

Economics and Governance Committee

Report No. 41, 56th Parliament

Subordinate legislation tabled between 5 February 2020 and 22 April 2020

1 Aim of this report

This report summarises the committee’s findings following its examination of the subordinate legislation within its portfolio areas tabled between 5 February 2020 and 22 April 2020. It reports on any issues identified by the committee relating to the policy to be given effect by the legislation, its consistency with fundamental legislative principles (FLPs),¹ its compatibility with human rights,² and its lawfulness. It also reports on the compliance of the explanatory notes with the *Legislative Standards Act 1992* (LSA),³ and the compliance of the human rights certificates with the *Human Rights Act 2019* (HRA).⁴

2 Subordinate legislation examined

No.	Subordinate legislation	Date tabled	Disallowance date*
038	Motor Accident Insurance and Other Legislation (Administration Fee and Levies) Amendment Regulation 2020	22 April 2020	9 September 2020
041	Economic Development and Other Legislation (Temporary Use Licence) Amendment Regulation 2020	22 April 2020	9 September 2020
042	Local Government Electoral (2020 Quadrennial Election) Regulation 2020	22 April 2020	9 September 2020
045	Economic Development (Woolloongabba Cross River Rail PDA) Amendment Regulation 2020	22 April 2020	9 September 2020
052	Local Government Legislation (Councillor Code of Conduct) Amendment Regulation 2020	22 April 2020	9 September 2020

*Disallowance dates are based on proposed sitting dates as advised by the Leader of the House. These dates are subject to change.

¹ Section 4 of the *Legislative Standards Act 1992* (LSA) states that FLPs are the ‘principles relating to legislation that underlie a parliamentary democracy based on the rule of law’. The principles include that legislation has sufficient regard to: a) the rights and liberties of individuals, and b) the institution of Parliament.

² Section 8 of the *Human Rights Act 2019* (HRA) provides that a statutory provision is compatible with human rights if it does not limit a human right, or limits a human right only to the extent that is reasonable and demonstrably justifiable in accordance with s 13 of the HRA. Section 13 of the HRA provides that a human right may be subject to reasonable limits that can be demonstrably justified in a free and democratic society based on human dignity, equality and freedom. Section 13 sets out a range of factors that may be relevant in determining whether a limit on a human right is reasonable and justifiable.

³ LSA, part 4. Section 24 sets out the information that must be included in the explanatory note for subordinate legislation that is required to be tabled in the Legislative Assembly with the subordinate legislation (LSA, s 22).

⁴ Section 41(4) of the HRA provides that the portfolio committee responsible for examining subordinate legislation may, in examining the legislation, also consider the human rights certificate prepared by the responsible Minister for the subordinate legislation. The human rights certificate, which must be tabled in the Legislative Assembly with the subordinate legislation, must state: a) whether, in the responsible Minister’s opinion, the subordinate legislation is compatible with human rights, and if so, how it is compatible; and b) if, in the responsible Minister’s opinion, a part of the subordinate legislation is not compatible with human rights, the nature and extent of the incompatibility (see HRA, s 41(1)-(3)).

3 Committee consideration of the subordinate legislation

No significant issues were identified by the committee regarding the policy, consistency with FLPs, or lawfulness of the subordinate legislation. While SL No. 42 of 2020 raised some potential FLP concerns, the committee is satisfied that the relevant provisions, which are temporary in nature and intended to minimise public health risks associated with the conduct of the 2020 quadrennial local government election and meetings of local governments and their committees during the COVID-19 pandemic, are appropriate in the circumstances.

The committee considered human rights issues potentially raised by all five items of subordinate legislation, as outlined below. However, the committee is also satisfied that in each instance, any limitation on human rights is reasonable and demonstrably justifiable.

The committee considers the explanatory notes tabled with the subordinate legislation comply with the requirements of part 4 of the LSA.

Additionally, the human rights certificates tabled with the subordinate legislation provide a sufficient level of information to facilitate understanding of the subordinate legislation in relation to its compatibility with human rights.

4 SL No. 38 of 2020 – Motor Accident Insurance and Other Legislation (Administration Fee and Levies) Amendment Regulation 2020

Pursuant to the *Motor Accident Insurance Act 1994* and the *National Injury Insurance Scheme (Queensland) Act 2016* respectively, for each new financial year, the levies and the administration fee that apply to Compulsory Third Party (CTP) insurance premiums, and the levy for Queensland's National Injury Insurance Scheme (NIISQ),⁵ are to be fixed by regulation to be made before 1 April.⁶

The objective of SL No. 38 of 2020 is to:

- fix the levies and administration fee to apply to CTP insurance premiums for the 2020-21 financial year (that is, the Hospital and Emergency Services (HES) Levy, the Statutory Insurance Scheme (SIS) Levy, the Nominal Defendant (ND) Levy, and the administration fee), to apply from 1 July 2020, and
- fix the levy for the NIISQ for 2020-21, to apply from 1 July 2020.⁷

The subordinate legislation provides for no change to the SIS Levy, minor changes to the HES Levy ranging from a 25 cent increase to a 25 cent decrease, minor increases of between 10 cents and \$1 to the ND Levy, a 5 cent fall in the administration fee for the CTP scheme, and minor changes to the applicable levy amounts for the NIISQ, ranging from a 20 cent fall to a 40 cent rise.

For a Class 1 vehicle (cars and station wagons), the overall effect of these changes is to reduce the total levy and administration fee amount by 60 cents for the 2020-21 financial year, to \$126.60 per vehicle (including a \$90.50 NIISQ levy amount).⁸ Across other vehicle classes, the quantum of the overall change ranges from \$0.00 (ie no change) to a \$1.20 reduction.

⁵ The NIISQ is intended to provide necessary and reasonable lifetime treatment, care and support to those who sustain eligible serious personal injuries in a motor vehicle accident in Queensland on or after 1 July 2016. The NIISQ Levy is intended to cover the estimated costs of operating the scheme.

⁶ Section 14A of the *Motor Accident Insurance Act 1994* specifies that a regulation fixing the levies and the administration fee for a particular financial year must be made at least three months before the beginning of the financial year. Section 99 of the *National Injury Insurance Scheme (Queensland) Act 2016* similarly provides that a regulation fixing the scheme levy for a particular financial year must be made at least three months before the beginning of the financial year.

⁷ Motor Accident Insurance and Other Legislation (Administration Fee and Levies) Amendment Regulation 2020 (SL No. 38 of 2020), explanatory notes, p 1.

