



Speech By
Charis Mullen

MEMBER FOR JORDAN


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

Second Reading

Resumed from 19 November (see p. 3742), on motion of Mr O'Connor—

That the bill be now read a second time.

 **Ms MULLEN** (Jordan—ALP) (12.00 pm): I rise to speak to the Queensland Building and Construction Commission and Other Legislation Amendment Bill 2025. This is the third tranche of the government's so-called Building Reg Reno reforms. It makes changes to the Building Act 1975, the Plumbing and Drainage Act 2018 and the Queensland Building and Construction Commission Act 1991.

This bill has two objectives: first, to move the QBCC further into the digital era, cutting paperwork and making it easier for licensees and consumers to interact with the regulator; and, second, to change how serious workplace safety incidents are notified and reported. The Queensland Labor opposition supports digitisation. In fact, it was the former Labor government that started this work. These reforms are the direct product of Labor's 2022 independent review of the QBCC. The Crisafulli government is simply rebranding Labor's work. Where we differ is on safety. The Queensland Labor opposition has concerns about the removal of the dual notification requirement for serious incidents. We caution against taking away a statutory safeguard that was deliberately put in place after the tragic death of young worker Jason Garrels on a building site in Clermont.

Let me begin with the digital reforms. In 2021 the then Labor government reaffirmed its commitment to build a safer, fairer and more sustainable industry through the release of the Queensland Building Plan update. At the time it also provided an opportunity for the QBCC governance arrangements to be reviewed to ensure the model was contemporary, fit for purpose and reflected best practice. Labor initiated the independent review of the QBCC. In 2022 that review, headed by Mr Jim Varghese AM, made 17 recommendations to improve the performance and effectiveness of the organisation into a modern, customer focused regulator. It recommended investment in digital capability including digital licensing, electronic service of documents and integrated platforms. Labor backed those recommendations. A digital services road map commenced under Labor on 1 July 2023, along with the replacement of information technology systems with fit-for-purpose solutions for licensing and compliance, information management and data warehousing. Labor did the groundwork. Labor set the direction. The digital reforms in this bill are Labor's reforms.

Under this bill, licences no longer need to be issued as physical cards. They will be available through the Queensland Digital Licence app. These changes were started under Labor in September 2024, with regulation changes to the Transport Planning and Coordination Act 1994 which expanded the Queensland digital licence provisions to licences issued by the QBCC under the QBCC Act, the Building Act and the Plumbing and Drainage Act. Documents will be able to be served electronically. Importantly, consumers will still have the option of physical communication and in-person service at regional centres.

Given these digital measures, the bill also inserts a requirement for licensees to advise the QBCC of changes in their residential address, email address or phone number within 14 days of the change, with penalties to apply unless the licensee has a reasonable excuse. These are sensible changes. They reflect the way people live, work and transact today. They will reduce delays and help improve the customer experience. They are Labor's reforms. It was Labor that led the push to digitise the QBCC to make it more efficient, more responsive and easier to deal with. We welcome the Crisafulli government's support of our reforms and the significant work that was being undertaken in this space by the previous Labor government.

The chief executive of the QBCC in the recent estimates hearing referenced the digital transformation program as a way to unlock capacity within QBCC teams. In particular, he mentioned transitioning some of their high-volume transactional tasks through to technology-enabled transactions to free up staff to, as he said, 'do more the high-value, customer-facing and outcomes focused activities that our stakeholders expect'. This is clearly necessary, as the CEO advised at the recent estimates hearing that, as at 31 August, there were 558 cases that were pending allocation to an investigator and 437 active investigations on foot. He also confirmed that the average case load per full-time-equivalent was 12.5 cases—something we will continue to monitor once these legislative digital reforms are in place.

In response to a question on notice received on 17 October, the minister confirmed that as at 31 August this year there are 52 full-time-equivalent vacancies within the QBCC. The 30 June 2025 annual report by the QBCC indicates there were 673 full-time positions, and the SDS indicates they are budgeted for 765 positions for the 2025-26 financial year—which is an additional 92 positions. Whether it is 52 or 92, it is a very high number. Whilst the digital transformation work will assist in helping to manage the work of the QBCC, I am not convinced it will address the current and critical understaffing at the organisation. This has real-life impacts. I regularly speak with and meet many home owners who are contacting me in desperation over their ongoing interactions with the QBCC which are both frustrating and, indeed, traumatising. I wish to acknowledge some of the home owners who join us in the gallery today.

On a number of occasions now I have written to the commissioner and the chair of the QBCC urging action on matters where the evidence is crystal clear: the number of victims of shoddy and frankly unscrupulous builders is growing and the QBCC is simply either refusing to act or on a go-slow—home owners find themselves homeless, couch surfing or having to outlay money they cannot afford for a rental property whilst staff drip-feed responses and take months and months to respond to simple requests for advice or information.

Business Chamber Queensland in their most recent Efficient Regulation Report 2025 findings confirmed that the QBCC received the most concentrated adverse feedback compared to other agencies, with 40 per cent of businesses attributing the QBCC with having a high impact on their business. Again, the government and the QBCC have put a lot of stock in this digital transformation piece, so we will be watching very closely to see if it has the productivity gains expected.

