

1992–94

LEGISLATIVE ASSEMBLY OF QUEENSLAND

**VOTES AND PROCEEDINGS**

No. 82

FIRST SESSION OF THE FORTY–SEVENTH PARLIAMENT

WEDNESDAY, 27 APRIL 1994

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**1 MEETING OF ASSEMBLY**

The Assembly met at 2.30pm pursuant to adjournment. The Speaker (Honourable J Fouras) read prayers.

**2 AUDITOR-GENERAL – REPORT**

Mr Speaker tabled the following report—

Auditor-General – Report on the audits of Local Governments for the year ended 30 June 1993

**3 MATTER OF PRIVILEGE – STATEMENT BY MR SPEAKER**

Mr Speaker informed the House that he had received a letter from Mr FitzGerald relating to a matter of privilege.

As the giving of false information to a Committee is a matter of great seriousness, Mr Speaker advised that the matter should be referred to the Privileges Committee.

**4 PRIVILEGES COMMITTEE – PROPOSED REFERENCE**

Mr FitzGerald, by leave, moved – That—

- (a) the matters concerning Mr J Amprimo, raised by the Member for Lockyer in letters to Mr Speaker on 28 April 1992 and 18 March 1994 and in debate in the House on 28 April 1992, be referred to the Committee of Privileges for consideration and report, and
- (b) the committee have power to consider and use for its purposes the minutes of evidence and records of the Privileges Committee appointed in the previous Parliament.

Question put and passed.

**5 PETITIONS**

The following petitions, lodged with The Clerk by the Members indicated, were tabled—

Mr Cooper, from 409 petitioners, praying that the Parliament of Queensland will take action through the Minister for Housing, Local Government and Planning to overturn the Lord Mayor's decision to allow for the development of a Cultural Centre in Musgrave Park.

Mr Cooper, from 797 petitioners, praying for action to be taken to overturn the decision to close Westbrook Youth Detention Centre and that jobs be reinstated.

Mr McElligott, from 7,110 petitioners, praying that the Parliament of Queensland will ensure that services and facilities are established in North Queensland for the rehabilitation of persons who suffer brain damage.

**6 STATUTORY INSTRUMENTS**

The following statutory instruments were tabled by The Clerk—

Mineral Resources Act—

Mineral Resources Amendment Regulation (No. 1) 1994, No. 136

Mineral Resources Amendment Regulation (No. 2) 1994, No. 137

**7 GOVERNMENT PAPER**

The following paper was tabled—

*Minister for Health (Mr Hayward)*—

Government response to Travelsafe Committee Report on Pedestrian and Cyclist Safety

**8 MINISTERIAL STATEMENTS**

- (a) Premier and Minister for Economic and Trade Development (Mr W Goss), by leave, made a ministerial statement relating to CRA's decision to proceed with a definitive feasibility study for the \$800m Century mining project.
- (b) Minister for Transport and Minister Assisting the Premier on Economic and Trade Development (Mr Hamill), by leave, made a ministerial statement relating to his visit to Papua New Guinea during the period 1 to 5 March 1994.

*Papers:* Mr Hamill, during his statement, tabled the following papers—  
 Program for the Minister's visit to Papua New Guinea, 1 to 5 March 1994  
 Partners in Progress Agreement between the Department of Transport  
 Papua New Guinea and Department of Transport Queensland

- (c) Minister for Primary Industries (Mr Casey), by leave, made a ministerial statement relating to his visit to Papua New Guinea during the period 7 to 11 March 1994.

*Paper:* Mr Casey, during his statement, tabled the following paper—  
 Program for the Minister's visit to Papua New Guinea, 7 to 11 March  
 1994

- (d) Minister for Lands (Mr Smith) by leave, made a ministerial statement relating to the necessity of caveats when people acquire property.

**9 NOTICES OF MOTION**

*Paper:* Mr Littleproud tabled the following paper—  
 Letter, dated 3 March 1994, from Sir Frances Flint, Media Officer with the  
 Diocesan Mass Media Office relating to the crime rate in Toowoomba.

*Paper:* Mr Hobbs tabled the following paper—  
 Robert Lloyd Robinson – Record of charges

**10 MATTER OF PRIVILEGE**

Mr Bennett raised as a matter of privilege the comments of the Leader of the Opposition (Mr Borbidge) which alleged that he had refused to accept letters from small business operators in Gladstone.

*Paper:* Mr Bennett tabled the following paper—  
 Letter, dated 27 April 1994, from Mr Rick Niven, advising that the letters had  
 not been presented to Mr Bennett, but to the Federal Member for Hinkler, Mr  
 Paul Neville MHR

**11 MOTION WITHOUT NOTICE – LEAVE TO MOVE NOT GRANTED**

Mr Lester asked leave to move a motion without notice.

