1996

LEGISLATIVE ASSEMBLY OF QUEENSLAND

VOTES AND PROCEEDINGS

NO. 11

SECOND SESSION OF THE FORTY–EIGHTH PARLIAMENT

TUESDAY, 14 MAY 1996

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1 **MEETING OF ASSEMBLY**

The Assembly met at 9.30am pursuant to adjournment. The Speaker (Honourable N J Turner) read prayers.

2 **ASSENT TO BILLS**

Message No. 2 from the Governor was reported, informing the Assembly that Her Excellency had, in the name of Her Majesty, assented to the following Bills on 9 May 1996—

- A Bill for an Act to provide for the use of video link facilities for certain court proceedings (*Courts (Video Link) Amendment Act 1996* – Act No. 4 of 1996)
- A Bill for an Act about limitation periods for choice of law purposes (*Choice of Law (Limitation Periods) Act 1996* – Act No. 5 of 1996)
- A Bill for an Act to amend the *Land Title Act 1994* (*Land Title Amendment Act 1996* – Act No. 8 of 1996)
- A Bill for an Act regulating work experience provided to students as part of their education (*Education (Work Experience) Act 1996* – Act No. 9 of 1996)

3 **PETITIONS**

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

- Mr Carroll, from 1109 petitioners, requesting the House to reject the Commonwealth Powers (Amendment) Bill or any similar Queensland legislation that might either refer to the Federal Government the state powers over property rights of "defacto marriage" parties or homosexual pairs or create any additional rights for homosexuals.
- Mr Horan, from 44 petitioners, requesting the House to (a) direct councils to ban the use of traps by the general public for trapping domestic pet cats and that any such trapping of injured, stray or wild cats only be undertaken by the RSPCA or council personnel under strict conditions as they relate to the Animal Protection Act and (b) address the control of excess populations of cats, and to encourage desexing of cats with subsidies and, if favoured, overnight curfews, registration and compulsory identification of cats.
- Mr Rowell, from 196 petitioners, requesting the House that in the event of the realignment of the boundaries in the Mission Beach area, that Bingil Bay remains in the Johnstone Shire.

4 **STATUTORY INSTRUMENTS**

The following statutory instruments were tabled by The Clerk—

- *Acts Interpretation Act 1954*—
  - Criminal Code Regulation 1996, No. 84
- *Coal Industry (Control) Act 1948*—
  - Coal Industry (Control) Amendment Regulation (No. 2) 1996, No. 92
- *Coal Mining Act 1925*—
  - Coal Mining (Moranbah North) Exemption Order 1996, No. 91
- *Crimes (Confiscation) Act 1989*—
  - Crimes (Confiscation) Regulation 1996, No. 89
- *Criminal Code [1995]*—
  - Criminal Code Regulation 1996, No. 84
- *Electricity Act 1994*—
  - Electricity Amendment Regulation (No. 1) 1996, No. 86
The Clerk informed the House that the following papers, received during the recess, were tabled on the dates indicated—

3 May 1996—
Valuers Registration Board of Queensland – Annual Report 1995

13 May 1996—
Lang Park Trust – Annual Report 1995

6 **Government Paper**

The following paper was tabled—

**Deputy Premier, Treasurer and Minister for the Arts (Mrs Sheldon)**—
Report in relation to third party premiums – 1 July 1996

7 **Ministerial Statements**

(a) Deputy Premier, Treasurer and Minister for the Arts (Mrs Sheldon), by leave, made ministerial statements relating to—

(i) Queensland Treasury Corporation – Half yearly report to 31 December 1995;

(ii) six weeks’ paid maternity leave for State public servants; and

(iii) the Government’s response to the Public Accounts Committee Report No. 33 on the standard of preparation and timeliness of departmental statements.

*Paper:* Mrs Sheldon, during her first statement, tabled the following paper—
Queensland Treasury Corporation – Half yearly report to 31 December 1995

(b) Minister for Families, Youth and Community Care (Mr Lingard), by leave, made a ministerial statement relating to a child abuse telephone hotline.

(c) Minister for Police and Corrective Services and Minister for Racing (Mr Cooper), by leave, made a ministerial statement relating to uniform national gun laws.

*Paper:* Mr Cooper, during his statement, tabled the following papers—
Statement, dated 10 May 1996, by the Prime Minister concerning gun control.
Australian Police Ministers’ Council – Resolutions from special firearms meeting held in Canberra on 10 May 1996
(d) Minister for Health (Mr Horan), by leave, made a ministerial statement relating to the death of a patient at John Oxley Memorial Hospital.

Paper: Mr Horan, during his statement, tabled the following paper—
Inquiry under section 9 of the Mental Health Act 1974 into incidents at the John Oxley Memorial Hospital.

