

1996–97

LEGISLATIVE ASSEMBLY OF QUEENSLAND

**VOTES AND PROCEEDINGS**

NO. 50

SECOND SESSION OF THE FORTY–EIGHTH PARLIAMENT

TUESDAY, 18 MARCH 1997

**CONTENTS**

Adjournment .....	505
Assent to Bills .....	498
Attendance .....	505
Criminal Justice Commission – Papers .....	503
Criminal Law Amendment Bill .....	504
Death of Harold Dean .....	498
Electorate of Kurwongbah – Resignation of Member .....	498
General Business – Matters of Public Interest .....	504
Government Papers .....	502
Meeting of the House .....	498
Members' Ethics and Parliamentary Privileges Committee – Paper .....	503
Ministerial Responses to—	
Parliamentary Committee Reports .....	501
Petitions .....	502
Ministerial Statements—	
2002 World Expo for Queensland .....	502
Government charter flight to Thursday and Palm Islands .....	502
Notice of Motion .....	503
Notice of Motion – Disallowance of Statutory Instrument .....	503
Notice of Motion – Restructure of education in Queensland .....	504
Paper .....	503
Papers tabled during the recess .....	499
Petitions .....	499
Private Member's Statement .....	503
Questions without notice .....	503
Scrutiny of Legislation Committee – Paper .....	503
Sessional Orders – Debating of Committee Reports .....	502
Standing and Sessional Orders – Notices of Motion .....	502
Statutory Instruments .....	500

**1 MEETING OF THE HOUSE**

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

**2 ASSENT TO BILLS**

Letter from the Governor was reported, informing the House that Her Excellency the Governor had, in the name of Her Majesty, assented to the following Bills on 14 February 1997—

A Bill for an Act to provide for workplace relations in Queensland, and for other purposes (*Workplace Relations Act 1997 – Act No. 1 of 1997*)

A Bill for an Act to provide for industrial organisations in Queensland and for other matters (*Industrial Organisations Act 1997 – Act No. 2 of 1997*)

**3 ELECTORATE OF KURWONGBAH – RESIGNATION OF MEMBER**

Mr Speaker informed the House that he had received the following letter from Mrs Margaret Woodgate—

“March 17, 1997

The Hon N Turner, MLA  
Speaker  
Legislative Assembly of Queensland  
Parliament House  
BRISBANE QLD 4000

Dear Mr Turner,

It is with regret that I have to inform you that I am tendering my resignation as the Member for Kurwongbah in the Parliament of Queensland as from today's date.

Since my two heart by-pass operations last year, I have not enjoyed the best of health. In fact my health has deteriorated to the extent that my Doctors have advised me that they believe I can no longer effectively perform my duties as a Parliamentarian and as Member for Kurwongbah.

I am enclosing letters from my Doctors which are self-explanatory.

I would appreciate if you would convey my notice of resignation to the House at your earliest opportunity.

All the best for the future.

Yours sincerely,

Margaret Woodgate”

**4 DEATH OF HAROLD DEAN**

Premier (Mr Borbidge), by leave, moved—

- (a) That this House desires to place on record its appreciation of the services rendered to this State by the late Harold Dean, a former Member of the Parliament of Queensland.
- (b) That Mr Speaker be requested to convey to the family of the deceased gentleman the above resolution, together with an expression of the sympathy and sorrow of the Members of the Parliament of Queensland, in the loss they have sustained.

Leader of the Opposition (Mr Beattie) seconded the motion.

Debate ensued.

Members signified their assent by standing in silence in their places.

**5 PETITIONS**

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

Mr J Goss, from 665 petitioners, praying that the House immediately provide the appropriate funds for the construction of a ramp at the Bald Hills Railway Station because the existing steps are difficult for elderly people, parents with prams and cyclists.

Mr J Goss, from 34 petitioners, requesting that the House to abandon the proposal to construct a fire station on the old K-Mart site at Chermside.

