




Speech By
Jimmy Sullivan

MEMBER FOR STAFFORD

Record of Proceedings, 24 October 2023

PROPERTY LAW BILL

 **Mr SULLIVAN** (Stafford—ALP) (6.04 pm): I rise to support the Property Law Bill 2023. This is about modernising Queensland's entire property law framework. This could be read as a fairly dry and perhaps legalistic piece of legislation. However, it is important to modernise the sector and property law legislation. I believe it will make a real difference for Queenslanders in my beautiful community of Stafford and indeed right across our great state.

Locally, this will impact constituents in a variety of ways, whether people are leasing or trying to sell or purchase existing properties or indeed supporting the rights of those trying to get into the market for the first time. In terms of my experience—and I refer to the contribution of the member for Nanango—it has been a while since studying Property Law A and B at university. I have PTSD just talking about it. Upon graduation, I did not perform the duties of a conveyancing clerk like the member for Kawana pursued. I think the member for Nanango said it was not any of our favourite subjects, but I think that is one exception. I do have respect for the consultation and research that went into this reform package both before the legislative process and throughout it. I want to give a particular shout-out to the Department of Justice and Attorney-General and, of course, in partnership with the Queensland University of Technology.

I also appreciate that this reform has involved extensive consultation with key legal and property stakeholders. I commend the Attorney-General for that approach. In fact, I note even in the Attorney-General's contribution today that she made it clear that she intends to move a technical amendment in consideration in detail—I believe she said it was at the suggestion of the Queensland Law Society—to clarify details around clause 80 of the bill and the rolling nature of a delay in certain circumstances. It is one that we believe is already covered, but the purpose of the amendment is for clarification purposes. I think that is a good example of how this system can work.

I suggest that what I do bring to this debate is a perspective that comes from my personal experience being a renter as a younger person—I got into the market by buying a townhouse with my sister and her partner—then later as a mortgagee as a single parent for many years, then as a seller of that home and simultaneously experiencing the excitement, the real estate ups and downs and the eventual joy of looking for, inspecting, negotiating, bidding on and ultimately being successful in purchasing what is now a family home with my wife. So I get it. These reforms, while legalistic and administrative in nature, will make a real difference in the lives of local constituents in my community.

I think we need to look at the human side of that as well. There is a double-edged sword when it comes to this sort of transfer of property. It can be a very, very exciting time, but it also hits people in different ways. It could come about because of the death of a parent and then selling the estate. It could come from people moving at different times in their life. As I said earlier, it could be renters or first home owners or anything in between. I think we need to recognise that while it can be a time of excitement and great joy, it can also be a time of stress. I think anything that this parliament can do to clarify and simplify that process for all people in those circumstances is a good thing.

Let me turn to some provisions of the seller disclosure scheme. The implementation of a seller disclosure scheme will change the way property is transacted in Queensland. Currently, there is no statutory seller disclosure scheme in Queensland and property sellers disclose information as required by a complex mixture of legislative, common-law and contract-law obligations. We saw throughout the committee process that more can be done to support purchasers to feel confident in their decision-making time—and let's be honest—in what is one of the most important decisions that they are likely to make in their lives.

For the local families and constituents of Stafford, this scheme will provide a structure that is less clunky and in a form more easily read and understood. This is particularly the case when it comes to clarifying the need and nature of seller disclosure. Let us recognise that the purchase of a home is usually the greatest investment that any of us will make in our life.

Even when there is excitement, it can be a stressful process finding the right home and sorting financing, negotiating with a variety of parties or dealing with an auction. In all these scenarios great joy can still be somewhat stressful. The easier we make it for people at these particular points in their lives, the better it is for all of us. The same is true for renters—that is, simplifying disclosure for them. The bill also removes outdated language and clauses, including clauses like recognising *de facto* relationships—and the property rights that come with that—that have been overtaken by more modern family law provisions.

I associate myself with the detailed history set out by the member for Bundaberg. I find myself referring to the member for Nanango's contribution again—it is a compliment, member. In standing in for her colleague, the member for Clayfield, she put on the record that she was resisting the urge to continue his tradition of giving us a long legal history of this. I think the member for Nanango, on behalf of the member for Clayfield, should be glad that the member for Bundaberg strongly filled that void in this chamber. Combined with the contribution in Latin from the member for Caloundra, I think we have ticked the legal professor box.

I note, though—considering where I am standing and the room up the other end of the corridor—that the member for Bundaberg was quoting outdated and fairly offensive language from the House of Lords in 1922. I think history shows that the Queensland in 1922 showed the world how you should deal with those types of progressive reforms when it came to the upper house. Well done to our predecessors.

In terms of natural disasters, I note the Attorney-General's contribution in her second reading speech around the disclosure of natural disaster information. As the Attorney-General said, the Queensland Reconstruction Authority is looking to improve information about disasters like flood history.

We saw locally in Stafford in the 2022 floods—commonly referred to as the rain bomb—that this information is not only relevant to those properties adjacent to rivers or suburban waterways, although obviously it is, but also crucial for those areas where properties flooded and were damaged in circumstances where they had never been flooded like that before. Across the north side from Wilston, Newmarket and Grange to the hills of Stafford, Stafford Heights and Kedron and up to Chermside, there were many pockets where the rain just parked itself and the water could not get away. We saw major roads that have never flooded in the past go under, including main arterial roads like Gympie Road, the main entrance to the Prince Charles Hospital, the entry roads to Westfield Chermside and the Kedron-Wavell RSL intersection. That was quite significant in my patch.

I thank the officials of the Queensland disaster management authority for their hard work in the aftermath of that event, including senior officials conducting joint inspections and meetings with me and many of my local residents. I also thank retired Major General Elwood, in his coordination role, for coming out to meet with residents. He came out several times, met with businesses and inspected the damage caused right across the north side. This included damage to homes, businesses and sporting clubs along the Kedron Brook, Enoggera Creek as well as the suburban streets I have listed.

I also thank the Premier, Deputy Premier and others for coming out several times to inspect that damage, including the war scene that was Kedron Brook. On behalf of the humans of Stafford, I would like to apologise for the behaviour of the birdlife of Stafford towards poor old Mikey who was signing for the Premier and the Deputy Premier. He did not miss a beat. He wiped—insert unparliamentary words—off his face and jacket and got straight on with the job. Do yourself a favour and look it up on TikTok. He is an absolute pro.

In conclusion, I thank the Attorney-General and her team and the departmental officers for these historic changes. Well done to the member for Toohey, as chair, and the other members of the Legal Affairs and Safety Committee for getting us to where we are today—progressing the legislation through the chamber. Particular thanks go to the academics, researchers, legal and property stakeholders and experts who contributed so much throughout this process.

With the indulgence of the House, I give a shout-out, welcome and congratulations to those gathered in parliament tonight from the Elizabeth Reid Network, supporting and recognising up-and-coming talented women staffers who do so much for our cause. I commend the bill to the House.