(e) Minister for Primary Industries, Fisheries and Forestry (Mr Perrett), by leave, made ministerial statements relating to—
(i) corrections to the explanatory notes accompanying the Primary Industries Legislation Amendment Bill 1996; and
(ii) an article in The Courier-Mail dated 13 May 1996 by Mr Terry Black.

Paper: Mr Perrett, during his first statement, tabled the following paper—
List of corrections to the explanatory notes accompanying the Primary Industries Legislation Amendment Bill.

8 Government Papers
The following papers were tabled—
Minister for Local Government and Planning (Mrs McCauley)—
Under the Local Government Act 1993—
(i) A copy of a notification to the Local Government Commissioner dated 16 April 1996 withdrawing part of a reference to the Local Government Commissioner dated 20 March 1996 in relation to a reviewable local government matter in respect of the Council of the City of Caloundra;
(ii) A copy of each of the final reports of the Local Government Commissioner on the review of the external boundaries of the following local governments—Shire of Dalrymple and the City of Charters Towers; Shire of Maroochy and the Shire of Noosa; Shire of Kilkivan and the Shire of Cooloola; City of Caloundra and the Shire of Caboolture; Shire of Calliope and the Shire of Monto; City of Caloundra and the Shire of Maroochy; and Shire of Cooloola and the Shire of Noosa.

9 Ministerial Statements
(a) Minister for Natural Resources (Mr Hobbs), by leave, made a ministerial statement relating to a review of the State’s valuations’ system.
(b) Minister for Public Works and Housing (Mr Connor), by leave, made a ministerial statement relating to fuel supply arrangements for whole of government.

Paper: Mr Connor, during his statement, tabled the following paper—
Government response to Public Accounts Committee Report No. 34 on the use of fuel cards in the public sector.

10 Absence of Premier
Leader of Government Business (Mr FitzGerald) informed the House that the Premier will be absent from the House today as he is attending the Indonesian Trade Summit in Jakarta.

11 Select Committee on Procedural Review – Further Extension of Time to Report
Leader of Government Business (Mr FitzGerald), by leave, moved — That the Select Committee on Procedural Review be granted an extension of time until 9 July 1996 to enable the Committee to complete its report on the estimates process. Question put and passed.

12 Scrutiny of Legislation Committee – Alert Digest
Chairman of the Scrutiny of Legislation Committee (Mr Elliott) tabled the following paper—
Scrutiny of Legislation Committee – Alert Digest No. 3 for 1996.
13 Notices of Motion

14 Private Members’ Statements

Private Members’ Statements were made

15 Questions without notice

Questions without notice were asked.

Paper: Leader of the Opposition (Mr Beattie) tabled the following paper—

Extract from The Courier-Mail entitled “Government urged to speed public works projects”

Questions continued.

Paper: Mr Hamill tabled the following paper—

Extract from Financial Review entitled “Howard’s inheritance”

Questions continued.

Papers: Mr Foley tabled the following papers—

Extract from Weekend Australian entitled “Police probe claims of Liberal link to ‘Orwellian’ database”

Extract from The Courier-Mail entitled “Electoral roll claim”

Questions continued.

16 General Business – Matters of Public Interest

The following Members addressed the House—

Leader of the Opposition (Mr Beattie), Messrs Bredhauer and Dollin, Leader of Government Business (Mr FitzGerald), Mr Grice and Ms Warwick

Papers: Leader of the Opposition (Mr Beattie), during his speech, tabled the following papers—

The Economic and Financial Management Approach of the Borbidge–Sheldon Government – Speech by the Deputy Premier to the Conservative Club on 19 March 1996

Day by Day – a record of freeze and famine in the first 12 weeks of the Borbidge/Sheldon Government

Diary of damning opinions

Extract from The Australian entitled “Borbidge losing his way”

Extract from The Courier-Mail entitled “Government urged to speed public works projects”

Extracts from The Courier-Mail concerning comments made by Mr Paul Fennelly, Director, Metal Trades Industry Association Queensland and Mr Clive Bubb, General Manager, Queensland Chamber of Commerce and Industry

Paper: Mr Grice, during his speech, tabled the following paper—

Memorandum, dated 28 March 1996, from P J Hawkins, Chief Executive Officer, Northern Regional Health Authority concerning a medical detoxification submission

Photographs of Mike Bailey handing out how-to-vote cards

Papers: Mr Dollin, during his speech, tabled the following papers—

Valuations (2) relating to Patterdale Pty Ltd – Proposed purchase of rail corridor, Pialba

Extracts from the Hervey Bay Independent entitled “Council averts huge payout” and “Council severs links with valuer”

Letter, dated 25 March 1996, from Hervey Bay City Council concerning valuers employed by the Council since 1 January 1996 and a Freedom of Information request

Maddern Valuation Services – Valuation reports for (a) Lot 42, Gold Street, Aldershot, via Maryborough and (b) Compensation payable by Hervey Bay City Council – Westlakes Development, Truro and Ann Streets, Torquay, Hervey Bay; Assessment of compensation payable by the Hervey Bay City Council for resumption of land, Central Park Estate, Urraween Road, Pialba

17 Environmental Protection Amendment Bill 1996

Order of the day read for the adjourned debate on the motion of the Minister for Environment (Mr Littleproud) – That the Bill be now read a second time. Debate resumed.

