1998

LEGISLATIVE ASSEMBLY OF QUEENSLAND

VOTES AND PROCEEDINGS

NO. 7

FIRST SESSION OF THE FORTY–NINTH PARLIAMENT

TUESDAY, 25 AUGUST 1998

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MEETING OF THE HOUSE
The House met at 9.30am pursuant to adjournment. The Speaker (Honourable R K Hollis) read prayers.

STATEMENT BY SPEAKER – REFERRAL TO MEMBERS’ ETHICS AND PARLIAMENTARY PRIVILEGES COMMITTEE
Mr Speaker reported that he has referred a matter of privilege raised by the Member for Merrimac to the Members’ Ethics and Parliamentary Privileges Committee.

STATEMENT BY SPEAKER – COUNSEL ENGAGED FOR DISTRICT COURT HEARING
Mr Speaker made the following statement—

"I wish to advise the house that I have engaged counsel to appear on my behalf as amicus curiae (friend of the court) in a matter in the District Court on 23 September 1998.

Questions of law in this case have some potential ramifications for the privileges of this House. I have taken the step of engaging counsel in order to ensure that the privileges of the Legislative Assembly and its members are bought to the attention of the Court.

I note that this is a matter in respect of which the former Speaker also engaged counsel to appear. The hearing on 23 September 1998 is only a continuation of the same matter.

It is opportune that at this time I place on record my commitment in upholding the privileges of this House whenever they are likely to be challenged. My commitment to the privileges of this House is absolute and in no way depends upon the political affiliations of the members involved.

I trust that the House supports my decision in this instance and in my general commitment to the privileges of this House."

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

Mr Goss, from 175 petitioners, requesting the House to urge the Minister for Transport to erect a pedestrian overpass, including either a ramp or an elevator for wheelchairs, prams or bicycles and also, the elderly residents in the Pine Rivers Shire, at the end of Nicol Way, Strathpine gardens, to connect to the Strathpine Railway Station.

Mr Mulherin, from 7,610 petitioners, requesting the House to immediately stop any further investigations into the feasibility of the construction of a dam and uphold the decision of the previous Labor Government not to construct a dam on Finch Hatton Creek as it would be an environmental disaster.

Mr Wilson, from 2,959 petitioners, requesting the Minister for Transport to intervene to ensure that major Toowoomba streets are not widened and that the second range crossing construction be brought forward.

PAPERS TABLED DURING THE RECESS
The Clerk informed the House that the following papers, received during the recess, were tabled on the dates indicated—

10 August 1998—
Annual Reports for 1997–98—
   Report on the operations of the Land Tribunal established under the Aboriginal Land Act 1991
   Report on the operations of the Land Tribunal established under the Torres Strait Islander Land Act 1991
18 August 1998—
Queensland Dairyfarmers’ Organisation – Annual Report and Financial Statements for the year ended 31 March 1998
Late tabling statement from the Minister for Primary Industries regarding the year ended 31 March 1998 annual report of the Queensland Dairyfarmers’ Organisation

6 Statutory Instruments
The following statutory instruments were tabled by The Clerk—

Apiaries Act 1982—
Apiaries Amendment Regulation (No. 1) 1998, No. 226

Casino Control Act 1982—
Casino Gaming Amendment Rule (No. 2) 1998, No. 233
Casino Gaming Amendment Rule (No. 3) 1998, No. 234

Explosives Act 1952—
Explosives Amendment Regulation (No. 1) 1998, No. 235

Fisheries Act 1994—

Transport Operations (Road Use Management–Dangerous Goods) Regulation 1998, No. 224

Nature Conservation Act 1992—
Nature Conservation (Protected Areas) Amendment Regulation (No. 6) 1998, No. 225

Petroleum Act 1923—
Petroleum (Entry Permission–Australian Magnesium Corporation Pty Ltd) Notice (No. 1) 1998, No. 230
Petroleum (Entry Permission–CS Energy Ltd) Notice (No. 1) 1998, No. 238

