




Speech By
Jarrold Bleijie

MEMBER FOR KAWANA

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TRADING (ALLOWABLE HOURS) AND OTHER LEGISLATION AMENDMENT BILL

 **Mr BLEIJIE** (Kawana—LNP) (Deputy Leader of the Opposition) (4.28 pm): It was all going well in the minister's speech until the last sentence when she said 'it is the Labor way', that they do consultation, they do this and they do that. I listened for 30 minutes to the kindness being expressed by the minister in terms of this. It nearly put me to sleep, but the last line has energised me. If the minister wants to talk about the 'Labor way', I would say that Labor have been destroying the small business community across Queensland for many years, and there are elements in this bill which will continue to destroy small businesses across Queensland. I will respond to some of the minister's points in a moment.

Talking to the bill, I note that this bill comes from a committee report. I note also that the minister said she could have obtained an independent report, but she decided to do a parliamentary report. Isn't that good of her? However, the parliamentary committee she chose just happens to be outnumbered; the LNP and crossbenchers are always outnumbered on these parliamentary committees. As a result, effectively it does not matter whether the parliamentary committee decided to recommend changes to this or not because the Labor Party will just have their way because of their majority vote on that committee.

I note the great statement of reservation that was submitted by our committee members and note the great work the deputy chair did. I wish the deputy chair were the chair, because he did a stellar job on that committee, together with the LNP members. In their statement of reservation the LNP members made some good points that should be considered.

Ms Richards interjected.

Mr BLEIJIE: I take the interjection from the chair of the committee—no, that is misleading the House. There are many points in that statement of reservation that do not support elements of this bill, including some of the nine recommendations which we will get to shortly. No doubt my foreshadowed amendments have been circulated to the House. We will get to those in consideration in detail. They deal with some of those matters in more depth. I look forward to that debate ensuing.

We had the five-year review. The minister does say that it is a long time ago. The minister is still here, I am still here and we are still debating industrial relations in the parliament. Long may it continue, but on opposite sides of the House shortly. Trading allowable hours legislation is always contentious, because many people on all sides of politics ask why we cannot have 24/7 trading. Community members are frustrated on some occasions when they can go to their local big supermarket late at night or early in the morning, but when they travel across regional Queensland those shops are not open. There is an element of frustration because of a lack of convenience. People do not realise that we have a structured trading hours system in Queensland. I recognise that it is complicated and confusing to a lot of people. The point is: you have exempt shops and you have non-exempt shops. If you are an

exempt shop you are a small retailer, like the wonderful IGAs in our communities. We all have them—the convenience stores such as SPAR, Drake and so forth. If you are a non-exempt shop you are Coles, Woolworths, Aldi—the big guys.

Being the Liberal National Party shadow minister, whenever I look at legislation in this House—particularly in the IR space—I always look to put the interests of our small business community first. It is always the case with the Liberal National Party that when we look through legislation we look through the lens of a small business owner in Queensland. Many colleagues on this side of the House in the Liberal National Party come from small businesses and understand small business. They understand how small business ticks; they understand that small business, from colonisation, has been the backbone of the Australian economy. It has been the backbone of the Queensland economy and continues to be so. The Liberal National Party will look at all the issues—the confusion and complexity around the trading hours system—but we will always look through the lens of a small business owner-operator in Queensland.

In this case, the submissions state that there are over 700 small businesses across Queensland associated with being an exempt shop. These businesses employ 21,000 people across Queensland and return billions of dollars to the Queensland economy. These are not big corporates and the Liberal National Party is not the 'party of big business'. We were formed for small business—

Ms King interjected.

Mr BLEIJIE: I take the interjection from the member for Pumicestone, who was attacking everyone for not wearing a mask yesterday but does not have one on herself. Enjoy your coffee. Sip your latte. That is nice—thank you for lecturing us all!

The member for Pumicestone talks about donations. Does the member for Pumicestone think the CFMEU, which has donated over \$400,000 to the Labor Party, is not a big corporate giant? The minister does not want me to talk about it, but I took the interjection from the Labor member who was talking about big corporates, and I am talking about the big corporate donors to the Labor Party. Let's not forget the big super funds that are owned by the union movement. The member for Pumicestone has a hide to lecture us on big corporates. What about the dodgy deals that Anacta has got for people and businesses in Queensland? Do we want to talk about the gaming tax reform that Anacta just got? I would advise the member for Pumicestone, before she opens her mouth to interject on the party of small business, to check the facts. It is the modern-day Labor Party that is the party for big corporate giants. The facts speak for themselves: it is the Labor Party that is the party for big corporate business.

