



Speech By  
**Hon. Leeanne Enoch**


**MEMBER FOR ALGESTER**

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## **PLUMBING AND DRAINAGE AND OTHER LEGISLATION AMENDMENT BILL**

### **Introduction**

 **Hon. LM ENOCH** (Algester—ALP) (Minister for Housing and Public Works and Minister for Science and Innovation) (2.40 pm): I present a bill for an act to amend the Housing Act 2003, the Plumbing and Drainage Act 2002, the Queensland Building and Construction Commission Act 1991, the Residential Tenancies and Rooming Accommodation Act 2008 and the Sustainable Planning Act 2009. I table the bill and the explanatory notes. I nominate the Utilities, Science and Innovation Committee to consider the bill.

*Tabled paper:* Plumbing and Drainage and Other Legislation Amendment Bill 2015 [[1774](#)].

*Tabled paper:* Plumbing and Drainage and Other Legislation Amendment Bill 2015, explanatory notes [[1775](#)].

It is a great honour to present this bill to the House today. This is a bill that is about certainty and fairness for Queenslanders. This is also a bill that delivers on our election commitment to re-establish a dedicated plumbing industry regulatory body within the Queensland Building and Construction Commission. To maintain public health and the environment, we must have a strong plumbing industry. This government understands the benefits of a strong industry with the best possible standards. And this government is committed to working with, not against, Queensland's plumbing industry.

The former government abolished the Plumbing Industry Council, transferring its functions to the Queensland Building and Construction Commission. This was a move that was not supported by the plumbing industry, as it weakened the industry's voice. This government takes the concerns of the plumbing industry seriously. We have listened to these concerns, and we have consulted with industry stakeholders on this matter.

Our commitment has been publically available since July 2014, and a draft of this bill was released to key industry stakeholders on 17 July 2015. During a five-week consultation period, nine submissions were received, and all of these submissions supported the importance of a dedicated plumbing industry regulatory body. The reinstated regulatory body, to be called the Service Trades Council, will replace the disbanded Plumbing Industry Council. Establishing the Service Trades Council within the Queensland Building and Construction Commission will allow the improved service delivery outcomes being achieved by the commission to be maintained.

The Service Trades Council will have a number of critical roles in its representation of the plumbing industry. These include conferring on national policy development—for example, licensing, discipline and other related matters—and reporting to the minister on issues related to plumbing and drainage. The Service Trades Council will also be able to make recommendations to the Queensland Building and Construction Commissioner about the performance of any of the commissioner's functions under the Plumbing and Drainage Act 2002.

In relation to licensing plumbers and drainers, the Service Trades Council will establish a panel of industry and training experts to consider complex licence applications, such as migrant applications,

and provide recommendations to the commissioner on the appropriateness of issuing the applicant a licence. The council will also have an important role in the disciplining of licensees by taking on the function of internal reviewer for disciplinary decisions made by the commissioner.

This bill identifies the membership of the Service Trades Council, which will consist of a range of industry and government representatives, and sets out the process for appointing members and conducting the business of the council. This bill also provides for the appointment of an assistant commissioner to assist the Service Trades Council to perform its functions. This will include reporting to the council on licensing and disciplinary matters and, where necessary, representing the council in proceedings of the Queensland Civil and Administrative Tribunal. This bill is about keeping Queensland's plumbing industry strong, and it is about working with industry to deliver the best possible outcomes for Queenslanders.

This is also a bill that delivers on our commitment to fairness for Queenslanders. For prospective tenants, out-of-date or inaccurate information on residential tenancy databases can have significant consequences. It can have particularly significant impacts on our most vulnerable, by placing them at an increased risk of homelessness.

This bill seeks to introduce the national uniform law on residential tenancy databases to the Residential Tenancies and Rooming Accommodation Act 2008 to provide extra protection for tenants. By ensuring these databases contain only current and accurate information, tenants can be protected from unfair disadvantage, and their rights when it comes to their personal information can be safeguarded. These provisions also allow databases to continue to be used as a screening tool by lessors and agents to manage investor risk.

