




Speech By
Tim Mander

MEMBER FOR EVERTON

Record of Proceedings, 17 November 2021

**JUSTICE LEGISLATION (COVID-19 EMERGENCY RESPONSE—PERMANENCY)
AMENDMENT BILL**

 **Mr MANDER** (Everton—LNP) (6.26 pm): I rise to speak on the Justice Legislation (COVID-19 Emergency Response—Permanency) Amendment Bill. My particular emphasis is on the amendment—introduced late—to the QBCC Act. Earlier this afternoon, the minister started his contribution speaking about the substance of the bill and then very quietly decided to mention the amendment to the QBCC Act which, of course, is relevant to him. If this were not so serious, it would be a comedy. This amendment is now just one more element in a long line of dysfunction that is occurring in the QBCC. Over the past few months there have been allegations of ministerial interference and conflicts of interest by board members. The future of many fire protection small businesses has been put in doubt because of regulation changes. There have been allegations of preferential treatment being given to certain constituents. Now there is a strong argument that this is the biggest stuff-up of them all.

Let me explain to the House what has happened. On 11 November 2019 there were changes to legislation to allow the QBCC to issue a rectification notice in a period prescribed by the regulator. That is fair enough, but there was one tiny, little problem. That is, they never made the regulation. What was the result? The government has potentially invalidated every rectification notice issued over the past two years. That is, they were potentially unlawful. Approximately 2,400 rectification notices were in doubt because of the stuff-up by the minister and his department.

Apparently this was noticed on 3 November this year. What did the QBCC do when they noticed that there was an issue with the lawfulness of their rectification notices? They paused issuing notices for seven days. Let us just pause for a moment ourselves to think about what that meant. That meant that for seven days the QBCC could not undertake one of its core functions—one of its primary reasons for existence—which is to make sure that buildings erected or constructed by builders around the state meet appropriate standards and that home owners are protected. They could not do that.

On 10 November the government made a regulation prescribing the 35-day period. The amendment in this bill seeks to validate the rectification notices that have been issued over the last two years. But, of course, the door has already been open to builders to challenge the validity of the rectification notices. It is my understanding that at the moment there are around 50 cases where that may be occurring.

Can you imagine the scene when embattled Minister de Brenni came into cabinet and said, 'I have stuffed up again.'

Mr BAILEY: I rise to a point of order, Mr Deputy Speaker. The member is referring to the Minister for Public Works by a title that is inappropriate. He should use the correct title and not use personal names.

Mr DEPUTY SPEAKER (Mr Kelly): I ask the member to keep in mind the standing orders around using correct parliamentary titles.

Ms PEASE: I rise to a point of order, Mr Deputy Speaker. I think the member was using unparliamentary language in his speech.

Mr DEPUTY SPEAKER: Neither I nor the clerks at the table heard that language.

Mr MANDER: As I was saying, can members imagine the minister going back into cabinet and saying, 'I'm sorry guys, but we have stuffed up again. Once again, we have mucked it up.'

Mr O'Connor: It's embarrassing.

Mr MANDER: It is embarrassing. I will take that interjection from the member for Bonney. When this issue was covered in the media and the minister was asked to comment, a spokesman for Minister de Brenni said, 'This was a QBCC matter and he could not comment further.' I think I recall the minister saying this week that these issues are decided by the parliament. The government has the majority in the parliament. It is the government that decides these things. That is why we are discussing this amendment tonight.

Mr de BRENNI: I rise to a point of order, Madam Deputy Speaker. The member for Everton is conflating a number of comments that he purports that I made in the press with comments that he said I made in the House. I bring it to the attention of the House that he has done that with the express intent to mislead the House.

Opposition members interjected.

Madam DEPUTY SPEAKER (Ms Lui): I will hear the member in silence.

Mr de BRENNI: I will be writing to the office of the Speaker to raise those concerns.

Mr MANDER: What we have is another gigantic stuff-up by the minister and his department with regard to—

Ms PEASE: I rise to a point of order, Madam Deputy Speaker, with regard to unparliamentary language. It has been used often this evening. I would consider his language to be unparliamentary. I would like you to rule on that please.

Madam DEPUTY SPEAKER: Member for Everton, the member for Lytton finds the language used unparliamentary. Do you withdraw?

Mr MANDER: Just a point of clarification, Madam Deputy Speaker: I do not think the member took personal offence.

Madam DEPUTY SPEAKER: It is unparliamentary language. I ask you to withdraw.

Mr MANDER: I withdraw. The minister has gone into cabinet and said, 'I'm sorry we have another debacle. I have mucked up again.' Of course, that is why we are here tonight. Let us talk about the history of defects and rectification notices to fix defects. There is a long history of stuff-ups—I withdraw—a long history of muck-ups in this area—

Government members interjected.

Madam DEPUTY SPEAKER: Order!

Ms Fentiman interjected.

Madam DEPUTY SPEAKER: Member for Waterford, I have asked the House to come to order. I ask that all cross-chamber interjections cease.

Mr MANDER: I asked a question on notice about the average wait time between QBCC receiving a consumer complaint and issuing the direction to rectify the work when it is deemed necessary. I thought it was a fairly basic question.

Mr de Brenni interjected.

Mr MANDER: I take your interjection.

Honourable members interjected.

Madam DEPUTY SPEAKER: Order! Members, I remind you to cease all cross-chamber interjections.

Mr MANDER: What I would like to say to the minister is, 'Come in spinner.' That is exactly the response that I thought he would make. The response was, 'I'm advised that the data is not recorded.'

I want to educate the minister about Salesforce—the customer service management system that they use in the QBCC. This is what happens with Salesforce. They record when the complaint is received. They record when it is allocated to a building inspector. They record when it is awaiting inspection. They record when it is awaiting a report. They record when a direction to rectify is issued. Every one of those pieces of information—the process for rectification notices—is recorded, but this minister cannot work out how to use the computer. It is absolutely disgraceful that they cannot provide information on a basic key performance indicator of the QBCC on how long it takes to issue a rectification notice after a complaint has been made. Is it any wonder that the QBCC is totally and utterly dysfunctional and the staff there are leaking like a sieve because they have had enough?

Every time this minister gets up and says something that they cannot believe we get more emails telling us exactly what the situation is. They have had enough of this minister. They have had enough of this board. They know that the inquiry that he has announced is a farce because it will not take public submissions and it will not let the staff of the QBCC make complaints or submissions without protection. It is an absolute farce and it is seen for what it is.