




Speech By
Hon. Yvette D'Ath

MEMBER FOR REDCLIFFE

Record of Proceedings, 7 March 2018

**POLICE AND OTHER LEGISLATION (IDENTITY AND BIOMETRIC CAPABILITY)
AMENDMENT BILL**

 **Hon. YM D'ATH** (Redcliffe—ALP) (Attorney-General and Minister for Justice) (3.41 pm): I rise to speak in support of the Police and Other Legislation (Identity and Biometric Capability) Amendment Bill 2018, in particular, in relation to the proposed amendments to the Criminal Code Act 1899 and the proposed amendments to the Liquor Act 1992. The threat from homemade explosives is an increasing one. This has been borne out by increased calls for service for the Queensland Police Service Explosive Ordnance Response Team and unfortunately incidents in which Queenslanders have been injured as a result.

The bill increases penalties for the explosives offences contained in sections 470A and 540 of the Criminal Code to a maximum of seven years. Additionally the bill expands the scope of the offence in section 470A to capture the manufacture or possession of explosives in circumstances that pose a risk of injury to a person or damage to property. These amendments ensure that the current offence provisions in the Criminal Code adequately address the increasing threat and are reflective of the serious nature of this kind of offending.

The Palaszczuk government recognises that hosting the 2018 Commonwealth Games presents a once-in-a-lifetime generational opportunity to showcase all that Queensland has to offer. This does include the exceptional hospitality of our restaurants, pubs, clubs, bars and nightclubs. However, Mr Speaker, you would think from listening to the speeches in this debate that it is the only thing we had to offer in Queensland—it is drinking or nothing else. We have nothing else to showcase other than how late we can drink in our bars.

We do want to create an environment where athletes, officials and visitors for the Commonwealth Games can have a good time and feel safe at sporting events, eateries, entertainment venues and accommodation facilities. Accordingly, the government has adopted an approach that strikes an appropriate balance between the liquor industry's interest in maximising economic opportunities afforded by the games and the public interest in minimising alcohol related harm. It is this second element that we have not heard those on the other side talk about. It is only the first element, which is the economic opportunities for licensed venues, we have heard them talk about. We absolutely recognise that there are real opportunities as part of the Commonwealth Games, but that cannot be the only issue we look at in relation to this.

Amendments in this bill preserve the integrity of the tackling alcohol fuelled violence policy by making appropriate concessions that do not fundamentally change the operation of the regulatory framework for liquor in Queensland. The bill provides for licensed premises in the Broadbeach CBD and Surfers Paradise CBD safe night precincts to be granted a Commonwealth Games extending trading hours authority for liquor service.

All licensees of licensed premises in the Gold Coast SNPs will be automatically granted an additional hour of liquor service at the end of their permanent liquor trading hours each day from 3 April to 17 April 2018 inclusive under the games authority. Limiting the automatic extended hours to these

two SNPs is in line with the extended trading hours for retail outlets that have also been granted for the same period, from 3 to 17 April, and are also limited to the Gold Coast area. We have heard about Brisbane, Townsville and Cairns. In fact, the extended retail trading hours, 24-hour retail trading, are limited to the Gold Coast from 3 to 17 April. It is limited to that time frame and limited to the Gold Coast but particularly the safe night out precincts, which have always been treated differently from other venues. The safe night out precincts have higher security and high regulation to ensure protection because they are areas where there is greater risk.

Where a licensee would normally have been required to undertake ID scanning, the licensee will also be required to scan patron IDs during the additional hour of liquor trading authorised by the games authority. Where a licensee would normally not have been required to undertake ID scanning, it is intended that the licensee will not be required to scan patron IDs during the additional hour of liquor trading authorised by the games authority. On top of this extra hour, licensees can also apply for temporary late-night extended hours permits up to their allocation of six per calendar year. I emphasise that because those on the other side have fundamentally missed the point on this.

We have heard the member for Toowoomba North talk about how everyone is going to be funnelled into those two safe night out precincts on really big nights like the closing ceremony because they are not going to have anywhere else to go. That just shows a laziness of understanding the legislation that is in place because every single licensed venue across Queensland, including every single one on the Gold Coast, can apply to use any one, including multiples, of their six permits.

