




Speech By  
**Brent Mickelberg**

**MEMBER FOR BUDERIM**

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Record of Proceedings, 20 April 2021

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

 **Mr MICKELBERG** (Buderim—LNP) (12.52 pm): I rise to address the COVID-19 Emergency Response and Other Legislation Amendment Bill 2021. I note that the LNP will not oppose the extension of provisions outlined in this bill which were due to expire on 30 April this year but which will be extended to 30 September this year. The LNP acknowledges the considerable sacrifice made by all Queenslanders, none more than the thousands of small business owners and employers who continue to deal with considerable uncertainty and substantial financial impact as a result of COVID.

The principal matters covered by this legislation include: attendance at court and legal proceedings; amendments to provisions relating to bodies corporate; lease arrangements; the position of Small Business Commissioner; and relief relating to gaming tax. Other amendments cover changes to local government administrative and election arrangements, including provisions which enable local authorities to adjust rates and charges for the next financial year and provisions to enable the holding of elections and local council meetings in a COVID-safe manner.

In my contribution today I wish to specifically address the concerns of small businesses across the state and peak industry groups. As I have travelled the state since being appointed shadow minister for small business, the refrain I have heard has been the same. Businesses in Cairns, Bundaberg, Toowoomba, Brisbane, the Gold Coast and Mackay have all told me that they want to see greater transparency and consistency in relation to government COVID decisions. Mixed messages from the government and the inconsistent means of communication that has at times been utilised have undermined the confidence of businesses and Queenslanders generally. While there has been some improvement in this regard, inconsistent messaging continues to be an issue, as evidenced by commentary suggesting that widespread lockdowns would no longer be used in Queensland followed only days later by a three-day lockdown impacting the majority of Queensland residents. I do not pass judgement on the need or otherwise for decisions like a lockdown; however, such mixed and contradictory messages do nothing to empower—

**Ms Enoch** interjected.

**Mr DEPUTY SPEAKER** (Mr Hart): Minister, your interjections are not being taken. You will cease your interjections.

**Mr MICKELBERG:** I do not pass judgement on the need or otherwise for decisions like a lockdown; however, such mixed and contradictory messages do nothing to empower Queensland businesses to plan for and respond to public health directives.

Stakeholder submissions to the bill were generally supportive, with a number of submitters suggesting that some of the provisions be made permanent. In particular, there was support for making the role of Small Business Commissioner permanent. I note that the government has said that it will consider that proposal. I support calls for the government to consider making permanent some of the

regulatory changes enacted in the predecessors in this bill. The impact of red tape on Queensland businesses is considerable, with 57 per cent of small businesses spending up to 10 hours a week meeting their government regulatory requirements. In its submission to the bill the CCIQ stated—

At the peak of the COVID-19 pandemic, the Queensland government made decisions on issues such as easing liquor licensing, deferring payroll tax, and easing the process for outdoor restaurant dining significantly quicker than normal. We would like to urge the Queensland government to look at those kinds of measures and make nimble decision-making permanent. The Queensland Law Society raised a similar issue as part of the consultation process for this Bill. Their call to action was effectively the following: What business-friendly decisions can we make permanent because of this crisis? CCIQ strongly supports this call to action.

Within this bill, numerous initiatives could be adopted on a permanent basis. These include: the signing and execution of documents; making legal applications; the production of evidence in affidavits; financial matters relating to bodies corporate; permitting greater flexibility in negotiations between tenants and landlords; and the sale of takeaway liquor by restaurants and cafes, although I note the justifiable concerns of the Queensland Hotels Association in relation to that issue. In verbal submissions to the committee, Queensland Hotels Association chief executive Bernie Hogan stated—

It is very obvious as of today where we are looking at a lockdown that we need that ability and flexibility to deal with any future health issues. What the QHA does not support is the extension of the bill to allow cafes, restaurants and bars to sell takeaway alcohol right out to 30 September 2021. In the present form, the approvals, whilst they will not automatically be extended, are now set at the discretion of the commissioner of liquor and gaming and it is based on criteria that is not clearly defined for our industry. We are concerned that the criteria has a lack of detail and it is a threshold test or criteria that is connected to the fact that there is any Chief Health Officer directive for restrictions, not which part of those directives would greatly affect our business.

These are legitimate concerns. I call on the government to consult widely in the event that such regulatory relief is to be made permanent. As the shadow Attorney-General has previously stated, emergency legislation such as this bill is not a substitute for proper legislation and policy along with proper committee scrutiny, which we have seen so many times disregarded by this government. An important part of that process is consultation and impact assessment on all affected stakeholders.

In conclusion, we will support the bill, but such support does not signify support for the indiscriminate approval of such measures into the future without reference to prevailing conditions. All decisions relating to COVID should be a part of a planned response, not done in an ad hoc way with limited regard for broader considerations.