I am proud to come from a small business background. I am proud that my mum and dad had a little camping store on Caloundra Road in Caloundra for many years. I am proud that they fought every day of the week against the regulation and red tape that Labor governments were imposing on them. I am proud of my small business background and I am proud of every small business in my electorate, just as every Liberal National Party member on this side is proud of the small businesses in their electorates—the billions of dollars they bring to the economy and the thousands of people they employ across the state. If the member for Pumicestone has an issue with small businesses and attacking small business—

Ms King: I have a small business!

Mr BLEIJIE: If you were a small business operator you would not have made the ridiculous interjection that you did before, trying to be smart.

Mr DEPUTY SPEAKER (Mr Krause): Member for Kawana, I ask you to direct your comments through the chair.

Mr BLEIJIE: There are over 700 independent and family owned community food and grocery retailers that trade under brand names such as Drake, FoodWorks, Friendly Grocer, IGA, Richie's and SPAR. I will back them any day of the week. That is why we are going to support them in the amendments that we will move later in this debate.

The minister also made amendments to the education general provisions legislation dealing with attendance at P&C meetings. We support that. The shadow education minister will talk to those particular amendments in more detail.

I draw attention to the main element of the bill, which is trading hours. As I said to the House, we will take the views of the statement of reservation put in by our committee members and we will look at it through the lens of a small business owner-operator in Queensland. All of the amendments that I propose to move in consideration in detail are about small businesses. The small businesses that I have mentioned—the over 700 Richie's, IGA, Drake and FoodWorks stores—have retail sales in Queensland of \$2.8 billion; they employ over 21,000 Queenslanders; they support our local communities.

How fantastic is it when you go to your local sporting match and see the sponsors? You can guarantee that the sponsors are always our local supermarkets—independent, family owned, mum-and-dad small business operators. They are the ones who put their hand in their pocket and give back to the community. A lot of the time they cannot afford it. They are not giants; they are not big corporate multinational supermarkets. They cannot afford it, but when the community comes to them for support—like the Kawana Surf Club—they put their hand in their pocket and sponsor. They sponsor the nippers, the gymnastics class, the football, the soccer, the Rugby, the union, the league—everything. They are our local champions. During COVID, when they had a particularly tough 2½ years, it did not stop them opening their doors or feeding, fighting for and supporting our communities.

Mr DEPUTY SPEAKER: Pause the clock. Members on my right, there is a high level of conversation. In the interests of allowing the member for Kawana to be heard, please keep it quiet.

Mr BLEIJIE: Those opposite do not support small business. That is why they keep chatting amongst themselves talking about all of the corporate giants that donate to the Labor Party. Master Grocers advised in its submission to the committee that its members—I indicated before who its members are such as the IGAs of the world and so forth—market share is at an all-time low of seven per cent, and this is distressing and concerning for many of our small business owners and operators in our electorates across the state. Yes, a lot of that is COVID in terms of the challenges that the minister talked about—food supply and getting product—but do members know what? I remember that in this place during COVID I heard the Treasurer, the Minister for State Development and the Minister for Manufacturing talk about the chain supply and lack of supply, toilet paper and all of that sort of stuff. Do members know that the IGAs—our local supermarkets—were going above and beyond to make sure local product and produce was sold so people could get their local fruit and vegetable from the Sunshine Coast, for instance? I am biased because I represent an area on the Sunshine Coast, but it would be the local IGA that would go to the local farmers—hobby farmers—to try to get whatever produce and product they could to put in their supermarket to make sure that our communities were fed.

A lot of the time they had product that the major chains could not get, but our small independent family owned operators could get it because they have the relationships with our local farmers and our producers. It is the IGAs and so forth that sell the local cheese made across Queensland and all of that sort of stuff. They have the relationships with our community and that is what stands them out as opposed to the big guys. That is why we support all of these small guys. I would hate to see a further erosion of the market share of small independent operators. The more the government amends the legislation to restrict or allow more trading—

Ms Richards: Do you want to deregulate?