Plant Protection Act 1989—
Plant Protection (Banana Black Sigatoka) Quarantine Amendment Regulation (No. 1) 1998, No. 227
Plant Protection (Papaya Fruit Fly) Quarantine Repeal Regulation 1998, No. 236
Plant Protection (Sugarcane Smut) Quarantine Notice 1998, No. 222
Plant Protection (Sugarcane Smut) Quarantine Regulation 1998, No. 237

Primary Producers’ Organisation and Marketing Act 1926—
Primary Producers’ Organisation and Marketing (Dissolution and Repeals) Regulation 1998, No. 228

Sewerage and Water Supply Act 1949—
Sewerage and Water Supply Regulation 1998, No. 229

Superannuation (State Public Sector) Act 1990—
Superannuation (State Public Sector) Amendment of Deed Regulation (No. 3) 1998, No. 231

Transport Legislation Amendment Act 1997—
Proclamation – the provisions of the Act mentioned in the schedule commence 7 August 1998, No. 223

7 Ministerial Responses to Parliamentary Committee Reports
The following responses to parliamentary committee reports, received during the recess, were tabled by The Clerk—

(a) Interim response from the Minister for Transport and Minister for Main Roads (Mr Bredhauer) to a report of the Travelsafe Committee entitled “Brisbane’s Citytrain Network – Part Two – Passenger Security”

(b) Interim response from the Minister for Police and Corrective Services (Mr Barton) to a report of the Travelsafe Committee entitled “Brisbane’s Citytrain Network – Part Two – Passenger Security”
8 MINISTERIAL PAPERS

The following papers were tabled—

Minister for Tourism, Sport and Racing (Mr Gibbs)—
Annual Report of the Lang Park Trust for the year ending 31 December 1997
Late tabling statement in relation to the Annual Report of the Lang Park Trust for the year ending 31 December 1997

9 MINISTERIAL STATEMENTS

(a) Premier (Mr Beattie), by leave, made a ministerial statement relating to initiatives for youth unemployment and drugs.

(b) Premier (Mr Beattie), by leave, made a ministerial statement relating to Queensland's Heritage Trails Network.

Papers: Mr Beattie, during his statement, tabled the following paper—
Copies of maps relating to Queensland's Heritage Trails Network

(c) Deputy Premier and Minister for State Development and Minister for Trade (Mr Elder), by leave, made a ministerial statement relating to the NRG and Chevron Memorandum of Understanding.

(d) Treasurer (Mr Hamill), by leave, made a ministerial statement relating to the Federal Government's proposed tax reform package.

(e) Minister for Employment, Training and Industrial Relations (Mr Braddy), by leave, made a ministerial statement relating to the effect of Queensland Workplace Agreements.

Paper: Mr Braddy, during his statement, tabled the following paper—
Report on the effect of the introduction of Queensland Workplace Agreements

(f) Minister for Transport and Minister for Main Roads (Mr Bredhauer), by leave, made a ministerial statement relating to the impact of the Federal Government's proposed GST on Queensland's transport.

10 PERSONAL EXPLANATION

Leader of the Opposition (Mr Borbidge) made a personal explanation.

11 SCRUTINY OF LEGISLATION COMMITTEE – PAPER

Chairman of the Scrutiny of Legislation Committee (Mrs Lavarch) tabled the following paper—
Scrutiny of Legislation Committee – Alert Digest No. 6 of 1998
Ordered to be printed.

12 NOTICE OF MOTION

Distinguished visitors: Mr Speaker informed the House of the presence in the Gallery of members of the Maroochy Shire Junior Council.

13 CITIZEN INITIATED REFERENDUM (CONSTITUTION AMENDMENT) BILL

Mr Wellington, by leave, moved – That leave be granted to bring in a Bill for an Act to amend the Constitution Act 1867 to provide for legislation by citizens' initiative and referendum, to entrench the provisions relating to citizens' initiatives and referendums, and to remove colonial terminology in certain sections of the Act.

