




Speech By
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MEMBER FOR TOOWOOMBA NORTH

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BUILDING AND OTHER LEGISLATION AMENDMENT BILL

 **Mr WATTS** (Toowoomba North—LNP) (5.35 pm): I rise to make my contribution to the Building and Other Legislation Amendment Bill 2022. I will start where the previous member left off: I thank the committee and the secretariat. The committee chair is a good chair. He lets us speak pretty freely and gives us plenty of opportunities. I look forward to going through estimates with him as our chair. Also thanks to Deb, Zac and Amanda. They obviously keep us in line and make sure that we have all the information we need.

There are principally three parts to the bill: 'ban the banners', combustible cladding and head contractor licence exemptions. Just before I get to that, the parts of the bill that address sewage and greywater, particularly for festivals and temporary toilets and everything else, are a good thing. As someone who has organised and used those facilities in a past life, it can be a painful and expensive experience. I think it is a good thing to modernise the legislation and get it in a sensible way, particularly with the ability to use greywater. I think that is good.

Let's start with 'ban the banners'. As we heard from the shadow minister, this principally comes from the North Lakes issue where a particular resident was dragged through a legal process to do with the solar panels on their roof. When a developer builds an estate and wants to put certain things in place to ensure the standard of that estate and to make sure that everything looks nice when other people are buying blocks of land and building their homes, I think those are all good things for developers to put in. When it comes to things like solar panels that is a little bit difficult because there are really not that many options as to how a solar panel might look. There are really not that many options for where a solar panel might be positioned. Nobody wants to go to the expense of fitting solar panels and facing them in the wrong direction, because that is an expensive and inefficient way to put them on. It is an issue that has come up. The legislation that was originally put forward in the Bligh era did not do its job properly, and that is a shame. I would like to think that we might now have some legislation that can improve that, although it has been mentioned that maybe we need to be cautious and if there is something else that needs to be done, that would be there.

I do note that the minister made an ex gratia payment to help cover the very expensive legal bill of the lady from North Lakes, although it did not cover all of it. Ultimately, the consequence of not getting the legislation right is that we have had to make an ex gratia payment and someone has gone through all that mental anguish as they have tried to deal with their home, when all they were simply trying to achieve was a better outcome for their power supply, their power bill and the environment. It is good that we have done that now. I hope it acts in the way that the minister has proposed because we would hate to see someone else dragged through a similar court process.

I want to talk about the Grenfell Tower in West London, where 72 people lost their lives and more than 70 people were injured.

Mr Healy: A tragedy.

Mr WATTS: It was an absolute tragedy. That happened on 14 June 2017. It was caused by highly combustible cladding which basically jumped around the various fire separations in the building. Our own Building Code and our own structure and evacuation procedures and everything else also found themselves unable to be effective with this kind of cladding on the externality of a building. It is of concern that five years later people are still living in these buildings and working in these schools, hospitals, courts and libraries where this cladding exists. If we do have a fire outbreak and it does ignite this cladding, people's lives will be in danger because the fire protection system and the other fire separation in the building will be nullified as this material is combusted.

It is really important that we deal with this. Providing some additional powers to the QBCC to commence prosecution for those who commit an offence in relation to this checklist process is a good thing. It is also important that we recognise that maybe more needs to be done to get this job done in a timely fashion before we have a tragedy in our community. We would certainly support the minister bringing forward other methodologies to deal with this so we can get on with making sure our community is safe, particularly in private buildings. How are we going to get those buildings rectified? Who is going to pay? What is the time line? What are the processes and procedures? I think it is important that that is clearly laid out and addressed. This bill unfortunately does not address some of that in the depth that I would like to see.

In the interests of time, I am going to jump to the head contractor and if I have time at the end I will come back to the combustible cladding. Clause 67 of the bill amends schedule 1 of the QBCC Act to clarify that the head contractor licensing exemption prescribed in schedule 1A, section 8(1) and (2), does not apply in circumstances prescribed in regulation. It is a little bit wordy. The main issue I have here is that that regulation can be changed without the scrutiny of this House. It is important that we get some reassurances from the minister that any regulatory changes will be put through a process of transparency and that stakeholders will be given the opportunity to have input into that regulation. I am talking about all stakeholders. I am not necessarily concerned about right now; it is in three, four or five years time where a regulation might get changed and it has outcomes that we may not anticipate.

To that end, when the Building Industry Fairness (Security of Payment) and Other Legislation Amendment Act was put forward it repealed the head contracting licensing exemptions, and that was two years ago. Now we are repealing the repeal. It concerns me that we have gone through a process that has made life difficult for people. If there was wider consultation and more extended debate, we may be able to avoid these kinds of legislative outcomes where we find ourselves having to come back into this place to tidy up things that were missed, that had unintended consequences or that just have not followed good parliamentary process and application.

I am concerned about phrases like 'targeted consultation'. I think consultation should be wide ranging and should include all people who may be considered a stakeholder or have some interest. If not, unintended consequences may be missed. The evidence for that is that we are here repealing a repeal that was enacted two years ago. The reason this House exists is to make sure that legislation is well drafted and does not have unintended consequences. That is the reason I do not support the guillotine. I believe that everybody should be heard. Certainly, if parts of the legislative framework are going to go to regulation, then that regulation needs to have an open, transparent and accountable process when that regulation is changed, not targeted consultation.

(Time expired)