⁸ SL No. 38 of 2020, explanatory notes, p 2.

The explanatory notes advise that consultation was undertaken with relevant agencies in determining each of the levy and administration fee amounts for 2020-21.⁹

4.1 Compatibility with the *Legislative Standards Act 1992*

The committee identified no issues regarding the subordinate legislation's consistency with FLPs or its lawfulness.

The explanatory notes tabled with SL No. 38 of 2020 comply with the requirements of part 4 of the LSA.

4.2 Compatibility with the *Human Rights Act 2019*

In the human rights certificate accompanying the subordinate legislation, the Minister acknowledged that SL No. 38 of 2020 could potentially engage property rights and the right to freedom of movement, in that a significant increase in the levy and administration fee amounts could serve to limit Queensland motorists' capacity to bear the costs of registration associated with their vehicle ownership, such that they may be deprived of their property and the ability to use a motor vehicle on public roads.¹⁰

The Minister also emphasised, however, that the levies and administration fees had been set 'based on actuarially determined assessment and submissions received from relevant agencies', and further, that in this instance, the subordinate legislation generally provides for a reduction in the overall cost of the levies and administration fee that therefore:

*... does not impose a significant adverse on individual motor vehicle owners, nor does it result in an additional cost to Queensland motorists or limit their human rights.*¹¹

The Minister thus concluded that SL No. 38 of 2020:

*... is compatible with the Human Rights Act 2019 because it raises human rights issues but does not limit human rights.*¹²

Committee comment

The committee notes that SL No. 38 of 2020 generally serves to reduce the overall levy and administration fee amounts, and consequently, any potential limitation on rights to property or freedom of movement.

The human rights certificate contains a sufficient level of information to facilitate understanding of the subordinate legislation in relation to its compatibility with human rights.

5 SL No. 41 of 2020 – Economic Development and Other Legislation (Temporary Use Licence) Amendment Regulation 2020

Commencing on 19 March 2020, the *Public Health and Other Legislation (Public Health Emergency) Amendment Act 2020* effected amendments to the *Planning Act 2016* (Planning Act) and *Economic Development Act 2012* (ED Act) respectively, to establish a new temporary use licence (TUL) scheme, to allow a proponent with a lawful existing use of a property to extend their operating rights during an event declared under the Planning Act to be an 'applicable event'. As a result, where a change of operating use would typically require a planning approval or variation to an existing approval, proponents are instead able to complete an application for a TUL (for which there is no application

⁹ The explanatory notes advise that consultation was undertaken with Queensland Health, Queensland Fire and Emergency Services and the Public Safety Business Agency in setting the HES levy; the State Actuary's Office in relation to the SIS and ND levies, the Department of Transport and Main Roads in relation to the administration fee, and the NIISQ Chief Executive Officer, NIISQ Board (via the NIISQ CEO) and State Actuary in relation to the NIISQ Levy. The explanatory notes report that the NIISQ Board also consulted with Taylor Fry Consulting Actuaries. See: SL No. 38 of 2020, explanatory notes, p 3.

¹⁰ SL No. 38 of 2020, human rights certificate, pp 2-3.

¹¹ SL No. 38 of 2020, human rights certificate, p 3.

¹² SL No. 38 of 2020, human rights certificate, p 3.

fee), and if their application is successful, alter their operations for the duration of the applicable event.¹³

The amendments were intended to ensure the planning framework is sufficiently flexible and supportive to enable proponents to respond to the emerging public health emergency of COVID-19,¹⁴ and equally to other future declared 'applicable events', by providing for them to operate outside of their normal operating use constraints, as necessary to ensure important services continue to be provided to the community at these times.¹⁵

In introducing the legislation, the then Minister for Health and Ambulance Services explained that this might include, for example, allowing businesses such as supermarkets and chemists 'to operate, including restocking, 24 hours per day, seven days per week, during an event such as the COVID-19 public health emergency or other emergent situations'.¹⁶

The Minister further clarified:

This is not a change to the trading hours regulated under other legislation. Rather, this gives declared businesses greater options to manage logistics, workforce and services in the best interest of its staff and communities.

*Businesses will also be able to apply for and be granted a temporary-use licence to change or vary planning constraints which may prevent them from appropriately providing services in these circumstances... These provisions will become a permanent part of Queensland's resilient planning framework, providing flexibility to respond to not only COVID-19 but also floods, bushfires, cyclones and other disasters.*¹⁷

The objective of SL No. 41 of 2020 is to support the implementation of these amendments by:

- prescribing the matters that must be included in an application for a TUL, pursuant to the relevant provisions of the Planning Act, or for properties in a Priority Development Area or on associated land, the ED Act, and
- providing that a register of all TULs must be kept available for inspection and purchase, and be accessible on the planning department's website.¹⁸

SL No. 41 of 2020 specifies that an application must include the applicant's name and contact details, a description of the premises to which the application relates, details of the relevant change that is the subject of the application, and the grounds for the relevant change.¹⁹

¹³ Public Health and Other Legislation (Public Health Emergency) Amendment Bill 2020, explanatory notes, pp 4-5, 28-29.

¹⁴ On 19 March 2020, the public health emergency for COVID-19 was declared an 'applicable event' under s 275E of the Planning Act, effective 20 March 2020 to 20 June 2020, by notice of the then Minister for State Development, Manufacturing, Infrastructure and Planning, Hon Cameron Dick MP. After 'further consideration of the impacts of the COVID-19 emergency on state interests', the Minister subsequently extended the applicable event period to 31 October 2020. See: Department of State Development, Manufacturing, Infrastructure and Planning, *Temporary Use Licences – COVID-19 applicable event*, fact sheet, June 2020, <http://dsdmip.qld.gov.au/resources/factsheet/temporary-use-licence-fact-sheet.pdf>

¹⁵ Public Health and Other Legislation (Public Health Emergency) Amendment Bill 2020, explanatory notes, pp 4-5.

¹⁶ Queensland Parliament, Record of Proceedings, 18 March 2020, p 682.

¹⁷ Queensland Parliament, Record of Proceedings, 18 March 2020, p 682.

¹⁸ Economic Development and Other Legislation (Temporary Use Licence) Amendment Regulation 2020 (SL No. 41 of 2020), explanatory notes, p 1.

¹⁹ SL No. 41 of 2020, explanatory notes, p 2.

