



Speech by

Evan Moorhead

MEMBER FOR WATERFORD

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QUEENSLAND BUILDING SERVICES AUTHORITY AND OTHER LEGISLATION AMENDMENT BILL

Mr MOORHEAD (Waterford—ALP) (8.37 pm): It is with great pleasure that I rise to speak in support of the Queensland Building Services Authority Act and Other Legislation Amendment Bill 2007. For most people the purchase of their own home will be the largest and most significant investment that they will make in their lives. With the current pressure on the housing market, people are spending an ever-increasing percentage of their income on housing costs.

This bill ensures that the Queensland Building Services Authority can continue to ensure that Queenslanders get what they paid for and get a property that is safe for them and their families. We are lucky here in Queensland to have a strong Building Services Authority that is underpinned with strong legislation—some of the strongest in the country.

On a recent trip to New Zealand I saw just what happens when building services are deregulated. In the late 1980s and early 1990s, in the rush towards deregulation the New Zealand government left the issue of building standards to building contracts, largely on the buyer beware principle. That saved a small amount of money and regulatory process in the short term. But these savings were far outweighed by the long-term consequences of a decline in building standards. The consequence of the decline in building standards in New Zealand resulted in the leaky building crisis. In a country where it rains as much as it does in New Zealand, it is pretty important that homes keep out water. The problem was that the decline in building standards meant that water was getting into the dodgy homes and frequently these dodgy homes would not let water out once it got in.

Throughout New Zealand, an estimated 15,000 to 30,000 families were living in leaky homes. Thousands of those families could not afford to repair their homes, with the average cost of repair being between \$100,000 and \$150,000, nor could they afford the legal costs to pursue compensation, as those legal costs could be as high as \$20,000 to \$50,000. As a consequence, many families continued to live in the unhealthy environment caused by leaking homes whilst that damage continued to worsen. This year the New Zealand parliament put in place measures to resolve the issues. It has come after a lot of pain and heartache for families, most of whom do not have the resources to seek legal remedies against builders who have cut corners. Thankfully, Queensland has never gone down this path. In the nine years since its election this Labor government has continually strengthened the role of the BSA.

I now turn to some of the specific provisions of the bill. Clause 6 of the bill inserts new section 30C, which introduces an occupational licensing regime for workers in the fire protection industry. The issue of fire protection in building standards was cast into the public spotlight following the report entitled *Building fire safety in Queensland budget accommodation*, commonly known the Childers report.

Since 2001, fire protection contractors across different streams of fire protection work, including fire detection systems, passive fire equipment to prevent fire spreading, fire sprinklers and firefighting appliances have been regulated. This bill goes one step further to introduce a licensing regime for the employees of fire protection contractors. This will ensure that our community can have confidence that

building work done to prevent and protect from fire is being done by appropriately trained and licensed workers.

In corollary amendments, proposed section 42C will make it an offence to undertake fire protection work without a licence and proposed section 42D inserts a new offence for a contractor to engage or direct unlicensed workers to undertake fire protection work. This licensing regime will also contribute to the improvement of safety for workers in this industry. Many of those workers, particularly those who install wall and ceiling lighting, deal with dangerous materials. Even though material such as rock wool is a vast improvement on its asbestos predecessor, it can still be a dangerous material.

Prior to entering this place, I worked with construction workers installing lagging and other insulation materials. Those workers worked in hot and dirty conditions, not only in houses and buildings but also in power stations, oil refineries and ships. At the end of their working day, the overalls of those workers are covered in rock wool, and any exposed skin is sweaty and covered in the rock wool fibre.

The occupational licensing regime contained in the bill will mean that improved occupational training standards are provided for workers. As well, this licensing regime will put in place training requirements that can only lead to improved fire protection standards for consumers purchasing these services.

The issue of fire protection standards is an important one for the residents of my electorate. As an outer suburban area, it has only been in the past 15 years that residential development has reached its peak. As with many other areas developed at this time, this development often includes medium density development, particularly the more affordable townhouse developments. These townhouse developments, as attached dwellings, pose significant risks for owners and residents if there is not appropriate fire separation. In the past, some builders have tried to build attached dwellings with common roof spaces. This undivided roof space can mean a significant risk of smoke and fire transferring from property to property. While this issue will to some extent be addressed by the licensing of the fire protection contractors, it is important that owners and body corporates be vigilant about fire protection measures in attached dwellings.

On a more general level, the bill includes amendments to ensure tough consequences for those who breach their obligations. While ensuring that these penalties are sufficient to ensure appropriate deterrence, the penalties are reasonable and did not raise the concerns of the Scrutiny of Legislation Committee. The bill increases existing penalties for offences such as conducting building work without appropriate supervision, improper use of a BSA licence card, the breaching of licensing conditions by partnerships, and failing to have building contracts in writing. The bill brings these offences and their penalties in line with other comparable legislation.

As well, the bill proposes some new offences for conduct such as providing false and misleading documents about financial requirements to the BSA, the offence of pretending to be a licensee and advertising for building work without an appropriate BSA licence. This is a great piece of legislation that protects Queenslanders looking to build or improve their homes. I congratulate the minister and commend the bill to the House.