power of influence and also exonerates the council as it only acts as an arms length administrator doing nothing but being a conduit.

In my history of dealing with certifiers I have found that with nearly every certifier I have had dealings, it is true that they want to do their job properly and responsibly but those under the influence of significant developers are forced to, if not into corruption then just under pressure to get as many inspection done in an unrealistic time frame and so the home owner suffers especially when the developer simply argues for ages until they can move on and sometimes dissolving the company and starting again under another name.

The same system can apply in the high rise apartment industry whereby the appointment of the structural engineers are not appointed by the developer but simply by the council in the same manner of the above whereby when a certifier is needed at an appointed time and place then all the office girl has to do is press a key on a key board and a new name pops out and is notified of the job.

What in reality this program does is breaks the ties of potential corruption without giving responsibility to a council or any staff member.

With high rise instead of the site being flat the site is vertical. So what has to be done is simply allocate say the first four or five floors to one engineering company and the next section to another chosen in the same random manner but the next company has to verify the drawings and work of the previous company because that next section has to be structure on the one below it. There is no reason why all the original engineering plans cannot be drawn by one company but the inspections and alterations are to be done by different companies.

It may be argued that this method would add time and extra costs but that is nothing to the saving of legal fomentation's and heartache. If the developer cannot afford to build with a bit of flexibility then they should not be there in the first place.

Please note that while I am not an academic I have had a lifetime involving satisfying the needs of the socially challenged with their homes. I had in 2009 the power of covenants as applied by developers overthrown in Queensland parliament when Stirling Hinchcliffe MP was minister for housing and over the New year break the developers from the Gold Coast as represented by [REDACTED] had the powers of covenant replaced back in the hands of the developers.

The power of the developers influences but does not direct the entire cash flow of our nation and the history of this which is based on the ancient laws of covenant stems from the rapid growth of the developers in the United States after World War 11 – and had it's initial impact here in Australia at the beginning of the Howard government. Never in the history off financial crashes has one of the crashes ever been caused by the everyday citizen having to purchase a home.

## BASIC COMPONENTS FOR CONSTRUCTION OF 1.5 MILLION RELOCATABLE HOMES.

Assumption the construction is of 100 mm insulated panels

Wall, floor, roof panels	--- 600 million square metres
Struts	-----90 million lineal metres
Plumbing tube	-----120 million lineal metres
Solar panels	-----36 million square metres
Windows	-----50 million square metres
Doors	-----12 million
Taps	-----12 million
Kitchen cupboards	-----1.5 million
Vanity units	-----1.5 million
Sinks	----- 1.5 million
Fridges	----- 1.5 million
Stove	----- 1.5 million
Water tanks	----- 1.5 million
Concrete	----- 1.5 million
Letter boxes	----- 1.5 million

These immediate needs to house Australian citizen to some may seem overwhelming .

So please consider this: during World War Two which was three quarters of a century ago

America in 1944 produced an aircraft every 10 minutes and Gruman reduced it's production costs on a Hellcat fighter from \$50,000 to \$35,000 because of good assembly line construction and population dedication

A 7,200 tons Liberty boat was built every 42 days consisting of 30,000 spare parts.

Germany produced a submarine every two weeks

Russia produce a T34 tank at a rate of 800 a month.

So why cannot we as a peaceful nation with so much land and surplus labour assemble and form 24 panels of sheet insulated material into a home every ten minutes. It can be done and understood simply by observing the principles of Henry Ford.

The only reason why it cannot be done is pure political bloody mindedness.

## Possible address to any group

The current and legal situation of covenants as propagated by developers and blessed by politicians has been and continues to be the undoing of our society in monetary terms and social terms. Combined it has led to financial ruin to many and crippling debts to nations together with it affecting banks, manufacturing, retailing and all forms of government grants , loans and taxation formats.

Covenants have been the cause of the global financial crash and it's after effects are only just starting to be felt within our society. Houses once that we thought were affordable and homes and families that once were thought a tight knit social unit are being broken.

**MOST FAMILY VIOLENCE IS CAUSED BY THE INSECURITY OF NOT OWNING AN AFFORDABLE HOME.**

Covenants have been used to market land held by developers in a similar manner that Myers would dress a window with its most elegant article to entice clients to believe that what they buy there is the best and most affordable in the world. The truth is that in their marketing they have convinced the population that they are only giving the people what they are demanding.

The truth is that the population is not demanding extravagant homes.

