

BUDGET ESTIMATES 2012-13 – QUESTIONS ON NOTICE FROM THE HEARING

Meeting with Property Developers

The Hon. ADAM SEARLE: Minister, can you confirm that you met with property developers Vic Cavasinni, the owner of Cavasinni Constructions and Beechwood Homes, David Masterton of Masterton Homes, and Peter Fowler of Fowler Homes, after they each bid for lunches with you at a Liberal Party fundraiser?

Mr ANTHONY ROBERTS: Yes, I can.

The Hon. ADAM SEARLE: Can you inform the Committee of the days and places at which you had those meetings?

Mr ANTHONY ROBERTS: I will take that question on notice.

ANSWER

All three stakeholder meetings were held at the Strangers Dining Room at Parliament House and were paid for entirely by the Member for Smithfield. The three stakeholder meetings were held on 3 May 2012, 10 May 2012, and 16 August 2012.

List of Correspondence received from the Development Industry about Strata Issues

Dr JOHN KAYE: Mr Stowe, to be clear, I was asking about why a certain matter had not translated from the consultation into the discussion paper. As I say, you concentrated on matters that were raised in the consultation and other matters have been raised with you in correspondence.

Mr STOWE: Correct.

Dr JOHN KAYE: I would like to know who else raised matters with you in correspondence.

Mr STOWE: Dr Kaye, we have had many individual consumers, agency organisations and non-government organisations that, over a period of time, have raised issues around strata schemes. Those matters have been kept for whenever we do these sorts of reviews, and looking at the information and themes that came out of the consultation—

Dr JOHN KAYE: You have a file in your office of correspondence—

Mr STOWE: Correct.

Dr JOHN KAYE: —in respect of strata title schemes?

Mr ANTHONY ROBERTS: We received 1,200 submissions.

Dr JOHN KAYE: No, we are talking about something separate, Minister—that is, the submissions that you received in respect of the consultation, but Mr Stowe was talking about other matters that were raised. Were those matters raised by developers or representatives of the development industry?

Mr STOWE: Dr Kaye, I would have to take that on notice. These are submissions, letters that have been received over a period of five years.

Dr JOHN KAYE: Can you get back to us with a list of the correspondence that you received from the development industry in respect of that?

Mr STOWE: Certainly, I would be happy to do so.

ANSWER

In preparing the discussion paper, Fair Trading looked back over correspondence received over recent years, including on the topic of renewable energy and energy efficiency.

All of this correspondence was received from strata owners and managing agents concerned about the complex and costly process for obtaining owners corporation approval to install solar panels or other energy saving devices. This has, in part, informed the 'Owner Renovations' section of the discussion paper, page 30-31.

Fair Trading has not received correspondence on this issue from developers.

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Licensing for Installation of Security Systems

Dr JOHN KAYE: I refer now to the appropriate licensing of tradespeople who install security systems such as locking systems, screen doors, window screens, films on windows, security glasses, blinds, shutters, roller doors, and door reinforcements. Perhaps Mr Stowe can help us here. There seems to be some degree of disagreement between what the Minister for Police and Emergency Services is saying and what you and the Department of Fair Trading is saying. I am not seeking to deliberately create political disagreement. I am seeking to try to resolve what is being said. The Minister for Police and Emergency Services suggests that such people require a tradesperson not with a home building licence but a contractor holding a mandatory police master security industry licence. The Strata Management Schemes Act requires only properly licensed tradespeople to carry out such work whereas Fair Trading's website seems to be saying that all that is required is a standard tradesperson's licence. Can you resolve that?

Mr ANTHONY ROBERTS: I will pass that to Assistant Commissioner Tansey.

Dr JOHN KAYE: It is not a political question. It is a matter I would like resolved.

Mr ANTHONY ROBERTS: It is practical and sensible.

Mr TANSEY: I say at the outset I do not think I can give a definitive answer because I am aware that there are distinctions in this area between installing a lockable screen door as against something that is determined to be a security product. I am aware that debate about those elements comes up. If there is something you want further clarified we can take it on notice because it goes to the deep detail of the scope of work of different licences.

Dr JOHN KAYE: I would like you to take that on notice and provide some clarity for us. I would also like you to comment on the advice provided on Fair Trading's website with respect to this matter. I must admit it has been a while since I looked at it and you may have updated it. From my understanding it does not mention the requirement to hold a police master security industry licence.

Mr ANTHONY ROBERTS: So I can get my mind around this, is this a complaint or an issue that has been brought to you by industry or by consumers?

Dr JOHN KAYE: It is an issue that has been raised with me by what one might call an interested industry observer.

Mr ANTHONY ROBERTS: That is fine.

Dr JOHN KAYE: Since the Minister has asked, it is a matter that seemed to stack up when we investigated it. There was an apparent contradiction between what Police and Emergency Services thought was the appropriate licensing and what Fair Trading thinks is appropriate, or at least what is being communicated from the two different arms of government. All I am asking is whether there is a way this can be resolved to get clarity.

Mr TANSEY: I have here in incredibly small print that I can barely read excerpts from some of the licensing detail from our website. It does go into installation of security doors, grilles and equipment and the difference between security industry licences and home building licences. It also creates related information links to the Security Industry Registry. I am happy to answer further questions, but I can literally read it to you. It says:

A person who installs security doors, grilles and equipment in any building must hold a Security Industry Act licence (Class 2C or 2E or 2F).

If the building is residential, the installer is exempt from the provisions of the Home Building Act 1989, provided the contract is confined to the work authorised under their licence...

That is their security licence. Further on under the heading "Home building licensees" it says:

A person licensed under the Home Building Act in the categories of **general building work, metal fabrication or minor maintenance** is exempt from the provisions of the Security Industry Act provided the person in the course of their building activities or maintenance services, installs basic security equipment such as locks but only to the extent to which the person provides the services.

Then there are related hyperlinks to the Security Industry Registry and licensing.

Dr JOHN KAYE: Perhaps you could provide on notice the link to that web page.

Mr TANSEY: I am happy to do that.

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ANSWER

Information regarding the installation of security doors, grilles and equipment can be found on the NSW Fair Trading website at the following link:

http://www.fairtrading.nsw.gov.au/Tradespeople/Home_building_licensing/Licence_classes_and_qualifications/Installation_of_security_doors_grilles_and_equipment.html