

1996–97

LEGISLATIVE ASSEMBLY OF QUEENSLAND

VOTES AND PROCEEDINGS

NO. 89

SECOND SESSION OF THE FORTY–EIGHTH PARLIAMENT

WEDNESDAY, 26 NOVEMBER 1997

CONTENTS

Adjournment	936
Advance Bank Integration Bill	933
Appropriation Bill (No. 2) and Appropriation (Parliament) Bill (No. 2)	932
Attendance	936
Matter of Privilege	936
Meeting of the House	930
Members' Ethics and Parliamentary Privileges Committee – Paper	931
Ministerial Statements—	
Increases in the police training program	930
Public Health Outcomes Funding Agreement	930
Queensland Fire and Rescue Authority	930
Queensland Olympic 2000 Task Force	930
Role of industries in Queensland's prisons	930
Safe and Confident Living Initiative	930
United Nations Framework Convention on Climate Change	930
Native Title (Queensland) Amendment Bill	931
Natural Resources and Other Legislation Amendment Bill	933
Notice of Motion	931
Notice of Motion (debated)—	
Minister for Tourism, Small Business and Industry	934
Notice of Motion – House to take note of Committee Reports	931
Petitions	930
Postponed Order – Government Business	933
Private Members' Statements	931
Public Accounts Committee – Papers	930
Questions without notice	931
Revenue and Other Legislation Amendment Bill	932
Suspension of Standing and Sessional Orders—	
Appropriation Bill (No. 2) and Appropriation (Parliament) Bill (No. 2) – Cognate	
Debate	932

1 MEETING OF THE HOUSE

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

2 PETITIONS

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

Mr Carroll, from 1,991 petitioners, requesting the House to immediately restore the prohibition on commercial trawlers taking sand crabs legally in Queensland.

Mrs Edmond, from 26 petitioners, requesting the House to call on the Government to, at least, retain the Red Hill Police Station property and return this to a fully operational police station.

Mr Welford, from 76 petitioners, requesting the House to (a) retain the Brisbane Institute of TAFE's Horticultural and Rural studies facility at Oxford Park in public ownership, (b) recognise the important value of this facility to the local area as well as the thousands of city-based students who have sought and will continue in the future to seek training in rural skills, (c) acknowledge the opportunities for expanding the role in community based horticulture and associated training courses for the unemployed and other community participants and (d) reject any proposal to dispose of the facility simply to meet the debts of other TAFE Institutes which the Government has failed to ensure operate within adequate budgets.

3 MINISTERIAL STATEMENTS

- (a) Minister for Families, Youth and Community Care (Mr Lingard), by leave, made a ministerial statement relating to amendments to the 'Safe and Confident Living Initiative'.
- (b) Minister for Police and Corrective Services and Minister for Racing (Mr Cooper), by leave, made a ministerial statement relating to increases in the police training program.
- (c) Minister for Police and Corrective Services and Minister for Racing (Mr Cooper), by leave, made a ministerial statement relating to an initiative to develop a strategic focus on the role of industries in Queensland's prisons.
- (d) Minister for Health (Mr Horan), by leave, made a ministerial statement relating to the Public Health Outcomes Funding Agreement between the State and the Commonwealth.
- (e) Minister for Tourism, Small Business and Industry (Mr Davidson), by leave, made a ministerial statement relating to the Queensland Olympic 2000 Task Force training guide entitled 'In Pursuit of Gold in 2000'.

Paper: Mr Davidson, during his statement, tabled the following paper—
'In Pursuit of Gold in 2000' – pre-Games training guide

- (f) Minister for Environment (Mr Littleproud), by leave, made a ministerial statement relating to his attendance at the forthcoming Third Conference of parties to the 1992 United Nations Framework Convention on Climate Change to be held in Kyoto, Japan.
- (g) Minister for Emergency Services and Minister for Sport (Mr Veivers), by leave, made a ministerial statement relating to the co-operation which exists between Queensland Fire and Rescue Authority.

