




Speech By  
**Stephen Bennett**

**MEMBER FOR BURNETT**

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**QUEENSLAND BUILDING AND CONSTRUCTION COMMISSION AND OTHER  
LEGISLATION AMENDMENT BILL**

 **Mr BENNETT** (Burnett—LNP) (8.37 pm): I rise to support the Queensland Building and Construction Commission and Other Legislation Amendment Bill 2014, which continues the government's commitment to stimulating economic growth by reducing red tape. This bill represents the third stage of our 10-point action plan for the QBCC and demonstrates our commitment to improving the construction industry by protecting consumers and making it easier for honest, hardworking Queenslanders to get on with the job of building our great state, while at the same time weeding out any dodgy operators who might harm the industry.

After many years spent working in the building industry, and still a registered builder, I thoroughly understand how misunderstandings can quickly become long, drawn-out disputes that ultimately take a huge toll on all parties, both emotionally and financially. I welcome any measures that help eliminate or reduce this burden on the people of Queensland.

One area in particular with the potential for confusion is building contracts. The vast majority of building contracts are at the smaller end of the scale where the customers are everyday mum and dad homeowners or investors. For these consumers, negotiating a building contract could quite literally be a once-in-a-lifetime experience, and certainly not something they do as part of their everyday life.

This bill introduces two levels of domestic building contracts based on the value of the work being done. Under this system, consumers will be protected from contractors who might take advantage of their lack of experience. Regulations on smaller projects will be a lot simpler and will make it easier for those who are not industry savvy to know where they stand.

I also welcome the introduction of an early intervention process for disputes. The QBCC will have the ability to mediate disputes—and potentially resolve them—within 28 days of them being lodged, and this is at no cost to the parties involved. When compared to the prospect of a long, drawn-out and expensive resolution process, I would expect that both consumers and contractors would appreciate the possibility of having an issue resolved quickly so they can move on.

As with all industries, in the construction industry it is the small minority who do not do the right thing that often taint the reputation of the majority who are actually decent and honest operators. This bill seeks to introduce greater deterrents for dodgy operators who try to flaunt the rules by using a demerit points system and heavier sanctions to flag those operators and make it harder for them to take advantage of unsuspecting consumers.

When it comes to identifying these operators, I am sure that most people outside the building industry would be surprised to learn that building inspectors currently do not have the power to compel people to provide their correct identity. With dodgy builders often operating under false names, I am sure that most people would find it absurd that the industry regulator cannot even be certain who they are talking to when investigating questionable practices. The measures in this bill

that give QBCC inspectors additional powers to accurately identify an individual correct something that has been very wrong in this industry for a long time.

The QBCC will also be able to access data from other government agencies and statutory bodies, making it easier for them to weed out unscrupulous behaviours and of course the people who try to hide themselves in amongst complex paper trails. Subcontractors who rely on the main building contractor to pay them the correct amount in a timely manner will also enjoy greater security of income under this bill. Grounds for disciplinary action against a contractor have been extended to failing to pay a subcontractor in accordance with their contract. Self-employed subbies are an essential part of the domestic building industry and they need to know when and how much they will be paid.

Another area for disputes that is characterised by many different shades of grey is that of consequential damage to adjacent residential sites, and this occurs mainly during construction. During his introductory speech, the minister cited the example of excavation work undermining a retaining wall on an adjacent property. With the trend in recent years towards the smaller blocks in urban areas that we now see as part of our community, the potential for these types of disputes has increased significantly. I am pleased to note that this bill gives the QBCC the power to direct rectification under certain circumstances.

Another common-sense measure taken by this bill is expanding the Queensland Home Warranty Scheme to cover new swimming pool construction and manufactured homes. More and more people are taking advantage of quite reasonable prices on new pools to create an addition to their new home that allows them to enjoy our fabulous climate. This is a logical development of the scheme that will give more Queenslanders the peace of mind they deserve.

Still on the Queensland Home Warranty Scheme, the QBCC will now be able to sort out defects under the scheme even though a dispute might be active in QCAT. As the minister pointed out in his introduction of the bill, this is a big win for average Queensland consumers who have taken the plunge to build a new home. Instead of waiting months for the dispute to work its way through QCAT, they will be able to access money through the scheme much sooner.

Finally, I want to touch on the aspects of the bill which seek to help the community housing sector better serve our most vulnerable Queenslanders by helping them secure appropriate and affordable housing. As part of the government's Housing 2020 Strategy, this bill gives community housing providers access to essential information currently held by the department. As the management of department owned housing is progressively transferred to community providers, it is essential that they have access to this information to make the transition as seamless and stress free as possible for public housing clients. At the same time the confidentiality of the client's personal information needs to be assured. This bill addresses those concerns and facilitates an effective transition process.

Current forecasts predict that thousands of people will move into parts of my electorate of Burnett over the next 10 to 20 years. Naturally we will need new homes to accommodate this growing population. I would like to envisage a future for my constituents where the experience of building a new home is one of excitement and anticipation of seeing their dreams realised—not one of heartbreak and frustration. To do that we need legislation such as this bill that ensures the majority of good quality builders prosper while weeding out the few that disregard the rules and the wellbeing of their customers and subcontractors. I thank the minister and his department for their efforts and foresight in bringing the Queensland Building and Construction Commission and Other Legislation Amendment Bill 2014 before the parliament. I support its progress through the House.