Question put.

The House divided.

**AYES, 29**

Beanland  
 Borbidge  
 Connor  
 Davidson  
 Elliott  
 FitzGerald

Gamin  
 Gilmore  
 Goss J  
 Grice  
 Healy  
 Hobbs

Horan  
 Laming\*  
 Lester  
 Lingard  
 Littleproud  
 Mitchell

Quinn  
 Rowell  
 Santoro  
 Sheldon  
 Simpson  
 Slack

Springborg\*  
 Stephan  
 Stoneman  
 Turner  
 Watson

**NOES, 51**

Ardill  
 Barton  
 Beattie  
 Bennett  
 Bird  
 Braddy  
 Bredhauer  
 Briskey  
 Budd  
 Campbell  
 Casey

Clark  
 Comben  
 D'Arcy  
 Davies  
 De Lacy  
 Dollin  
 Edmond  
 Elder  
 Fenlon  
 Foley  
 Gibbs

Goss W  
 Hamill  
 Hayward  
 Hollis  
 Livingstone\*  
 McElligott  
 McGrady  
 Mackenroth  
 Milliner  
 Nunn  
 Nuttall

Palaszcuk  
 Pearce  
 Pitt\*  
 Power  
 Purcell  
 Pyke  
 Robertson  
 Robson  
 Rose  
 Smith  
 Spence

Sullivan J  
 Sullivan T  
 Szczerbanik  
 Vaughan  
 Warner  
 Welford  
 Wells

\*Tellers

Question negated.

*Distinguished visitors:* Mr Speaker informed the House of the presence in the Gallery of Honourable Galappaththy MP, State Minister of Fisheries and Aquatic Resources, Honourable Reginald Perera MP, the Honourable Ediriweera MP, Honourable Abeydeera MP, and Honourable Mrs Dharmawarana MP, members of the Sri Lankan Parliamentary Consultative Committee on Fisheries.

## 12 QUESTIONS

Questions were asked.

*Papers:* Leader of the Opposition (Mr Borbidge) tabled the following papers—  
Letters (3) concerning the Criminal Justice Commission's investigation of Robert Barry Spreadborough

Questions continued.

*Paper:* Deputy Leader of the Coalition (Mrs Sheldon) tabled the following paper—  
Letter, dated 6 April 1994, from Patricia Whittaker relating to cardiac patients awaiting treatment

Questions continued.

*Papers:* Deputy Leader of the Coalition (Mrs Sheldon) tabled the following papers—  
Transcript of proceedings of an inquest into the cause and circumstances surrounding the death of Emma Dawn Elizabeth Dent  
Statement by Dr Robert Pitt relating to school bus related rundowns of children in Queensland  
Statement prepared by Bruce Kimball on school bus safety

Questions continued.

*Paper:* Mr Slack tabled the following paper—  
Extract from *The Courier-Mail* concerning the Fitzgerald Commission of Inquiry

Questions continued.

*Paper:* Mr Quinn tabled the following paper—  
Letter, dated 7 March 1994, from the President of the Queensland Association of State Schools Principals relating to direct funding to schools

Questions continued.

*Paper:* Mr Horan tabled the following paper—  
Letter, dated 13 April 1994, from the Medical Superintendent, Toowoomba Health Services advising of an indefinite waiting period for ear, nose and throat surgery

Questions continued.

## 13 GENERAL BUSINESS – SPECIAL PUBLIC IMPORTANCE DEBATE

Mr Speaker informed the House that pursuant to the sessional order of 5 November 1992, the Minister for Education (Mr Comben) proposed that the following matter of special public importance be submitted to the Assembly for discussion—

“That the House expresses its appreciation for the Queensland Curriculum Review Committee's report and recommends that the ‘back to basics’ approach should be predominant in the findings of the consultative process.”

The following Members addressed the House—

Minister for Education (Mr Comben), Mr Quinn, Ms Edmond, Messrs Lingard, Pitt and Littleproud

At 4.55pm, the discussion was terminated by Mr Speaker in accordance with the sessional order.

**14 TRADING (ALLOWABLE HOURS) AMENDMENT BILL**

Order of the day read for consideration of the Bill in Committee of the Whole House.

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*In Committee*

In the Chair: Temporary Chairman Mr Bredhauer

Clause 1 agreed to.

Clause 2—

*Papers:* Mr Connor, during his speech, tabled the following papers—  
 Copy of facsimile from AGB McNair in relation to a proposal for a survey on the Gold Coast  
 Copy of questionnaire from AGB McNair in relation to extended retail trading hours

Clause 2 agreed to.

Clauses 3 to 9 agreed to.

Clause 10—

Question put – That Clause 10, as read, stand part of the Bill.

The Committee divided.

