



Speech by

Annastacia Palaszczuk

MEMBER FOR INALA

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BUILDING AND OTHER LEGISLATION AMENDMENT BILL

Ms PALASZCZUK (Inala—ALP) (5.29 pm): I rise to support the Building and Other Legislation Amendment Bill 2008. This bill addresses a number of issues. I am pleased that the scope of the definition of 'budget accommodation building' has been expanded to include share houses with six or more unrelated occupants and boarding houses irrespective of whether meals are provided to occupants. Clause 9 amends the definition of 'budget accommodation building' in section 216. The minister stated in his second reading speech—

The amendment will provide certainty for budget accommodation building owners in relation to their obligation to ensure their buildings conform to fire safety standards.

I note that the member for Maroochydore acknowledged the need for this amendment. She recognised that more and more households have share accommodation. She agreed that this is fundamentally a safety issue.

I also note that the member for Mansfield said that this issue was having a huge impact on student accommodation, particularly around Griffith University in his electorate. He said that it was a practical and sensible amendment. He also recognised that owners need to have a fire safety plan for exits in their houses. I think that is essential.

The member for Hinchinbrook said that safety cannot be compromised. This is the central element of the bill. I also acknowledge that the member for Lockyer talked about the situation in regional Queensland where there is more and more overcrowding of backpacker accommodation. Hopefully, this will go a way towards ensuring the safety of individuals who reside in this sort of accommodation.

Today I particularly want to address my remarks to the provisions in the bill that deal with the application of the Ombudsman's jurisdiction to local government owned corporations. Members may be aware that the Queensland Ombudsman reported in June 2005 on the workplace electrocution project. The workplace electrocution project investigated the adequacy of the responses of government agencies to nine electrical incidents that resulted in the deaths of 12 people, including a three-year-old child. The Ombudsman's report also provided a number of recommendations to the government on how the investigation of such electrical incidents and the electrical safety system in Queensland could be improved. This bill specifically deals with one of those recommendations.

In the course of his investigations the Ombudsman sought information from a government owned corporation. Despite the Ombudsman making it clear that he was not investigating the corporation itself, the corporation refused to cooperate with the Ombudsman, citing its then immunity to investigation. The immunity had initially been created as part of competitive neutrality obligations under the National Competition Policy agreements. The immunity was created as private corporations would not be subject to Ombudsman investigations. However, as an unintended consequence, the provision granted total immunity. Using this immunity, I am advised that the government owned corporation refused to cooperate. When the Ombudsman brought down his report he recommended that immunity for government owned corporations and local government owned corporations be removed.

Until March 2007, the Government Owned Corporations Act 1993 included a similar provision that the Ombudsman did not apply to a statutory owned corporation. However, in response to the Ombudsman's recommendations the Government Owned Corporations Act was amended by parliament in March 2007. Section 728 of the Local Government Act 1993 identifies that the Ombudsman Act 2001 does not apply to a corporatised corporation prescribed under a regulation.

The Building and Other Legislation Amendment Bill 2008 includes proposals to make similar amendments to the Local Government Act to remove the total immunity of local government owned corporations from the jurisdiction of the Ombudsman. I commend the bill to the House.