There would not be a women who some time in her life has not wanted to be walked down the aisle and be married to the one she loves and then to know that they can go and live in a home of their own, knowing that they can afford the home. All they want is to be able to live their private life with the one of their dreams and raise the family which is to be brought about by their own choice of habitation location. It is the same with any red blooded male and it applies at any maturing age from teenage years onward. It is a natural instinct with both male and female.

Covenants deny this civil liberty.

The application of covenant laws applying to land outside of gated communities should be abolished.

The consequence of readily accepting the propaganda of developers has led good people to believe that once a property has been purchased it will automatically increase in value. This has proven to be a lie. It also alludes to the proposal that one automatically acquires a "better quality" type of neighbour.

This is a lie. If anyone believes that and propagates the concept and holds to it, that person is a liar and hypocrite.

Does that mean that someone such as myself who was born and raised in a tent is a second rate citizen.

Prostitution, drugs and murders are connived and executed within the walls of million dollar mansions.

The imposition of covenants forbid and make impossible the ownership of a home to the existing young and forthcoming generations.

Covenants have removed the focus of family and community life because the focus of home ownership is forbidden to the average wage earner.

Banks are not the reason for the non affordability of a home. Covenants are. A developer insists that they have the right through covenant law to force upon a prospective home owner the full extent of one's affordability to own a home to the detriment of all else. If it takes two incomes to afford the home then that is ok by the developer just so long as under the guise of law and "guaranteed increase in value and lifestyle" they force the sale of their land on to someone. The consequence is staggering.

It affects every part of our national life from childcare to school grants, law enforcement requirements, military budgets, housing grants, hospital funding, infrastructure, emergency services, child care and it is only because the covenants have sucked all the surplus cash out of society. On that basis the banks must make good profits because the efforts of the mortgagor is put into paying off a debt which is the house and land package THE SIZE OF WHICH has been dictated by the developer requiring a minimum standard of construction which over rides all national standards but by federal and state laws it is impossible to build an inferior house construction.

If a client cannot afford the standard demanded by the developer then they are treated worse than a peasant in a third world country.

The worst thing that has happened to Australia has been the impost of the GST on housing during the Howard Costello era. The population at the time was feeling affluent and everything that anyone owned was suddenly turned in to a saleable commodity and as such attracted GST. The government could not care less and an attitude became entrenched in the building industry that someone who was building a house suddenly decided that the house was a tradable commodity and a heap of money could be made and the government lovingly endorsed it because it picked up the GST on it.

So instead of that era of government as is being promoted, was the era of gathering wealth it was in fact the era of gathering debt.

We are now at the point where there are fewer and fewer who can afford the debt and the developers don't want to be influenced by anyone because they have had total control of the nation's cash flow.

As long as covenants exist outside of gated communities the most influential people in the nation is not the prime minister and nor is it the party the prime minister is leading. It is the CEOs of the major developers because they dictate the amount of money that the population have to expend for shelter and habitation and where and how they must live.

Local government bend to their requirements and are told how to zone and where to zone. They dictate the size of the land, they dictate the location of the house on the land, they dictate every single item about the house that should be done according to the wants of the prospective owner.

Sadly the church has to pick up after this social turmoil of broken homes AND FAMILY VIOLENCE bought about by tensions on not being able to afford and keep a home together.

Non affordability of a home and the denial of not being able to afford to purchase a block of land with a deposit and paying it off and later being able to build on it what one can afford according to federal, state and local government laws is the cause of many evil and insidious goings on in our nation. It contributes to child prostitution and the abortion industry. It contributes to family and social violence such as late night drunkenness because the testosterone that should be channelled into developing a home and family life is being denied.

Yes a lot of people do make good wages but the circumstances surrounding home ownership forbid the ability to reach deposit limits, so the money is wasted by drugs binge drinking and useless retail spending. There is a limit to how many television sets one can buy and use as with mobile phones and cars.

As our nation continues to grow the presence of our church is becoming more and more maligned and in many influential sections of our society we as a body are being considered more and more irrelevant because the movers and shakers within our society deem the church, THAT IS, YOU AND I, disposable. But it is we the church who are considered automatically the ones who should be there to pick up the pieces of the flotsam of broken families and stick them together and to hold them together. While we are busy doing this we are also fair game to be abused and made a plaything by the media. Unless the church addresses the very root cause of not being able to own a home and to hold onto it then all it ever will be is the whipping stool of society.

If there are any within the walls of the church who believe that covenants are the means to affluence, security and social standing and prestige then they will have to think again. They are living a deluded or hypocritical life. Social dignity is tempered by the right for a mother to own a home and to influence society by having the focus of security based on home ownership. The church has stood by and let the argument of motherhood and being a wife to be slandered.

