1998–99

LEGISLATIVE ASSEMBLY OF QUEENSLAND

VOTES AND PROCEEDINGS

NO. 59

FIRST SESSION OF THE FORTY–NINTH PARLIAMENT

TUESDAY, 26 OCTOBER 1999

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

2 MATTER OF PRIVILEGE
Mr Beanland rose on a matter of privilege and made the following statement—

"I rise on a matter of privilege. On 15 September 1999 I raised in this House that the Minister for Families, Youth and Community Care and Minister for Disability Services in a Ministerial Statement to this House said that the Beattie Labor Government had accepted 41 of the 42 recommendations of the Forde commission of inquiry, the one exception being recommendation No. 14 which is to investigate alternative sites for a new youth detention centre at Wacol.

On 14 September Parliament was informed that the Beattie Labor Government would only fund recommendation No. 4 of the Forde inquiry to the sum of $1Om, not the $103m recommended. Report No. 24 of the Members’ Ethics and Parliamentary Privileges Committee highlights the duty of a member of Parliament to not mislead this House as being wider than a duty to simply not make false or incorrect statements.

Mr Speaker, on 15 September I wrote to you about this matter and in view of your refusal to refer the Minister to the Members’ Ethics and Parliamentary Privileges Committee for misleading this House I now move—

That the Minister for Families, Youth and Community Care and Minister for Disability Services be referred to the Members’ Ethics and Parliamentary Privileges Committee for deliberately misleading this House."

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

AYES, 42
Baumann* Elliott Johnson Paff Slack
Beanland Fedman Kingston Pratt Springborg
Black Gamin Knuth Prenzler Stephen
Borbridge Goss Laming Quinn Turner
Connor Grice Lingard Rowell Veivers
Cooper Healy Littleproud Santoro Watson
Cunningham, E Hegarty* Malone Seeley
Dalgleish Hobbs Mitchell Sheldon
Davidson Horan Nelson Simpson

NOES, 44
Barton D’Arcy Lavarch Palaszczuk Schwarten
Beattie Edmond Lucas Pearce Spence
Bligh Elder Mackenroth Pitt Shuthers
Boyle Fenlon McGrady Purrell* Sullivan*
Bradby Foley Mickel Reeves Welford
Bredhauer Fouras Mulherin Reynolds Wellington
Briskey Gibbs Musgrove Roberts Wells
Clark Hamill Nelson-Carr Robertson Wilson
Cunningham, J Hayward Nuttall Rose

Pairs – Mr Lester (AYES) and Mrs Attwood (NOES)
*Tellers

Question negatived.

3 ASSENT TO BILLS
Letter from the Governor was reported, informing the House that His Excellency the Governor had, in the name of Her Majesty, assented to the following Bills on 17 September 1999—

A Bill for an Act to amend legislation about primary industries (Primary Industries Legislation Amendment Act 1999 – Act No. 45 of 1999)

A Bill for an Act to enable the South East Queensland Water Board to transfer its undertaking to a company wholly owned by the State and particular local governments and incorporated under the Corporations Law, to amend the Water Resources Act 1989, and
DEATH OF THE HONOURABLE SIR CHARLES GRAY WANSTALL

Premier (Mr Beattie), by leave, moved—

(1) That this House desires to place on record its appreciation of the services rendered to this State by the late Honourable Sir Charles Gray Wanstall, a former Member of the Parliament of Queensland and former Chief Justice of Queensland.

(2) 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 Borbidge) seconded the motion.

Debate ensued.

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

PETITIONS

Mr Bredhauer from 509 petitioners, requesting the House to enact legislation to create a local government authority for the township of Weipa.

Mr Bredhauer from 337 petitioners, requesting the House to intervene and instigate a full investigation into the lack of care and negligence of some general practitioners (Doctors) and specialists employed by Queensland Health at Thursday Island Hospital.

Mr Reynolds from 40 petitioners, requesting the House to introduce true drug reform through (a) coercive residential rehabilitation drug centres for all heroin-dependent addicts in cooperation with our Courts, Police Department and Churches etc., (b) free Naltrexone treatment for all heroin addicts in residential rehabilitation drug centres for the rapid detoxification of their heroin addiction, (c) establishment of a medical panel to assess each heroin addict and recommend the addict's treatment and length of time in a residential centre, follow-up treatment, supervision and counselling, (d) cooperation between law enforcement officials and parents of addicts who report their sons or daughters for treatment in residential centres and (e) legal power to conduct random drug tests on suspected drug addicts by Health Department medical officers and selected trained police officers.

