




Speech By
Deb Frecklington

MEMBER FOR NANANGO

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COVID-19 EMERGENCY RESPONSE BILL

 **Mrs FRECKLINGTON** (Nanango—LNP) (Leader of the Opposition) (7.17 pm): I rise to speak to the government's emergency response bill, which was introduced just this morning and is to be debated during today's sitting. The bill and the draft regulation that underpin the implementation of the residential tenancy reforms deal with some of the key challenges our communities have faced in responding to the coronavirus global pandemic, particularly in relation to financial transactions, commercial and residential leasing protections and the operation of both our criminal and civil justice systems.

I want to start by thanking all Queenslanders for what they have done and the sacrifices they have made to suppress the coronavirus spread. Make no mistake, the actions of all Queenslanders have saved lives. Today's news of no new cases overnight is certainly good news and more proof that the suppression is working.

Mr Minnikin: Well done, ScoMo.

Mrs FRECKLINGTON: I will take that interjection because it has been the Morrison government that has led Queenslanders through this global pandemic. I would like to put on record the state opposition's thanks for the federal government's contribution to Queensland.

Mr Power interjected.

Mr DEPUTY SPEAKER (Mr Whiting) Members, I point out that at the moment all conversations and comments in this chamber are quite audible and can be quite distracting. Just bear that in mind.

Mrs FRECKLINGTON: Today's news about no new cases overnight is good news and more proof that the suppression is working. Queenslanders desperately hope for a road to recovery from this global pandemic. Any new laws must reflect Queenslanders' ambition and hope that this crisis will pass and that we will not be defeated. The bill contains powers to make extraordinary regulations and statutory instruments. These are unprecedented powers, but they have been used before and we recognise that these are unprecedented times. As the long title says, the bill aims to protect the health, safety and welfare of people affected through the coronavirus pandemic.

The LNP opposition will not oppose the bill and appreciates that many of the provisions contained in this bill have a limited life to the extent that they will expire on 31 December 2020. The use of Henry VIII clauses are not ideal but certainly not unprecedented. The Queensland Law Reform Commission considered Henry VIII clauses in a 1990 report and considered them warranted in emergency, unforeseen or extraordinary circumstances. I believe that we are living through such extraordinary circumstances.

The bill implements changes which ensure social distancing requirements can be maintained but that legislation that covers attendances at places or meetings can continue to operate under those changed circumstances. These include matters relating to the functioning of our justice system which is vitally important to maintaining the laws of our state and to protecting the safety of all Queenslanders. These matters are also referred to in part 5 of the bill which deals with the proceedings of our courts and our tribunals.

Coronavirus should not be an excuse for our justice system not to function. There are also changes that facilitate the signing and witnessing of documents and the certification of signatories vitally important for so many transactions and other business in our society. Part 4 of the bill modifies statutory time limits, which gives important flexibility to financial transactions and other matters. The bill also appoints a Small Business Commissioner on the recommendation of the minister until 31 December 2020. The functions of that Small Business Commissioner are to (a) provide information and advisory services to the public about matters relevant to small businesses, particularly in relation to the COVID-19 response measures. Given the lack of response from the Palaszczuk government to small businesses, as I referred to during the debate on the appropriation bill, I know that this will be a very hectic task. Further, (b) assist small businesses in reaching an informal resolution for disputes relating to small business leases; and (c) administer a mediation process prescribed by regulation in relation to small business tenancy disputes.

Again, I reiterate that this commissioner's recommendation is until 31 December 2020. There are also accountability mechanisms so that the commissioner is accountable to the minister. We ask the minister, where it is appropriate, that those reports be made public so that issues that are raised via the Small Business Commissioner to the minister are transparent, open and accountable. That is what we would like to see. We know that our small businesses are hurting and that they just do not have the faith in the minister who has carriage of this department. It is important that these reports are made public so our small businesses can keep this Palaszczuk government accountable and so those issues are transparent.

Part 8 of the bill deals with residential tenancies and rooming accommodation, certainly one of the most contentious issues in Queensland over the past little while. The bill provides for a regulation-making power under the act to protect the rights and responsibilities of all parties in a tenancy agreement. I put on record that my husband, Jason, and I do own a rental property, which is properly declared.

A crisis always tells us a lot about a government's priorities. When the public first heard about the Palaszczuk Labor government's proposed rental package, it is an understatement to say that it sent shockwaves through the property industry. Make no mistake, everyone agrees that tenants impacted by COVID-19 need to be supported throughout this crisis, but property owners also need support and protection as well. We are talking about mum-and-dad investors, self-funded retirees, people like the Premier—who has two properties—and me—I have just declared—and about those property owners who need support and protection from their governments as well. Without investors, we simply do not have a rental market. It is quite simple and a fact that this Palaszczuk Labor government fails to understand. When those opposite first put forward their rental laws, they were the most draconian and unfair laws across the nation. Both mum-and-dad property owners and self-funded retirees faced coping the brunt of the financial fallout. Asking one group of Queenslanders to shoulder the heavy lifting—

Honourable members interjected.