In addition, for each TUL given by the Chief Executive, the TUL register must state the day the licence was given and the premises to which the licence relates, as well as setting out details of the relevant change that is the subject of the licence, and including a copy of the licence.²⁰

5.1 Compatibility with the *Legislative Standards Act 1992*

The committee identified no issues regarding the subordinate legislation's consistency with FLPs or its lawfulness.

The explanatory notes tabled with SL No. 41 of 2020 comply with the requirements of part 4 of the LSA.

5.2 Compatibility with the *Human Rights Act 2019*

In the human rights certificate tabled with the subordinate legislation, the Minister states his opinion that SL No. 41 of 2020 is compatible:

- with the human rights protected by the HRA, and
- with the HRA, because while '... it does limit, restrict or interfere with a human right, that limitation is reasonable and demonstrably justified in a free and democratic society based on human dignity, equality and freedom'.²¹

The committee considered the following issues in its examination of the human rights certificate.

5.2.1 Recognition of equality before the law

Section 15(3) of the HRA provides that every person is equal before the law and is entitled to the equal protection of the law without discrimination.

A TUL is able to be used by certain proponents to extend their operating rights for a purpose related to an applicable event, where they may otherwise exceed or offend existing conditions of approval. While potentially extending operating rights for some, the limits on the application of the scheme (eg to only those uses related to the applicable event) mean that not all proponents will be eligible for a TUL, with the effect of potentially limiting rights of recognition of equality before the law.

In acknowledging these limitations, the Minister stated that the TUL regime is intended to be specific to certain uses where development conditions, requirements on a designation, or another limitation on existing use rights 'impedes responses to matters of social, economic or cultural need'.²² These defined scheme boundaries, he stated, are 'key to achieving the purpose of the amendment regulation':²³

*Less restrictive limitations to the identified human rights would change the intent of the amendment regulation.*²⁴

The Minister also stated that the community expectation would be for the changes to the planning framework to be tailored to the circumstances of the emergency and to supporting the operation of 'certain uses that provide a community need ... during this time', and further, that:

*The need to provide certainty, efficiency and transparency to land use planning and development systems during a time of uncertainty associated with the potential spread of COVID-19, or similar future unexpected events, reasonable [sic] and demonstrably justifies the minor limitation to human rights.*²⁵

²⁰ SL No. 41 of 2020, explanatory notes, p 2.

²¹ SL No. 41 of 2020, explanatory notes, p 6.

²² SL No. 41 of 2020, human rights certificate, pp 2-3.

²³ SL No. 41 of 2020, human rights certificate, pp 2-3.

²⁴ SL No. 41 of 2020, human rights certificate, pp 2-3.

²⁵ SL No. 41 of 2020, human rights certificate, p 3.

5.2.2 Right to freedom of expression

Section 21(2) of the HRA provides that every person has the right to freedom of expression, which includes the freedom to seek, receive and impart information of all kinds.

The provisions of SL No. 41 of 2020 do not incorporate a process for third parties to view or comment on a TUL application, which could be seen as limiting freedom of expression.

The Minister provided the following justification for any limitation on this right:

The limitation to freedom of expression by not incorporating provision for third parties to view or comment on an application for a TUL [temporary use licence] is justifiable to respond to urgent situations, such as natural disasters, or the emerging public health emergency. To provide protection for freedom of expression in the TUL provisions would be contrary to the intent for urgent action and certainty for proponents and the community.²⁶

5.2.3 Property rights

Section 24(2) of the HRA provides that a person must not be arbitrarily deprived of their property. Amendments to the planning framework under the Planning Act and ED Act will have an effect on people's rights to develop land and property during an applicable event.

The Minister acknowledged that the provisions of SL No. 41 of 2020 may interact with property rights, but noted they may in fact broaden a proponent's development rights for certain uses during an applicable event.²⁷ Additionally, the Minister stated:

The amendment regulation does not restrict the right to own property or development land. A person's right to property rights is not deprived of any legal or proprietary interests or ability to use or develop land in accordance with the planning framework by the Amendment Regulation.²⁸

5.2.4 Privacy and reputation

Section 25 of the HRA provides that a person has the right to not have their privacy unlawfully or arbitrarily interfered with.

Given the provisions of SL No. 41 of 2020 and the related amendments to the principal legislation under which it operates, a person who lives in proximity to a property that is the subject of a TUL may have their privacy impacted.

The Minister acknowledged and justified this limitation as follows:

While there may be the potential for these new powers to impact temporarily on a person's privacy (for example if a TUL grants approval for 24 hours operation of a use in proximity to residential uses), the power is only available for a limited time to address the applicable event. It is considered that the benefit of the proposed changes outweighs the potential impact upon the human right.²⁹

Committee comment

The committee noted the acknowledged limitations of the subordinate legislation on rights to recognition of equality before the law, freedom of expression, property rights, and rights to privacy and reputation.

²⁶ SL No. 41 of 2020, human rights certificate, p 4.

²⁷ SL No. 41 of 2020, human rights certificate, p 5.

²⁸ SL No. 41 of 2020, human rights certificate, p 5.

²⁹ SL No. 41 of 2020, human rights certificate, p 6.

The committee considered that any limits on these rights are reasonably and demonstrably justified in the circumstances, recognising both:

- the important objectives of the subordinate legislation in supporting the administration of the TUL scheme, and in turn, the provision of key services to the community during COVID-19 or other applicable events, and
- the temporary nature of the operation of the scheme, and any associated limitations or effects on these rights.

The human rights certificate contains a sufficient level of information to facilitate understanding of the subordinate legislation in relation to its compatibility with human rights.

6 SL No. 42 of 2020 – Local Government Electoral (2020 Quadrennial Election) Regulation 2020

SL No. 42 of 2020 provides for a range of temporary measures for the conduct of the 2020 quadrennial local government election and for local government meetings and committee meetings, to help minimise serious risks to the health and safety of persons caused by the COVID-19 pandemic. The electoral provisions and local government meeting provisions will respectively expire on 19 March 2021 (one year after commencement), and on 20 June 2021.³⁰

For the 2020 quadrennial local government elections, the subordinate legislation:

