

# MEDIA RELEASE



**Embargoed until 5:00am, 29 November 2023**

## **ACT's Property Developers Licensing Bill Highlights Gaps in the Building Regulatory System**

When the ACT Government held a public inquiry into building quality in 2018 Master Builders ACT highlighted the important role that developers, government and clients play in setting a culture of quality and safety on building sites. More than five years later, the ACT Government has introduced a new Bill to set minimum standards for property developers in the ACT, however has controversially exempted itself from requiring a licence when it performs the role as the Territory's single largest property developer.

Master Builders ACT CEO Michael Hopkins said, "Property developers have an important role in delivering high quality and safe building projects which includes managing the design and documentation process, setting construction budgets and programs, and responding promptly to fix building defects.

It is appropriate that the Government set minimum standards for property developers so they are part of the accountability chain.

However, even with this reform the ACT's building and developer accountability system is far from nation leading.

The Property Developers Licensing Bill 2023 highlights many gaps that exist in the ACT's building regulatory system including Australia's weakest system of holding trade contractors accountable, which allows anyone to call themselves a waterproofing expert in the ACT without experience or qualifications.

The ACT's regulatory system leaves designers and architects out of the accountability chain, meaning builders and developers will be left holding responsibility for the failures of others in the building process.

Rather than finalise the Alternative Dispute Resolution reforms which were commenced in the last term of Government, the new Bill includes a significant amendment to the onus of proof provisions which will only encourage purchasers to pursue costly litigation against builders and developers when building defects arise.

Before the Bill commences the MBA is calling on the ACT Government to commit to implementing all 24 recommendations of the Building Confidence Report which it helped prepare in 2018.

Unless the ACT Government is willing to implement a full framework of accountability for designers, trade contractors and supervisors, including minimum training and experience requirements, and aligned liability periods for developers and all building practitioners, then the Government's attempt to hold property developers to account will fail."

**END**

*Authorised by Michael Hopkins on behalf of Master Builders Association of the ACT.*

**For further information contact:**

Michael Hopkins, Master Builders ACT CEO, 0418 984 594