Mr BLEIJIE: No, I did not say that at all; I take the interjection. I said the more the government looks at allowing the big companies to trade more often it will squeeze our small independent operators more. I would hate to see the market share—I will repeat it for the member for Redlands—of these small and independent operators dwindle further than it currently has at seven per cent. I am really concerned at some of the elements of this bill.

The moratorium is being extended by 12 months in this bill. As you know, Mr Deputy Speaker Krause, it was a moratorium of five years. The minister rightly points out that it was in 2017 that the review took place, but half of the moratorium has been during the COVID pandemic. Even Mr Mickel in the committee report said that there essentially has not been enough time or not enough sufficient time has passed to see what the actual outcomes would be of the moratorium because it has effectively only operated for half the amount of time it was given because of COVID. I do not think any proper assessment could be done with respect to the circumstances because no-one anticipated COVID. No-one anticipated the pandemic. No-one anticipated the lockdowns and all of the restrictions put in place on our small businesses. These small businesses struggled just like our communities struggled.

I want to go through a couple of the submissions in particular that we have drawn strength from in terms of the amendments that I am proposing to move. I turn to the submission from Master Grocers first. As I said, Master Grocers represents Drakes, FoodWorks, Friendly Grocers, IGA, Ritchies, SPAR and others in our local communities. It lodged a submission and went through all of the committee recommendations. The committee made nine recommendations. Master Grocers expressed support for recommendations 1, 5 and 6. It expressed limited support for the committee's recommendation with respect to the moratorium—that is, it supports the 12-month moratorium to be extended.

To remind members, the moratorium was put in place to essentially say that applications could not be made to the QIRC during the moratorium to extend the trading hours in various locations, so Coles, Woolies or Aldi could not run off to the QIRC and put in an application to extend the trading hours. It was meant to be a basis of everyone being able to get their acts together over the five-year

period, but no-one anticipated COVID. That is why I do not think it is right and proper to say that everyone has had the right time and our small businesses have had enough time to get their business practices in order. Because of COVID, it pushed everything out.

With respect to recommendation 8, Master Grocers recommended to the committee that the one-year extension of the moratorium be a five-year extension of the section 59 moratorium. I completely support that alternate recommendation with regard to the committee's recommendation 8. The committee recommended 12 months. One of my amendments that I will be moving in consideration in detail will propose the moratorium be extended from 12 months to another five years. That way it will give proper economic scrutiny of the impact of the trading hours legislation. It will be a vote of confidence in our small independent retail operators across the state.

I note that there were crossbench members who also talked about that. I have had a chat to some on the crossbench and they are supportive of the moratorium being extended for five years and not the 12 months as the committee recommended. I would have loved the committee chair to use the numbers on the committee to accept that recommendation from Master Grocers and in fact do it for a five-year extension rather than the 12-month extension. Master Grocers says that the five-year extension is also important in providing continued business certainty to family owned independent community food and grocery retailers, which we absolutely support.

Master Grocers set out strong opposition to recommendations 2, 7 and 9. It says in its submission to the committee with regard to recommendation 2—

MGA strongly opposes this recommendation as reducing existing categories for non-exempt shop trading hours to merely four categories will effectively result in currently non-exempt retailers to operate on public holidays in 21 currently non-exempt areas, and will be of particular detriment to independent community retailers in the Mossman and Port Douglas Tourist Area as permissible trading hours for non-exempt retailers in these areas will be expanded ...

I completely support the objection to recommendation 2 from Master Grocers Australia. Again, one of the amendments I will be moving will be to oppose those particular clauses of the legislation which deal with recommendation 2 of the committee. With regard to recommendation 7 that Master Grocers opposes, it says in its submission to the committee—

MGA opposes this recommendation as removal of sections 21(3)(a) and 21(3)(c)(i) of the Act will permit non-exempt shops to open within the same permissible hours as exempt shops in the event that the QIRC makes a determination in respect of trading hours for a non-exempt shop, and prevent the QIRC particularising trading hours dependent on distinct classes of non-exempt shops ...

