

30 November 2022

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Hon Mick de Brenni MP
Minister for Energy, Renewables and Hydrogen
Minister for Public Works and Procurement
GPO Box 2457
BRISBANE QLD 4001

Email: epw@ministerial.qld.gov.au

Dear Minister

QBCC DECISION MAKING

Master Builders has received several serious concerns from members in relation to QBCC decision-making, in particular internal review decisions.

We have raised these concerns directly with the QBCC Commissioner, highlighting the failure of QBCC officers to make internal review decisions within the statutory time period, combined with the failure of the QBCC to seek agreement from the applicant for an extension of the time period.

The result of these failures is the upholding of the original decision without any consideration of the review application, and applicants having to bear the significant cost (legal fees and other expenses) to challenge these decisions at QCAT or court.

The QBCC's internal review process (published on the QBCC website) includes the following step:

- *if an extension is determined to be necessary, the IRU will contact the applicant to request consent for an extension of time*

Unfortunately, we have become aware of matters where the internal review applicant has made multiple approaches to the QBCC prior to expiry of the internal review period, without any response, denied any ability to speak with an internal review officer and denied an opportunity to agree to an extension of time for the internal review decision.

Internal review applicants often engage lawyers and expert consultants, at great expense, in support of their internal review application. To receive a 'deemed decision' from the QBCC


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upholding the original decision without considering the matter at all is devastating for members.

Master Builders understands the QBCC is allocating additional resources to the Internal Review Unit, which is a positive step. However, we believe process improvement is also needed.

For internal review applications, Master Builders expects the QBCC to comply with their documented processes, providing internal review applicants the opportunity to agree to a longer period to make an internal review decision where the QBCC has identified the decision cannot be made within 28 days.

We would appreciate any assistance you could provide on this matter.

Regards,

Paul Bidwell
CEO

Copy to:

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