



14 September 2012

**The Research Director
Transport, Housing and Local Government Committee
Parliament House
George Street
Brisbane QLD 4000**

Re: Queensland Building Services Authority Review

Thank you for the opportunity to contribute to this review.

The following submission is provided on behalf of the Landscape and Garden Maintenance industries in Queensland by Landscape Queensland Industries Assoc. Inc.

Characteristics of the Landscape Industry in Queensland

It is estimated that the landscape and garden maintenance industries in Queensland are conservatively worth some \$2.3 billion dollars per annum. The landscape industry sits at the hub of the \$4.4 billion Lifestyle Horticultural industry in Queensland which employs in excess of 28000 people state wide. In addition to landscape, lifestyle horticultural includes industries such as nursery, turf, garden maintenance, design, arboriculture, irrigation and others who together make up a strong and professional supply and demand chain.

**Source: QLD Lifestyle Horticulture Survey report July 2011
Dept Employment, Economic Development & Innovation**

The landscape industry is unique in that the businesses operating in this industry generally have a scope of works which involves disciplines required from both the construction and horticulture industries. This broad scope of works includes a range of structural and non structural construction works generally found external to main dwelling or infrastructure.

The construction activities of a landscaper are highly regulated through licensing overseen by the QBSA whilst the horticultural portion of their scope of works is very much unregulated. This situation leaves Landscape Queensland well placed to comment on the benefits or otherwise of an industry regulated through licensing and the role the licensing Authority.



About Landscape Queensland Industries Association Inc.

Landscape Queensland Industries Association Inc. is the peak body for the industry in Queensland representing the interests of landscape and garden maintenance contractors. Landscape Queensland is a membership based organisation whose members include businesses large and small from throughout the Lifestyle Horticultural supply and demand chain.

Having direct access to some 2000 landscape industry businesses throughout the state makes Landscape Queensland well positioned to gauge the sentiment of a range of businesses throughout this segment.

Landscape Queensland's relationship with the Queensland Building Services Authority

As the peak body for the landscape industry in Queensland, Landscape Queensland has developed a sound relationship with the QBSA. This has seen the development of open lines of communication when dealing with individual member issues, the formation of partnerships when educating the industry sector and the undertaking of discussions including clarifications and interpretations of specific licenses classes and scopes of work and general updates in relation to national licensing from BSA members of the COAG committee. The QBSA was also very helpful in assisting Landscape Queensland develop industry specific contracts that met consumer code requirements.

In general, the association has found all dealings with the QBSA to be of a constructive and helpful nature.

Areas of consideration under this review

1. Whether the performance of the QBSA achieves a balance between the interests of building contractors and consumers;
2. Whether the QBSA could make further changes in order to reduce regulations to lower the cost of building a home;
3. The effectiveness of the QBSA to provide remedies for defective work and to provide support, education and advice for both those who undertake building work and consumers;
4. The governance arrangements between the board and the general manager;
5. The effectiveness of the Queensland Home Warranty Scheme and its protections;
6. Whether the current licensing requirements of the QBSA are adequate and that there is sufficient auditing processes to maintain proper standards;

7. The number of trades licensed by the QBSA and whether industry groups could take a greater role within the QBSA in terms of licensing standards and procedures for their members;
8. Examining opportunities for reform of the Authority with a view to enhanced assistance for both industry and consumers.

Review areas covered by this submission

- 6. Whether the current licensing requirements of the QBSA are adequate and that there is sufficient auditing processes to maintain proper standards;**

Response

Current licenses relating to the landscape industry include the Builder Restricted to landscape and the trade contractor landscape license.

These current licenses are considered satisfactory and provide a broad scope of works and stepping stone for participants within this industry. The landscape industry scope of works is such that no other licenses outside the current landscape licenses or full builder's licenses are sufficient to cover all disciplines needed to carry out all aspects of landscaping.

Many licensed landscape contractors undertake smaller residential jobs directly with consumers. These jobs can quite often include a broad range of disciplines of a structural nature as well as horticultural. Landscaping is a specialist trade and consumers deserve the ability to be protected by a licensing system which caters for these specific skills.

Currently the QBSA has no interest in consumer complaints that don't relate to a structural nature. This can cause confusion and frustration for consumers.

Due to the relatively low start up costs the landscape industry battles against unqualified and fly by night operators who undercut industry professionals, produce sub standard work, do not adhere to their responsibilities in terms of OHS, bio security risks and employer obligations.

It is strongly recommended that the existing license structure including both the builder restricted and the trade contractor license be retained to assist maintain satisfactory standards and consumer protection in relation to construction component of a landscapers scope of works.

It is noted that license categories and threshold limits vary from state to state. Discussions with other states landscape associations indicates that the lack of regulation through licensing and the higher threshold limits before a license is required has an adverse effect on work standards and sees a higher complaint rate from consumers and more reportable defects.

7. The number of trades licensed by the QBSA and whether industry groups could take a greater role within the QBSA in terms of licensing standards and procedures for their members;

Response

As mentioned in **6** above, it is necessary and highly recommended by industry that the current number of license categories relating to landscape construction remain in place.

The current landscaping licensing requirements cover the basic skills of a contractor working in the landscape construction area. The QBSA licensing however does not cover activities of a horticultural nature.

Industry Involvement: Landscape Industry Accreditation and Certification

Landscape Queensland with the assistance of Horticulture Australia Ltd, has developed Industry Accreditation and Certification schemes. These schemes cover a range of areas for business and individuals ensuring best business and industry practices are evident and professional development is an ongoing process.

As the softscape or non structural areas of landscaping are largely unregulated, industry has designed these schemes in an attempt to self regulate. Areas relating to bio security, handling of chemicals, OHS and operational management systems are key components of these schemes. The requirements for industry accreditation also include the holding of appropriate licenses and qualifications including those issued by the QBSA and other regulatory and training bodies.

Additional licensing Requirements/ Role of Industry

It is noted that licensed electricians and plumbers are required to maintain an industry association membership through their respective industry peak bodies to meet licensing requirements. This requirement could be an additional requirement for landscapers wishing to be QBSA licensed.



Membership of landscape Queensland as a mandatory requirement for landscape restricted builders and contractors would provide assistance to the QBSA in ensuring compliance with base skill levels, adherence to best practice and codes of ethics, access to industry specific contracts, professional development assistance and advice.

The combination of QBSA licensing and Industry involvement through mandatory Landscape Queensland membership would see a regulation in standards for the full scope of landscaping covering both the construction and horticultural disciplines required by the landscape professional.

Full industry regulation would not be within the capabilities of Landscape Queensland at this time without sufficient funding to ensure the association is adequately resourced.

Summary

Landscape Queensland as the peak body for the industry in Queensland is supportive of the current license structure including the retention of the current license classes applicable to landscape.

We are supportive of the QBSA and consider our working relationship with this authority as sound.

Landscape Queensland believes that there is a benefit in industry having greater input into the licensing requirements for the landscape industry. This includes a mandatory requirement of association membership for all landscape license holders. This requirement would provide assistance to the QBSA in identifying and maintaining proper standards for the full scope of scopes of landscape construction with a positive flow on effect to the currently unregulated softscape or horticultural area. This partnership of government and industry will provide better protection for consumers from sub standard unqualified operators, assist in the mitigation of safety and bio security issues and reduce consumer complaints and construction defects.

Please feel free to contact the writer for any further comments or clarification.

A handwritten signature in black ink, appearing to read "Mark Sorby", is positioned above the printed name.

Mark Sorby
Chief Executive Officer
Landscape Queensland Ind. Assoc Inc.