The LNP supports the objection to recommendation 7 of the committee. Finally, with regard to recommendation 9 the MGA says in its submission to the committee—

MGA strongly opposes this recommendation to permit exempt retailers in the Mossman and Port Douglas Tourist Area to operate in accordance with the same trading hours as exempt shops in those areas and to adjust the section 16A definition of 'tourist area'. If adopted, this means that small independent community retailers in that region will have to continue competing with their national chain counterparts on an uneven playing field, considering the enormous competitive advantage that the national chains possess.

The LNP also supports the objection that Master Grocers Australia has, and that is reflected in the amendments that I propose to move.

Master Grocers Australia, to be completely clear with the House, strongly opposes recommendations 2, 7 and 9. I will be moving amendments to oppose those particular provisions and clauses of the legislation because we are going to, on this occasion, back the small business community of Queensland. As I said, being the LNP, we are the party of small business for small business. We still understand that small business is the backbone of our economy, and that is why we are going to back Master Grocers Australia and the IGAs of the world in their submissions to the committee. It also says in its submission to the committee—

In addition to the above views, MGA submits that the definition of 'independent retail shop' outlined in section 6 of the Act must be amended so that the requisite threshold is 40 employees on the shop floor at any one time, or 150—200 employees where a number of shops are operated throughout Queensland.

It continues—

If this submission is adopted, this will assist to drive employment, particularly of young people, and assist in small business growth.

Five years have passed since the review in 2017 and so too has business in the state. One of the amendments that I will be moving in consideration in detail is my amendment No. 1, which will propose to increase that threshold on the floor at any given time from 30 to 40 employees and across Queensland if the owner owns a couple of stores from 100 to 150.

Ms Richards: That is not small!

Mr BLEIJIE: I take the interjection from the member for Redlands yelling out that 40 employees is not a small business. I think that the member for Redlands contradicts the Queensland government's definition of small business. We will see about that. I would trust Master Grocers Australia and the IGA Queensland and Northern New South Wales Board more than I would trust the Labor Party any day of the week. If Master Grocers Australia submit to the committee as they did and the IGA Queensland and Northern New South Wales Boards submit as they did, then I would absolutely take their advice over the anti small business Labor Party any day of the week. It is no secret that the Labor Party do not support small business. They have been eroding small business confidence in this state for years, particularly under Premier Palaszczuk. They have increased taxation for small business, they have increased energy costs, they have increased costs of living. Energy costs to run a small business are now some of the worst in the country. The Labor Party will never be the party of small business.

Ms Grace interjected.

Mr BLEIJIE: I would plead with the minister, because she wants to debate me on the definition of small business now, which is fine, to allow me to move my amendment No. 1, which is an amendment outside the long title and I will have to seek leave to move it. I would say to the minister, if she wants to have a debate with me about the definition of a small business then allow me to move that amendment. I take the thumbs down interjection from the minister where she is saying she is going to oppose the Master Grocers Australia submission to the committee. They do not care about small business. The minister does not even have the courage to allow the amendment outside the long title and have a proper debate.

Honourable members interjected.

Mr BLEIJIE: Minister, do not debate them; debate me right now. I call on the minister to debate me on this, but she has already indicated that that she is not going to vote—

Mr DEPUTY SPEAKER (Mr Krause): Direct your comments through the chair.

Mr Power interjected.

Mr DEPUTY SPEAKER: Order! Pause the clock. Member for Logan, you are warned.

Mr BLEIJIE: The minister has indicated she does not have the courage to allow the amendment outside the long title to even go to a debate. Those opposite are already saying to Master Grocers Australia and the IGA Queensland and Northern New South Wales Board, 'You mean nothing!' Master Grocers Australia conclude their submission to the committee by saying—

Ms Grace interjected.

Mr BLEIJIE: The minister has already debated her point. If she missed stuff, let her do it in consideration in detail, but she is interrupting the proceedings, I put to you.

Mr DEPUTY SPEAKER: Member for Kawana, direct your comments through the chair, please.

Mr BLEIJIE: The minister is annoying me. That is what I was trying to say, through you.

Ms GRACE: Mr Deputy Speaker, I rise to a point of order. There are more untruths in this place than that.

Mr DEPUTY SPEAKER: What is your point of order, Minister?