**AYES, 49**

Ardill  
 Barton  
 Beattie  
 Bennett  
 Bird  
 Braddy  
 Briskey  
 Budd  
 Campbell  
 Casey

Clark  
 Comben  
 D'Arcy  
 Davies  
 De Lacy  
 Dollin  
 Edmond  
 Elder  
 Fenlon  
 Foley

Gibbs  
 Goss W  
 Hamill  
 Hayward  
 Hollis  
 Livingstone\*  
 McGrady  
 Mackenroth  
 Milliner  
 Nunn

Nuttall  
 Palaszczuk  
 Pearce  
 Pitt\*  
 Power  
 Purcell  
 Pyke  
 Robertson  
 Robson  
 Rose

Smith  
 Spence  
 Sullivan J  
 Sullivan T  
 Szczerbaniak  
 Vaughan  
 Warner  
 Welford  
 Wells

**NOES, 28**

Beanland  
 Borbidge  
 Connor  
 Davidson  
 Elliott  
 FitzGerald

Gamin  
 Gilmore  
 Goss J  
 Grice  
 Healy  
 Hobbs

Horan  
 Laming\*  
 Lester  
 Grice  
 Littleproud  
 Mitchell

Rowell  
 Santoro  
 Sheldon  
 Simpson  
 Slack  
 Springborg\*

Stephan  
 Stoneman  
 Turner  
 Watson

*\*Tellers*

Question agreed to.

Clauses 11 to 18 agreed to.

*New Clause—*

The following amendment was proposed by the Minister for Employment, Training and Industrial Relations (Mr Foley)—

At page 11, after line 4—

*insert—*

**'Amendment of s 5 (Application of Act)**

**'18A.** Section 5(2), after 'and 7'—

*insert—*

'and section 14A'.'. '

New Clause 18A agreed to.

Clause 19 (*Replacement of s 14A (Trading hours pursuant to retail shop leases)*)—

The following amendment was proposed by Mr Foley—

At page 12, after line 26—

*insert—*

**"(7)** A tenant under a retail shop lease (the **"first tenant"**) is not liable under the first tenant's lease for any additional outgoings only because an eligible tenant's shop is open for trading outside the core trading hours when the first tenant's shop is not open for trading.

**'(8)** Subsection (7) applies despite any term in the first tenant's lease.'.

Amendment agreed to.

Clause 19, as amended, agreed to.

Schedule agreed to  
 Bill to be reported with amendments

---

Deputy Speaker Mr Palaszczuk resumed the Chair.  
 Bill reported with amendments.  
 Bill, as amended, *ordered* to be taken into consideration.  
 Mr Foley, by leave, moved – That the Bill be now read a third time.  
 Question put and passed.  
 Bill read a third time and passed.  
 Title agreed to.

## 15 SUSPENSION OF STANDING ORDERS – MINERAL RESOURCES AMENDMENT BILL

Minister for Minerals and Energy (Mr McGrady), by leave, moved – That so much of standing orders be suspended to enable the Mineral Resources Amendment Bill to pass through all remaining stages at this day's sitting.  
 Debate ensued.  
 Question put  
 The House divided.

### AYES, 45

Ardill  
 Barton  
 Bennett  
 Bird  
 Braddy  
 Bredhauer  
 Briskey  
 Budd  
 Campbell

Casey  
 Clark  
 Comben  
 D'Arcy  
 Davies  
 Dollin  
 Edmond  
 Elder  
 Fenlon

Foley  
 Gibbs  
 Hamill  
 Hayward  
 Hollis  
 Livingstone\*  
 McElligott  
 McGrady  
 Nunn

Nuttall  
 Palaszczuk  
 Pearce  
 Pitt\*  
 Power  
 Purcell  
 Pyke  
 Robertson  
 Robson

Rose  
 Smith  
 Spence  
 Sullivan J  
 Sullivan T  
 Szczurbanik  
 Vaughan  
 Warner  
 Welford

### NOES, 30

Beanland  
 Borbidge  
 Connor  
 Davidson  
 Elliott  
 FitzGerald

Gamin  
 Gilmore  
 Goss J  
 Grice  
 Healy  
 Hobbs

Horan  
 Laming\*  
 Lester  
 Lingard  
 Littleproud  
 McCauley

Mitchell  
 Perrett  
 Rowell  
 Santoro  
 Sheldon  
 Simpson

Slack  
 Springborg\*  
 Stephan  
 Stoneman  
 Turner  
 Watson

\*Tellers

Question agreed to.

## 16 MINERAL RESOURCES AMENDMENT BILL

Order of the day read for the adjourned debate on the motion of the Minister for Minerals and Energy (Mr McGrady) – That the Bill be now read a second time.  
 Debate resumed.  
 Question put and passed.  
 Bill read a second time.  
 Bill committed on the motion of Mr McGrady.