PAPERS TABLED DURING THE RECESS

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

20 September 1999—
Legal, Constitutional and Administrative Review Committee – Non confidential submission received by the committee in relation to its inquiry into issues of electoral reform raised in the Mansfield decision

24 September 1999—
National Trust of Queensland – Annual Report 1997–98
Queensland Dairyfarmers’ Organisation – Annual Report for the year ended 31 March 1999
Late tabling statement by the Minister for Primary Industries (Mr Palaszczuk) relating to the Queensland Dairyfarmers’ Organisation Annual Report for the year ended 31 March 1999

30 September 1999—
Criminal Justice Commission – Gocorp Interactive Gambling Licence: Report on an Advice by R W Gotterson QC

4 October 1999—
Queensland Audit Office – Annual Report 1998–99

5 October 1999—
Local Government Electoral and Boundaries Review Commission – Review of Composition and Review of Divisional Boundaries, Final Determinations for the following local governments—

Banana Shire Council  Bauhinia Shire Council
Beaudesert Shire Council  Belyando Shire Council
Boonah Shire Council  Bowen Shire Council
Broadsound Shire Council  Burdekin Shire Council
Caboolture Shire Council  Cairns City Council
Carpentaria Shire Council  Cooloola Shire Council
Crows Nest Shire Council  Dalrymple Shire Council
Duaringa Shire Council  Gold Coast City Council
Hervey Bay City Council  Ipswich City Council
Johnstone Shire Council  Kolan Shire Council
Logan City Council  Livingstone Shire Council
Mackay City Council  Maroochy Shire Council
Maryborough City Council  Nanango Shire Council
Nebo Shire Council  Perry Shire Council
Pine Rivers Shire Council  Redland Shire Council
Rockhampton City Council  Torres Shire Council
Townsville City Council  Warwick Shire Council

12 October 1999—
Surveyors Board of Queensland – Annual Report 1998–99

14 October 1999—
Supreme Court Library Committee – Annual Report 1998–99

15 October 1999—
Totalisator Administration Board of Queensland – Annual Report 1998–99

18 October 1999—
Queensland Investment Corporation—
Statement of Corporate Intent 1998–99

19 October 1999—
Queensland Rural Adjustment Authority – Annual Report 1998–99

25 October 1999—
Estimates Committee A—
Report No. 1 October 1999
Report No. 2 October 1999
Additional Information volume

Estimates Committee B—
Report October 1999
Additional Information volume

Estimates Committee C—
Report October 1999
Additional Information volume

Estimates Committee D—
Report October 1999
Additional Information volume

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

Drugs Misuse Act 1986—
Drugs Misuse Amendment Regulation (No. 2) 1999, No. 235

Fisheries Act 1994—
Fisheries Amendment Regulation (No. 5) 1999, No. 217
The following responses to parliamentary committee reports, received during the recess, were tabled by The Clerk—

(a) Response from the Premier (Mr Beattie) to Report No. 45 of the Parliamentary Criminal Justice Committee entitled A report of a review of the activities of the Criminal Justice Commission pursuant to s.118(1)(f) of the Criminal Justice Act 1989

(b) Response from the Acting Premier (Mr Mackenroth) to Report No. 14 of the Legal, Constitutional and Administrative Review Committee entitled A review of the Report of the strategic review of the Queensland Ombudsman
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 Communication and Information and Minister for Local Government, Planning, Regional and Rural Communities (Mr Mackenroth) to a petition presented by Mrs E Cunningham from 37 petitioners, regarding an alleged noise nuisance occurring at the Toolooa Industrial Estate, Gladstone.

(b) Response from the Minister for Health (Mrs Edmond) to a petition presented by Miss Simpson from 10,158 petitioners, regarding the regulation of dentistry.

(c) Response from the Minister for Health (Mrs Edmond) to a petition presented by Mr Cooper from 20 petitioners, regarding the regulation of dentistry.

(d) Response from the Minister for Health (Mrs Edmond) to a petition presented by Mr Slack from 670 petitioners, regarding the Bundaberg Hospital.

(e) Response from the Minister for Health (Mrs Edmond) to a petition presented by Mr Slack from 370 petitioners, regarding the general practice outpatient facility at the Bundaberg Hospital.

(f) Response from the Minister for Environment and Heritage and Minister for Natural Resources (Mr Welford) to a petition presented by Mr Davidson from 519 petitioners, regarding the Tewantin and Ringtail State Forests.