Mr W Goss, from 380 petitioners, praying that the House ensures a proper public transport system is made available for the newly developed shopping centre in Julie Street, Crestmead.

Mr W Goss, from 154 petitioners, praying that the House ensures a proper public transport system is made available for the City of Logan with essential improvement and planning for the 21st Century.

Mr W Goss, from 1255 petitioners, requesting the House to take immediate action to significantly improve the level of public transport services, including the local bus service and upgrading of the existing Greenbank Rail line to passenger status so as to meet the public transport needs of local households and the fast growing region.

Mr Nuttall, from 146 petitioners, requesting the House to take actions to ensure that the Coalition Government meets its commitments to (a) tenants in public housing that they are not charged more than 25% of their income in rent (b) tenants in public housing that they are not disadvantaged and (c) introduce accountable strategies for addition and replacement of housing stock to ensure that proceeds of sales of public housing to tenants are reinvested in public housing.

Mr Nuttall, from 401 petitioners, requesting the House to direct the appropriate authority to erect barriers to provide adequate noise amelioration along the Gateway Arterial Road in the suburb of Bracken Ridge.

Mr Radke, from 21 petitioners, requesting that the railway line be straightened at the Norman Park curve and only(new generation) electric locomotives are to be used for goods freight and passenger trains along the Yeerongpilly/Fishermans Islands railway line in conjunction with noise barriers where residents approve.

Mr Welford, from 936 petitioners, requesting that the House re-establish the Energywise Advisory Centres located at Springwood and Townsville with staff and funding adequate for provision of a high quality service and that the mobile Energywise Advisory Centres be maintained and used as intended for the promotion of energy efficiency and renewable energy technologies.

**6 PAPERS TABLED DURING THE RECESS**

The Clerk informed the House that the following papers, received during the recess, were tabled on the dates indicated—

*12 February 1997—*

Childrens Court of Queensland – Annual Report 1995–96

National Australia Trustees Limited – Statutory Accounts for the year ended 30 September 1996

*17 February 1997—*

Darling Downs – Moreton Rabbit Board – Annual Report 1995–96

Late tabling statement from the Minister for Natural Resources regarding the 1995–96 annual report of the Darling Downs – Moreton Rabbit Board

National Crime Authority – Annual Report 1995–96

*11 March 1997—*

Queensland Treasury Holdings Pty Ltd – Annual Report 1995–96

North West Queensland Water Pipeline Pty Ltd – Financial Statements 10 October 1995 to 30 June 1996

Eungella Water Pipeline Pty Ltd – Financial Statements 10 October 1995 to 30 June 1996

14 March 1997—

Island Co-ordinating Council – Annual Report 1995–96

Late tabling statement from the Minister for Families, Youth and Community Care regarding the 1995-96 annual report of the Island Co-ordinating Council

Island Industries Board – Annual Report for the year ended 31 January 1996

Late tabling statement from the Minister for Families, Youth and Community Care regarding the annual report for the year ended 31 January 1996 of the Island Industries Board

## 7 STATUTORY INSTRUMENTS

The following statutory instruments were tabled by The Clerk—

*Acts Interpretation Act 1954—*

Acts Interpretation Regulation 1997, No. 28

*Agricultural Chemicals Distribution Control Act 1966—*

Agricultural Chemicals Distribution Control Amendment Regulation (No. 1) 1997, No. 54

*Auctioneers and Agents Act 1971—*

Auctioneers and Agents Amendment Regulation (No. 1) 1997, No. 29

Auctioneers and Agents (Exemptions) Amendment Regulation (No. 1) 1997, No. 43

*Breakwater Island Casino Agreement Act 1984—*

Breakwater Island Casino Agreement Variation Regulation 1997, No. 11

*Canals Act 1958—*

Canals Amendment Regulation (No. 1) 1997, No. 39

*Coal Mining Act 1925—*

Coal Mining Exemption Order (No. 1) 1997, No. 21

*Education (School Curriculum P–10) Act 1996—*

Education (School Curriculum P–10) Regulation 1997, No. 26

*Education (Senior Secondary School Studies) Act 1988—*

Education (Senior Secondary School Studies) Amendment Regulation (No. 1) 1997, No. 27