- establishes offences for displaying election signage and for setting up a table, chair, umbrella or portable shade structure (or other thing to be used for a purpose related to the election) in the area around an ordinary polling booth prior to 5am on the polling day for the election³¹
- provides for the Electoral Commission of Queensland (ECQ) to give certain directions about candidates or scrutineers, including:
 - regulating the number of scrutineers each candidate may have at a polling booth or other place where a scrutineer is entitled to be present under the *Local Government Electoral Act 2011* (LGEA), and
 - prohibiting a candidate or scrutineer from being present at a polling booth or other place where the candidate or scrutineer would otherwise be entitled to be present under the LGEA³²
- provides for a returning officer, a presiding officer for a polling booth, or a member of the ECQ staff who has been given a direction under section 96A of the LGEA (Recounting of votes) to give directions to candidates and scrutineers relating to:
 - the movement of a candidate or scrutineer at a relevant place
 - an area within a relevant place at which the candidate or scrutineer may or may not be, and
 - the maximum number of scrutineers who may in a particular area of a relevant place
- provides for the ECQ to make procedures for electronically assisted voting which set out how an elector may cast an electronically assisted vote for the election (to take effect when published on the ECQ website),³³ and

³⁰ Local Government Electoral (2020 Quadrennial Election) Regulation 2020 (SL No. 42 of 2020), explanatory notes, pp 1-2; SL No. 42 of 2020, ss 2, 3 (note), 12 (inserting s 255G in the City of Brisbane Regulation 2012), and 14 (inserting s 277F in the Local Government Regulation 2012).

³¹ SL No. 42 of 2020, explanatory notes, p 3.

³² SL No. 42 of 2020, explanatory notes, pp 3-4.

³³ SL No. 42 of 2020, explanatory notes, p 4.

- provides that the returning officer may arrange for the counting of votes to be filmed by an ECQ staff member ('as this may be necessary to facilitate the scrutineering of the counting of votes if candidates and scrutineers are restricted in accessing areas they would otherwise be able to access'³⁴).³⁵

The subordinate legislation establishes maximum penalties of 10 penalty units (\$1,334.50)³⁶ and 20 penalty units (\$2,669.00) respectively for the signage-related offences and for non-compliance with a direction from the ECQ or other authorised officers (unless, for the latter offences, the person has a reasonable excuse).³⁷ Accompanying amendments to the State Penalties Enforcement Regulation 2014 also prescribe the offences as penalty infringement notice (PIN) offences with a fine of two penalty units (\$266.00³⁸).³⁹

In relation to local government meetings and committee meetings, SL No. 42 of 2020:

- provides that local government meetings may be held by teleconference and that a person who participates via teleconference is taken to be present at the meeting
- provides that where a meeting of a local government or committee of a local government is held by teleconference or a person takes part in the meeting via teleconference, the local government must ensure the meeting is available for real-time viewing or listening by the public at one of the local government's public offices or on the local government's website (unless the meeting is closed, as permitted in certain limited circumstances), and
- provides that the chairperson of a meeting of a local government or committee may decide, by notice published on the local government's website, that a meeting be closed to the public if the chairperson is satisfied it is not practicable for the public to attend the meeting because of health and safety reasons associated with the public health emergency involving COVID-19.⁴⁰

The explanatory notes advise that the ECQ 'was consulted and supports the amendments', and that:

*The Office of Best Practice Regulation was also consulted. Given the urgent circumstances, regulatory impact assessment has not been conducted.*⁴¹

6.1 Compatibility with the *Legislative Standards Act 1992*

The committee identified potential FLP issues relating to the subordinate legislation's:

- restrictions on the ordinary activities of individuals and creation of new offences and penalties, with implications for the rights and liberties of individuals, and
- regard for the institution of Parliament, in providing for the amendment of principal legislation by subordinate legislation.

The committee's consideration of these issues is set out below.

The explanatory notes tabled with SL No. 42 of 2020 comply with the requirements of part 4 of the LSA.

³⁴ SL No. 42 of 2020, explanatory notes, p 4.

³⁵ SL No. 42 of 2020, explanatory notes, p 4.

³⁶ The Penalties and Sentences (Penalty Unit Value) Amendment Regulation 2019 set the value of a penalty unit at \$133.45 as at 1 July 2019.

³⁷ SL No. 42 of 2020, ss 6, 7 and 8.

³⁸ Section 5(2A) of the *Penalties and Sentences Act 1992* specifies that if the monetary value of a penalty for an infringement notice is not a multiple of \$1, the amount is rounded down to the nearest multiple of \$1. Eg for a PIN prescribing a fine of two penalty units, the monetary value of the fine is \$266, rounded down from \$266.90.

³⁹ SL No. 42 of 2020, s 16 (amending Schedule 1 of the State Penalties Enforcement Regulation 2014).

⁴⁰ SL No. 42 of 2020, explanatory notes, p 5.

⁴¹ SL No. 42 of 2020, explanatory notes, p 9.

6.1.1 Rights and liberties of individuals – restriction of ordinary activities and proportionality and relevance of penalties

SL No. 42 of 2020 provides for the giving of directions which impose limitations on the movement of a candidate or scrutineer at a relevant place, the areas within a relevant place in which a candidate or scrutineer may be present, and the number of scrutineers in a particular area of a relevant place. Additionally, the creation of new offences and penalties associated with these limitations on the movement of a candidate or scrutineer, and the timeframes in which they may set up election signs or display related electoral items, also has effects on the rights and liberties of individuals.

Legislation should not, without sufficient justification, unduly restrict the ordinary activities of an individual.⁴² Further, any penalties or consequences that are imposed by legislation should be proportionate and relevant to the offence or actions to which the consequences relate.⁴³

The explanatory notes state of SL No. 42 of 2020's limitations on the movements of candidates and scrutineers:

*These provisions are justified as they address the purpose of Part 9A of the LGEA which is to facilitate the holding of the quadrennial election for 2020 in a timely way that minimises serious risks to the health and safety of persons caused by the public health emergency involving COVID-19.*⁴⁴

In relation to the penalties imposed by the subordinate legislation, the explanatory notes state:

*The [penalties] for these offences are significant to provide disincentive for non-compliance and in recognition of the significant penalties applying under both the Public Health Act 2005 for non-compliance with public health directions and under the LGEA section 200I for contravening a direction of the electoral commission about distribution of how-to-vote cards.*⁴⁵

Further, the explanatory notes also emphasise that:

*The measures are temporary and will only apply to the 2020 quadrennial local government election in order to maximise public safety and minimise the public health risks associated with the COVID-19 pandemic.*⁴⁶

Committee comment

The committee is satisfied that this potential breach of the rights and liberties of the individual is justified in the circumstances, given the significant public health risks posed by COVID-19. The committee also considers that the penalties imposed by the subordinate legislation are appropriate, noting that they are consistent with those applicable for equivalent offences under the *Public Health Act 2005* and the LGEA.

