




Speech By
Hon. Grace Grace

MEMBER FOR BRISBANE CENTRAL

Record of Proceedings, 22 August 2017

TRADING (ALLOWABLE HOURS) AMENDMENT BILL

 **Hon. G GRACE** (Brisbane Central—ALP) (Minister for Employment and Industrial Relations, Minister for Racing and Minister for Multicultural Affairs) (11.18 pm), in reply: It is late at night, and when I hear contributions like that last one I really wonder what has happened to the LNP. I thank honourable members for their contributions to the debate on this bill. This bill will simplify and standardise Queensland's complex trading hours laws which have been acting as a handbrake on jobs and business expansion for too long. As Steve Wardill commented in the *Courier-Mail* this morning, Queensland's chaotic trading hours have long been ripe for reform and it is this Palaszczuk Labor government that is taking up that challenge and is reforming these laws after governments of all colours have ignored this issue for many years. The current numerous trading hours arrangements developed over many years have created complexity and confusion for businesses and consumers alike.

I will provide a couple of examples. For Sunday trading alone, there are 30 different trading zones across Queensland. Under the act, non-exempt shops close at 5 pm on Saturday but 6 pm on Sunday. Fathom that. I could give other examples in relation to the number of employees who can be employed by some of the smaller independent retail shops, putting a brake on additional staff they may need. These are just a few examples of how the current regulation of trading hours simply needs to be reformed. As Steve Wardill said, they are ripe for the picking.

These issues have been put in the too-hard basket for over 20 years. It has taken the Palaszczuk Labor government to tackle them head-on, listen to stakeholders and introduce laws that will deliver real reform. Under the reforms contained in our bill, the number of trading hours zones will reduce from 99 to just 12, supporting up to an additional 1,000 jobs. Generating jobs and cutting red tape is what this government is all about, and that is what the trading hours reforms in this bill will deliver.

Earlier today I circulated a list of amendments to the bill that I propose to move during consideration in detail. The amendments include those I flagged during my second reading speech and respond to the recommendations of the Finance and Administration Committee from its examination of the bill.

Those opposite talk about there being 31 or 32 amendments. Some of these are extremely minor. One was an oversight which is being corrected and one was in relation to the motor trades and caravans. After listening to them and hearing their concerns, we took the recommendations of the committee through the parliamentary process. That is what these parliamentary committees are all about. We will not make any apologies for accepting recommendations from the committee. We are a government that listens. We are not an arrogant government like the LNP that at times ignored its own majority committee recommendations. It was pathetic. We know that LNP members are sitting opposite because of their arrogance and the way they carried on when in government. This is a listening government that will make no apologies if we believe that a good idea has come forward. Maybe those opposite can take a dose of that medicine.

The amendments include adding the Cairns CBD to the list, as it was omitted. We are amending and expanding the areas for Westfield Garden City and Chermside Shopping Centre. Of course, as I said, the current trading hours for motor vehicle and caravan retailers will remain the same. I thank all those on this side of the House who spoke to me about that. Most of the members here came and saw me. Once the motor vehicle and caravan industry focused on the bill, they realised that maybe Sunday trading was not for them. It is interesting to think that a business does not want to trade, but quite clearly there are issues specific to that industry. We listened to them and now have said, 'Okay, if that is what the industry wants, we are more than happy to leave it as it is.'

Following further discussions with stakeholders, the government proposes what I believe are some further sensible amendments to the bill. We have listened to stakeholders and acknowledged the concerns of small business about the effects of trading hours reforms on regional Queensland in particular. The government proposes amendments to the bill which address those concerns while also maintaining the benefits of simplifying and standardising current trading hours. Honestly, enough. This is just ridiculous.