All social graces depend on home ownership.

The church has to become aggressive in it's attitude to the forms of government that control our nation. That may mean being boisterous and not just issuing a statement and then shoving one's nose in a book of philosophy. If it does not do this, then it deserves everything that gets thrown at it.

I AM A STRONG ADVOCATE FOR WOMEN'S RIGHTS in every aspect of life, be it parental responsibilities to government office, from Sunday school teacher to being ordained and consecrated into the diaconate but I am prepared to call out any one who holds such an office and is too lazy to assist a citizen of this country the right to leave school and work in the likes of McDonalds, save their wages, put a deposit on a block of land, pay off the land to the point where they can next go to the bank and arrange a home loan so they in turn can have the privilege to own a home. Anyone who holds different to this is selfish, arrogant or is uneducated in the needs of our society and if the church catholic does not stand up to the government and developers then the church as represented today deserves everything that can be thrown at it.

Somehow the church catholic has to be seen to be publicly active in taking on the developers and politicians in the interest of social development and pride once more in family life.

It has taken half a century for the affects of covenants to destroy our nation and fixing it cannot be done overnight. When in the recent elections there has been the head in the sand attitude of "just

get rid of this government then everyone will be rich and employed again" it has been proved a fallacy. It may mean that the church simply says that neither major party endorses the civil liberty to own a block of land freehold and because this applies to everyone from the humblest of citizens to her majesty the Queen of our Commonwealth, so go and vote for an independent and don't give preferences.

There is nothing more terrifying to a politician than to be threatened with losing their seat.

It is going to take hard work from the churches and a lot of mud slinging will happen if our bishops and priests are not up to taking a canning on behalf of our unborn future generation for home ownership. I say the same to those bishops and priests as I say about politicians, A GOVERNMENT THAT DOES NOT KNOW HOW TO HOUSE AND FEED IT'S CITIZENS DOES NOT DESERVE TO EXIST. We need our bishops and priests to speak and be leaders because the media and politicians only pay lip service attention to those who are not promoted to prominence. Please clergy, I pray and give supplication for your leadership. Out there is there another Bishop Mannix or two.

We in Australia MAY JUST now need a brand new political party, THAT IS A WOMEN'S ONLY PARTY based on the precepts of the civil liberty to own a home. W.H.O.P. (Women's Home Ownership Party) would have a real fight on it's hands defeating politicians and real estate industries and local government. It would require representatives dedicated, not to the fashionable burn the bra and hate men brigade but those who value the full gambit of femininity and to understand that society and governments have established a delusionary "glass ceiling" to be broken rather than the wholesome establishment of a family home. THE PERCEPTION OF FEMALE COMPATABILITY TO CREATE A GENIAL AND COHEASIVE SOCIETY HAS BEEN USURPED BY THE WORD "EQUALITY"

The challenge to the church and a new political party to speak out and to do so in a raucous manner as it should, can be rather daunting as it will mean confronting the development industry, the real estate industry, the major builders within the construction industry and the vested interests within the local and state governments. If one thinks that the union movement is corrupt then I can assure those present that it has nothing on the development industry because the manipulation cum corruption is sanctioned by law.

It is a significant challenge to contemplate. If any political party is to even consider the abolition of covenants in any way shape or form the parties doors will be torn off by developers charging in and offering to fill the coffers of the party to ensure that the item does not get to the party room for discussion. Any political party that will turn down the promise of tens of millions of dollars will have to be a party of great moral rectitude.

At present because I have been forcibly evicted from electoral offices simply because I have asked questions on citizens land ownership rights, I doubt that a real moral party exists.

The strength the church catholic has is that the needs of the citizens are immense. On the figure being bandied around at present by the government there will be by the year 2020 a need for nearly 1,300,000 houses to accommodate our population. Politicians and developers just gloss over these numbers. If anyone stands up to be an advocate for any issue then very soon it has it's natural followers. In this case the natural followers are not just the current forsaken mums and dads in the younger generation it also includes the current unemployed people, men and women within the

building industry, both construction and retail, it also includes the elderly who want to be able to down size their home that is no longer wanted because the family have grown and left and there are no small homes to purchase because the imposition of covenants over the last forty years has forbidden the construction of small homes.

