




Speech By  
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**MEMBER FOR TOOWOOMBA NORTH**

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Record of Proceedings, 2 December 2020

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

 **Mr WATTS** (Toowoomba North—LNP) (6.10 pm): I rise to speak on the COVID-19 Emergency Response and Other Legislation Amendment Bill 2020. Firstly, let me place on record how grateful everybody in my community is for the frontline services and other public servants who have put in so much time, energy and effort while we have had this COVID emergency. We can all agree to support the first objective of the bill—that is, to extend the operation of the COVID-19 legislation to 30 April. Principally, I do not want to spend any more time talking about the COVID part of this bill because we support the extension of that time and we thank people for the work that they have done.

The area of the bill that needs serious consideration is the part of the bill that amends the process for filling a vacancy in the office of a mayor or councillor that arises during the period starting on a quadrennial election and ending on the day before the first anniversary of the election. In plain speaking, this is a mess. It is a complete and utter mess.

A few days after the legislation came into this House—and we had 229 amendments dumped on us the night before, one of which changed in a bizarre and peculiar way how the election of a mayoral candidate and/or a councillor may occur in this state—it was on the front page of my local newspaper because it was a perverse outcome. In my community the mayor received close to 70 per cent of the vote. The runner-up was a long way behind and not particularly popular in my community. At that time everybody was very afraid for our mayor's health and started wrapping him up in bubble wrap because the last thing we wanted was Chris Meibusch, a very unpopular mayoral candidate, to be the person who took the mayoral chair. It was a perverse and strange amendment to bring into this House. We find ourselves in the mess we are in now because it did not go through the scrutiny of the committee process.

The reason I raise this as a matter of importance is because it is tinkering at the edge of our democracy. This government has form for tinkering with our democracy to favour itself without sending legislation through a committee. I will come back to the retrospective nature of this legislation, but I first want to ask a question. There were a couple of people in this last election who, in fact, did have seats on local government. There was one on our side and two on the Labor side. Interestingly enough, one of the questions that was asked in an open forum was would this force a by-election. The answer to the question at the time was no. The people of Toowoomba were reassured that if they did vote for a sitting councillor they would not force a by-election. The people were completely misled because clearly there was always that intent.

The question for me is did those two candidates, one of whom is sitting in this House, get a favourable vote from the electorate because they would not force a by-election? If the people of Mundingburra and/or Toowoomba had known that this would force a by-election, would the vote have been lower or higher? Let us speculate that it would have been lower. Not only have the people been defrauded based on their vote and will be forced to go to a by-election; in addition, the members who gained a higher percentage of the primary vote will receive government money for that vote. One of the

implications of applying the retrospective nature of this legislation in this case is that the public purse has potentially spent more money than it would have otherwise done distributing to somebody whose vote may well have been lower.

The tinkering around the edges of our democracy needs to stop. The Palaszczuk government needs to not treat this parliament like its plaything. If this mistake had been made further away from an election we may well have had a situation where there would not have been an ability to make these changes. For example, if one of our mayors had passed away or for other reasons left office between the assent to the previous bill and the election of a new government, because of the same question issue we would not have been able to put in retrospective legislation to change it. I encourage the Labor government to stop treating this parliament as its plaything, trust the institution, trust the process, be well prepared, bring legislation forward and not only put it through the scrutiny of the various committees but also allow the public and other third parties to scrutinise it and we will avoid these kinds of perverse outcomes that we are seeing now which, frankly, are undemocratic.

I am very concerned about two things: that the government is not thinking through its legislation and that it is acting in its own favour, manipulating the processes of this chamber and our democracy to ensure it has more power and control over the people of Queensland. In addition to that, I do not like retrospective legislation. Sometimes there is a really good reason. In this case complete incompetence by a minister and not following through on a process is probably a good reason. It should not be the job of this House to fix up the mess made by an incompetent minister. If ministers cannot do their job, stand aside and let someone else do it. If ministers cannot trust the institutions of this parliament, its processes and its procedures to get the best legislation, then at the very least let us debate the bills. Not only was the original legislation rushed through this place, not only were the amendments dropped on us late at night the night before the debate was coming—some 229 amendments that have led to this perverse outcome—in eight minutes we will guillotine other speakers from this bill.

Again this very proud institution, which has guided Queensland through many difficulties over 150 years, is being abused by the current and previous government and used as a simple plaything so that it can manipulate democracy to get the outcomes that it would like to see happen. That is completely and utterly inappropriate, it is undemocratic and it is certainly a manipulation of our democracy. The fourth estate should be on this government's back to ensure that it stops any future manipulation of this place when it comes to the democracy of Queensland. We have seen it too many times now. It is about power, it is not about the people. Democracy is about the people having their say in a fair, open and equitable way. This government needs to stop coming in here and preventing that from happening. I know others will want to speak so I will end my comments there because the guillotine is about to fall.