

ADVOCACY FOCUS 2021

Your association.
Your voice.

THE COVID-19 PANDEMIC UNLEASHED A NEW ERA OF CHANGE AND UNPRECEDENTED CHALLENGES.

As COVID hit, Queensland's building and construction industry was experiencing a wave of regulatory reform that by and large has had a massive negative impact on the industry, creating a high level of unrest amongst members.

In 2021 our focus will broadly be on ensuring the construction industry is positioned to continue Queensland's economic recovery, as well as making it a better place to work for everyone.

This year, we've got some key issues that we'll be lobbying for on your behalf.



COVID RECOVERY

IN THE ABSENCE OF PRIVATE SECTOR INVESTMENT IN NEW BUILDING PROJECTS, THE STATE GOVERNMENT NEEDS TO FILL THE VOID.

- Provide a Queensland Forward Procurement Pipeline for accurate and timely information on the government's program of building work.
- Government to commit to spending more of its capital budget on new public buildings and spending on new public buildings to a minimum of the 25-year average.
- Reduce property taxes (stamp duty, land tax and infrastructure charges etc.) support the delivery of new construction.

UNFINISHED BUSINESS

There is still much to do to fix the waves of legislation that have tied the industry up in red tape and added significant extra costs.

SHAKE-UP THE QBCC SO THAT THEY WIELD THEIR SWEEPING POWERS FAIRLY AND CONSISTENTLY.

- Improve QBCC Board conduct and processes by bringing in more industry experience.
- Bring back 'requests to rectify'.
- Take direct action against subcontractors for defective building work.
- Give builders the opportunity to rectify a defect if the internal review reverses the first decision.
- Don't pursue a Home Warranty Insurance debt where a contractor has not been issued a direction.

FIX THE REFORMS DONE IN THE NAME OF SECURITY OF PAYMENT.

- Scrap the plan to introduce Project Trust Accounts into the private sector from January 2022.
- Ditch Project Trust Accounts in the government sector.
- Introduce cascading Retention Trust Accounts for head contracts over \$1 million.
- Require all payment claims under Chapter 3 of the Building Industry Fairness Act to state that it is a statutory payment claim to protect claimants' rights.

- Ensure that all parties in the supply chain (developers/owners through to suppliers) are covered by the reforms.
- Implement a comprehensive payments dispute system that can address defective work and non-payment without the need for court action.
- In the meantime, ease the burden for contractors under the current system (fix the system of payment claims and payment schedules; builders can access subcontractor retentions in trust accounts for defective work; introduce a minimum subcontract value of \$20k and a minimum payment of \$3k for trust accounts).
- Amend the Minimum Financial Requirements to reduce the reporting burden on the SC1 and SC2 categories; and ensure that cancelling contractors' licences is a last resort.

SCRAP IMPRACTICAL TENDER PROCESSES.

- Replace the Best Practice Principles, Ethical Supplier Mandate and Ethical Supplier Threshold in the government's procurement policy with a process for assessing the performance of all suppliers.
- Ensure the government's procurement policy is applied to all state government agencies and authorities.
- Allow practical amendments in the regions to the 10% training requirement for apprentices, indigenous and female workers on government jobs.

BUILDING RULES THAT SAFEGUARD BUILDING QUALITY AND ENABLE EFFICIENT CONSTRUCTION.

- Introduce an industry-wide, mandatory Continuing Professional Development (CPD) scheme, including a New Builder Program to raise the bar for new residential builders.
- Introduce a mandatory, state-wide Housing Code.
- Raise the maximum deposit for domestic building projects to 7.5% to ensure the money is available upfront to get the job right.
- Determine workable options for funding the rectification of buildings with combustible cladding.

STRIKE A BALANCE IN THE WORKPLACE SAFETY RULES BETWEEN ENFORCEMENT AND ENGAGEMENT.

- Manage silica in construction through practical controls that reflect the scale and nature of the risk.
- Develop a single portal for notifying safety incidents to the QBCC and WHSQ.

FAIR WORKPLACE RULES THAT ARE PROPERLY ENFORCED.

- Require all union officials to hold a Federal entry permit.
- Labour hire rules don't extend to construction work.

EMERGING ISSUES

'BUILDING CONFIDENCE' REFORM AGENDA DELIVERS IMPROVED BUILDING QUALITY, MORE CERTAIN COMPLIANCE PATHWAYS AND SUSTAINABLE PROFESSIONAL INDEMNITY INSURANCE, WHILE AVOIDING UNNECESSARY RED TAPE.

- Provide free access to Australian Standards referenced in the National Construction Code (NCC).
- Require manufacturers to validate product conformance against the NCC requirements and communicate product information in a standard format (Product Technical Statements).
- Introduce a system of third-party review to sign off high-risk components.

EXPLORE PRACTICAL MEASURES TO HELP ADDRESS THE INCREASED PREVALENCE OF MENTAL HEALTH ISSUES IN THE WORKPLACE.

- Contribute to the development of the 'Psychological Health Code of Practice' and address the lack of clarity around what compliance looks like.
- Provide better tools to support the mental health of workers, in addition to initiatives such as Mates in Construction.

THROUGHOUT 2021, WE WILL USE EVERY OPPORTUNITY TO LOBBY AND SEEK SUPPORT FROM THE QUEENSLAND GOVERNMENT ON THESE KEY ISSUES.

For more information, email industryvoice@mbqld.com.au or call 1300 30 50 10.