




Speech By
Andrew Powell

MEMBER FOR GLASS HOUSE

Record of Proceedings, 25 October 2017

HOUSING LEGISLATION (BUILDING BETTER FUTURES) AMENDMENT BILL

 **Mr POWELL** (Glass House—LNP) (5.20 pm): I rise to address the Housing Legislation (Building Better Futures) Amendment Bill 2017. I do so on the basis that the Glass House electorate is fortunate to be the home of a number of manufactured home residential parks, and why wouldn't it be! It is a fantastic place to live. Obviously our older citizens, our senior citizens, choose to retire in the electorate of Glass House, whether it be in places like Beerburum, the Glass House Mountains or on the Blackall Range at Maleny.

One of the frustrations that I have heard from many of them was that the great work that was started under the LNP government in reviewing the Manufactured Homes (Residential Parks) Act 2003 and the Retirement Villages Act 1999 was not continued and was not picked up. A submission to the Queensland parliamentary inquiry into the adequacy of protections for financial arrangements for seniors by the National Seniors, one of the peak bodies, recommended that the government continue to review and implement those changes to ensure that adequate consumer protections are in place. Like a lot of things with the Labor Party, it took a *Four Corners* program for them to do anything about this. Unfortunately, they only react to what the unions demand of them or what *Four Corners* dictate to them.

I want to concentrate my comments on the Manufactured Homes (Residential Parks) Act. In passing, I mention that my family had personal experience of what we are trying to address with these amendments to the Retirement Villages Act 1999. It is ironic that both my father and mother have had longstanding careers in the retirement village industry, yet they were caught out by a situation presented to them on the death of my grandmother. We are seeing some sensible moves in this area. There are concerns, which I will come to in a moment.

The amendments to the Manufactured Homes (Residential Parks) Act look to increase transparency in the relationships between park owners and home owners and strengthen consumer protection to provide more security and confidence to home owners. The reforms include a new staged precontractual disclosure process, limitations on rent increases, prescribed behavioural standards for park owners, staff and home owners and other related measures.

Whilst there is some good in this bill, the LNP committee members did put in a dissenting report. They noted from a number of stakeholder submissions that there could be potential for significant unintended consequences. Many stakeholders described the bill as poorly conceived and regulatory overreach that would do little to redress genuine concerns in residential and mobile parks. Many said it had the potential to cause a flight of investment in the private rental sector and lead to a shortage of rental accommodation. Higher compliance costs would also be passed on to tenants. As a number of my colleagues on this side of the House have said, a key area of concern is the government's failure to specify the minimum housing standards in either the bill or any accompanying regulation. This was again noted by many stakeholders.

I want to pick up on part of the dissenting report where it spoke about the one-size-fits-all approach within this legislation in respect of manufactured homes. It says that it does not adequately address the significant unique differences between modern newer manufactured home villages and older style accommodation found in mixed use caravan parks. That was very obviously the case at Sunstone Gardens in Maleny. Previous reviews have recommended separate sections of the act be proposed to deal with these unique differences. The dissenting report says that the LNP opposition is concerned that the proposed legislation fails to address legitimate safety concerns raised in respect of many manufactured homes in mixed-use caravan parks and nor does it adequately address the rights of home owners or park owners in respect of exit provisions.

I conclude my comments by reflecting on that a bit more. I recently attended the LGAQ conference in Gladstone. At that conference I met Michelle Weston from the Caravan Parks Association of Queensland and we got talking about this bill. She drew my attention to their submission. She said that one of the points that does not appear to be addressed in the committee's report on the bill relates to those manufactured homes that many years ago were placed in parks as relocatable homes and long before legislation covered these types of structures. These structures were not built to a building code and were designed for medium-term accommodation only.

As the peak body representing mixed use parks in Queensland they recommended that, in the first instance, a separate site agreement be in place for these style parks. Having a different site agreement would allow park owners to have these structures removed when a home owner chooses to leave the park rather than having them assigned. If this recommendation does not meet with the desired outcomes, they recommend that the Manufactured Homes (Residential Parks) Act 2003 have a clause included that requires that a home meet the building code before an assignment can take effect. This change would protect the existing resident while also protecting the park and ensuring the safety of the resident. I think that is a sensible suggestion. I understand there may be some changes made through amendment. I hope that is one of them. Michelle also pointed out that the Caravan Parks Association of Queensland also had concerns with clauses 69, 70, 71, 87, 99A of the bill. Like the LNP, they have concerns around the inclusion of a prescribed minimum housing standard.

I think there are some positives in this bill. It has taken too long to get here. There are also potential unintended consequences and a few gaps that remain. I look forward to hearing from the minister when he sums up the debate and during consideration in detail when he potentially addresses some of those concerns through amendments.