4 PUBLIC ACCOUNTS COMMITTEE – PAPERS

Chairman of the Public Accounts Committee (Mr Woolmer) tabled the following papers—

Public Accounts Committee—

Report No. 42 – Aboriginal Councils and Torres Strait Island Councils: Review of Financial Reporting Requirements, together with transcripts of proceedings relating to public hearings held during the inquiry

Report No. 43 – State Government Grant Funding Supplied to 99 FM Community Radio Association Inc.

Ordered to be printed.

5 NOTICE OF MOTION – HOUSE TO TAKE NOTE OF COMMITTEE REPORTS

6 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—

Report No. 11 – Report on a matter of privilege : Matter referred to the committee on 2 September 1997

7 NOTICE OF MOTION

8 PRIVATE MEMBERS' STATEMENTS

Private Members' statements were made.

Paper: Mr Robertson, by leave, during his speech, tabled the following paper—
A non-conforming petition to the Golden Casket Office regarding the non-supply of an online terminal at Calamvale News to process lotto

Statements continued.

Statements concluded.

9 QUESTIONS WITHOUT NOTICE

Questions without notice were asked.

Papers: Premier Mr Borbidge tabled the following papers—
Native Title Amendment Bill 1997 (Cwlth) – Explanatory memorandum to the Opposition amendments
Opposition amendments and explanatory memorandum

Questions continued.

Papers: Minister for Environment (Mr Littleproud) tabled the following papers—
Studies carried out on Port Hinchinbrook

Questions continued.

Paper: Minister for Transport and Main Roads (Mr Johnson) tabled the following paper—
Extract from *Townsville Bulletin* entitled 'Community Efforts Realised'

Questions concluded.

10 NATIVE TITLE (QUEENSLAND) AMENDMENT BILL

Premier (Mr Borbidge), by leave, moved – That leave be granted to bring in a Bill for an Act to amend the *Native Title (Queensland) Act 1993*, and for related purposes.

Question put and agreed to.

Bill and Explanatory Notes presented by Mr Borbidge, Bill read a first time and *ordered to be printed*.

Mr Borbidge moved – That the Bill be now read a second time.

Debate ensued.

Quorum: At 11.40am, a quorum was formed.

Debate continued.

Paper: Mr Borbidge, during his speech, tabled the following paper—
Extract from transcript of *Dateline* on 28 September 1993 (Kerry O'Brien) relating to native title

Debate continued.

Leader of the Opposition (Mr Beattie) moved – That notwithstanding anything contained in the Standing Orders, the debate be now adjourned until the Federal Parliament has passed its Wik legislation.

Question put and agreed to.

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

11 REVENUE AND OTHER LEGISLATION AMENDMENT BILL

Order of the day read for the adjourned debate on the motion of the Deputy Premier, Treasurer and Minister for the Arts (Mrs Sheldon) – That the Bill be now read a second time.

Debate resumed.

Quorum: At 2.33pm, a quorum was formed.

Question put and passed.

Bill read a second time.

Bill committed on the motion of Mrs Sheldon.

In Committee

In the Chair – Temporary Chairman (Mr J Goss)

Clauses 1 to 14 agreed to.

Schedule agreed to.

Bill to be reported without amendment.

Deputy Speaker Mr Laming resumed the Chair.

Bill reported without amendment.

Mrs Sheldon, 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.

12 SUSPENSION OF STANDING AND SESSIONAL ORDERS – APPROPRIATION BILL (NO. 2) AND APPROPRIATION (PARLIAMENT) BILL (NO. 2) – COGNATE DEBATE

Leader of Government Business (Mr FitzGerald), by leave, moved – That so much of Standing and Sessional Orders be suspended to enable the Appropriation (Parliament) Bill (No. 2) and the Appropriation Bill (No. 2) being treated as cognate Bills for their remaining stages—

- (a) one question being put in regard to the second reading;
- (b) the consideration of the Bills together in Committee of the Whole House;
- (c) one question being put for the Committee's report stage; and
- (d) one question being put for the third reading and titles.

Question put and agreed to.

13 APPROPRIATION BILL (NO. 2) AND APPROPRIATION (PARLIAMENT) BILL (NO. 2)

Order of the day read for the adjourned debate on the motion of the Deputy Premier, Treasurer and Minister for the Arts (Mrs Sheldon) – That the Bills be now read a second time.

