



Speech by

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MEMBER FOR SURFERS PARADISE

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QUEENSLAND BUILDING SERVICES AUTHORITY AND OTHER LEGISLATION AMENDMENT BILL

Mr LANGBROEK (Surfers Paradise—Lib) (8.01 pm): It is my pleasure to rise to speak to the Queensland Building Services Authority and Other Legislation Amendment Bill 2007. I want to commend my coalition colleague the shadow minister for housing affordability and public works, the member for Robina, for his contribution and guidance on this issue. I certainly want to speak on this bill as the previous coalition shadow minister for public works, housing and racing in the last parliament.

I note the support of the coalition for this bill and its importance, as it seeks to improve Queensland's fire safety standards. Before I commence, I note that this has become the Ian Jennings admiration society.

Mr Purcell: Hear, hear!

Mr LANGBROEK: I can say genuinely that when I first became a member of parliament in 2004 and a bill came in that concerned the BSA I had a briefing in my office from Ian Jennings and Ian Grant. I keep the cards of people who come to brief me. I had no idea who these people were, but I have kept the cards. I have only ever had to contact the BSA and Ian Jennings about a particular constituent matter once or twice, but I have always found him willing to come down to the coast to see me and the constituent. When involved in a housing construction matter, a constituent obviously becomes very het-up and irate about certain things, and I have always found Ian Jennings very willing to come down and sort out these issues. I thank Ian for that as I appreciate it.

As many other members have said, including the minister, we do not care about who people may or may not vote for. We just care about the attitude we get from public servants and whether they are happy to help us out. I want to acknowledge what other members have said about making the building industry a better industry. It is an industry that certainly gets a lot of publicity when things go wrong. I think it is important to acknowledge that the minister has made a lot of efforts in his years in the job to improve the standards. I acknowledge what other members have said and agree with what they have had to say.

I want to turn now to the bill and the specific aspects of it that deal with Queensland's fire safety standards. The QBSA and Other Legislation Amendment Bill 2007 will amend the Queensland Building Services Authority Act 1991, the Domestic Building Contracts Act 2000 and the Professional Engineers Act 2002. The most significant effect of the bill is the establishment of an occupational licensing scheme for fire protection workers pursuant to recommendations of the Fire Safety Task Force. Sadly, the Fire Safety Task Force was appointed in the wake of the Childers backpacker tragedy in the Wide Bay-Burnett region in 2000.

As members would be aware—I know that the members for Ipswich West and Hinchinbrook and government members have mentioned it—15 people lost their lives in a fire which destroyed the historical building in which the Palace Backpackers Hostel was located. As people searched for answers as to how Queensland's worst fire tragedy occurred, questions were raised over whether the building was sufficiently fit for fire hazards. I think many of us will remember waking up that morning and hearing the news and the tragedy that had unfolded. It has since been established that the building was not sufficiently fit for fire

hazards. At the time of the tragedy, the hostel's fire alarms were dysfunctional. There have also been suggestions that the hostel was refused a fire safety permit 17 months before the fatal inferno.

In order to establish whether low-budget accommodation providers in Queensland were complying with fire safety laws and regulations, the Fire Safety Task Force was charged with reporting on fire safety in all budget accommodation in Queensland. I note that many of the 260-odd budget accommodation providers are located in Surfers Paradise, so this review was certainly relevant to my constituents and the thousands of tourists who visit my electorate every year and who presume that things like fire safety will be properly addressed by proprietors.

Astoundingly, the investigation found that of the 1,400 or so budget accommodation buildings the task force inspected more than 1,100 of them did not have working fire alarms. Seven hostels were closed and a number of show-cause notices were issued to the most serious noncompliers. What the task force identified was a dangerous trend in budget accommodation providers failing to meet the minimum standards of fire safety. Posited concerns were that other accommodation providers and high-density buildings were also not complying with fire safety legislation and regulations.