Question put and agreed to.

Bill presented by Mr Wellington, Bill read a first time and ordered to be printed.

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

Debate ensued.
Premier (Mr Beattie) moved – That the debate be now adjourned.
Question put and agreed to.
Ordered – That the resumption of the debate be made an order of the day for tomorrow.

14 QUESTIONS WITHOUT NOTICE
Questions without notice were asked.
Paper: Premier (Mr Beattie) tabled the following paper—
Letter to the Auditor-General from the Premier

Questions continued.
Paper: Mr Quinn tabled the following paper—
Leading Schools grant list

Questions continued.
Paper: Mr Hegarty tabled the following paper—
Article from Queensland Teachers’ Journal entitled “New Minister addresses Council”

Questions continued.
Paper: Minister for Tourism, Sport and Racing (Mr Gibbs) tabled the following paper—
Letter, dated 24 July 1998, to the Minister from the Greyhound Racing Authority

Questions continued.

15 GENERAL BUSINESS — MATTERS OF PUBLIC INTEREST
Matters of public interest were debated.

Distinguished visitor: Deputy Speaker (Mr D’Arcy) informed the House of the presence in the Gallery of Mr Andre Haermeyer, Member of the Victorian Legislative Assembly for the Electorate of Yan Yean.

Debate continued.
Papers: Mr Sullivan, during his speech, tabled the following papers—
Documents relating to hospital redevelopments

Debate continued.
Debate concluded.

16 POSTPONED ORDERS — GOVERNMENT BUSINESS
Leader of the House (Mr Mackenroth) moved – That Government Business Order of the Day No. 1 be postponed until a later hour of the sitting.
Question put and passed.

17 NATIVE TITLE (QUEENSLAND) STATE PROVISIONS BILL
Order of the day read for the adjourned debate on the motion of the Premier (Mr Beattie) – That the Bill be now read a second time.
Debate resumed.
Papers: Leader of the Opposition (Mr Borbidge), during his speech, tabled the following papers—
Various extracts from Senate Hansard on Native Title Amendment Bill 1997

Debate continued.

Distinguished visitors: Deputy Speaker (Mr Mickel) informed the House of the presence in the Gallery of Mr Luis R. Villafuerte, Governor of the Province of Camarines Sur, Philippines and National Chairman of the League of Governors of the Philippines.
Debate continued.

**Paper:** Mr Fouras, during his speech, tabled the following paper—
Opinion by W Sofronoff, QC relating to a Grazing Homestead Perpetual Lease
dated 25 August 1998

Debate continued.

**Paper:** Mr McGrady, during his speech, tabled the following paper—
'News/Comment' from the Queensland Mining Council dated 21 January 1998
entitled "Council welcomes further Labor discussions"

Debate continued.

Debate adjourned on the motion of Mr Hobbs.

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

18 **NOTICE OF MOTION – ALLEGED CONTEMPT BY MEMBERS FOR KEDRON, BUNDAMBA, IPSWICH, CHATSWORTH AND MURRUMBA**

Mr Feldman, pursuant to notice, moved—

That the Honourable Members for Kedron, Bundamba, Ipswich, Chatsworth and Murrumba be collectively charged with admonition, contempt of the House, and have committed criminal offences and "official misconduct" on or before 5 March 1990, and they have collectively fled from justice, without any conviction or judgment recorded against them, and they be expelled from Parliament forthwith.

Debate ensued.

**Statement by Speaker – Statements made under privilege**—

Mr Speaker made the following statement—

"Members are reminded that although what you say in this House during its sittings is privileged, that does not mean that you are in no way accountable for your statements.

Parliamentary privilege protects your statements only from review by any court or tribunal outside of Parliament. But the Parliament itself can still hold you accountable for your statements.

In this regard, I remind Members that Standing Order 120 provides that all imputations of improper motives and all personal reflections upon other Members are deemed highly disorderly.