6.1.2 Institution of Parliament – authorising amendment of an Act only by another Act

Section 4(5)(a) of the LSA specifies that whether subordinate legislation has sufficient regard to the institution of Parliament depends on whether, for example, the subordinate legislation is within the power of the authorising law that allows the subordinate legislation to be made. The Office of the Queensland Parliamentary Counsel's (OQPC) *OQPC Notebook* states in this regard that subordinate legislation 'should be authorised by, and not inconsistent with, the authorising law'.⁴⁷

⁴² OQPC, *Fundamental Legislative Principles: The OQPC Notebook*, p 118.

⁴³ OQPC, *Fundamental Legislative Principles: The OQPC Notebook*, p 120.

⁴⁴ SL No. 42 of 2020, explanatory notes, p 7.

⁴⁵ SL No. 42 of 2020, explanatory notes, p 7.

⁴⁶ SL No. 42 of 2020, explanatory notes, p 2.

⁴⁷ OQPC, *Fundamental Legislative Principles: The OQPC Notebook*, p 164.

SL No. 42 of 2020 effects amendments that are potentially contrary to this FLP in that:

- a direction of the ECQ under the offence provision contained in s 7 of the subordinate legislation (for non-compliance with a direction) applies despite s 59 of the LGEA or another provision of the LGEA that allows a candidate or scrutineer to be present at a polling booth or other place
- section 174(b) of the LGEA does not apply to the extent a scrutineer is prevented from entering a polling booth under a direction of the ECQ under s 7 of the subordinate legislation (s 174(b) of the LGEA states that a person must not prevent a scrutineer from entering or leaving a polling booth), and
- section 75A(3)(a) and (b) of the LGEA do not apply in relation to procedures made by the ECQ under s 9 of the subordinate legislation, regarding how an elector may cast an electronically assisted vote for the election (s 75A(3)(a) and (b) of the LGEA stipulate that procedures about electronically assisted voting do not take effect until approved by regulation, and that the procedures must be tabled in the Legislative Assembly).⁴⁸

The explanatory notes, in acknowledging the potential breach associated with this FLP, provide the following justification:

*The regulation-making power for this Regulation, section 200L of the LGEA, specifically provides that the regulation may be inconsistent with the LGEA to the extent necessary to achieve the purpose of Part 9A of the LGEA. These measures are temporary and will only apply to the 2020 quadrennial local government election in order to maximise public safety and minimise the public health risks associated with the public health emergency involving COVID-19.*⁴⁹

Committee comment

The committee is satisfied that the sub-delegation of power is justified in the circumstances, recognising the risks posed by COVID-19, and the importance of ensuring relevant safety measures can be imposed quickly to protect public health during the pandemic.

6.2 Compatibility with the *Human Rights Act 2019*

In the human rights certificate accompanying the subordinate legislation, the Minister acknowledged a series of limitations on human rights relating to the provisions governing the conduct of the 2020 quadrennial local government elections and their associated penalties and enforcement, and to the provision for the restriction of access to meetings of local governments and their committees.

The Minister stated, however, that:

*In my opinion, the Local Government Electoral (2020 Quadrennial Election) Regulation 2020 is compatible with the HR Act because it limits the identified human rights only to the extent that is reasonably and demonstrably justifiable...*⁵⁰

The committee's consideration of the human rights certificate and identified issues is set out below.

The certificate contains a sufficient level of information to facilitate understanding of the subordinate legislation in relation to its compatibility with human rights.

6.2.1 Human rights limited by the 2020 Quadrennial local government elections

The amendments relating to the conduct of the 2020 quadrennial local government elections impose limitations on the rights to:

- freedom of movement (s 19 of the HRA)
- freedom of expression (s 21 of the HRA)

⁴⁸ SL No. 42 of 2020, explanatory notes, p 8.

⁴⁹ SL No. 42 of 2020, explanatory notes, p 9.

⁵⁰ SL No. 42 of 2020, human rights certificate, p 13.

- take part in public life (s 23 of the HRA), and
- privacy (s 23 of the HRA).

Every person lawfully within Queensland has the right to move freely within Queensland⁵¹ and has the right to hold an opinion without interference.⁵² Every person has the right to participate in the conduct of public affairs⁵³ and a right not to have their privacy unlawfully or arbitrarily interfered with.⁵⁴

The right to freedom of movement is limited by SL No. 42 of 2020 to the extent that ECQ may give a direction prohibiting a candidate or scrutineer from being present at a polling booth or other place or otherwise restricting their movement in the area surrounding a polling booth.

The right to freedom of expression is limited because the time period during which election signs and other related items may be set up or displayed in the area surrounding a polling booth is limited to after 5am on the day of the election.

The right to take part in public life is limited as the ability of candidates and scrutineers to view and scrutinise the electoral process may be diminished.

Further, the right to privacy may also be limited if filming the counting of votes also captures persons present at the counting of votes.

The Minister provided the following overall justification for these limitations:

*As the Local Government elections requires people to gather to manage the electoral process and to scrutinise the counting of the votes, the limitations are necessary to enable the ECQ, and certain electoral officers to manage the number of people to minimise the risk of spreading COVID-19.*⁵⁵

In relation to the restrictions on the timing of setting up election signage or displays, the Minister stated:

*The amendments to prohibit the setting up of signage at a polling booth prior to 5 am on polling day achieves the purpose of ensuring the safety of the public, including vulnerable persons, who may be at the premises.*⁵⁶

In relation to the provisions for filming of the counting of votes, the Minister stated:

*Providing the option to film the counting of the votes so that the counting process can be viewed from a distance is also necessary to provide an appropriate balance between the restriction of movement of candidates and scrutineers and their role in maintaining the integrity of the counting process.*⁵⁷

Committee comment

The committee is satisfied that these identified human rights limitations are reasonably and demonstrably justified in the circumstances, noting the subordinate legislation's important public health objective of providing a safe electoral environment for Queenslanders during this time.

6.2.2 Penalties and subsequent enforcement

Property rights (s 24 of the HRA) may be limited by the subordinate legislation if a person fails to pay the penalty imposed in a PIN and does not successfully challenge the offence or penalty in court, with

⁵¹ HRA, s 19.

⁵² HRA, s 21.

⁵³ HRA, s 23.

⁵⁴ HRA, s 25.

⁵⁵ SL No. 42 of 2020, human rights certificate, p 9.

⁵⁶ SL No. 42 of 2020, human rights certificate, p 9.

