




Speech By  
**Andrew Powell**

**MEMBER FOR GLASS HOUSE**

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Record of Proceedings, 21 May 2020

**JUSTICE AND OTHER LEGISLATION (COVID-19 EMERGENCY RESPONSE)  
AMENDMENT BILL**

 **Mr POWELL** (Glass House—LNP) (11.51 am): I too rise to address the Justice and Other Legislation (COVID-19 Emergency Response) Amendment Bill 2020. At the outset, I want to commend the people of Glass House and Queensland on the way they have reacted and responded to what could have been a dreadful health crisis. Again, I pass on my sympathies to the families who have lost loved ones. One death is a tragedy, but I think all members in this House would reflect on the fact that it could have been a lot worse but for the way every Queenslanders has stepped up to the plate over the last couple of months.

We are again debating a range of amendments to address the emergency response to COVID-19. I want to particularly address some of those amendments that pertain to how we now respond to the economic crisis. I think the health crisis has been dealt with exceptionally well, but we do not want it to become an economic crisis. We are starting to see a number of things through the road map that are inconsistent and creating confusion amongst business owners and operators around the state, and I will shortly reference a couple of specific issues in the electorate of Glass House. A number of things are mentioned in this bill and I hope they go far enough to address these specific concerns. I will start with the amendments to the Liquor Act 1992. The explanatory notes state that the Liquor Act will be amended—

by inserting a new power for the Commissioner for Liquor and Gaming to issue a Takeaway Liquor Authority to operators of licensed venues whose ordinary operations have been disrupted due to the public health directions, to allow them to sell takeaway liquor as specified in the authority, regardless of the limitations of their current licence or permit ...

I want to bring to the attention of the House the situation of Thomas and Kate Honnef at Ocean View Estates in the south of the Glass House electorate. They run Ocean View Estates, which is a fantastic restaurant, wedding venue and holiday accommodation. They operate that on two properties: one is about 100 acres and the other is about 50 acres. They interpreted—and it appears incorrectly, as we have since found out—that they could open several weekends ago and start doing takeaway food and allow visitors to picnic on their 100-acre property. I know Thomas and Kate personally. They take their responsibilities very seriously. They were doing everything they possibly could to ensure the regulations were met to try to stop the spread of COVID-19. They themselves were personally patrolling the property to ensure all the visitors were socially distancing, and they were making sure their staff were undertaking best practice when it came to the hygiene standards on the property.

It was not until the following Tuesday, 12 May, that they received an email from Liquor Licensing. They do want to thank Trent from Liquor Licensing, who subsequently spoke to them over the phone and talked this through with them. Trent explained that section 9 of the current legislation actually means that, even though they have 100 acres and in Thomas and Kate's interpretation people were not picnicking anywhere near or adjacent to the place where they were selling takeaway, the fact that they were picnicking on their property at all was an offence. Literally their 100-acre property could only house 10 people at any given time.

The problem we have here is the inconsistencies that apply to some of the public spaces that are less than 10 kilometres away from Ocean View Estates. For example, toilets in the national park are cleaned usually once a week with no hand sanitiser supplied to the local D'Aguiar National Park toilets, and there is no-one policing line-ups or social distancing in the national park grounds. We actually had a number of complaints about the number of community members who were picnicking at The Gantry section of the Mount Mee national park, which is just down the road from Ocean View Estates.

Kate and Thomas are concerned that the legislation as it stands discriminates against tourism providers who are far more capable of providing a responsible easing of restrictions on the road to recovery. They do not see the difference in picnicking in a national park and picnicking on a private property, albeit with a liquor licence. As I said, the amendments here to the Liquor Act may go some of the way to addressing this. There are specific things that Kate and Thomas are looking for clarification on. They have said—

1. We own the property where our buildings currently are located and also the 50acre property next door. Under this legislation would it be permissible to allow visitors to purchase takeaway from the restaurant building and then be directed to the neighbouring 50acre property to actually sit and eat the food?
2. We would like clarification that the government understands the impact it is having on the Tourism Industry, Queensland Wine Industry and Hospitality Industry by making a rule that discriminates against private owners of land and publically owned land. We would like to know if there is reasoning behind this, or if it was an oversight of the implications.
3. We understand that the government is very eager to allow businesses to trade in a responsible way to help restart the economy. This legislation seems to inhibit this greatly for so many businesses without any logical reasoning that we can think of.

They concluded—

We would like to request a re-think of this one sentence in the legislation to allow picnics to occur wherever people can socially distance and where venues are practicing best Covid-19 safe practice and have signed off on the Health department agreement to do so ...

As I mentioned, there may be some scope within the amendments we are discussing today to address some of what Kate and Thomas Honnef of Ocean View Estates are asking, but I would ask the government to take on board their specific request. It does seem ludicrous that there can be hundreds of people down the road at the national park picnic grounds but they are restricted to 10 people on their entire 150-acre property.

I also want to address one other looming crisis that I think we are going to see in a number of operators around the state. It was not addressed in the original COVID-19 Emergency Response Act, it does not appear to have been addressed in the amendments that are being raised today and it has not been addressed in the announcements the government made earlier this week. We have a looming animal welfare crisis coming for our many wildlife operators—

**Mr FURNER:** Mr Deputy Speaker, I rise to a point of order on relevance. I ask that the member be brought back to the bill.

**Mr DEPUTY SPEAKER (Mr Kelly):** I will take some advice. Member, I would ask you to demonstrate the relevance to the long title of the bill.

**Mr POWELL:** It is kind of ironic that it is the minister for agriculture who is raising this point of relevance, given it is his department that does not seem to be interested in talking to the remaining 80 per cent of exhibitors in Queensland.

**Mr FURNER:** Mr Deputy Speaker, I rise to a point of order once again on relevance. You have given instructions to the member and he has failed to listen to your advice. I ask him to get back to the content of the bill.

**Mr DEPUTY SPEAKER:** Member for Glass House, I do not need a commentary on the ruling. I would just ask you to respond to that ruling.

**Mr POWELL:** As I said, this bill amends the COVID1-9 Emergency Response Act. We really do need an emergency response for these wildlife exhibitors. They are not like zoos, which have been able to receive funding from the Australian government's support package. These exhibitors, like Ben Bawden at D'Aguiar Wildlife in Wamuran, have approached Minister Furner and other ministers seeking assistance. In Ben's case there are 600 animals on site—

**Mr DEPUTY SPEAKER (Mr Kelly):** Pause the clock and resume your seat. I will just take some advice. I call the member to continue his contribution.

**Mr POWELL:** If operators like Ben at D'Aguiar Wildlife are not able to get assistance through the emergency response provided by the Queensland government, I fear we are going to have not only a public health crisis and an economic crisis but potentially also an animal welfare crisis. Fortunately, in Ben's case many in the community have stepped up and provided food contributions to his operation

to ensure that his animals can continue to be fed. It would be fantastic if the Queensland government could also step up to the plate in the same way the Australian government has to assist these wildlife exhibitors ensure that none of their animals suffer unduly during this COVID-19 pandemic.

With those comments, I do acknowledge there are a lot of things in this bill that will continue to assist our response to COVID-19 not only in the electorate of Glass House but across Queensland. I would ask again that the government look at the situation as addressed by Kate and Thomas at Ocean View Estates and also Ben at D'Aguilar Wildlife. I think there is still more that needs to be done. Hopefully, it does not require waiting another month for the next parliamentary sitting to debate further amendments but that this is able to be achieved by the government out of session so that these responses are dealt with rapidly.