



Speech by

**Andrew Cripps**

**MEMBER FOR HINCHINBROOK**

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## **BUILDING AND OTHER LEGISLATION AMENDMENT BILL**

**Mr CRIPPS** (Hinchinbrook—NPA) (5.17 pm): I rise to make a short contribution to debate on the Building and Other Legislation Amendment bill. The stated purpose of the bill is to clarify existing provisions and to make minor amendments to the Building Act 1975, the Fire and Rescue Service Act 1990 and the Local Government Act 1993.

The amendments to the Building Act 1975 are intended to clarify existing provisions to expand the definition of buildings used for budget accommodation, minimum standards and certification for budget accommodation buildings and remove restrictions on local governments in which building surveying technicians can perform building certifying functions, and it is with respect to this part of the bill that I wish to largely confine my remarks.

Clause 4 of the bill seeks to ensure that alternative solutions used to comply with the Building Code are properly specified and that their maintenance can be adequately enforced. This is an important amendment which I hope is designed to acknowledge that accommodation venues vary widely in their age, size and design and that compliance with building codes as they evolve may become increasingly difficult for individual accommodation venues.

In my electorate of Hinchinbrook, as in many areas of regional Queensland, many primary industries, particularly horticultural industries, depend greatly on itinerant and seasonal workers such as backpackers to harvest fruit and other crops. In my electorate, the banana industry is a major industry and is heavily reliant on itinerant workers to harvest the fruit, and their dependence has been exacerbated in recent years due to the skills and labour shortage. Budget accommodation is an essential requirement for itinerant workers, particularly backpackers, to be able to come to the communities in my electorate, such as the Tully district and the Innisfail district, to work in the banana industry and other horticultural industries for the purposes of working in the area for a period of time.

There are a number of budget accommodation venues throughout the district which specialise in the provision of affordable accommodation and meal packages to cater for those workers, and some have even established strong relationships with banana farmers to secure workers for their farms when they arrive in town. There is a shortage of budget accommodation available in north Queensland in these areas. I wrote to the Minister for Natural Resources and Water last year in relation to proposals to expand affordable accommodation available in Tully at the Green Way Caravan Park. Substantial investment was needed in the site to make it worthwhile for the leaseholders, which they were prepared to do if they could secure a long-term lease to make it worthwhile, and that is where the DNRW came in.

In early 2007 the shortage of labour in the banana industry in north Queensland following Cyclone Larry was being exacerbated by a lack of accommodation for workers, particularly for itinerant and seasonal workers. The relationship between the Green Way Caravan Park and the local banana farmers in the Tully district was very strong, and I was contacted by several growers supporting the proposal to expand the capacity of the caravan park because it was much needed to source more labour for the area.

There was a clear economic benefit that these workers would bring to towns like Cardwell, Tully, Innisfail, Babinda, Mareeba and surrounding districts which are at the heart of that industry in north

Queensland. Critically, the banana industry itself would struggle to function without the itinerant and backpacker labour. The problems are associated with attracting and accommodating labour for the banana industry and other north Queensland horticultural industries.

Let me be absolutely clear that I believe there should never be a situation where building code standards are exempted for any venue that would lead to a situation where safety standards are compromised. However, I need to raise on behalf of these budget accommodation venues in my electorate that are so critical for the major agricultural industries in the area the issue of the possible costs associated with compliance at venues that may require substantial investment by the owners of the building. I hope that clause 4 of the bill—which seeks to ensure that alternative solutions used to comply with the Building Code are properly specified and that their maintenance can be adequately enforced—will achieve its stated aim and can provide effective alternatives for budget accommodation venues where for some reason compliance cannot be easily achieved and avoid a compliance nightmare in the short term, as budget accommodation venues which may face compliance difficulties take a period of time to finance or secure other assistance to comply with the regulations.

Again, I want to make it clear that I am not for a moment suggesting that building owners not be required to comply with the standards being proposed. But I would like it recognised that the age, the size and the design of some of the venues may mean compliance is more difficult for them than other venues. A heavy-handed approach would have a serious impact on people's livelihoods and the industries that I have mentioned in north Queensland and on other industries in other regions of Queensland.

Clause 9 amends the definition of budget accommodation to ensure that share houses are captured by the definition and that a boarding house is a budget accommodation building irrespective of whether meals are provided to occupants. Having been a university student in a share house in a previous life in the western suburbs of Brisbane—

**Ms Jones:** Not that long ago!

**Mr CRIPPS:** Not that long ago.

**Mr Gray:** Which suburb?

**Mr CRIPPS:** Well, I was a resident of Taringa and Toowong previously. Rising rents and housing affordability pressure, which has been demonstrated through many press stories in Brisbane—and, indeed, as far as students are concerned, in Townsville in north Queensland at James Cook University—are a concern where many students are trying to fit into a single dwelling. However, I want to echo the concerns expressed by the shadow minister, the member for Maroochydore, about landlords being exposed to liability if overcrowding is occurring without their knowledge.

Part 3 of the bill proposes amendments to the Fire and Rescue Service Act 1990 to complement the amendments to the Building Act with regard to the definition of fire safety installations. Strong fire safety regulations are important and these proposals follow amendments that were made following debate on the Queensland Building Services Authority and Other Legislation Amendment Bill, which acted on recommendations after the backpacker hostel fire in Childers to improve fire prevention standards. Those measures were welcome and supported, as are the amendments in this bill to try to ensure that other tragedies of that nature and severity do not occur again.

Amendments relating to the restrictions on the local governments in which building surveying technicians can perform building certifying functions are also proposed to address the critical shortage of building certifiers. This is certainly an issue faced in a number of regional and rural electorates in Queensland including my electorate of Hinchinbrook. The Hinchinbrook Chamber of Commerce, Tourism and Industry recently sought assistance from the Hinchinbrook Shire Council to step up its efforts to secure a building certifier, which they had been without for some time.

There were many reports of applications for buildings being delayed in the local area for considerable periods of time. These efforts have recently been successful, but the efforts were considerable and caused some disruption to the progress of a number of projects in the shire. Temporary buildings used for sleeping accommodation are often substandard and it is proposed that a minimum standard be introduced for such buildings. Section 67 of the Building Act currently allows for a building certifier to approve a temporary building or structure for a certain period that does not comply with the building assessment provisions provided that certain conditions relating to structure, fire safety, health and amenity are met.

Amendments to the Building Act will provide that building certifiers will not be able to apply section 67 of the Building Act to temporary structures when this standard has been introduced by regulation. The goal of achieving higher standards for temporary buildings as far as structural integrity, fire safety, health and amenity are concerned is a worthy goal, but achieving widespread compliance without creating an equally widespread upheaval in many areas of Queensland will be difficult.

The very significant numbers of temporary buildings that have been put in place to service the thousands of workers employed in the mining and resources sector in regional areas of Queensland comes immediately to mind. The mining industry no doubt has the capacity to meet the costs of compliance where the structures currently do not apply, but the time frames to achieve compliance may be a challenge in that area. With those few comments on the record, I am pleased to support the bill.