⁵⁷ SL No. 42 of 2020, human rights certificate, p 9.

the effect that enforcement action may be taken against the person which may include a warrant for the sale and seizure of the person's property.

The right to a fair hearing (s 31 of the HRA) may be limited because a person issued with a PIN is issued a penalty for committing an offence without having a court or tribunal decide the charge.

Further, rights in criminal proceedings (s 32 of the HRA) may be limited, because a person issued with a PIN becomes liable for a penalty for committing an offence without a trial or access to the rights that accompany a criminal proceeding.

In acknowledging these human rights issues, the Minister stated:

*The benefits of increasing the effectiveness of measures to contain or respond to the spread of COVID-19 significantly outweigh the potential limitations imposed on human rights by issuing PINs to enforce directions of the ECQ, presiding officers, returning officers or other ECQ employees and the prohibition on setting up to display election signs at polling booths.*⁵⁸

Committee comment

The committee is satisfied that these identified human rights limitations are reasonably and demonstrably justified, given the overall objective of the subordinate legislation.

6.2.3 Local government meetings

The subordinate legislation's provision for the restriction of access to local government meetings or committee meetings represents a limitation on the right to take part in public life (s 23 of the HRA), to the extent that the closure of the meeting will mean the public will not be able to observe or listen to discussions and decisions that would usually be conducted in the open.

The Minister justified this limitation as follows:

*The amendments minimise the impact on the limitation by imposing existing meeting requirements on meetings that have been closed to the public, other than requirements about meetings being open to the public and closing a meeting, including requirements for taking minutes and making the minutes available for inspection by the public at a Local Government's public office and on the Local Government's website. This will allow the public to be informed about the discussions and decisions made in restricted access meetings. The amendments also operate for a limited time and expire on 30 June 2021.*⁵⁹

Committee comment

The committee is satisfied that this limitation on the right to public life is reasonably and demonstrably justified, given the need to reduce the number of persons gathering in one place for such meetings at this time, and the application of existing requirements to ensure meeting minutes are accessible to the public online.

7 SL No. 45 of 2020 – Economic Development (Woolloongabba Cross River Rail PDA) Amendment Regulation 2020

Queensland's ED Act has the primary purpose of facilitating economic development, and development for community purposes in the state. This is achieved mainly by:

- establishing the Minister for Economic Development Queensland (MEDQ) to plan, carry out, promote or coordinate activities to facilitate economic development, and development for community purposes, in the state, and
- providing for a streamlined planning and development framework for particular parts of the state, which are declared in regulation as Priority Development Areas (PDAs) under the Act, to

⁵⁸ SL No. 42 of 2020, human rights certificate, p 11.

⁵⁹ SL No. 42 of 2020, human rights certificate, pp 12-13.

facilitate economic development, and development for community purposes, in or for those parts of the state.⁶⁰

The objective of SL No. 45 of 2020 is to amend the Economic Development Regulation 2013, made under the ED Act, to repeal the Woolloongabba PDA and declare a new Woolloongabba Cross River Rail (CRR) PDA.⁶¹

The explanatory notes state that the existing Woolloongabba PDA is not a CRR PDA for the purposes of the *Cross River Rail Delivery Authority Act 2016* (CRRDA Act), one of the objects of which is to establish the Cross River Rail Delivery Authority (CRRDA) to plan, carry out, promote or coordinate activities to facilitate economic development, and development for community purposes, in a CRR PDA.⁶² The ED Act also provides for the delegation of functions and powers under the ED Act to the CRRDA.⁶³

To enable the CRRDA to carry out its functions under the CRRDA Act with respect to the land surrounding the Woolloongabba CRR station, the explanatory notes state that it is recommended the existing Woolloongabba PDA be revoked and a new CRR PDA declared in its place because:

*The existing 10 hectare Woolloongabba PDA, declared on 23 April 2010, was declared under the now repealed Urban Land Development Authority Act 2007 as part of the then government's affordable housing strategy. It is now significantly out of date and does not support the delivery of the CRR project. Therefore, it is recommended the existing Woolloongabba PDA be repealed and replaced with the new 21 hectare Woolloongabba CRR PDA.*⁶⁴

The explanatory notes state that the proposed Woolloongabba CRR PDA is consistent with the purposes of the ED Act and CRRDA Act alike (regarding the facilitation of economic development and development for community purposes), with its establishment intended to:

- contribute to a sense of arrival at this new landmark destination within Brisbane
- help to manage potential interface risks between the Woolloongabba CRR tunnel, station and surrounding development
- ensure development is designed to manage high-volume pedestrian movements from the new station, and
- facilitate economic development through job generation and increased investor confidence.⁶⁵

The explanatory notes highlight a number of anticipated benefits of the CRR project, as identified by analysis undertaken by Economic Development Queensland, and state that declaration of a PDA 'will help facilitate these outcomes in a streamlined and timely method'.⁶⁶ Any costs related to the PDA process are to be 'sourced from the existing Department of State Development, Manufacturing, Infrastructure and Planning budget'.⁶⁷

The explanatory notes advise that consultation has been undertaken with Brisbane City Council, though no information is provided on the outcome of this consultation.⁶⁸ A community engagement

⁶⁰ SL No. 45 of 2020, explanatory notes, p 1.

⁶¹ Economic Development (Woolloongabba Cross River Rail PDA) Amendment Regulation 2020 (SL No. 45 of 2020), explanatory notes, p 1.

⁶² *Cross River Rail Delivery Authority Act 2016*, s 3(1)(a); see also SL No. 45 of 2020, explanatory notes, p 3.

⁶³ SL No. 45 of 2020, explanatory notes, p 2.

⁶⁴ SL No. 45 of 2020, explanatory notes, p 3.

⁶⁵ SL No. 45 of 2020, explanatory notes, p 2.

⁶⁶ SL No. 45 of 2020, explanatory notes, p 4.

⁶⁷ SL No. 45 of 2020, explanatory notes, p 4.

⁶⁸ SL No. 45 of 2020, explanatory notes, p 4.

strategy is also to be developed on behalf of the MEDQ to assist in the preparation and public notification of the development scheme for the PDA.⁶⁹ The strategy is to:

- address the consultation requirements of the ED Act and other complementary activities associated with the development of the PDA, and
- ensure issues and concerns with the PDA are identified and managed.⁷⁰

The explanatory notes advise that the Queensland Productivity Commission's Office of Best Practice Regulation was consulted to determine whether any further assessment under the Regulatory Impact Analysis system is required; but that the Office concluded that 'the proposal appears unlikely to result in significant adverse impacts', and therefore, that no further regulatory impact analysis need be undertaken.⁷¹

7.1 Compatibility with the *Legislative Standards Act 1992*

The committee identified no issues regarding the subordinate legislation's consistency with FLPs or its lawfulness.