10 MINISTERIAL PAPERS TABLED BY THE CLERK

The Clerk tabled the following papers, received from the following Ministers during the recess—

(a) Premier (Mr Beattie)—

(b) Minister for Mines and Energy and Minister Assisting the Deputy Premier on Regional Development (Mr McGrady)—
Report under section 56A(4) of the Statutory Instruments Act 1992—Additional information provided to the Scrutiny of Legislation Committee by Mr McGrady regarding the Mineral Resources Amendment Regulation (No. 2) 1999, SL No. 60 of 1999.

(c) Minister for Environment and Heritage and Minister for Natural Resources (Mr Welford)—
Ministerial Direction, dated 20 September 1999, from the Minister for Environment and Heritage and Minister for Natural Resources (Mr Welford) to the South-East Queensland Water Board under section 7 of the South East Queensland Water Board (Reform Facilitation) Act 1999.

11 PARLIAMENTARY PAPER TABLED BY THE CLERK

The Clerk tabled the following paper—


12 MINISTERIAL PAPER

The following paper was tabled—
Minister for Health (Mrs Edmond)—
Joint response by Minister for Health, Minister for Transport and Minister for Main Roads and Attorney-General and Minister for Justice and Minister for The Arts to Report No. 16 of the Legal, Constitutional and Administrative Review Committee entitled Review of the Transplantation and Anatomy Amendment Bill

13 Ministerial Statements

(a) Premier (Mr Beattie), by leave, made a ministerial statement relating to meetings, functions and inspections in Tsukuba, Saitama, Tokyo, and Osaka, Japan during his recent trade visit.

*Paper:* Mr Beattie, during his statement, tabled the following paper—Report on trade visit to Japan from 10 to 14 October 1999

(b) Premier (Mr Beattie), by leave, made a ministerial statement relating to new guidelines for the salary changes of senior executives employed by Government Owned Corporations.

*Paper:* Mr Beattie, during his statement, tabled the following paper—Details of salary increases for Government Owned Corporations under the Coalition from 1996 to 1998

(c) Deputy Premier and Minister for State Development and Minister for Trade (Mr Elder), by leave, made a ministerial statement relating to the regional forest agreement.

14 Notice of Motion

15 Questions without notice

Questions without notice were asked.

*Papers:* Premier (Mr Beattie) tabled the following papers—Letter, dated 10 July 1997, to the Chairman, Port of Brisbane Corporation
Document entitled “GOC CEO salary packages and movements”

Questions continued.

*Paper:* Treasurer (Mr Hamill) tabled the following paper—Review of the Queensland Compulsory Third Party Insurance Scheme – Draft Report

Questions continued.

*Matter of Privilege:* Minister for Transport and Minister for Main Roads (Mr Bredhauer) rose on a matter of privilege and made the following statement—

“I rise on a matter of privilege. For the information of the House, I table a letter from the former chair of the QR board to the chief executive of QR dated 15 April 1998, which indicates that as the effective date for the new contract amount of $300,000. The former shareholding Ministers, the members for Gregory and Caloundra, were advised of that increase and did nothing about it.”

*Paper:* Mr Bredhauer, during his statement, tabled the following paper—Letter, dated 15 April 1999, from Mr N Blunt, Chairman, Queensland Rail to Mr V J O’Rourke, Chief Executive Officer

Questions continued.

Questions concluded.

16 General Business – Matters of Public Interest

Matters of public interest were debated.

*Papers:* Mr Feldman, during his speech, tabled the following papers—Various documents relating to constitutional powers

Debate continued.

Debate concluded.
17 **Revenue Laws Amendment Bill**
Treasurer (Mr Hamill), by leave, moved – That leave be granted to bring in a Bill for an Act to amend certain legislation administered by the Treasurer.
Question put and agreed to.
Bill and Explanatory Notes presented by Mr Hamill, Bill read a first time and ordered to be printed.
Mr Hamill moved – That the Bill be now read a second time.
Dr Watson 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.

18 **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. 12 of 1999
Ordered to be printed.

19 **Estimates Committee E – Papers**
Chairman of Estimates Committee E (Mr Mulherin) tabled the following papers—
Estimates Committee —
Report October 1999
Additional Information Volume
Ordered to be printed.

20 **Estimates Committee F – Papers**
Chairman of Estimates Committee F (Mr Roberts) tabled the following papers—
Estimates Committee —
Report October 1999
Additional Information Volume
Ordered to be printed.

21 **Estimates Committee G – Papers**
Chairman of Estimates Committee G (Mr Musgrove) tabled the following papers—
Estimates Committee —
Report October 1999
Additional Information Volume
Ordered to be printed.