I would like to now focus on the second major element of this bill. In 2017 amendments to the QBCC Act inserted section 54A. That provision required licensees to notify both the QBCC and the relevant regulator under the Work Health and Safety Act or the Electrical Safety Act about serious notifiable incidents. This was introduced to ensure the QBCC had direct statutory awareness of serious incidents on building sites. The QBCC could then act quickly and decisively.

Evidence before the State Development, Infrastructure and Works Committee shows that dual notification has underpinned real regulatory outcomes: disciplinary actions, licence conditions and even cancellations. The origins of this change must not be forgotten. It followed the tragic death of apprentice Jason Garrels. Jason was just 20 years old when he was fatally electrocuted at a construction site in Clermont in 2012. He had only been working there for nine days. On 11 August 2015 the findings of the Coroner's inquest into Jason's death were handed down. I table the Coroner's inquest findings.

Tabled paper: Document, dated 11 August 2015, titled 'Office of the State Coroner Findings of Inquest: Inquest into the death of Jason Jon Garrels' [1851](#).

The Coroner was deeply critical of the way safety notifications were handled. Despite multiple government agencies attending the site on the day Jason Garrels was killed, the Queensland Building Services Authority—now the QBCC—was not notified until many months later and only then because Jason's father raised it himself.

The Coroner described this as 'very perplexing' and noted that, while a memorandum of understanding between Workplace Health and Safety and the QBCC now existed, at the time there was no obligation on the principal contractor to notify the QBCC. The Coroner acknowledged the existence of an MOU and still concluded it was not enough. He recommended that the law itself be amended to require both the principal contractor and the building contractor to directly notify the QBCC whenever a

death or serious injury occurs on a construction site. Labor accepted this recommendation and created a statutory safeguard via dual notification. This meant the QBCC could not be left in the dark. It meant safety breaches were not missed because of a breakdown in communication.

This brings me to clause 26 of the bill. Clause 26 amends section 54A of the QBCC Act. This amendment removes the legislative requirement for licensees to notify both the QBCC and the Office of Industrial Relations of the same safety incident. The minister in his second reading speech seems to have missed the point of Labor's concerns. Yes, the 2022 review into the QBCC did recommend streamlined processes across regulatory agencies to reduce duplication in reporting, including for safety matters. Yes, as the minister pointed out, Labor in government supported reducing the duplication in reporting as an administrative process and started this work whilst we were in government. Let's be very clear: what we did not support was removing the legislative obligation to report. While it is acknowledged that this reporting may continue administratively under an MOU, the Queensland Labor opposition believes this must remain a legislative requirement. For that reason, we will not be supporting clause 26.

The truth is that under dual notification the burden on licensees is minimal. We are talking about a few minutes of extra reporting in the case of a serious incident. That is not an onerous obligation. It is modest when compared to the consequences of failure. These safeguards should not be removed lightly. The dual notification requirement is a legislative obligation; it is binding. It cannot be ignored, it cannot be forgotten and it cannot be torn up like an MOU. MOUs are useful tools but they do not carry the weight of law. They are vulnerable to change. They can lapse. They can be inconsistently applied. They do not provide the certainty of a statutory obligation and they are not transparent. The MOU between the QBCC and the Office of Industrial Relations has existed in some form since 2013. It was re-executed in 2021, but it has not undergone regular review. It has not been subject to ongoing scrutiny. To suggest that this is an adequate substitute for legislation is complacent and dangerous.

The committee heard directly from Jason's father, Mr Michael Garrels, who told the committee—

... the MOU could be torn up at any time. It should be a legislative link so that that pathway has to always be followed. By undoing this and just having an MOU I think it is going to be a flawed system.

These words deserve to be heard in this chamber; they deserve to be respected. Mr Garrels has lived the consequences of system failure. He has fought tirelessly for stronger laws to keep other families safe. We owe it to him and every construction worker in Queensland to not weaken these safeguards.

Labor supports the digital reforms in this bill. They are our reforms. They are sensible, they are practical and we hope they will deliver a better QBCC, but we cannot support clause 26. The burden is modest; the safeguard is significant. It is a safeguard that has delivered real outcomes. It is a safeguard born out of tragedy. It is a safeguard that must not be abandoned for the sake of administrative convenience. If the Crisafulli LNP government proceeds with the removal of the legislative requirement for licensees to notify both the QBCC and the Office of Industrial Relations of the same safety incident, then let it be on its head. If communication breaks down, if incidents are missed, if another tragedy occurs, responsibility will rest squarely with the Crisafulli LNP government that chose to remove this protection. Efficiency is important but safety is paramount. Labor supports modernisation and we support digitisation, but we will not support the weakening of safeguards that protect Queensland workers.

I have a child who is almost 20, the same age Jason Garrels was when he was killed. I see my child at this stage of her life—really the beginning of her adult life. It is exciting. It is filled with hope and ambition and it is everything a parent could wish for. The Garrels family were not given that opportunity and the Garrels family should not have to fight this fight again. They should not have to watch the Crisafulli LNP government undo protections put in place in their son Jason's memory.

Labor stands for a strong QBCC. Labor stands for a modern QBCC. Above all, Labor stands for workers' safety. For those reasons, while we support the digital elements of the bill we will not be supporting clause 26.