The government proposes amendments which address those concerns while standardising current trading hours. Under these amendments, the trading hours for non-exempt shops outside of South-East Queensland will be: Monday to Friday, 8 am to 9 pm; Saturday, 8 am to 6 pm; and Sunday and most public holidays, 9 am to 6 pm. The effect of these amendments is to change the opening time currently proposed in the bill for shops outside of the south-east corner from 7 am to 8 am. I let everybody on the other side of the House know that in South-East Queensland there are no changes. The hours remain the same. There are no amendments. They are what the QIRC determined under the previous government that it was able to do nothing about. They stay the same.

Ms Bates interjected.

Ms GRACE: Instead of interjecting ad nauseam, the member for Mudgeeraba may want to listen. There is no change in her area. An exception to this with regard to the hours—

Mr SPEAKER: Pause the clock. One moment, Minister. Member for Mudgeeraba and other members, the minister is responding in reply. We are getting on with the business.

Ms GRACE: The exception will be the Townsville tourist area, which will retain its own unique 7 am start, Monday to Friday. Those 21 towns that currently do not have Sunday and public holiday trading will remain that way for the period of the five-year moratorium under the bill, with an amendment that removes the provision currently in the bill that allows applications to be made to the QIRC to opt in to Sunday and public holiday trading. That is an eminently sensible amendment. This means that smaller retailers will have the certainty of knowing that there is a five-year moratorium on further trading hours applications to the QIRC. That stability is unbelievable. It has not been there for many years. This will provide a period of stability and certainty for all parties and will put a stop to the revolving door of expensive and time-consuming cases in the QIRC, as is presently the case.

For the information of the House I add that 15 of those 21 towns have never had an application for Sunday trading. The six that did over the past five years were not successful. I also note the recent decision of the QIRC, on 14 June 2017, to permit Sunday and public holiday trading in Warwick and Stanthorpe. An amendment is proposed to add those towns into the schedule of the bill because of the QIRC decision. This is the schedule that lists those regional areas outside of South-East Queensland where non-exempt shops can trade on Sundays and most public holidays.

Finally, the current provision for a review of the act will be clarified with an amendment that provides the review must be conducted and completed before the end of the moratorium period. I will move amendments in consideration in detail, and other key reforms in the bill will remain, as I have previously outlined. A number have been included and they will remain as part of the bill.

In introducing these reforms the government also recognises that changes to trading hours can have impacts on retail workers and their families. That is why this bill includes protections for retail workers that will make it an offence for an employer to require an employee to work any extended trading hours that have been introduced by this bill unless the employee has freely elected to work those hours. This agreement to work must be in writing.

The end result of these reforms is that most non-exempt businesses across the state will be covered by just two major trading hours zones. One zone is in South-East Queensland, where there are no changes and where the core trading hours will reflect the decision of the QIRC in December 2016, and one zone is in regional Queensland with the core trading hours I described earlier. There then will be a small number of other arrangements to the bill to cover special needs and circumstances such as longer trading hours for designated tourist areas like Cairns and the Gold Coast, the earlier opening hours which will apply to hardware stores, and the arrangement for motor trades and caravan shops, which will retain their existing trading hours as recommended by the committee.

The Palaszczuk government has worked in good faith consulting with crossbenchers and stakeholders and as a result has put forward these additional amendments to address the genuine concerns raised while still achieving the benefits of substantive trading hours reforms. I wish to thank those stakeholders we have worked with throughout this process. Trading hours is a hard fought area of public policy, but I found that all parties conducted themselves in a thoroughly professional and respectful manner. I wish to thank in particular Dominique Lamb and David Stout from the NRA and Jos de Bruin, Roz White, Debbie Smith, Peter Piccone and other members of the MGA management committee whom I met with personally. I again give my sincere thanks to former Speaker John Mickel, who chaired the independent reference group that conducted the review which underpins the bill before the House. John did an excellent job. He worked very well with the committee and obtained many submissions.

The changes in this bill will modernise and simplify current trading hours to support jobs, cut red tape and increase choice for the consumer but, more importantly, provide the stability needed for small business in the state during the five-year period of the moratorium. This bill is about retail hours stability, more jobs, more choice and less red tape. I commend the bill to the House.