The task force—which comprised representatives from the Queensland Fire and Rescue Authority, Emergency Services, Local Government, Public Works and Tourism departments, as well as representatives of community organisations and independent stakeholders—made a raft of recommendations, the key of which provides for a minimum standard of building fire safety to be imposed. Recommendation No. 4 endorsed a licensing system for contractors engaged in installing and maintaining fire protection systems. The Building Services Authority, Queensland Fire and Rescue Authority and fire protection industry proposed that fire protection practitioners and contractors be licensed to ensure that testing and maintenance of fire safety systems is carried out by competent people. Currently in Queensland there is no legislative requirement for fire protection workers to demonstrate specific technical fire protection competencies in order to obtain a contractor's licence under section 30 of the QBSA Act.

The bill mandates that anyone carrying out or supervising fire protection work must be licensed to carry out such tasks. The bill introduces occupational licensing for fire protection workers in Queensland. I note that the member for Rockhampton, Minister Schwarten, outlined the benefits to the community of occupational licensing and I endorse the comments made by him in relation to the matter. As the member for Robina stated, the introduction of an occupational licensing system is a welcome move which will improve fire industry standards in Queensland.

Before I move on to other amendments of the bill, however, I would like to note the delay of the Beattie and now Bligh government in providing the legislative support for the fire protection industry. The Fire Safety Task Force handed down the *Building fire safety in Queensland budget accommodation report* in 2000, several months after the Childers tragedy. It has taken this government seven years to implement this recommendation which the Building Services Authority and Queensland Fire and Rescue Authority have been advocating for nearly a decade. Wayne Hartley, the Chief Commissioner of the QFRA, ominously warned in 2001: 'Another Childers could happen tomorrow.' In 2001 Mr Hartley called on industry and community support for proposed tighter fire regulations. While I appreciate that Queensland has made some headway in improving fire safety—and many members here tonight will be aware of legislation we have had mandating smoke alarms for all homes and units which came into effect on 1 July—industry-endorsed measures such as this should have been supported in a timely way by the government. It should not have taken seven years for such support to manifest itself.

The other important change that this bill makes to building regulations in Queensland concerns the supervision of work. As the member for Rockhampton mentioned, the Building Services Board has identified that poor supervision is one of the major causes of defective building work. In fact, up to 60 per cent of seriously defective domestic building work is attributable to inadequate supervision. However, the QBSA has noted that there is a significant shortage of licensed supervisors under the current scheme to carry out on-site supervision of building work.

In order to address the workplace shortage of supervisors the bill creates a two-tiered licensing system which will effectively widen the number of licensees able to supervise building work. Sections 30A and 30B establish two categories of licensees which are also addressed in proposed new sections 32, 32AA and 43. I note from the minister's second reading speech that the bill creates new offences which address serious misconduct—for example, obstruction or assault of an inspector.

I note from the explanatory notes that clause 77 inserts a new section relating to obstructing an inspector. From my experience, people can get very emotional on building sites. When I was a uni student I threw a few bricks on building sites. When a builder is there with an owner and they are told that they have to change work or fix work—an inspector may come along—they can get pretty vigorous of their defence of these things. It is completely inappropriate to be assaulting people or obstructing them in their work. That is one of the frustrations that BSA inspectors would have. I think it is great to see those sorts of measures being brought in.

As the shadow minister has said, any legislative move that will address the shortage of building supervisors is a good move. Right across Queensland we are experiencing a high level of development. On the Gold Coast the skyline is littered with cranes. We have Q1, the tallest residential tower in the world. It has been announced that that may be surpassed by the proposed development of the E1 and E2 towers.

Like many Gold Coast residents I have great concerns about the unfettered height of developments in Surfers Paradise. I am aware that that is a council issue. The point I would like to make with respect to this is that everywhere we go in Queensland the hallmarks of development can be seen. Queensland and the private sector are investing billions in the further development of this state. Let us make sure we get it right the first time.

By increasing the pool of building supervisors, which this bill seeks to achieve, we have the opportunity to reduce the instances of defective work and increase productivity to ensure that quality projects are delivered on time and on budget. I note the bill also creates new offences under the acts, increases penalties for offences and expands the range of the demerit point system. This legislation will also vest additional powers with the BSA to issue directives to remedy defective building work in a bid to make builders and developers more accountable for their work. These are all measures that I support in order to tidy up the industry, so to speak, and in order to ensure the best outcomes for all Queenslanders. I commend the bill to the House.