The explanatory notes tabled with SL No. 45 of 2020 generally comply with the requirements of part 4 of the LSA.

7.2 Compatibility with the *Human Rights Act 2019*

The human rights certificate tabled with the subordinate legislation states that the SL No. 45 of 2020:

*... is compatible with the Human Rights Act 2019 because while it does limit, restrict or interfere with a human right, the limitation is reasonable and demonstrably justified in a free and democratic society based on human dignity, equality and freedom.*⁷²

The committee considered the following issues in its examination of the human rights certificate.

7.2.1 Freedom of expression

Section 21(2) of the HRA provides that every person has the right to freedom of expression.

The ED Act establishes a process for plan-making and development assessment that regulates how public submissions on proposed development schemes and development applications are made and considered, which can be seen to impose a limitation on this right.⁷³

The Minister provided the following justification for this limitation:

The ED Act regulates the process for public notification to ensure that the opinions of others are properly considered in the planning and development process. The ED Act does not limit the rights of individuals to express their opinion on development outside of the formal notification process under the ED Act. ...

*Not all development applications require notification, however this saves public resources and streamlines development. Having regard to the economic and community benefit, it is considered that the streamlining of the development [associated with this standardised process] and the public resources saved therein, outweighs the limit on the right to freedom of expression.*⁷⁴

⁶⁹ SL No. 45 of 2020, explanatory notes, p 4.

⁷⁰ SL No. 45 of 2020, explanatory notes, p 4.

⁷¹ SL No. 45 of 2020, explanatory notes, p 4.

⁷² SL No. 45 of 2020, human rights certificate, p 5.

⁷³ SL No. 45 of 2020, human rights certificate, p 2.

⁷⁴ SL No. 45 of 2020, human rights certificate, p 3.

7.2.2 Property rights

Under s 20 of the CRDDA Act, the CRRDA has the power to take land for a CRR purpose in relation to the CRR project.

Section 24(2) of the HRA provides that a person must not be arbitrarily deprived of their property.

The Minister states:

The purpose of the limitation is to save public resources and streamline development in the CRR PDA. There are significant economic benefits to the community in the facilitation of large projects which provide not only jobs, but a more stable and diversified economy. The positive impact to the broader community must be viewed against the backdrop of both the social and economic impacts to landholders who may be potentially displaced by the exercise of the ability to compulsorily acquire land.⁷⁵

7.2.3 Right to privacy and reputation

The ED Act requires that the MEDQ keep a register of development applications and development decisions, which are to be made available for public viewing.⁷⁶ This engages s 25 of the HRA, which recognises a person's right not to have their privacy unlawfully or arbitrarily interfered with.

In acknowledging the subordinate legislation's infringement on this right, the Minister emphasised that safeguards are in place to minimise the scope of any privacy impacts:

Personal information supplied to the MEDQ [Minister for Economic Development Queensland], either verbally or in writing, is collected for the purposes of processing and responding to enquiries and requests for information about projects and researching the needs of communities, partners and potential customers. The MEDQ only uses personal information for this purpose. Personal information provided will be uploaded to the MEDQ's stakeholder relationship software and is consistent with the MEDQ's privacy policy.⁷⁷

7.2.4 Right to a fair hearing

Under the ED Act, making a submission during public notification of a development application does not afford the submitter the right to appeal any decision made on the development application.⁷⁸

In the human rights certificate accompanying SL No. 45 of 2020, the Minister acknowledges that creating or restricting the review of administrative decision-making in an appeals process impacts a person's human rights; and that this restriction might equate to a limitation on the right to a fair hearing.⁷⁹ The Minister states:

The limitation is necessary to promote efficient development in the CRR PDA. There are significant economic benefits to the community in the facilitation of large projects which provide not only jobs, but a more stable and diversified economy. The positive impact to the broader community must be viewed against the backdrop of both the social and economic impacts to landholders who may be limited in their exercise to appeal a decision on a development application. Decisions may still be subject to right to information and judicial review proceedings.⁸⁰

Committee comment

The committee is satisfied that the subordinate legislation's limitations on freedom of expression, property rights, the right to privacy and reputation, and the right to a fair hearing, are reasonably and

⁷⁵ SL No. 45 of 2020, human rights certificate, p 4.

⁷⁶ *Economic Development Act 2012* (ED Act), ss 172-173.

⁷⁷ SL No. 45 of 2020, human rights certificate, p 4.

⁷⁸ SL No. 45 of 2020, human rights certificate, p 2; ED Act, s 84(4)(e).

⁷⁹ SL No. 45 of 2020, human rights certificate, p 5.

⁸⁰ SL No. 45 of 2020, human rights certificate, p 5.

demonstrably justified, noting the overall public benefits anticipated to arise from the declaration of the Woollongabba CRR PDA.

The committee notes that the standardised process for plan-making and development assessment provides certainty and structure to the public input and development process, and that appropriate safeguards are in place to minimise infringements on privacy while maintaining transparency and public accountability regarding development applications and decisions.

The committee also notes that any infringement on property rights in the form of compulsory land acquisitions must be limited to the lawful application of the CRRDA Act and the *Acquisition of Land Act 1967*, under which compensation must be provided.

The committee considers that the human rights certificate contains a sufficient level of information to facilitate understanding of the subordinate legislation in relation to its compatibility with human rights.

