Speech By

Shane King

MEMBER FOR KALLANGUR

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PLUMBING AND DRAINAGE AND OTHER LEGISLATION AMENDMENT BILL

Mr KING (Kallangur—ALP) (4.53 pm): I rise today to speak in favour of the Plumbing and Drainage and Other Legislation Amendment Bill 2015. I start by thanking the members of the Transportation and Utilities Committee and the members of the former Utilities, Science and Innovation Committee—and there have been a few, as the membership has been fairly flexible over recent months. My thanks go to Don Brown, Chris Whiting, Linus Power, Joan Pease, Rob Pyne, Rob Molhoek, Dale Last, Jason Costigan and Matt McEachan. I also thank our hardworking secretariat staff—Kate, Rachelle, Lisa and Julie.

I will start by addressing the Service Trades Council. The establishment of this body will not only implement the government's commitment to restore high standards in Queensland's plumbing and drainage industry but also restore a strong voice for plumbers and drainers on important national policy matters, disciplinary proceedings and licensing decisions. The Service Trades Council will replace the former Plumbing Industry Council, which was disappointingly abolished by the previous government on 10 November 2014.

With the abolition of the Plumbing Industry Council, a wealth of skills and knowledge was lost—a fact that was not lost on the industry. It is worth noting that a range of plumbing industry stakeholders voiced their concerns about the former government's decision including the Master Plumbers' Association of Queensland and the Plumbers Union Queensland. Unfortunately, these concerns were not heeded by the government of the day.

The former Plumbing Industry Council oversaw the licensing and conduct of plumbers and drainers in Queensland. After the PIC was disbanded, its functions were transferred to the Queensland Building and Construction Commission. As such, I note this bill provides that the Service Trades Council will be positioned within the Queensland Building and Construction Commission, which, as I have mentioned, absorbed the operational functions of the former regulatory body.

When consulting with industry, it was noted that certain efficiencies had resulted from the merger with the QBCC but that this had come at the cost of an industry voice for plumbers and drainers. This government is not about petty pointscoring but about achieving good outcomes for stakeholders. As such, I was pleased to hear that the structure of the Service Trades Council is a hybrid of the old and new model. Instead of just overturning the decision of the previous government, the Palaszczuk government worked with key stakeholders to honour its commitment and restore a strong voice to the plumbing industry while also retaining the benefits of the move to the Queensland Building and Construction Commission.

I noted at the public hearing for the bill undertaken by the Transportation and Utilities Committee that the Department of Housing and Public Works was commended for the extensive and collaborative consultation it undertook with the industry. I have no doubt this consultation has led to the best model of reinstating a dedicated plumbing industry regulatory body.

The Service Trades Council will not be introduced at the expense of the plumbing industry consultative group or the building industry consultative group but will provide a dedicated avenue for plumbers and drainers to raise matters of importance to their industry, particularly in relation to licensing and disciplinary matters.

During the public hearing it was also stated that the Service Trades Council will be funded by the QBCC out of existing funding arrangements. The establishment of this body is an example of Labor keeping its election commitments and replacing another cut from the former government.

This bill also tidies up some provisions regarding tenancy databases. Tenancy database legislation was introduced into the Queensland parliament in 2003. The residential rental sector welcomed the legislation because it clearly set out rules to follow when using tenancy databases. Now amendments are being made to bring Queensland tenancy database legislation in line with national standards, ensuring a fair go for everyone involved in the residential rental sector.

Residential tenancy databases play a legitimate role in the rental process. When used appropriately, they are a useful tool for property managers and owners to mitigate rental investment risk. Tenancy databases allow property managers and owners to make informed decisions about prospective tenants by providing them with information about the rental histories of tenants. The existing legislation makes clear information can only be listed after tenancies have ended and where there remains a considerable outstanding breach such as property damage or rent arrears greater than the amount of the bond. Only tenants whose names appear on the tenancy agreement can be listed.

The new provisions introduced in this amendment bill will improve the quality of information held in tenancy databases. Most notably, a time limit of three years will be imposed on tenancy database listings. This time frame ensures the database information remains relevant and useful. The time frame was established as part of national minimum standards and was considered a fair period that balances the wishes of different sector groups. A three-year time limit will be phased in with a transition period of six months during which old listings can be removed. Being electronic, tenancy databases are easily amended.

I understand it is proposed to introduce a minimum threshold amount that must be owed before a person can be listed on a database. During the public hearing we heard some renters were being listed for amounts as little as $20. This amendment will require that, where there is no bond paid or no tenancy guarantee given, information cannot be listed on a database unless the amount owed is more than one week's rent.

Property owners and managers must let prospective tenants know which databases they use during the rental application process. During this process when property managers or owners find an applicant listed in a tenancy database they must let them know, tell them how they can get a copy of the listing by directing them to either the owner or agent who listed them or to the tenancy database operator. Managers or owners must also provide information to listed prospective tenants about how they can challenge a listing, which they can do by directing tenants to information on the RTA website.

This bill also brings about the introduction of protection for victims of domestic violence. Personal information of victims of domestic and family violence is not to be listed on a tenancy database where a breach of the tenancy agreement is a result of domestic or family violence. Domestic and family violence perpetrators, however, can be listed on the tenancy databases. These legislative amendments bring a new transparency to the rental property application process and will ultimately benefit the entire residential retail sector.

I will now touch on the deeming provisions in the bill. Currently, building work undertaken by or for the state is self-assessable development which does not require developmental approval but must comply with all applicable codes. Therefore, public housing developments do not require normal development permits from local authorities, even though the Department of Housing and Public Works achieves self-assessment through a rigorous internal process. The deeming provision provides that development for public housing has been carried out lawfully and is anticipated to give comfort to financiers who might lend against mortgages over the properties and to buyers of properties regardless of when construction took place. This may apply where the department sells a house to a public housing tenant who has resided in the dwelling for some time and is ready to transition to home ownership.

The amendment will also give certainty to a third party purchaser that, where public housing premises are transferred and therefore no longer used for public housing, the continued use of the premises as a residence is a lawful one—that is, the amendment will clarify that the transfer of a public housing property does not result in a material change of use of these premises under the Sustainable Planning Act 2009 where the same residential use continues without any further development being carried out. The deeming provision does not affect the transferee's obligation to comply with all

applicable laws for development started on or after the transfer of the premises. I understand the department from time to time disposes of older properties that no longer meet the housing need. I welcome the proposed amendment as it provides certainty and clarity to the private market that will ensure that the leveraging capacity of the transferred properties is maximised so that more social and affordable housing can be provided. I commend this bill to the House.