Mr Watts interjected.

Mr DEPUTY SPEAKER: Order! Member for Toowoomba North, the Attorney-General has the call.

Mrs D'ATH: If all licensed venues across the Gold Coast want to apply for the closing ceremony to extend their liquor hours under an extended permit to serve liquor up to 5 am, they could make that application.

Mr Watts: Then they have lost one of their six.

Mr DEPUTY SPEAKER: Order! Member for Toowoomba North, you have had your opportunity to make your points. The Attorney-General is responding to those. The Attorney-General has the call.

Mrs D'ATH: I take that interjection, which was that they are losing one of their six. That was not the argument being put by those on the other side. The argument was that no-one is going to be able to go anywhere else but to those two safe night out precincts. Many members on the other side used the member for Toowoomba North's argument and debate on this bill to reinforce that message that everyone is going to be pushed into those two precincts, but that is just not true. They can apply for a permit. Yes, they are using one of their six but do not pretend that they cannot trade.

Do not lead people inside this chamber and outside this chamber to believe that they cannot trade beyond their existing liquor hours on a big night like the closing ceremony. It is not an absolute. They can apply. Yes, they are using their permits. That is what the permits are there for—for special events. That is absolutely what the permits are established for—applying to extend liquor hours for special events. We know that the closing ceremony of the Commonwealth Games is a special event. We have made that clear. Let us be honest. Let us have the debate by all means. It is an important debate, but let us be clear on the facts and how it actually works.

I do want to pick up on some of the points that other members, including the member for Whitsunday, have raised about other areas of Queensland. We have heard this argument about somehow tourists are not going to come. They are buying tickets. They are booking flights. They are booking accommodation. They are coming. They are not coming here because they know they can drink past 2 am or 3 am or 5 am. They are coming here because of these wonderful events.

Redcliffe has just hosted the Rugby 9s Commonwealth Championships, a two-day event comprising 11 nations and 17 teams, in the lead-up to the Commonwealth Games. The teams were there all week enjoying the hospitality across the peninsula, and not one of those players came up to me and said, 'Excuse me, local member and Attorney-General, I'm furious that we can't drink until 5 am in the morning.' They loved the place. They loved the hospitality of the Redcliffe Leagues Club, Mon Komo Hotel and the many restaurants. I will not start naming restaurants because I will get in trouble for missing some, but they were enjoying the hospitality—

A government member: The Rustic Olive.

Mrs D'ATH: Yes, the Rustic Olive. They loved the hospitality across the area.

The allocations are not being increased for the permits because, given that the games authority provides an automatic extra hour of liquor trading in the Gold Coast safe night out precincts, increasing the number of available permits would undermine our tackling alcohol fuelled violence policy and

expose the community to increased risk of alcohol related harm. The existing permit framework appropriately balances the harm minimisation benefits of limiting late-night liquor service with providing licensees the opportunity for temporary late-night liquor service hours to cater for legitimate special occasions.

Under the bill the application fee for these permits will be waived for licensees in the Gold Coast SNPs. The arrangements in the bill deliver significant benefits to Queensland's tourism and hospitality sectors by reducing the financial and administrative burden associated with accessing additional post midnight liquor service hours. I think it was the member for Toowoomba South—and I stand to be corrected—who talked about the Zoo having to close at midnight. Those are commercial decisions to not trade beyond midnight. They can apply to alter their permanent liquor hours beyond midnight. That is a business decision. It has nothing to do with any restrictions in relation to the Commonwealth Games.

I want to echo the words of the former member for Southern Downs, who said when he wandered down the streets of Townsville at five in the morning for a walk and saw people stumbling out and passed out on the footpaths of nightclubs that that is not the message we want to send. We want all of our tourists remembering that we have a beautiful vibrant state night-life but it is a safe one as well. We want everyone—families, seniors and people of all ages—to enjoy the Commonwealth Games. That is what they will do and this law supports that.

(Time expired)