*Environmental Protection Act 1994—*

Environmental Protection Interim Amendment Regulation (No. 1) 1997, No. 38

*Fire Service Amendment Act 1996—*

Proclamation – the provisions of the Act that are not in force commence 24 February 1997, No. 34

*Fisheries Act 1994—*

Fisheries Amendment Regulation (No. 1) 1997, No. 16

Fisheries Amendment Regulation (No. 2) 1997, No. 47

Fisheries Amendment Regulation (No. 3) 1997, No. 48

*Indy Car Grand Prix Act 1990—*

Indy Car Grand Prix Amendment Regulation (No. 1) 1997, No. 45

*Jupiters Casino Agreement Act 1983—*

Jupiters Casino Agreement Variation Regulation 1997, No. 10

*Jury Act 1995—*

Jury Regulation 1997, No. 14

Proclamation – the provisions of the Act that are not in force commence 17 February 1997, No. 13

*Justice Legislation (Miscellaneous Provisions) Act 1996—*

Proclamation – certain provisions of the Act commence 28 February 1997, No. 35

Proclamation – part 17 of the Act commences 17 February 1997, No. 12

*Justices Act 1886—*

Justices Amendment Regulation (No. 1) 1997, No. 44

*Juvenile Justice Act 1992—*

Juvenile Justice Amendment Regulation (No. 1) 1997, No. 41

*Local Government Act 1993—*

Local Government (Areas) Amendment Regulation (No. 1) 1997, No. 22

Local Government (Internal Boundaries Review) Amendment Regulation (No. 1) 1997, No. 32

*Lotteries Act 1994—*

Lotteries Amendment Rule (No. 1) 1997, No. 40

- Medical Act and Other Acts (Administration) Act 1966—*  
 Medical Acts and Other Acts (Administration) Amendment Regulation (No. 1) 1997, No. 52
- Mental Health Act 1974—*  
 Mental Health Amendment Regulation (No. 1) 1997, No. 25
- Mineral Resources Act 1989—*  
 Mineral Resources Amendment Regulation (No. 1) 1997, No. 46
- Mines Regulation Act 1964—*  
 Mines Regulation (Application of Act) Repeal Order 1997, No. 53
- Nature Conservation Act 1992—*  
 Nature Conservation (Duck and Quail) Amendment Conservation Plan (No. 1) 1997, No. 37  
 Nature Conservation (Protected Areas) Amendment Regulation (No. 1) 1997, No. 36
- Nursing Act 1992—*  
 Nursing Amendment By-law (No. 1) 1997, No. 30
- Petroleum Act 1923—*  
 Petroleum (Entry Permission—BHP Minerals Pty Ltd) Notice 1997, No. 55
- Plant Protection Act 1989—*  
 Plant Protection (Papaya Fruit Fly—Mt Isa) Quarantine Notice 1997, No. 33  
 Plant Protection (Papaya Fruit Fly—Mt Isa) Quarantine Regulation 1997, No. 49
- Public Service Act 1996—*  
 Public Service Amendment Regulation (No. 1) 1997, No. 56
- Public Trustee Act 1978—*  
 Public Trustee Amendment Regulation (No. 2) 1997, No. 51
- Queensland Tourist and Travel Corporation Amendment Act 1996—*  
 Proclamation – the provisions of the Act that are not in force commence 21 February 1997, No. 31
- Stamp Act 1894—*  
 Stamp (Mortgage, Bond, Debenture and Covenant) Order 1997, No. 24
- Superannuation (Government and Other Employees) Act 1988—*  
 Superannuation (Government and Other Employees) Amendment Notice (No. 1) 1997, No. 18
- Superannuation Legislation Amendment Act 1995—*  
 Proclamation – sections 19, 28, 35 and 47 of the Act commence 14 February 1997, No. 20
- Superannuation (State Public Sector) Act 1990—*  
 Superannuation (State Public Sector) Amendment Notice (No. 1) 1997, No. 19  
 Superannuation (State Public Sector) Amendment Notice (No. 2) 1997, No. 50  
 Superannuation (State Public Sector) Amendment of Deed Regulation (No. 1) 1997, No. 42
- Transport Legislation Amendment Act 1996—*  
 Proclamation – certain provisions of the Act commence 7 February 1997 and 1 May 1997, No. 23
- Weapons Act 1990—*  
 Weapons Amendment Regulation (No. 1) 1997, No. 15
- WorkCover Queensland Act 1996—*  
 WorkCover Queensland Regulation 1997, No. 17 and Explanatory Notes for No. 17