Paper: Minister for Environment (Mr Littleproud), during his speech, tabled the following paper—

Terms of reference for the Ministerial Advisory Committee to report on the effectiveness, fairness and practicability of the Environmental Protection (Interim) Regulation 1995

Debate continued. Question put. The House divided.

AYES, 41

Beanland  Gilmore  Laming  Radke  Tanti
Carroll  Goss J  Lester  Rowell  Veivers
Connor  Grice  Lingard  Santoro  Watson
Cooper  Harper  Littleproud  Sheldon  Wilson
Cunningham  Healy  McCauley  Simpson  Woolmer
Davidson  Hegarty  Malone  Slack  
Elliott  Hobbs  Mitchell  Springborg  
FitzGerald  Horan  Perrett  Stephan  
Gamin  Johnson  Quinn  Stoneman

NOES, 40

Ardill  Campbell  Hollis  Palaszczuk  Sullivan J
Barton  D'Arcy  Livingstone*  Pearce  Sullivan T*
Beattie  De Lacy  Mackenroth  Purcell  Welford
Bird  Dollin  McElligott  Roberts  Weels
Bligh  Edmond  McGrady  Robertson  
Braddy  Elder  Milliner  Schweitzer  
Bredhauer  Foley  Mulherin  
Briskey  Fournas  Nunn  Smith  
Burns  Hamill  Nuttall  Spence

Pairs – Messrs Baumann and Borbidge and Ms Warwick (AYES) and Messrs Gibbs and Hayward and Mrs Woodgate (NOES)
*Tellers

Question agreed to. Bill read a second time. Bill committed on the motion of Mr Littleproud.

In the Chair – The Chairman

Clauses 1 to 9 agreed to.

Clause 10 (Insertion of new s 47A)—

The following amendment was proposed by Mr Welford—

"(4) To avoid doubt, Section 42 applies to applications under this section.”.

Question put – That the words to be inserted be so inserted.

The Committee divided.

AYES, 40

Ardill  Campbell  Hollis  Palaszczuk  Sullivan J
Barton  D'Arcy  Livingstone*  Pearce  Sullivan T* 
Beattie  De Lacy  Mackenroth  Purcell  Welford
Bird  Dollin  McElligott  Roberts  Weels
Bligh  Edmond  McGrady  Robertson  
Braddy  Elder  Milliner  Schweitzer  
Bredhauer  Foley  Mulherin  
Briskey  Fournas  Nunn  Smith  
Burns  Hamill  Nuttall  Spence
NOES, 41
Beanland  Gilmore  Laming  Radke  Tanti
Carroll*  Goss J  Lester  Rowell  Veivers
Connor  Grice  Lingard  Santoro  Watson
Cooper  Harper  Littleproud  Sheldon  Wilson
Cunningham  Healy  McCallaugh  Simpson  Woolmer
Davidson  Hegarty  Malone  Slack  Wynne
Elliott  Hobbs  Mitchell  Springborg*  Tanti
FitzGerald  Horan  Perrett  Stephan  Veivers
Gamin  Johnson  Quinn  Sloan  Stover

Pairs – Messrs Baumann and Borbidge and Ms Warwick (AYES) and Messrs Gibbs and Hayward and Mrs Woodgate (NOES) *Tellers

Question negatived.
Clause 10 agreed to.
Clauses 11 to 26 agreed to.
Clause 27—

Question put – That Clause 27, as read, stand part of the Bill.
The Committee divided.

AYES, 41
Beanland  Gilmore  Laming  Radke  Tanti
Carroll*  Goss J  Lester  Rowell  Veivers
Connor  Grice  Lingard  Santoro  Watson
Cooper  Harper  Littleproud  Sheldon  Wilson
Cunningham  Healy  McCallaugh  Simpson  Woolmer
Davidson  Hegarty  Malone  Slack  Wynne
Elliott  Hobbs  Mitchell  Springborg*  Tanti
FitzGerald  Horan  Perrett  Stephan  Veivers
Gamin  Johnson  Quinn  Sloan  Stover

Pairs – Messrs Baumann and Borbidge and Ms Warwick (AYES) and Messrs Gibbs and Hayward and Mrs Woodgate (NOES) *Tellers

