




Speech By  
**Samuel O'Connor**

**MEMBER FOR BONNEY**

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Record of Proceedings, 2 December 2020

## **COVID-19 EMERGENCY RESPONSE AND OTHER LEGISLATION AMENDMENT BILL**

 **Mr O'CONNOR** (Bonney—LNP) (4.52 pm): I rise to make a contribution to the COVID-19 Emergency Response and Other Legislation Amendment Bill. I would like to speak to two of the matters covered in this bill. The first is commercial tenancy arrangements. Since the pandemic started and particularly through the restrictions imposed on 23 March nationally, I have had both tenants and landlords come to me about their leasing issues. Both have been shattered by the impact of the virus on their business and were shell-shocked by something they never expected to happen. Whether it be cafes, hotels, motels, hairdressers, holding yards for tourist coaches or any other business classified as non-essential, I spoke to many people sharing their disbelief at what was happening. The majority of people understood, and still understand, that this is a crisis. We have not faced a global pandemic for a century and we live in a very different world now. What they could not understand were some of the seemingly unnecessary delays and lack of clarity from the government.

The code of conduct for commercial tenancies was one issue in particular. It was agreed to by national cabinet way back on 3 April and it was months before Queensland implemented it. I had both landlords and tenants getting in touch with me regularly to ask what was happening—operations as large as Harbour Town and as small as the local place where I get coffee. It meant that tenants or landlords could not negotiate in good faith because, until the code was in place and they knew what parameters they were dealing with in the meantime, they were still operating under the situation of their usual deals. This delay was unnecessary. This was regulation made under the previous iteration of this legislation which did not require a sitting of this House to come into effect.

Despite their rhetoric, this shows the government's inability to truly support small businesses. One thing that these operators needed in that crisis was clarity. That confusion caused a lot of distress for many people. Many were still confused about whether the code would expire in September or whether it would continue. I have spoken to tenants who were getting pressure from their landlords to start paying more while their income was still affected. I have heard from hospitality venues that still could not get back to normal due to patron restrictions whose landlords were pressuring them to get back to paying 100 per cent of their rent. One of these owners has shared how unsustainable their arrangements are. They are still recovering from a 95 per cent loss to their income in April and at this stage do not know if they will make it through the next few months.

On the other side, the proposed amendment in this bill has had concerns raised by the Property Council and they are worthy of consideration. While it would be nice to think that every tenant and landlord will act in good faith, it is clear that that does not always happen. In this case, the Property Council has argued that the onus is still too high on the landlord and too low on the tenant. It is all too easy for a tenant to say that they have been affected by COVID, and in this case there is little or no recourse for the landlord when there are breaches.

We have seen hundreds of thousands of Queenslanders step up and help those around them during this pandemic. I have been proud to represent my community as they have continued to offer help to those doing it tough but, when it comes to some of these business dealings, relying on parties acting in good faith is often not good enough. We need a clear and fair framework for parties to negotiate under to ensure the best possible outcome.

To finish up on the COVID-19 aspects of this bill before us, I would like to thank all of the health workers I represent. Gold Coast Health is the largest employer in my electorate of Bonney and its workers adapted brilliantly to what has been our most difficult year on record. On a personal note, I would particularly like to thank all of those health workers who supported me at the recent election, many even telling me that they were voting LNP for the first time. I am honoured to be your local MP and I will not take your support for granted.

In relation to the changes in the Electoral and Other Legislation Amendment Bill, like I said at the time as a member of the Economics and Governance Committee when this legislation came before the House in June, it was almost an entirely different set of laws from those that initially came to us. As other members have detailed, we had the outrageous situation where a couple of hundred amendments were only made available to members at nine o'clock on the night before the bill came back for its second reading.

We have been surprised by a lot in 2020, but if you had told me that a fellow who goes by the name of 'Pineapple' would be on the cusp of legally being appointed as a mayor in a major regional city after receiving less than a third of the vote, I would not have believed you. This amendment was flawed from the beginning. It took away the democratic value of our elections and could have resulted in people who had little support becoming the elected representative of large constituencies.

It is important to remember: for some councils, like my own, those divisions are almost as large in terms of population as our own electorates. In my own major division on my part of the Gold Coast, division 7, Ryan Bayldon-Lumsden received 61 per cent of the vote and the next runner-up received just over 15 per cent. Like the LGAQ, we support going back to the system which should never have been changed and replacing councillors or mayors with a by-election. Wherever possible, we need to make sure Queenslanders have every right to have their say on who represents them at every level of government. I am proud of the democracy we live in and we should not allow any government to walk over any other level, particularly the level which is closest to the people.