To understand this, consider 1000 homes occupied by older mum and dad and the valuation of the home is say \$600,000. If the home could be sold and mum and dad purchase a home of say \$300,000. That means that there is left per 1000 houses sold, the balance of  $1000 \times \$300,000$  which equals \$300,000,000 and that is left to offset the pensions of the mums and dads. Therein are the strengths for the church catholic to utilise if it has the courage to take on a government that does not want to address the social and financial discords of our nation.

If it is not done we will continue to evolve into the same sad social structure as the United Kingdom and the United States of America really where today there are over twice the population of Australia on social welfare. Both of these great nations have this social problem but the structure of their political systems will make it very difficult to alter the status quo but we here in Australia have a flexible structure that makes it easier to bring about laws that can benefit all levels of our population.

May our blessed Lord and God give us the courage and determination to take up this challenge as I believe it is our duty, as graphically illustrated in the parable of the Good Samaritan, for we can see the need of our fellow man and nation and we do have the capacity to correct this wounded entity, our nation, for whom we are called to give our lives in military service and assets for it's prosperity and security.

In more secular terms as quoted by [REDACTED], partner in Lehman Bros, governor of New York city :

*GRABBING AND GREED CAN GO ON FOR JUST SO LONG, BUT THE BREAKING POINT MUST COME SOMETIME.*

*PRESIDENT ROOSEVELT STATED THAT IT IS SAD WHEN BIG BUSINESS CONSIDERS THE GOVERNMENT AS A TAILPIECE TO THEIR AGENDA.*

*IN OTHER WORDS NO POLITICIAN IN AUSTRALIA WILL STAND UP FOR THE SMALL MANUFACTURER OR HOMELESS BECAUSE OF THE IRON GRIP BY DEVELOPERS ON THE TOTAL CASH FLOW WITHIN THE NATION EVEN THOUGH THE BODIES WITH THE MOST LEGAL AUTHORITY ARE THE FEDERAL GOVERNMENT AND THE CHURCHES.*



A simple explanation of the power of the housing industry developer!

A developer forces the purchaser to give away their civil liberty in order to purchase a block of land by getting them to forfeit all their rights as to the style of building that is to be built on the purchased land.

The developer knows that civilisation cannot grow unless a family can own land upon which to build a home.

This means: the plan of the dwelling, the profile, the exterior cladding and all of it's possible forms of decoration, it's number of square metres and all other ancillary items pertinent to comfortable and required living are mercilessly forced upon every citizen. Also the penalties are always of an extortionate scale amounting to tens of thousands of dollars per infringement if to be contested in court.

All of the above are enclosed within the contract arrangements in a separate or inferred binding contractual arrangement prior to the actual signing of the purchase of land.

So long as the covenant imposts do not impinge on any Federal, State or Local government laws these clauses of surrender of civil liberties are a legal component of a contract. These types of contracts can be challenged in a court of law but the costs always are so horrendous the client as a rule has no chance of challenging the developer.

Covenants can be contested on the base of them being interpreted as an unconscionable contract.

Why?

Because ownership of land and it's occupancy with a dwelling is necessary for a society to function in peace and serenity whereby a couple can foresee that by owning land they have the means and assets to establish a functioning family unit relative to their affordability.

This is the basis of all forms of society from the depths of the Amazon jungle to the most sophisticated society on earth today. Covenants as applied today enforcing high mortgages has contributed to the rapid numerical decline of our family numbers which is now becoming a social problem for the nation.

Developers have not been asked to justify their demands of covenant in a national court of law and so as a result they are the major contributors of destitute homelessness, drains on all government treasuries and the welfare resources of church and all forms of social charities.

Some grounds for contesting developers covenants.

The developer's covenants do not include, should the house and land be sold, any implied or expressed financial gain or responsibility in the ownership of the dwelling on the land that is to be and has been sold to a citizen.

The developer does not contribute to any needed or implied maintenance to the structures upon the land.

The developer does not gain or lose in any way financially by the market variances of the value of any structure or asset enclosed within the boundaries of the purchased land.

It is the finance house that shares in the profit or loss on the value of the assets on or enclosed within the land, never the developer.

The major developers have under a proposed urban footprint millions of hectares of land. They have borrowed millions of dollars in order to land bank and this land has to be sold at the highest possible price in order that their entrenched marketing strategies will continue to succeed and to ensure their cash flow.

They are in a precarious situation because the middle class of Australian workers can no longer continue to afford the developers strategies. Neither can the governments continue to afford the social welfare subsidies in order to maintain the unemployed and destitute.

So it is inevitable that small, affordable and dignified houses should be made available to the everyday citizen, worker and non worker. IT IS POSSIBLE.