Debate resumed.

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

Newspaper articles relating to problems within the Ambulance Service

Debate continued.

Question put and passed.

Bills read a second time.

Bills committed on the motion of Mrs Sheldon.

In Committee

In the Chair – The Chairman

Appropriation Bill (No. 2)—

Clauses 1 and 2 agreed to.

Schedule agreed to.

Appropriation (Parliament) Bill (No. 2)—

Clauses 1 and 2 agreed to.

Bills to be reported without amendment.

Deputy Speaker (Mr Stephan) resumed the Chair.

Bills reported without amendment.

Mrs Sheldon, by leave, moved – That the Bills be now read a third time.

Question put and passed.

Bills read a third time and passed.

Titles agreed to.

14 ADVANCE BANK INTEGRATION BILL

Order of the day read for the adjourned debate on the motion of the Deputy Premier, Treasurer and Minister for the Arts (Mrs Sheldon) – 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 Mrs Sheldon.

In Committee

In the Chair – The Chairman

Clauses 1 to 15 agreed to.

Bill to be reported without amendment.

Deputy Speaker (Mr Stephan) resumed the Chair.

Bill reported without amendment.

Mrs Sheldon, 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 POSTPONED ORDER – GOVERNMENT BUSINESS

Leader of Government Business (Mr FitzGerald) moved – That Government Business Order of the Day No. 5 be postponed until a later hour of the sitting.

Question put and agreed to.

16 NATURAL RESOURCES AND OTHER LEGISLATION AMENDMENT BILL

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

Debate resumed.

Papers: Mr Schwarten, during his speech, tabled the following papers—
Letters, dated 16 October 1997, from Mr John M Fancourt to Body Corporate Referees and Minister for Natural Resources relating to breaches of the *Body Corporate and Community Management Act 1997*

Debate continued.

Question put and passed.

Bill read a second time.

Bill committed on the motion of Mr Hobbs.

In Committee

In the Chair – Temporary Chairman (Ms Simpson)
 Clauses 1 to 139 agreed to.

New Clause—

The following amendment was proposed by Mr Hobbs—

At page 71, after line 16—

insert—

‘Amendment of s 37 (Control of certain quarry material)

‘139A. Section 37(3), from ‘to the owner’ to ‘is situated’—

omit.’.

Question – That new clause 139A be inserted – put and agreed to.

Clauses 140 to 174 agreed to.

Clause 175 (*Insertion of new pt 11, divs 1A and 1A*)—

The following amendment was proposed by Mr Hobbs—

At page 90, lines 8 to 13—

omit, insert—

‘ **‘(4)** If a police officer believes on reasonable grounds that a person has not complied with an authorised officer’s requirement under subsection (1) or (3), the police officer may take the following steps—

- (a) the police officer may ask the person whether the person has a reasonable excuse for not complying with the requirement;
- (b) if the person gives an excuse, the police officer may ask for details or further details of the excuse;
- (c) if the person does not answer the question or gives an excuse the police officer reasonably believes is not a reasonable excuse, the officer may—
 - (i) tell the person that the officer is considering arresting the person for failing to comply with the requirement; and
 - (ii) require the person to state the person’s name and residential address (or, if the person has no residential address, an address at which the person can most likely be contacted); and
 - (iii) if the officer reasonably suspects a stated name or address is false—require the person to give evidence of the correctness of the stated name or address;
- (d) the police officer may arrest the person without a warrant if the officer reasonably believes—
 - (i) the person has not complied with a requirement of the officer under paragraph (c)(ii) or (iii); and
 - (ii) proceedings by way of complaint and summons against the person for an offence against section 224D would be ineffective.’.

Question – That the words proposed to be omitted stand part of the Clause – put and negatived.

Question – That the words proposed to be inserted be so inserted – put and agreed to.

Clause 175, as amended, agreed to.

Clauses 176 to 180 agreed to.

Bill to be reported with amendments.

Mr Speaker resumed the Chair.

Bill reported with amendments.

Bill, as amended, *ordered* to be taken into consideration.