8 SL No. 52 of 2020 – Local Government Legislation (Councillor Code of Conduct) Amendment Regulation 2020

Chapter 5A of the *Local Government Act 2009* (LGA) provides a framework for making, investigating and determining complaints about councillor conduct. Recent amendments to the *City of Brisbane Act 2010* (COBA), commencing on 30 March 2020, also extended the application of the LGA councillor complaints framework to the Brisbane City Council (BCC).⁸¹

Under the provisions of the extended framework, the Minister must make a Code of Conduct that sets out standards of behaviour for councillors in performing their functions as councillors under the LGA and COBA, the contravention of which may amount to unsuitable meeting conduct, inappropriate conduct, or misconduct.⁸² For the Code of Conduct to take effect, it must be approved by a regulation.⁸³

The COBA and LGA also specify that a BCC councillor or councillor of another local government in Queensland must, before acting in office, declare that they will faithfully and impartially fulfil the duties of the office, in accordance with local government principles, to the best of their judgement and ability.⁸⁴ The specific content of this ‘declaration of office’ is prescribed under *City of Brisbane Regulations 2012* (CBR) and the *Local Government Regulation 2012* (LGR) respectively, with the declaration under the latter regulation having been amended from 3 December 2018, to make reference to also acting in accordance with the code of conduct under the LGA.⁸⁵

The objective of SL No. 52 of 2020 is to ensure the new councillor conduct framework is fully operational for BCC councillors by:

- approving a new *Code of Conduct for Councillors in Queensland* to apply to BCC councillors as well as councillors of other local governments, and
- modifying the declaration of office prescribed under the CBR to require BCC Councillors to declare that they will fulfil their duties in accordance with the *Code of Conduct for Councillors in Queensland* (in addition to the local government principles under the COBA).⁸⁶

⁸¹ As affected by the *Local Government Electoral (Implementing Stage 2 of Belcarra) and Other Legislation Amendment Act 2019*.

⁸² *Local Government Act 2009* (LGA), ss 150D. See also *Local Government Legislation (Councillor Code of Conduct) Amendment Regulation 2020* (SL No. 52 of 2020), explanatory notes, pp 1-2.

⁸³ LGA, s 150D.

⁸⁴ *City of Brisbane Act 2010* (COBA), s 169; LGA, s 169. See also *Local Government Regulation 2012* (LGR), s 254; *City of Brisbane Regulations 2012* (CBR), s 241.

⁸⁵ LGR, s 254. As amended by the *Local Government Legislation (Councillor Complaints and Other Matters) Amendment Regulation 2018*, s 15.

⁸⁶ SL No. 52 of 2020, explanatory notes, p 2.

The explanatory notes advise that 'BCC and the Office of the Independent Assessor were consulted on the amendments in the regulation and are supportive'.⁸⁷

8.1 Compatibility with the *Legislative Standards Act 1992*

The committee identified no issues regarding the subordinate legislation's consistency with FLPs or its lawfulness.

The explanatory notes tabled with SL No. 52 of 2020 comply with the requirements of part 4 of the LSA.

8.2 Compatibility with the *Human Rights Act 2019*

While acknowledging that SL No. 52 of 2020 serves to limit, restrict or interfere with freedom of expression and the right to take part in public life, the Minister stated that the subordinate legislation 'is compatible with' the HRA, as 'the limitations are reasonable and demonstrably justified'.⁸⁸

In examining the human rights certificate, the committee considered these issues, and the Minister's justification, as set out below.

8.2.1 Freedom of expression and right to take part in public life

Section 21 of the HRA (freedom of expression) recognises the right of all persons to hold an opinion without interference, and the right of all persons to seek, receive and express information and ideas (including verbal and non-verbal communication).

The Code of Conduct will reduce a councillor's ability to express their opinion by requiring councillors to avoid making unnecessary or irrelevant comments or accusations about councillors or council employees in order to undermine them or their position.

Further, s 23 of the HRA (right to take part in public life) provides that every person has the right to participate in the conduct of public affairs, directly or through freely chosen representatives.

The human rights certificate acknowledges that the right to take part in public life is limited by the Code of Conduct, as it sets out standards of behaviour that restrict how a councillor may behave when in office:

*... for example, the Code of Conduct requires Councillors to ensure that their behaviour or capacity to perform their responsibilities as a Councillor is not impaired by the use of substances that may put them or others at risk while performing their duties.*⁸⁹

*The right to take part in public life is also limited by the modification to the declaration of office for BCC Councillors as they cannot act in office until the prescribed declaration is made.*⁹⁰

The Minister justified the limitations on these human rights as follows:

Approval of the Code of Conduct will apply the same standards of behaviour to all Councillors in Queensland and inform Councillors of the behaviours expected by the community from their elected representatives, including that Councillors will represent the best interests of the Council and the community. The amendment to modify the declaration of office for BCC Councillors ensures they make the same declaration as other Councillors and are aware that they are

⁸⁷ SL No. 52 of 2020, explanatory notes, p 3.

⁸⁸ SL No. 52 of 2020, human rights certificate, pp 1, 5.

⁸⁹ SL No. 52 of 2020, human rights certificate, pp 3-4.

⁹⁰ SL No. 52 of 2020, human rights certificate, p 4.

required to fulfil their duties of the office in accordance with the Code of Conduct as well as the Local Government principles.

This purpose is consistent with a free and democratic society as it promotes public confidence in the system of Local Government as Councillors are elected representatives and are expected to model behaviour consistent with the values of the community.⁹¹

The Minister further stated:

I consider that the purpose of promoting integrity in Local Governments throughout Queensland and ensuring the public's interests are meaningfully represented by Councillors outweighs the negative impact the approval of the Code of Conduct and modification of BCC Councillors['] declaration of office have on the right to freedom of expression and the right to take part in public life.⁹²

Committee comment

The committee is satisfied that the limitations on councillors' freedom of expression and right to public life are reasonably and demonstrably justified, as necessary to maintain public confidence in the integrity of public representatives and ensure councillors best represent the interests of electors and their local community.

The human rights certificate contains a sufficient level of information to facilitate understanding of the subordinate legislation in relation to its compatibility with human rights.

9 Recommendation

The committee recommends that the House notes this report.



Linus Power MP
Chair
June 2020

Economics and Governance Committee

Chair	Mr Linus Power MP, Member for Logan, Chair
Deputy Chair	Mr Ray Stevens MP, Member for Mermaid Beach, Deputy Chair
Members	Ms Nikki Boyd MP, Member for Pine Rivers ⁹³
	Mr Lance McCallum MP, Member for Bundamba ⁹⁴
	Mr Sam O'Connor MP, Member for Bonney
	Mr Dan Purdie MP, Member for Ninderry ⁹⁵
	Ms Kim Richards MP, Member for Redlands
	Mr Trevor Watts MP, Member for Toowoomba North ⁹⁶

⁹¹ SL No. 52 of 2020, human rights certificate, p 4.

⁹² SL No. 52 of 2020, human rights certificate, p 5.

⁹³ Ms Nikki Boyd MP, Member for Pine Rivers, until 19 May 2020.

⁹⁴ Mr Lance McCallum MP, Member for Bundamba, from 19 May 2020.

⁹⁵ Mr Dan Purdie MP, Member for Ninderry, until 19 May 2020.

⁹⁶ Mr Trevor Watts MP, Member for Toowoomba North, from 19 May 2020.