Mr DEPUTY SPEAKER (Mr Whiting): Order!

Mrs FRECKLINGTON: I so want to take that interjection, thank you very much to the member opposite. This is exactly why—

Government members interjected.

Mrs FRECKLINGTON: Linus Power, the member for Logan.

Mr DEPUTY SPEAKER: Order members!

Mrs FRECKLINGTON: It is so obvious. Like I said, the Palaszczuk Labor government is so out of touch that the member for Logan does not understand that their most draconian and unfair laws initiated an unprecedented campaign against the state Palaszczuk government and the Premier of this state in the middle of a crisis. It shows how out of touch the current government is. Asking one group of Queenslanders to do all the heavy lifting is unfair, unbalanced and unacceptable. That is why tens of thousands of letters ended up in the Premier's inbox and why the opposition stood with property owner investors and with tenants who also are property owners. That is why we stood with the REIQ and ensured—

Honourable members interjected.

Mr DEPUTY SPEAKER: Members, I will not pull up those interjections at the moment; they are coming from all sides. Once again I remind you—thank you member for Toowoomba South—that all conversation is audible at the moment and is quite distracting to everyone.

Mrs FRECKLINGTON: I do wish to take the shadow Attorney-General's interjection as he just pointed out that a lot of those landlords, the property owners who had been working so hard to save people's lives during this coronavirus, are the affected people. I refer to the nurses, doctors, paramedics and those people who have worked so hard for their entire working life and invested their money into a second property so that they can become self-funded retirees who do not need to live off the welfare system in retirement. They are the people we are trying to help. I take the interjections of Labor members who so clearly are out of touch when it comes to these changes that both the Premier and ministers of the Palaszczuk government had to do a flip-flop, backflip or whatever we want to call it. Thank goodness the LNP opposition's push for that change came through and that we stood with the REIQ in those terms.

These laws were reminiscent of the politics of envy that Queenslanders overwhelmingly rejected from Bill Shorten at the last federal election. Those laws were met with a tidal wave of negative feedback from the property industry and those opposite in the Palaszczuk Labor government were forced into doing the embarrassing political backflip that they have done. They were no doubt the mastermind of the Deputy Premier, assisted by one of her left-wing deputies, trying to implement some kind of wicked wealth redistribution. Property investors and inspiring property investors are now in no doubt that the Palaszczuk Labor government does not understand property rights. Labor does not value the investment these people have made and, more importantly, the Palaszczuk Labor government simply cannot be trusted.

Which leaves us with the bill before us today. Earlier this week I received an email from Ron and Marie Cavanough. They had saved hard to build an investment home in the Lockyer Valley, but earlier this year everything changed when Ron was diagnosed with a heart condition. Ron could no longer work and they were forced to sell their property to survive. As the weeks went by it became clear that their tenant was using the language that had been used by the Premier of Queensland and the new rights granted to them by the Palaszczuk Labor government to not vacate their property. The tenant was 50 days in rent arrears and Ron and Marie were simply unable to sell their home. Marie wrote to me saying—

As a landlord I have no rights, while someone effectively squatting in my house has all the rights. Please explain to me why this is fair.

Government members interjected.

Mr DEPUTY SPEAKER (Mr Whiting): Members, direct your comments through the chair.

Mrs FRECKLINGTON: I am more than happy to table the email for the Minister for Small Business who so rudely giggled at Ron and Marie's problems. It seriously shows—

Government members interjected.

Mr DEPUTY SPEAKER: Order!

Mrs FRECKLINGTON: Unfortunately Ron and Marie are not alone. Labor's laws will impact mum-and-dad property owners and self-funded retirees across the state.

Government members interjected.

Mrs FRECKLINGTON: I take that interjection. I am pretty sure it was that the Palaszczuk government should be ashamed of what they have done to Ron and Marie; was that what you just said?

Ms Pease interjected.

Mr DEPUTY SPEAKER: Through the chair!

Honourable members interjected.

Mr DEPUTY SPEAKER: Order!

Mrs FRECKLINGTON: I think the Labor government should be ashamed.

Ms PEASE: Mr Deputy Speaker, I rise to a point of order. I take offence at the Leader of the Opposition's allegations against me. They are completely untrue and unfounded and I ask her to withdraw.

Mr DEPUTY SPEAKER: Leader of the Opposition, will you withdraw?

Mrs FRECKLINGTON: I withdraw. But when it comes to the people—

Ms PEASE: Mr Deputy Speaker, I rise to a point of order. There is no 'but' associated with a withdrawal.

