




Speech By  
**Kim Richards**

**MEMBER FOR REDLANDS**

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Record of Proceedings, 17 August 2022

## **TRADING (ALLOWABLE HOURS) AND OTHER LEGISLATION AMENDMENT BILL**

 **Ms RICHARDS** (Redlands—ALP) (6.08 pm): What a delight it is to follow the member for Kawana's contribution to this bill. I rise to speak in support of this bill. I am really quite curious. I saw LNP members of my committee scratching their heads a little bit going, 'What's this all about?' Whether you read the statement of reservation in our inquiry report or whether you read the statement of reservation in relation to this amendment bill, I am not sure where the member for Kawana was coming from. As far as I am aware, we were on a bipartisan ticket on this. I will read the conclusion from the inquiry and then I will share the conclusion in the amendment bill. It says—

The LNP Opposition members of the committee understand that small businesses, including small independent and family-owned retailers, are the powerhouse of our economy ...

which we all agree—

... employing a significant proportion of the nation's workforce, and generating prosperity for owners and staff alike. In doing so, tax revenue is generated which funds the social security, infrastructure and services upon which our society depends. Such small businesses and their staff work very hard and strive to serve and support their local communities, customers and suppliers. We believe that there is a need in such environments to ensure that the institutionalised power imbalances between small independent retailers and large chain supermarkets are not left unchecked, and that the preservation of competition depends upon a degree of retained retail trading hours regulation ...

which is what both the inquiry found and the bill is delivering on. It goes on to say—

We believe that this approach is essential in a large and decentralised state such as Queensland.

The LNP Opposition members of the committee generally support the committee reports' recommendations which have resulted from a thorough and searching engagement with interest groups, retailers and the public throughout the state. The recommendations seek not to deprive small family retail businesses and their staff of any existing trading hours protections, but rather to adjust and improve the workings of the Act.

I have absolutely no idea where the member for Kawana was coming from. With regard to cherry-picking submissions, in the inquiry we had 28 submissions, we travelled the state thoroughly, we met with all types of retailers, we met with unions and we met with employees. It was a comprehensive piece of work that we undertook in the inquiry. Similarly, in reviewing the bill itself we consulted well and received over 14 submissions. We had umpteen people come in to talk to us on both the inquiry and the bill, so I do not know where he was coming from.

When you think about it, the LNP had the chance when they were in government to look at this piece of legislation, which had over 99 trading hours orders that existed across Queensland. The Palaszczuk government commissioned the review by John Mickel. The reference group did a fantastic job in unscrambling an egg. They brought it down from 99 different sets of trading hours to five. What this bill seeks to do is refine that a little further—and that is based on the feedback that we received throughout the inquiry process—to bring it down to four sets of trading hours.

Again, I am not sure where the member for Kawana is coming from. There was no talk in the LNP's statement of reservation about extending the moratorium. I note that the member for Hinchinbrook did in his, but from the LNP side there was nothing. I am quite confused by his contribution, but there you go.

**Mr Dametto** interjected.

**Ms RICHARDS:** Possibly not. The legislation is in direct response to the committee's inquiry into the operation of the Trading (Allowable Hours) Act 1990. We tabled the report from the inquiry on 31 January 2022. As I said, during the inquiry the committee heard from key stakeholders representing retailers, retail workers, local governments, chambers of commerce, tourism groups and small business owners. I go back again to the member for Kawana. I think he quoted two submissions. Perhaps he was not listening to what the chamber of commerce had to say. Commerce North West in Mount Isa was certainly very clear about their point of view. CCIQ were pretty clear about their point of view as well.

As in the previous review undertaken by the Trading Hours Review Reference Group that, as I said, was chaired by Mr John Mickel, these stakeholders held quite divergent views. I think that was seen as we travelled across the state. It was very clear on the night that the views of many in the community in Mount Isa, which has a number of independent retailers, were extraordinarily divergent. The chamber of commerce, their local council and their tourism association were all seeking to have Sunday trading and trading on public holidays. As I said, there were divergent views on total deregulation of the industry and providing the opportunity in some of those regional areas to have Sunday trading in the case of the bigger retailers such as Woolies, Coles and Kmart.

As I said, 99 different trading hours arrangements were refined as a result of the Mickel review and the legislation that was introduced in 2017. In the inquiry into the operation of the legislation we made nine recommendations, and this amendment bill actually delivers on all of them. What we heard very loud and clear right the way across Queensland was that the moratorium that had existed for five years, which expires on 31 August, has served the Queensland retail sector well. It has provided stability and certainty across Queensland in how we shop. I note that we had to deal with COVID for two years of that time, but I do not think that detracted at all from that commentary around the stability that the 2017 legislation delivered.

With this bill we will be continuing to provide that stability and certainty for retailers. We will be providing the opportunity for the QIRC to look at those four categories in terms of where regions are represented but to do that in a rigorous and robust way. That will allow them to look at any future changes as an independent arbiter whilst maintaining the four categories of trading hours times. We certainly do not want to go back to 99 different sets of trading hours.

We spoke to the SDA and we heard from a number of people around being coerced into working these extended hours. This bill goes further to provide workers with protections. It ensures that if you are a single mum who cannot work those extended hours, under this legislation, even if you fall into that federal space, possibly under an EBA, you will still have those protections. It is a really good piece of work that has been done there.

Special events was something that was also highlighted throughout this process. Special events were really meant to be determined on the basis that they were a significant special event like the Commonwealth Games, for example. What we have seen transpire over the past five years is events like the Chinchilla Melon Festival were getting special event classification to allow trading. Through this legislation we are asking the QIRC to show some more rigour and robust and deeper criteria in terms of what is considered significant. I think that will be appropriate for events of the scale of the Olympics rather than melon festivals. The special events consideration is a good piece of work.

I have spoken about the workers and the SDA. In terms of the moratorium, the minister has touched on that. We have extended it by 12 months to continue to provide stability and certainty. Where there is that slight shift in category it will give those retailers time to manoeuvre and prepare. It also allows the QIRC time to prepare for the changes in this legislation. The extension of the moratorium will provide that opportunity. As I said, the moratorium worked well for the five years. It has demonstrated clearly that what we have in place is working well. I think that is really important for our retailers.

What was good to hear throughout that inquiry process is all the hard work the retail sector did during that COVID period. I think our retailers have pretty much been unsung heroes when it came to the pandemic and the work they did throughout the course of it. I will take this opportunity to thank all of our retail workers for the work they did to keep food on our tables and toilet paper in our toilets. They were working hard under difficult conditions.

The bill also makes some minor amendments to the Education (Queensland College of Teachers) Act 2005 and the Education (General Provisions) Act 2006 around digital technology. I do not think there is a member in this chamber who has not attended a P&C meeting by Zoom over the last two years. I think this puts into legislation some pretty sensible provisions.

The inquiry process was excellent. I thank everybody who was involved in it. The deputy chair did a great job. The committee did a great job: the members for Stafford, Rockhampton, Hinchinbrook and Theodore. It was a good, rigorous process and I thank the minister for that opportunity.