---

### *In Committee*

In the Chair: Temporary Chairman Mr Briskey  
 Clauses 1 to 7 agreed to.  
 Bill to be reported without amendment.

---

Deputy Speaker Mr Palaszczuk resumed the Chair.  
 Bill reported without amendment.  
 Mr McGrady, by leave, moved – That the Bill be now read a third time.  
 Question put and passed.  
 Bill read a third time and passed.  
 Title agreed to.

**17 MEDICARE PRINCIPLES AND COMMITMENTS ADOPTION BILL**

Order of the day read for the adjourned debate on the motion of the Minister for Health (Mr Hayward) – That the Bill be now read a second time.

Debate resumed.

Question put and passed.

Bill read a second time.

Bill committed on the motion of Mr Hayward..

---

*In Committee*

In the Chair: Temporary Chairman Ms Power

Clauses 1 and 2 agreed to.

Clause e (*Medicare Principles and Commitments*)—

The following amendment was proposed by Mr Horan—

At page 4, lines 8 to 14—

*omit, insert—*

**'Medicare Principles and Commitments**

**'3.(1)** The Medicare Principles and Commitments specified in section 26(2) of the *Health Insurance Act 1973* (Cwlth), and with the change shown as underlined in the Schedule, are established as guidelines that will govern the delivery of public hospital services to eligible persons in the State.

**'(2)** A copy of the Medicare Principles and Commitments with the change underlined is contained in the Schedule.'

And the Committee having continued to sit till 12 midnight

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THURSDAY, 28 APRIL 1994

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Amendment negatived.

Clause 3, as read, agreed to.

Clause 4 agreed to.

Schedule, Principle 3 (*Equity in service provision*)—

The following amendment was proposed by Mr Horan—

At page 6, lines 17 to 19—

*omit, insert—*

'2. In rural and remote areas, a State should ensure provision of reasonable public access in a clinically acceptable time frame to a basic range of hospital services which are in accord with hospital practices.'

Amendment negatived.

Schedule, as read, agreed to.

Bill to be reported without amendment.

---

Deputy Speaker Mr Palaszczuk resumed the Chair.

Bill reported without amendment.

Mr Hayward, by leave, moved – That the Bill be now read a third time.

Question put and passed.

Bill read a third time and passed.

Title agreed to.

**18 RACING AND BETTING AMENDMENT BILL**

Order of the day read for the adjourned debate on the motion of the Minister for Tourism, Sport and Racing (Mr Gibbs) – That the Bill be now read a second time.

Debate resumed.

*Papers:* Mr Santoro, during his speech, tabled the following papers—  
Documents relating to the Queensland racing industry

Debate continued.

*Papers:* Mr Grice, during his speech, tabled the following papers—  
Documents relating to the Queensland racing industry

Debate continued.

Question put and passed.

Bill read a second time.

Bill committed on the motion of Mr Gibbs.

---

### *In Committee*

In the Chair: Temporary Chairman Ms Power

Clauses 1 to 20 agreed to.

Schedules 1 and 2 agreed to.

Bill to be reported without amendment.

---

Mr Speaker resumed the Chair.

Bill reported without amendment.

Mr Gibbs, by leave, moved – That the Bill be now read a third time.

Question put and passed.

Bill read a third time and passed.

Title agreed to.

## **19 ADJOURNMENT**

Leader of the House (Mr Mackenroth) moved – That the House do now adjourn.

Debate ensued.

*Papers:* Mr Laming, during his speech, tabled the following papers—  
Documents in relation to unemployment

Debate continued.

Question put and passed.

The House adjourned at 2.19am.

## **20 ATTENDANCE**

The following Honourable Members were present—

Ardill	Comben	Gibbs	Littleproud	Power	Springborg
Barton	Connor	Gilmore	Livingstone	Purcell	Stephan
Beanland	D'Arcy	Goss J	McCauley	Pyke	Stoneman
Beattie	Davidson	Goss W	McElligott	Quinn	Sullivan J
Bennett	Davies	Grice	McGrady	Robertson	Sullivan T
Bird	De Lacy	Hamill	Mackenroth	Robson	Szczerbanik
Borbidge	Dollin	Hayward	Milliner	Rose	Turner
Braddy	Edmond	Healy	Mitchell	Rowell	Vaughan
Bredhauer	Elder	Hobbs	Nunn	Santoro	Warner
Briskey	Elliott	Hollis	Nuttall	Sheldon	Watson
Budd	Fenlon	Horan	Palaszcuk	Simpson	Welford
Campbell	FitzGerald	Laming	Pearce	Slack	Wells
Casey	Foley	Lester	Perrett	Smith	
Clark	Gamin	Lingard	Pitt	Spence	

**J FOURAS**  
Speaker

**R D DOYLE**  
The Clerk of the Parliament