Mr DEPUTY SPEAKER: I understand, thank you.

Mrs FRECKLINGTON: Is that a reflection on the chair?

Mr DEPUTY SPEAKER: Excuse me! The way that I took it is that the Leader of the Opposition had withdrawn and continued on with her speech. Have I got that right, Leader of the Opposition?

Mrs FRECKLINGTON: Yes, you have.

Mr DEPUTY SPEAKER: You may recommence.

Mrs FRECKLINGTON: Thank you. The LNP has been very clear about how we would achieve a balanced plan that protects the rights of property owners and supports tenants through this global health pandemic. Those on this side of the House have been fighting for rent deferrals rather than rent waivers, with no interest accrued; the establishment of a minimum income reduction threshold of 25 per cent before a tenant can qualify for protection measures; any rent request be substantiated with evidence—very simple; removal of the one week's notice to break lease rights for tenants; and removal of the proposed automatic right to a six-month tenancy extension with the reduced rent. It is clear that it is only the LNP that will stand up for the property rights of mum-and-dad investors and self-funded retirees and it is only the LNP that can be trusted. It is clear that now more than ever Queensland needs an LNP government to build a stronger economy.

The bill also amends the Parliament of Queensland Act 2001 to allow for the use of technology that enables reasonably continuous and contemporaneous communication to meet standing rules and orders of the Assembly, including voting in exceptional circumstances. It is important to note that these measures are only for exceptional circumstances relating to the current COVID-19 pandemic. The opposition has always maintained that following the health advice is critically important. There is and has never been any advice that parliament should not sit. The LNP has continued to offer its support, to work with the government and to deal with issues in front of us and in front of Queenslanders. That includes ensuring that this parliament can continue to sit under different arrangements and maintaining social distancing.

I also foreshadow a number of amendments that I will seek the leave of the House to introduce. They are urgent and important issues and are outside the long title of the bill. For the benefit of all members, I will now table them and speak to them briefly before seeking leave at the appropriate time during consideration in detail of the bill to move them.

Tabled paper: COVID-19 Emergency Response Bill 2020, amendments to be moved by Mrs Deb Frecklington MP [\[639\]](#).

Queenslanders need jobs and better job security. Our unemployment rate was consistently the worst in Australia before the coronavirus outbreak began. Tens of thousands of Queensland jobs were put in jeopardy because of this coronavirus. Tearing down Paradise Dam is a jobs crisis of Labor's own making. It defies belief that the Palaszczuk Labor government is pushing ahead with its devastating decision to lower Paradise Dam. It defies international expert advice.

Mr de BRENNI: Mr Deputy Speaker, I rise to a point of order. I fail to see how the Leader of the Opposition's remarks pertain to any matters in the bill that is before the House and I ask you to rule on the matter of relevance.

Mr DEPUTY SPEAKER: I understand what the minister is saying. It is outside the long title of the bill. I understand it refers to some amendments that you wish to move in the future.

Mrs FRECKLINGTON: That is correct. I have foreshadowed the amendments that I have tabled.

Mr DEPUTY SPEAKER: Leader of the Opposition, you have foreshadowed those amendments and you can speak to them at that time. In the meantime, please stick to the long title of the bill.

Mrs FRECKLINGTON: Thank you. I will talk to the long title of the bill which goes to the safety and welfare of all Queenslanders. The safety and welfare of all Queenslanders certainly includes the need to protect people's income, their livelihood, their health, their wellbeing and their safety. The LNP will move the amendments that I have foreshadowed to ensure that the tearing down of Paradise Dam does not happen because we need to do everything we can to protect the health and wellbeing of Queenslanders right at this time.

Mr de BRENNI: Mr Deputy Speaker, I rise to a point of order. A moment ago you ruled on the opposition leader's attempt to raise matters outside of the long title of the bill and then the Leader of the Opposition went on to take the opportunity, despite your ruling, to continue to refer to those matters outside the long title of the bill even when it was expressed to her clearly when those matters could be discussed. I ask you to bring her back to the bill before the House.

Mr DEPUTY SPEAKER: Certainly you have a point of order. Leader of the Opposition, you were doing well until you mentioned Paradise Dam which is outside the long title of the bill. I remind you to stick to the long title of the bill and speak on those particular amendments at the appropriate time.

Mrs FRECKLINGTON: Those opposite who were just trying to interject might like to pick up a copy of the bill, which states that this is 'An Act to protect the health, safety and welfare of persons affected by the COVID-19 emergency', which is exactly what the LNP opposition is doing in relation to support for this bill. We are also showing our support for all Queenslanders and their safety, their wellbeing and their livelihoods, whether it is utilising the residential tenancy changes or making sure that their businesses that rely upon agriculture and water can continue. That is their safety. That is their wellbeing. That is their welfare. That is their mental health. That is exactly what we are trying to protect. Mr Deputy Speaker, I thank you for your leniency in allowing me to get that out.