NOES, 40
Arddill  Campbell  Hollis  Palaszczuk  Sullivan J
Barton  D'Arcy  Livingstone*  Pearce  Sullivan T*
Beattie  De Lacy  Mackenroth  Peurcell  Welford
Bird  Dollin  McElligott  Roberts  Wells
Bligh  Edmond  McGrady  Robertson  Wells
Braddy  Elder  Milliner  Rose  Wells
Brendhauer  Foley  Mulherin  Schwartz  Welford
Briskey  Fouras  Nunn  Smith  Welford
Burns  Hamill  Nuttall  Spence  Welford

Pairs – Messrs Baumann and Borbidge and Ms Warwick (AYES) and Messrs Gibbs and Hayward and Mrs Woodgate (NOES) *Tellers

Clause 27 agreed to.
Bill to be reported without amendment.

Mr Speaker resumed the Chair.
Bill reported without amendment.
Mr Littleproud, 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 Notice of Motion – Representation on Educational Bodies
Mr Bredhauer, pursuant to notice, moved – That this Parliament—

(a) recognises the legitimate concerns expressed by the QCPCA, the Queensland Independent Parents and Friends Council, the Queensland Catholic Parents and Friends Federation, the Queensland Teachers’ Union and the Queensland Association of Teachers in Independent Schools about proposals by the Minister for Education to abolish their positions on the Queensland Schools Curriculum Council and the Board of Senior Secondary School Studies, and

(b) calls on the Minister to guarantee representatives from these parents and teacher groups positions on the two Boards.

Debate ensued.
Leader of the Opposition (Mr Beattie), during his speech, tabled the following paper—
Queensland Council of Parents’ and Citizens’ Associations Inc – Memorandum concerning Education (P–10) School Curriculum Bill

Debate continued.
Question put.
The House divided.

AYES, 40

Ardill    
Barton    
Bird      
Bligh     
Braddy    
Bredhauer 
Briskey   
Burns

Campbell Hollis  Palaszczuk Sullivan J
D'Arcy    Livingstone* Pearce Sullivan T*
De Lacy   Mackenroth Purcell Wells
Dollin    McElligott Roberts Robertson
Edmond    McGrady  Rose   Schwarten
Elder     Milliner  Nunn    Smith
Foley     Mulherin  Nuttall Spence
Fours     Nunn      Nunn    Spence
Hamill    Nunn      Palaszczuk Sullivan J

NOES, 41

Beanland  Carroll* Connor Cooper Cunningham
Campbell  Cooper Cunningham Davidson
Connor    De Lacy Edmond
D'Arcy    Fitzgerald

Gamin

Gilmore  Laming  Radke  Tanti
Goss J   Lester   Rowell Veivers
Grice    Lingard  Santoro Watson
Harper   Littleproud Sanders Wilson
Healy    McCauley Simpson Woolmer
Hegarty  Malone  Slack  Spence
Hobbs    Mitchell  Singleton Springborg*
Elliott  Horan    Perrett Stephan
Palaszczuk  Johnson  Perrett  Stephan
Roberts  Roberts  Rose  Sullivan, J
Rowell   Roberts  Rose  Sullivan, T
Santoro  Rose    Rowell  Tanti
Smith    Smith   Spence  Veivers
Simpson  Slack   Spence  Veivers
Springborg  Smith   Spence  Veivers
Simpson  Spencer
Stephan  Spence  Veivers
Simpson  Spencer
Stephan  Spence
Tanti

Pairs – Messrs Gibbs and Hayward and Mrs Woodgate (AYES) and Messrs Baumann and Borbidge and Ms Warwick (NOES)

*Tellers

Question negatived.

19 ADJOURNMENT

Leader of Government Business (Mr FitzGerald) moved – That the House do now adjourn.
Debate ensued.
Question put and passed.
The House adjourned at 7.30pm.

20 ATTENDANCE

The following Members were present—

Ardill    Barton    Baumann    Beanland  Beattle    Bird      Bligh     Braddy    Bredhauer 
Burns    D'Arcy   Campbell   Cartwright   Carroll*  Connor    Cooper    Cunningham     D'Arcy

Davidson De Lacy Edmond  Elder    Elliott    FitzGerald  Frogs  Gamin  Goss  Goss, J  Goss, W  Grice  Hamill  Harper  Hayward

Healy    Hegarty  Hobbs  Horan    Johnson  Lester  Limer  Littleproud  Livingstone  Mackenroth  McCauley  McElligott  McGrady  Malone  Milliner

Mitchell  Mulherin  Nunn    Palaszczuk  Perrett  Radke  Radke   Roberts  Roberts  Rose  Rose    Rowell  Santoro  Santoro  Schwartz


N J TURNER  R D DOYLE
Speaker  The Clerk of the Parliament