

9 March 2018

Ms Deborah Jeffrey
Committee Secretary
Transport and Public Works Committee
Parliament House
George Street
Brisbane QLD 4000

Email: tpwc@parliament.qld.gov.au

Dear Ms Jeffrey,

Subject: Plumbing and Drainage Bill 2018

Thank you for the opportunity to provide a submission to the inquiry into this important piece of legislation.

On the whole, Master Builders supports the legislation. We believe that for the most part, the Bill contributes to the Government's commendable intent to "establish a contemporary, streamlined and flexible legislative framework for plumbing and drainage that is clear and simple for the end user".

The collaborative, constructive process that the Government has employed in the drafting of the Bill has made this possible.

We remain concerned with one provision in the Bill.

Section 65(1)(a)(ii) introduces the new term of "prohibited WaterMark product". Under this Section it will be prohibited to install a product with a legitimate WaterMark certification if the State Government deems it "prohibited".

While this is promoted as strengthening the controls on non-conforming products by giving the Government the power to act quickly in the event that a failure is identified, in practice it will have the opposite effect.

Master Builders has long advocated for stronger measures to prevent the use of non-conforming products. In working directly with builders and in implementing the new Queensland non-conforming building products legislation, it is clear that to be effective we must promote clear and robust 'evidence of suitability' pathways.

The Australian Building Codes Board (ABCB) also recognises the importance of strong 'evidence of suitability' in tackling non-conforming products. It prioritised improvements to the 'evidence of suitability' provisions in the National Construction Code (NCC) in the recent out-of-cycle Amendment 1. Further, improvements to the WaterMark scheme are currently being actioned by the ABCB.

The new term of 'prohibited WaterMark product' will undermine this work by introducing an additional complexity within an already complex area. It also sends a clear message that WaterMark certification cannot be relied on to establish 'evidence of suitability' in contradiction to the NCC.

If the Queensland Government is concerned the WaterMark scheme does not deliver the results it requires then it needs to work to improve the system and not create an alternative. It needs to use its position as a member of the ABCB to bring about change.

Lastly, we remain committed to ensuring that the intent of the legislation is realised on the ground. We therefore look forward to continuing to work with government in developing the necessary detail in support this legislation; in the regulations and Queensland Plumbing and Wastewater Code.

If you need any further detail or clarification please do not hesitate to contact me.

Regards,



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