## 8 MINISTERIAL RESPONSES TO PARLIAMENTARY COMMITTEE REPORTS

The Clerk tabled the following responses to parliamentary committee reports, received during the recess—

- (a) Response from the Minister for Health (Mr Horan) to a report of the Public Works Committee entitled *Inquiry into the Redevelopment of the Cairns Base Hospital*;
- (b) Response from the Minister for Environment (Mr Littleproud) to a report of the Public Accounts Committee entitled *Review of the Tabling of Annual Reports 1995-96*; and
- (c) Response from the Minister for Natural Resources (Mr Hobbs) to a report of the Public Accounts Committee entitled *Review of the Tabling of Annual Reports 1995-96*.

**9 MINISTERIAL RESPONSES TO PETITIONS**

The following responses to petitions, received during the recess, were tabled by The Clerk—

- (a) Response from the Minister for Mines and Energy (Mr Gilmore) to a petition presented by Mr Cooper from 60 petitioners, regarding the location of the proposed Oakey power station; and
- (b) Response from the Minister for Natural Resources (Mr Hobbs) to petitions presented by Mrs Bird from 20 and 1,704 petitioners respectively, regarding the damming of St Helens Creek.

**10 GOVERNMENT PAPERS**

The following papers were tabled—

- (a) *Attorney-General and Minister for Justice (Mr Beanland)*—  
Return showing all payments by the Government to Barristers and Solicitors for 1994–95 and 1995–96
- (b) *Minister for Mines and Energy (Mr Gilmore)*—  
Report on visit to Papua New Guinea on 5 and 6 February 1997
- (c) *Minister for Primary Industries, Fisheries and Forestry (Mr Perrett)*—  
Report on Queensland Fisheries Industry Trade Mission to Japan, Taiwan, Hong Kong and China from 12 to 24 February 1997
- (d) *Minister for Public Works and Housing (Mr Connor)*—  
Report on visit to New Zealand from 10 to 15 February 1997
- (e) *Minister for Emergency Services and Minister for Sport (Mr Veivers)*—  
Report on Asia Trade Delegation (China, Thailand and Indonesia) from 7 to 18 December 1996

**11 MINISTERIAL STATEMENTS**

- (a) Premier (Mr Borbidge), by leave, made a ministerial statement relating to recent developments towards securing a second World Expo for Queensland.

*Paper:* Mr Borbidge, during his statement, tabled the following paper—  
Speech by Mr Borbidge to the Australian Business Club, Paris on 12 December 1996

- (b) Minister for Public Works and Housing (Mr Connor), by leave, made a ministerial statement relating to a Government charter flight to Thursday and Palm Islands.

