

23 June 2021

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Hon Mick de Brenni  
Minister for Public Works and Procurement  
Minister for Energy, Renewables and Hydrogen  
GPO Box 2457  
Brisbane Qld 4001  
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Dear Minister

Thank you for your letter of 22 June and for taking the time to attend our Brisbane Industry Leaders Lunch. While you covered many key industry topics, some attendees missed the opportunity to ask you their questions. We're currently collating these questions and will forward to you for consideration in the coming week.

We greatly appreciate your support in dealing with the challenges currently facing our industry. There is no doubt the Accelerated Building/Consumer Dispute framework (ABCD) that you announced will be a valuable tool in helping industry and consumers to navigate the impact of shortages of materials and trades.

In opening the lines of communication and equipping builders and consumers with the right information to discuss reasonable and realistic solutions to time delays (and hopefully price increases) it will do much to achieve better outcomes for both parties. We look forward to its formal implementation in early July.

However, the importance of rapid dispute resolution is not unique to the current challenges. Over the years the industry and consumers have faced many circumstances where such a framework would have been incredibly useful. We have in this crisis an opportunity to explore a permanent, comprehensive dispute resolution process to deal with these issues for the long term.

We are keen to discuss with you the idea of a rapid dispute resolution process that would provide residential builders with access to independent adjudication (as opposed to mediation), like what currently exists in the commercial sector. It would need to be fair to both parties, readily accessed, reach decisions quickly and have the statutory power to enforce decisions. Ideally it would be able to address payment disputes arising from disagreements over defective work as well as delays and extension of time claims.

It could work as a new bespoke process or as an extension of the existing process within the Building Industry Fairness Act, but with additional consumer protection measures. The six-month period when the ABCD is operating could be used to gather learnings on how the process can best work in the housing sector.


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We would welcome the opportunity to meet with you at your earliest convenience to discuss the opportunity for a permanent, comprehensive dispute resolution process in more detail.

Yours sincerely

Grant Galvin

CEO

Cc: Richard Cassidy, Assistant Director-General, Building Legislation and Policy, Department of Energy and Public Works

