

**Submission  
No 175**

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

**Name:** Mr Amir Bodenstein

**Date Received:** 4 November 2019

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## **CRISIS OF 39 GLEBE POINT ROAD, GLEBE, NSW (39 GPR)**

In respect of the Terms of Reference 1 (a), I refer to a historical building, 39 Glebe Point Road, Glebe, NSW that was built in the 1870s and adjoins 41 Glebe Point Road. 39 GPR is sited at the end of a row of tenement/shops, with sandstone footings and double convict-made brick walls, which have been damaged by the roots of poplar and other trees penetrating its foundations. This caused an irrevocable breakdown in the structural integrity of 39 GPR that also led to two bulges in the sidewall, one of which is up to 11 centimeters, both encroaching into Dan Minogue Park.

In 2001, I leased 39 GPR for a total of 15 years, to be used as a Moroccan restaurant on the ground floor with a residence on the first floor for my family. In the course of lengthy renovations, many structural defects were discovered and the structural engineer I subsequently consulted reported that there is a “danger of collapse”. Contrary to the report of the structural engineer, a civil engineer private certifier reported that 39 GPR was constructed in this way, to begin with.

After Leichhardt Council issuing Emergency Order 1 (1990) and then City of Sydney Council issuing Emergency Order 2 (2003), even though internal steel bracing on the ground floor was installed, the building has still not been properly rectified to date and constitutes a danger of collapse endangering people in the park. I ask that 39 GPR be re-assessed urgently and a third Emergency Order issued as soon as possible. Supporting documents are available on request, and I would ask the Committee to examine the necessity of legislating that in future, all private certifiers are structural engineers at core and they are legally accountable for all negative ramifications of incompetence and/or corruption.