I note that one of the most concerning issues that people are grappling with at this time—one of the most concerning issues that goes to the health, safety and welfare of people—is skyrocketing crime under the Palaszczuk Labor government. We know that crime does not stop because of the coronavirus.

Mr de BRENNI: Mr Deputy Speaker, I rise to a point of order. I think on two occasions now, or perhaps three, you have ruled on relevance in relation to this bill and the attempts by the opposition leader to waste the parliament's time. We have heard a lot from the Manager of Opposition Business about how important it is for members to make their contributions, yet the Leader of the Opposition—

Mr DEPUTY SPEAKER (Mr Whiting): Thank you, Minister. I have your point of order.

Mr JANETZKI: Mr Deputy Speaker, I rise to a point of order.

Mr DEPUTY SPEAKER: Order! I will call you in a moment, member for Toowoomba South. I remind those who are presenting points of order that it is not a chance to debate. Yes, member for Toowoomba South?

Mr JANETZKI: I rise to a point of order. Mr Deputy Speaker, I am looking for your clarification. Clearly the comments are relevant to the long title of the bill, being about health, safety and welfare. In addition, the long title talks about judicial process. Mr Deputy Speaker, I seek your clarification on relevance.

Mr DEPUTY SPEAKER: I point out that issues raised, whether it be a dam or issues regarding crime, have been debated long before this bill was introduced. This is the COVID-19 Emergency Response Bill. Please keep that in mind. Leader of the Opposition, you were talking about health and wellbeing, which is fine. However, please do not try to tie in issues that clearly have arisen before the emergency.

Mrs FRECKLINGTON: I would point out to the House that these issues have not gone away because of the coronavirus. They have escalated. They have got worse. It goes to the health and wellbeing of all Queenslanders and to keeping them safe in their homes. That is why we are foreshadowing the amendments to the Youth Justice Act, for example. There is a reason parliament needs to sit and this bill certainly covers that. It is so that we can address the issues that are facing Queenslanders right now.

The minister opposite may like to think that he is running a dictatorship, but it ain't the case. That is not the case. Ours is the Westminster system of government. Oft times it is during a crisis that you see how well a government is going. It is a terrible government that introduces the most draconian, unfair residential tenancy laws in the nation. It is up to the opposition to haul in the government and make sure that it does not run roughshod over mum-and-dad investors. The minister knows that if the REIQ and the state opposition had not stood up to the Palaszczuk Labor government this state would have had the most draconian and unfair laws in the nation.

It is the same for mums and dads who, right now, are sitting in their properties and feeling unsafe because the crime rates are still going up under the Palaszczuk government, yet the Palaszczuk government refuses to do anything about it. This is an emergency. This is a crisis of the Palaszczuk government's own making. Crime does not stop because of the coronavirus. By sitting today the parliament has an opportunity to fix the soft laws that Labor has introduced. It is time that the Labor government starts listening.

Mr de BRENNI: Mr Deputy Speaker, I rise to a point of order. The matters that the opposition leader is going to clearly are outside the long title of the bill. You have given a very clear direction about when those matters should be debated. I do not know how many times your patience should be tested.

Mr DEPUTY SPEAKER: I will consult with the Clerk. On this point of order, there have been rulings in the past where people can speak to amendments that have been circulated by the government. In this case, the amendments have been made by the opposition and I believe they have not been authorised to be circulated as yet. Once again, I ask the Leader of the Opposition to speak to the long title of the bill. I understand where you are going, but certainly if you are specific about where you are going with these amendments I would warn you against that.

Mrs FRECKLINGTON: We certainly know that community safety has to be a No. 1 priority for any government, particularly during this time of great uncertainty. If the Palaszczuk government fails to support the opposition's sensible amendments that we have tabled tonight we will take them to the election in October. It is clear that the only way to save Paradise Dam and to do something about juvenile crime is to get rid of the Palaszczuk Labor government. I will move on.

Mr DEPUTY SPEAKER: Thank you. I was about to caution you.

Mrs FRECKLINGTON: I would like to talk about land valuations as well, but I will move on. At this time Queenslanders need strong, effective and principled leadership, but all Queenslanders can see is a government that puts itself first time and time again. We have seen that with the government shutting down debate tonight. When the worst of this crisis is over, Queenslanders must ask themselves some hard questions. The most important question will be: how long can Queensland afford to carry the Palaszczuk Labor government? Labor has already cost us too much. The people of Queensland certainly deserve a new government. The LNP will be the government to get Queensland working again.