Members are also reminded that to deliberately mislead the House is a contempt of Parliament and the Parliament can punish such contempts.

To make a false statement not knowing it is false is not a contempt, but it is likely to be reckless, reprehensible and brings no credit to you or the Parliament.

I ask all Members to take care in the manner in which they exercise their freedom of speech."

Debate continued.

**Papers:** Mr Black, by leave, during his speech, tabled the following papers—
Statement, dated 16 May 1998, by Noel R Newnham

Debate continued.

The following amendment was proposed by Mr Springborg—

*Omit all words after 'That' and insert—*

'Given the information tabled in this Parliament on 30 July by the Premier, and any other information which may come to light, the Parliament calls on the Government to recommission Messrs A J H Morris, QC, Barrister at Law and Edward J C Howard, Barrister at Law to complete their Investigation into Allegations by Mr Kevin Lindeberg and report to the Parliament.'.

Debate ensued.
Paper: Mr Knuth, by leave, during his speech, tabled the following paper—
Memorandum by Michael Barnes relating to a report by Messrs Morris and Howard into allegations by Mr Kevin Lindeberg

Debate continued.
Question put – That Mr Springborg’s amendment be agreed to.
The House divided.

AYES, 44
Baumann* Elliott Johnson Nelson Sheldon
Beanland Feldman Kingston Paff Simpson
Black Gamin Knuth Pratt Slack
Borbidge Goss Laming Prenzler Springborg
Connor Grice Lester Quinn Stephan
Cooper Healy Lingard Rappolt Turner
Cunningham, E Hegarty* Littleproud Rowell Vevers
Dalgleish Hobbs Maloney Santoro Watson
Davidson Horan Mitchell Seeney

NOES, 44
Attwood Cunningham, J Hayward Nuttall Schwarten
Baumann Eva* D’Arcy Lavarch Palazzczuk Spence
Beattie Edmond Lucas Pearce Struthers
Bigh Elliott Mackenroth Purcell Sullivan*
Boyle Fenlon McGrady Reeves Wellington
Braddy Foley Mickel Reynolds Wells
Bredhauer Fouras Mulhern Roberts Wilson
Brisker Gibbs Musgrove Robertson
Clark Hamill Nelson–Carr Rose

*Tellers

The numbers being equal, Mr Speaker cast his vote with the ‘NOES’.
Question negatived.

Question put – That Mr Feldman’s motion be agreed to.
The House divided.

AYES, 11
Black Kingston Nelson Pratt* Prenzler Rappolt
Dalgleish Knuth* Paff
Feldman

NOES, 77
Attwood D’Arcy Hobbs Nelson–Carr Simpson
Baumann* Davidson Horan Nuttall Slack
Beanland Edmond Johnon Palazzczuk Spence
Beattie Elliott Laming Pearce Springborg
Bigh Fenlon Lavarch Purcell Stephan
Boyle Fouras Lester Quinn Struthers
Braddy Gamin Littleproud Reeves Sullivan*
Bredhauer Gibbs Mackenroth Robertson Wellington
Brisker Goss Malone Rose Wells
Clark Grice McGrady Rowell
Connor Hamilr Mickel Santoro
Cooper Hayward Mitchell Schwarten
Cunningham, E Healy Mulhern Seeney
Cunningham, J Hegarty* Musgrove Sheldon

*Tellers

Question negatived.

19 ADJOURNMENT
Leader of the House (Mr Mackenroth) moved – That this House do now adjourn.
Debate ensued.

Paper: Mr Healy, during his speech, tabled the following paper—
Letter, dated 22 July 1998, to Mr P Corke, Chief Executive Officer, Greyhound Racing Authority from Graeme E Jupp, Facilitator, Greyhound Racing Club

Debate continued.
Question agreed to.
The House adjourned at 7.29pm.
20 **Attendance**

The following Members were present—

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<th>Nelson-Carr</th>
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**R K Hollis**

Speaker

**R D Doyle**

The Clerk of the Parliament