

SECOND READING SPEECH

HON GUY BARNETT MP

Residential Tenancy Amendment (Safety Modifications) Bill 2025

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Madam Speaker, I move that the Bill now be read a second time.

This Bill seeks to facilitate tenants taking action to prevent furniture from toppling and harming those in the home.

The provisions of this bill comprised half of the *Residential Tenancy Amendment Bill 2024*. The 2024 Bill passed this place but was unable to be considered in the other place prior to the dissolution of Parliament earlier this year. The 2024 Bill has been divided into two with the other provisions currently before the Parliament as the *Residential Tenancy Amendment (Pets) Bill 2025*.

This Bill will enable a tenant to fix an item of furniture to the premises, for example to a wall, to prevent that furniture from posing a risk to residents or visitors, especially small children.

Where the affixing of the furniture will not cause permanent damage, no consent from the owner is needed. If permanent damage will result, the tenant will need to seek the consent of the owner. If the owner does not respond within 14 days, the owner is deemed to have consented.

“Permanent damage” in this section of the Act is defined as;

- Damage that cannot be remedied;
- Damage that affects a premises that has historical cultural heritage significance within the meaning of the *Historic Cultural Heritage Act 1995*; and
- A type of damage prescribed for the purposes of this definition.

This specific definition of permanent damage is aimed to ensure that consent is required where the impact of the furniture anchors could not be properly rectified at the end of the tenancy.

The Bill provides an avenue of review where an owner does not consent to the safety modification. The tenant can apply to the Residential Tenancy Commissioner if consent is refused.

As is already the case, the reforms will not affect the tenant’s obligation (under section 53 of the Act) to rectify any damage caused during the tenancy and to return the premises to the condition the premises was in at the beginning of the tenancy, other than reasonable wear and tear.

In the development of the 2024 Bill, the Department of Justice undertook targeted consultation with a wide range of stakeholder bodies as well as local government. The Department received sixteen submissions, and these provided the invaluable perspective of a variety of sectors of our community. I thank those groups that provided feedback on the policy.

The Government considers that the reforms contained in the Bill balance the rights and safety of the tenants with the interests of the owner.

Madam Speaker, I commend the Bill to the House.