




Speech By  
**Stephen Bennett**

**MEMBER FOR BURNETT**

---

### **QUEENSLAND BUILDING SERVICES AUTHORITY AMENDMENT BILL**

 **Mr BENNETT** (Burnett—LNP) (4.10 pm): I rise to speak in support of the Queensland Building Services Authority Amendment Bill, which seeks to facilitate major reforms to building industry regulations. As a result of these reforms the Queensland building industry will be able to look to the future confident in the knowledge that we have put in place the best industry regulator in the country.

With reference to the contribution made by the honourable member for Rockhampton, I was very disappointed that he failed to acknowledge that the system was in desperate need of reform. I can share with the member many examples of the failures of the QBSA—the small mum-and-dad builders in my electorate who were not paid and who have gone broke or families who have spent their life savings building their dream home but who have limited protections or enforceable rulings to give them some confidence in maintaining a home and getting support when things have gone wrong.

I am not saying that it is all bad, either. I have had a long professional association with many staff of the QBSA, some of whom work very hard with professional integrity all within the framework of the old QBSA. For many years I worked in project management and construction management working on government projects and I remain disappointed with many issues around the security of payments, the BCIPA projects and many times when subcontractors were owed large amounts of money, especially in rural and remote Queensland, all ending up with very poor outcomes. I have also had 35 years experience in the building industry. I am a licensed builder and I have been a member of the housing association for the last 15 years. I know that the vast majority of builders and contractors set out to do the right thing in the way they carry out their works and administer their contracts. I also know that there are some practices that need some scrutiny. What is more, I know that it can be easy for misunderstandings to happen between builders and consumers. For the majority of the time, these misunderstandings are easily solved, but some of them escalate into a dispute process that is extremely draining both financially and emotionally for all parties. I am certainly not alone in having witnessed such situations.

The committee reported that during its inquiry it consulted widely with consumer and industry groups as well as numerous individual consumers and builders. The committee also received over 100 submissions. The key finding was that the vast majority of building projects were completed without dispute. Nonetheless, in 2011-12 there were 4,726 complaints lodged with the QBSA, with 896 directions to rectify issued. That is still many Queenslanders having to endure an extremely stressful experience.

The committee's report sets out a number of recommendations that will reduce the number of disputes, make the dispute-resolution process easier and grow confidence in the industry. This bill addresses some of those recommendations by establishing the Queensland Building and Construction Commission to replace the QBSA. The structure of the Queensland Building and Construction Commission will create a clear divide between the roles of licensing, dispute resolution and the home warranty scheme—a step that disposes of much of the muddy water that was the result of the one-stop shop structure of the QBSA.

I also agree with the approach of having an accountable board that will actively drive the strategic direction and policies of the commission and that reports directly to the minister on matters regarding performance and issues that affect the two key industry stakeholders, builders and consumers. That is in contrast to the existing QBSA board, which serves only in an advisory capacity and has no real authority. Having no real authority makes it difficult for the board to take real action and get results that improve the industry. I say to the member for Rockhampton that I have had many personal experiences with the previous manager of the QBSA and found him quite responsive to my needs. The staff of the QBSA, particularly here in Brisbane, have been very good but sometimes their capacity to deliver has been limited.

I turn now to another issue that I have seen plague the industry and for which the new Queensland board will be responsible for in providing advice to the minister. One of the biggest minefields for building industry subcontractors to tread is when they are not getting paid by a building contractor. It is an area that causes a great deal of stress as subcontractors try to strike a balance between being paid what they are entitled to and the ever-present threat of jeopardising future work. It is not uncommon to see subcontractors led down a path by major principal contracting firms with the promise of future work, the promise of the next job, the promise of the next progress claim, but all ending in tears. It is a minefield that people who are just trying to make an honest living should not have to walk through. I welcome those provisions in the bill that, under the QBCC, allow the board to advise the minister directly about the unfair practices affecting the security of payments to subcontractors. It is a major issue and it really is disturbing to see mum-and-dad building companies, plumbing firms and others struggling to pay their bills as a result of unscrupulous operators. We need a building industry in which people who have developed their skills can confidently go about their business knowing that they will not be exploited. In turn, we also need our builders to be confident that their businesses cannot be brought to their knees financially any time there is a dispute. We need consumers to be confident that our building industry has its act together and is being led by an authority that has a clear direction.

I commend the Minister for Housing and Public Works and his team for their work in formulating this bill. I commend the staff, and particularly the minister, for the appropriations bills that we have to look at as members of our committees. I think this bill is a great step forward. I commend the work that the minister has undertaken in his portfolio of Housing and Public Works. With those few words, I commend the bill to the House and I look forward to future directions from the Minister for Housing and Public Works.