*Papers:* Mr Connor, during his statement, tabled the following papers—  
Letter, dated 7 February 1997, from Mr T Cavanaugh, Writer/Producer, Liberty & Beyond  
Diary Note, dated 21 January 1997, by M J Grierson, Acting Director-General  
Invoice from Adagold Aviation  
Cheque, dated 21 February 1997  
Extract from diary for 20, 21 and 22 January 1997

**12 STANDING AND SESSIONAL ORDERS – NOTICES OF MOTION**

Leader of Government Business (Mr FitzGerald), by leave, moved – That, notwithstanding anything contained in the Standing and Sessional Orders, for the remainder of this Session, all General Business – Notices of Motion appearing on the Business Paper, including those already appearing, shall be deleted from the Business Paper after the expiration of one month from the day on which notice is given.

Question put and passed.

**13 SESSIONAL ORDERS – DEBATING OF COMMITTEE REPORTS**

Leader of Government Business (Mr FitzGerald), by leave, moved – That the Sessional Orders adopted by this House on 2 April 1996 be amended by providing—

- (a) on presentation of a committee report, the Member presenting the report may make a statement to the House for a period not exceeding 5 minutes and a notice of motion may then be given that the House take note of the report on Thursday next;
- (b) on each Thursday, following Private Members Bills and prior to Question Time, notices of motion for the noting of reports may be moved and debated without amendment; and
- (c) Members may speak on any such motion for 3 minutes.

Question put and passed.

#### **14 SCRUTINY OF LEGISLATION COMMITTEE – PAPER**

Chairman of the Scrutiny of Legislation Committee (Mr Elliott) tabled the following paper—

Scrutiny of Legislation Committee – Alert Digest No. 2 of 1997

#### **15 CRIMINAL JUSTICE COMMISSION – PAPERS**

Chairman of the Parliamentary Criminal Justice Committee (Mr Lester) tabled the following papers—

Criminal Justice Commission—

Summary of Activities for November, December 1996 and January 1997

Gold Coast District Negotiated Response Trial : Survey Findings

Queensland Police Service – Register of Reports and Recommendations to the Minister and Ministerial Directions 1996

#### **16 PAPER**

Mr Welford tabled the following paper—

Report to State Parliament by Rod Welford MLA, Member for Everton, Shadow Minister for Environment and Heritage – CHINA – 7 January 1997 to 21 January 1997

#### **17 MEMBERS' ETHICS AND PARLIAMENTARY PRIVILEGES COMMITTEE – PAPER**

Chairman of the Members' Ethics and Parliamentary Privileges Committee (Mrs Warwick) tabled the following paper—

Members' Ethics and Parliamentary Privileges Committee—  
Issues Paper No. 2 – The Sub Judice Convention

#### **18 NOTICE OF MOTION**

#### **19 NOTICE OF MOTION – DISALLOWANCE OF STATUTORY INSTRUMENT**

#### **20 PRIVATE MEMBER'S STATEMENT**

A private Member's statement was made.

*Papers—* Leader of the Opposition (Mr Beattie), during his statement, tabled the following papers—  
Bill from Augustine's Restaurant  
Ministerial Services Branch – FBT Form

#### **21 QUESTIONS WITHOUT NOTICE**

Questions without notice were asked.

*Paper:* Mr Nuttall tabled the following paper—  
Letter, dated 29 November 1996, from Minister for Families, Youth and Community Care to Member for Sandgate

Questions continued.  
Questions concluded.

## 22 GENERAL BUSINESS – MATTERS OF PUBLIC INTEREST

The following Members addressed the House—

Messrs Barton, Bredhauer and Elliott, Honourable R Gibbs, Messrs Stephan and Tanti

## 23 CRIMINAL LAW AMENDMENT BILL

Order of the day read for the adjourned debate on the motion of the Attorney-General and Minister for Justice (Mr Beanland) – That the Bill be now read a second time.  
Debate resumed.

*Paper:* Mr Foley, during his speech, tabled the following paper—  
Letter, dated 4 March 1997, from the Queensland Law Society to the Attorney-General and Minister for Justice (Mr Beanland)

Debate continued.

Debate adjourned on the motion of Mr Harper.