Ms GRACE: I take offence and I ask that it be withdrawn. If there is anyone who is annoying, I know who it is.

Mr BLEIJIE: I withdraw. The MGA conclude in their submission to the committee on behalf of small business in Queensland—

MGA foresees that many small family owned community food and grocery retailers in Queensland will have to cease operations should recommendations 2—

Mr Mellish interjected.

Mr BLEIJIE: I take the interjection from the member for Aspley. He said 'rubbish'.

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

Mr BLEIJIE: Did you not say 'rubbish'?

Mr DEPUTY SPEAKER: Member for Kawana, resume your seat, please. I have a point of order.

Mr MELLISH: I take offence at that. I said nothing of the sort.

Mr BLEIJIE: You said 'rubbish'.

Mr DEPUTY SPEAKER: I am just going to take some advice on that. Member for Kawana, would you withdraw, please?

Mr BLEIJIE: I withdraw. To continue with the quote—

MGA foresees that many small family owned community food and grocery retailers in Queensland will have to cease operations should recommendations 2, 7 and 9 be adopted, or if the section 59 moratorium is not extended for a meaningful length of time, due to inability to compete with the large national chain retailers.

Should this occur, this will not only result in depriving Queensland consumers of food and grocery retailer and supermarket choice, but also weaken the competition in the independent sector of the Queensland grocery industry to the extent where it may no longer be commercially feasible for new independent supermarket competitors to enter the market or expand the number of stores they own. For these reasons, MGA strongly opposes recommendations 2, 7 and 9 and submits that recommendation 8 be reconsidered.

Ms Grace interjected.

Mr BLEIJIE: As I was quoting the Master Grocers Australia, the minister was chiming in there. I take it from that, and minister can correct the record, that she does not agree with Master Grocers Australia's submission to the committee. I think they would know how their members operate and the impact that this bill will have on their particular members. The IGA Queensland and Northern New South Wales Board also submitted to the committee. They make similar recommendations to Master Grocers Australia. They say with respect to recommendation 8—

There has not yet been a return to normalised market conditions after the issues faced by our members in the last two years. The economic fallout from the pandemic, natural disasters (floods) and international crises like Ukraine have led to a myriad of issues that have negatively affected the retail industry,

...

The Board submits that there is little evidence that would suggest that an extension of trading hours provides any great economic benefit or creates actual employment growth in the retail industry. However, it can be argued that the moratorium provides economic certainty for our members' businesses who in turn make greater contributions to their local communities through employment opportunities and support of local businesses/suppliers and community groups. If the moratorium is not extended past August 2023, then there is the possibility that the sustainability of independent retailers is at risk.

The Board believes that an extension of the moratorium for at least another 5 years would provide time for independent food and grocery retailers to continue to develop 'a unique point of difference' in the form of family and privately owned food and grocery businesses that support local suppliers, industry and agriculture for the benefit of their local communities and Queensland as a whole.

It is signed by the IGA Queensland and the Northern New South Wales Board retail chairman. Does the Labor Party not believe that? We know that they do not believe in the submission from Master Grocers Australia. Do they not accept the submission from the IGA, who I think would have—

Ms Lauga: How much did they pay you?

Mr BLEIJIE: Did she say 'how much did they pay me'?

Ms Lauga: How much did the IGA donate to you?

Mr BLEIJIE: Is the member for Keppel is asking me how much the IGA paid me to say what I am saying. If you are alleging some form of corruption then I challenge you to say it. If you are alleging some form of corruption on behalf of the IGA Queensland and Northern New South Wales Board then have the courage to say it outside this place.

Mr DEPUTY SPEAKER (Mr Kelly): Member, you will put your comments through the chair.

Mr BLEIJIE: Is the member for Keppel seriously saying that the IGA has paid me as a spokesperson? No, I am sticking up for the small business community in Queensland— something the Labor Party has not done under the Palaszczuk government. If the local member does not support the local IGAs in her community, we will grab a copy of these interjections and send it to every independent grocery retailer in the member for Keppel's electorate. They would be fascinated to see that the member for Keppel alleges the only reason the LNP is sticking up for our small business community is donations. What absolute rubbish. That is outrageous. The member for Keppel should withdraw.