If a moral and trusted body such as the Christian church can devise a workable and affordable housing scheme then it will become the yardstick of a renewed society and the power of a non conscionable document will become null and void. Developers will be induced to build smaller affordable houses and the majesty and dignity of family life may also redevelop, while the value

and price of the land owned by the developers may not have to vary too much at all.

The biggest problem that confronts the building industry at present is the shortage of tradesmen and the conditions imposed on anyone wanting to become contractors. These conditions are crippling, intimidating and becoming insurmountable and have to be addressed by all governments.

There are answers to these problems but the government has to be a party to the modifications to the impedances.

Further, within the next few years as I formulate and present to the churches the restructuring of future housing, the bodies such as Property Council of Australia will have to bend to the new subtle imposts placed upon their marketing and activities. Local councils will also have to bend to change and a whole reconstruct will apply to the energy companies and communication companies simply because the federal and state and local governments will be forced to take responsibilities of which today they shirk and our citizens suffer because of their surrendered powers to developers.

ANZAC DAY MEMORIALS – How hypocritical are the chest thumping speeches about sacrificing lives for the sanctity of our homeland.

As long as the power of land covenants are left as they are and a citizen has to surrender their civil liberty to the point where a basic home mortgage will either bankrupt them or forces them to turn from the hope of ever owning a home and living in poverty or worse still create busted families and involuntary abortions then any death for the homeland is a pathetic waste of just another human life.

WHY CANNOT A CHILD OR CITIZEN SIMPLY GO TO WORK AT SAY McDONALDS AND SAVE SUFFICIENT FUNDING FOR A BASIS OF A LOAN AND GO TO A BANK OR FINANCE HOUSE AND ARRANGE FUNDING TO PURCHASE A BLOCK OF LAND UPON WHICH TO BUILD A HOME THAT WILL BE BOTH AFFORDABLE AND OF THE SIZE SUITABLE TO THE PROSPECTIVE FAMILY NEEDS WITHOUT HAVING TO SURRENDER THEIR CIVIL LIBERTY SO AS TO NOT TO BE ALLOWED TO OWN THE LAND AND THE HOME UPON IT WITHOUT SURRENDERING THE FULL POWER OF ATTORNEY TO THE DEVELOPER WHILE ALL THE WHILE THE HOME TO BE SITED ON THE LAND IS BUILT TO ALL STATE AND FEDERAL AND LOCAL GOVERNMENT LAWS AND THE DEVELOPER HAVING BEEN PAID IN FULL FOR THE LAND STILL HOLDS AUTHORITY OVER BOTH FINANCE HOUSE AND NEW OWNER.

WHY SHOULD THE NEW OWNER HAVE TO PURCHASE MORTGAGE DEBT INSURANCE FROM THE HOUSEING FINANCE SOURCE TO SAFEGUARD THE FINANCING WHEN THE FINANCING SOURCE ALREADY OWNS THE PROPERTY IN ASSOCIATION WITH THE DEVELOPER WHO CLAIMS POWER OF ATTORNEY OVER THE WHOLE PROJECT .

If any of this aspect of the building industry is of interest to any body or business I am readily available on [REDACTED]

[REDACTED]

[REDACTED]

If the chair of SIRA was given \$5000.00 cash and told to go out into society and start a new company & employ 3-5 people who are fully trained to produce any product; what would that person do as a contribution to national productivity.

*TRUE MEN*

*G.J. Holland.*

GOD give us men. A time like this  
Demands  
Strong minds, great hearts, true faith, and  
Ready hands,  
Men whom lust of office does not kill,  
Men whom the spoils of office cannot buy,  
Men who possess opinions and a will,  
Men who can stand before a demagogue  
And route his treacherous flatteries without winking;  
Tall men, sun crowned, who live above the fog  
In public duty and in private thinking;  
For while the rabble with their well-worn creeds,  
Their large professions and their little deeds,  
Mingle in selfish strife. Lo freedom weeps,  
Wrong rules the land, and  
Waiting justice sleeps.

Dear Father Creator,

I have sought to find such men who are placed in authority whom we elect and appoint for the welfare of us citizens and our nation. It seems not possible to find one man who even seems to show an indication of the above qualities and concerns. May I be given the grace and time to search for someone who understands the true strengths and desires of being fulfilled as a woman should be in her capacity as a wife, mother and public administrator and as a servant. If the answer lies within the female fraternity please help me to find such a woman full of the above moral and distinguishing fibre and understanding. If this is not to be please let me rest from this undertaking knowing that at least I have tried to serve your people. This I pray in Jesus name. — [REDACTED]