Mr Hobbs, 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 NOTICE OF MOTION – MINISTER FOR TOURISM, SMALL BUSINESS AND INDUSTRY

Mr Gibbs, pursuant to notice, moved – That this House views with alarm the incompetent handling of the Tourism, Small Business and Industry portfolio by the Minister, in particular—

- (1) his failure to carry out adequate probity checks on the Sunbelt sponsorship disaster;
- (2) his failure to secure jobs as promised for 295 trainees after the South Pacific Cruise ship debacle;
- (3) his back-stabbing of QTTC Chair, Frank Burnett, to give his job to Sally Anne Atkinson;
- (4) his failure after 11 months to appoint a CEO and his inability to provide certainty and stability to senior members of his executive service; and
- (5) his international embarrassment over the rhino safari tour of South Africa.

Debate ensued.

The following amendment was proposed by Mr Harper—

All words after 'That this House'—

omit, insert—

- '(1) notes the important contribution made by Queensland's tourism, small business and industry sectors in creating new jobs and economic growth; and
- (2) further notes the encouraging results of the Yellow Pages Small Business Survey of Queensland small businesses and calls on all Governments to ensure their policies assist the tourism, small business and industry sectors.'

Debate ensued.

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

The House divided.

AYES, 42

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

NOES, 43

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

Pairs – Mr Smith (AYES) and Mrs McCauley(NOES)

**Tellers*

Question negatived.

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

The House divided.

AYES, 43

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

NOES, 42

Ardill
Barton
Beattie
Bird
Bligh
Braddy
Bredhauer
Briskey
Campbell

D'Arcy
De Lacy
Dollin
Edmond
Elder
Foley
Fouras
Gibbs
Goss, W

Hamill
Hayward
Hollis
Lavarch
Livingstone*
Lucas
Mackenroth
McElligott
McGrady

Milliner
Mulherin
Nunn
Palaszczuk
Pearce
Purcell
Roberts
Robertson
Rose

Schwarten
Spence
Sullivan, J
Sullivan, T*
Welford
Wells

Pairs – Mrs McCauley (AYES) and Mr Smith (NOES)

**Tellers*

Question agreed to.

Motion, as amended, agreed to.

18 ADJOURNMENT

Leader of Government Business (Mr FitzGerald) moved – That this House do now adjourn.

Debate ensued.

Papers: Mr Palaszczuk, by leave, during his speech, tabled the following item and papers—

Video and various documents relating to Mr P Pyke, a former Member of the Legislative Assembly of Queensland.

Debate continued.

Matter of Privilege: Mr Palaszczuk, during his speech, requested Mr Speaker to review the documents and the issue with a view to referring the matter to the Members' Ethics and Parliamentary Privileges Committee.

Mr Speaker undertook to consider the matter.

Debate continued.

Question put and agreed to.

The House adjourned at 7.30pm.

19 ATTENDANCE

The following Members were present—

Ardill
Barton
Baumann
Beanland
Beattie
Bird
Bligh
Borbidge
Braddy
Bredhauer
Briskey
Campbell
Carroll
Connor
Cooper
Cunningham
D'Arcy
Davidson

De Lacy
Dollin
Edmond
Elder
Elliott
FitzGerald
Foley
Fouras
Gamin
Gibbs
Gilmore
Goss, J
Goss, W
Grice
Hamill
Harper
Hayward
Healy

Hegarty
Hobbs
Hollis
Horan
Johnson
Laming
Lavarch
Lester
Lingard
Littleproud
Livingstone
Lucas
Mackenroth
McCauley
McElligott
McGrady
Malone
Milliner

Mitchell
Mulherin
Nunn
Nuttall
Palaszczuk
Pearce
Perrett
Purcell
Quinn
Radke
Roberts
Robertson
Rose
Rowell
Santoro
Schwarten
Sheldon
Simpson

Slack
Spence
Springborg
Stephan
Stoneman
Sullivan, J
Sullivan, T
Tanti
Veivers
Warwick
Watson
Welford
Wells
Wilson
Woolmer

N J TURNER
Speaker

R D DOYLE
The Clerk of the Parliament