The act already has provisions regulating the listing of information on tenancy databases. These provisions were first introduced in Queensland in 2003, and were developed to deal with incorrect, unfair or misleading listings. This bill maintains those existing provisions, with some changes, and places a number of further obligations on lessors and their agents. These include obligations to disclose information to applicants about databases they are using, to advise applicants if they are on a tenancy database and to advise a database operator if a listing needs to be amended or removed.

Database operators are obligated to amend or remove listings consistent with advice from lessors and agents. Lessors, agents and operators who made the listing are obligated to provide a copy of the information on the database to a tenant on request once any associated fee is paid. The bill will also ensure listings do not remain on databases for longer than three years.

These amendments have been in train for some time. Public and industry consultation on these amendments was undertaken between November and December 2009, and the national uniform law on residential tenancy databases was adopted by the Ministerial Council on Consumer Affairs in December 2010.

In May 2011, the Residential Tenancies and Rooming Accommodation Amendment Bill 2011 was introduced into parliament. It was subsequently referred to the community affairs committee, which considered the bill and tabled a report on 17 November 2011. The 2011 bill lapsed when parliament was dissolved in February 2012, so the adoption of these amendments is well and truly overdue. Further targeted consultation with industry stakeholders was undertaken in September 2015, and consultation with other jurisdictions where this model has been adopted indicate that the provisions are working well.

I am pleased to bring this bill to the House today, because the adoption of these provisions will help protect the rights of Queensland tenants. This government is committed to making sure all Queenslanders get a fair go and have the opportunity to get ahead. A secure place to live is the foundation block for opportunity.

To this end, this bill also seeks to amend the Residential Tenancies and Rooming Accommodation Act 2008 to ensure more Queenslanders can grasp the opportunity to sustain a private market tenancy when they are in a position to do so. My department's RentConnect product has helped thousands of Queensland families to access the private rental market. Tenancy guarantees are part of this offering. A tenancy guarantee is an undertaking to pay up to a stated amount to cover loss or expense to lessors caused by a breach from a tenant where the tenant's rental bond is insufficient to cover the amount owing.

The proposed amendment will allow the department to approve housing providers to also provide tenancy guarantees. This will ensure that tenants in properties transferred to community housing providers will continue to have access to the same opportunity when they are able to participate in the private rental market.

Under the Sustainable Planning Act 2009, the construction of public housing and associated developments is exempt from development approvals, with building work self-assessable by the

department against applicable codes. Subsequently, these properties do not have the local authority development or building approvals normally expected in the private sector.

This bill further seeks to introduce a deeming provision to the Housing Act 2003 to allay potential concerns and to provide security and certainty for future owners and financiers in relation to public housing that may be transferred. The proposed deeming provision will provide that, when and if properties approved or used as public housing are transferred to another entity, all development and building work has been done lawfully and in accordance with the relevant laws at the time.

This bill is about providing security, certainty and fairness for Queenslanders. It is about protecting tenants' rights, respecting the voice of the plumbing industry and increasing opportunity and certainty for investors and tenants. The benefits of this bill are clearly demonstrated and contribute to our vision for Queensland as a state where everyone has a chance to get ahead and everyone can get a fair go. I commend the bill to the House.

### **First Reading**

**Hon. LM ENOCH** (Algeria—ALP) (Minister for Housing and Public Works and Minister for Science and Innovation) (2.49 pm): I move—

That the bill be now read a first time.

Question put—That the bill be now read a first time.

Motion agreed to.

Bill read a first time.

### **Referral to the Utilities, Science and Innovation Committee**

**Madam DEPUTY SPEAKER** (Ms Grace): In accordance with standing order 131, the bill is now referred to the Utilities, Science and Innovation Committee.