*Ordered* – That the resumption of the debate be made an order of the day for tomorrow.

## 24 NOTICE OF MOTION – RESTRUCTURE OF EDUCATION IN QUEENSLAND

Mr Bredhauer, pursuant to notice, moved –

“That this House expresses its concern at the uncertainty that has been created among parents, the teaching profession and the community at “Leading Schools”, the Borbidge Government’s planned radical restructure of Education Queensland.

In particular, we note—

- (1) that the restructure will lead to 400 job losses, 300 in regional Queensland;
- (2) major uncertainty about whether the Government will provide schools with adequate resources to deal with the avalanche of bureaucracy which is about to descend on schools; and
- (3) widespread anxiety that the proposed restructure will mean some schools are well resourced and better equipped to deal with the needs of their students while other schools, especially smaller schools, are forced to cope with a diminishing share of Queensland’s educational resources.

Further, we call on the Minister to delay the implementation of “Leading Schools” until schools are guaranteed adequate resources to cope with any changes and the equitable distribution of all education services to all Queensland students.”

Debate ensued.

The following amendment was proposed by Minister for Education (Mr Quinn)—

*Omit* all words after ‘That’ and *insert*—

‘this House acknowledges the concerns expressed by some parents, teachers and community members with regard to the “Leading Schools” programme for Education Queensland.

This House calls on the Minister for Education to ensure that—

- (1) the restructure will not involve redundancies or retrenchments;
- (2) schools will not suffer any diminution in teaching resources as a result of funding made available to the schools for direct expenditure under the “Leading Schools” programme; and
- (3) schools not involved in the “Leading Schools” programme (below Band 8) will not suffer any reduction in their resources which would affect their ability to address the needs of their students.’

Debate continued.

Question put – That the words proposed to be omitted stand part of the question.

The House divided.

**AYES, 42**

Ardill	D'Arcy	Hamill	Nunn	Smith
Barton	De Lacy	Hayward	Nuttall	Spence
Beattie	Dollin	Hollis	Palaszczuk	Sullivan, J
Bird	Edmond	Livingstone*	Pearce	Sullivan, T*
Bligh	Elder	Lucas	Purcell	Welford
Braddy	Foley	Mackenroth	Roberts	Wells
Bredhauer	Fouras	McGrady	Robertson	
Briskey	Gibbs	Milliner	Rose	
Campbell	Goss, W	Mulherin	Schwarten	

**NOES, 43**

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

*Pair – Mr McElligott (AYES) and Mr Grice (NOES)*

*\*Tellers*

Question negatived.  
Amendment agreed to.  
Motion, as amended, agreed to.

**25 ADJOURNMENT**

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

**26 ATTENDANCE**

The following Members were present—

Ardill	De Lacy	Hegarty	Nunn	Spence
Barton	Dollin	Hobbs	Nuttall	Springborg
Baumann	Edmond	Hollis	Palaszczuk	Stephan
Beanland	Elder	Horan	Pearce	Stoneman
Beattie	Elliott	Johnson	Perrett	Sullivan, J
Bird	FitzGerald	Laming	Purcell	Sullivan, T
Bligh	Foley	Lester	Quinn	Tanti
Borbidge	Fouras	Lingard	Radke	Veivers
Braddy	Gamin	Littleproud	Roberts	Warwick
Bredhauer	Gibbs	Livingstone	Robertson	Watson
Briskey	Gilmore	Lucas	Rose	Welford
Campbell	Goss, J	Mackenroth	Rowell	Wells
Carroll	Goss, W	McCauley	Santoro	Wilson
Connor	Grice	McGrady	Schwarten	Woolmer
Cooper	Hamill	Malone	Sheldon	
Cunningham	Harper	Milliner	Simpson	
D'Arcy	Hayward	Mitchell	Slack	
Davidson	Healy	Mulherin	Smith	

**N J TURNER**  
Speaker

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