22 **Paper**
Mr Briskey tabled the following paper—
Report on Visit to Los Angeles and Las Vegas by Darryl Briskey, MLA and Jim Pearce, MLA from 29 July to 31 July 1999

23 **Local Government and Other Legislation Amendment Bill (No. 2)**
Minister for Communication and Information and Minister for Local Government, Planning, Regional and Rural Communities (Mr Mackenroth), by leave, moved – That leave be granted to bring in a Bill for an Act to amend certain local government legislation, and for other purposes.
Question put and agreed to.
Bill and Explanatory Notes presented by Mr Mackenroth, Bill read a first time and ordered to be printed.
Mr Mackenroth moved – That the Bill be now read a second time.
Debate ensued.
Mr Beanland 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.

24 PUBLIC RECORDS BILL
Minister for Communication and Information and Minister for Local Government, Planning, Regional and Rural Communities (Mr Mackenroth), by leave, moved – That leave be granted to bring in a Bill for an Act about making, managing, keeping and preserving public records in Queensland, and for other purposes.
Question put and agreed to.
Bill and Explanatory Notes presented by Mr Mackenroth, Bill read a first time and ordered to be printed.
Mr Mackenroth moved – That the Bill be now read a second time.
Debate ensued.
Dr Watson 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.

25 HEALTH LEGISLATION AMENDMENT BILL
Question put and agreed to.
Bill and Explanatory Notes presented by Mrs Edmond, Bill read a first time and ordered to be printed.
Mrs Edmond moved – That the Bill be now read a second time.
Debate ensued.
Miss Simpson 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.

26 MATTER OF PRIVILEGE
Premier (Mr Beattie) rose on a matter of privilege and made the following statement—

“I rise on a matter of privilege suddenly arising. The Leader of the Opposition today raised a number of inaccurate statements in relation to a number of public servants in my department and in other departments, including Helen Ringrose, Peter Bridgman and Barry Carbon. I am advised as follows.

In terms of Helen Ringrose, the new Deputy Director-General of the Department of the Premier and Cabinet, the position of Deputy Director-General of the Department of the Premier and Cabinet was advertised as a Senior Executive Service Level 3 in the Government Gazette, the Courier-Mail and the Australian. Helen Ringrose was appointed to this position on 29 July 1999 following an open merit recruitment and selection exercise. To facilitate remuneration arrangements similar to the terms and conditions that Ms Ringrose received in her former position with the Brisbane City Council, it was necessary to appoint Ms Ringrose by way of a contract of employment under section 70 of the Public Service Act 1996. It is worth noting that Ms Ringrose gained no financial advantage by moving to the State sector. I have to ask: what does the Leader of the Opposition, Mr Borbidge, have against women?

In terms of the second position—Peter Bridgman—the position of Executive Director of the Legal Policy Directorate of the Policy Co-ordination Division was advertised in the Queensland Government Gazette on 5, 12 and 19 February 1999 and in the Courier-Mail on 6 February 1999. Applications closed on 22 February 1999. Peter Bridgman was the only applicant for the position. The selection committee consisted of the Deputy Director-General, Policy Co-ordination Division; the Parliamentary Counsel, Office of the Queensland Parliamentary Counsel; and an officer of the Department of Employment, Training and Industrial Relations. Mr Bridgman was interviewed by the selection committee and assessed against the selection criteria
and, based on the assessment of his application and interview, Mr Bridgman was recommended for appointment to the position.

The director-general of my department, Dr Glyn Davis, had no role in the selection of Mr Bridgman, who was seconded and subsequently appointed according to standard Public Service procedures. I note that Mr Bridgman held a highly sensitive role as legal counsel and head of legal policy within the Department of Primary Industries during the Borbidge Government. He served in that role, as in his present role, with professionalism.

The third and final point is in relation to Barry Carbon. The position of Director-General, Environmental Protection Agency was advertised nationally in April 1999 with a closing date of 10 May 1999. The selection panel consisted of the Minister, that is, the Honourable Rod Welford, MLA; the Public Service Commissioner; the President of the Australian Industry Group, Mr Ken Porter; and the coordinator of the Queensland Conservation Council. They were industry representatives. The panel unanimously recommended that Mr Barry Carbon be appointed to the position. Mr Carbon had previously occupied this position on a short-term basis for eight months from October 1998. Mr Carbon had been a chief executive in various other jurisdictions since 1985. In other words, he is a very senior and experienced chief executive. He was CEO of the Western Australian EPA from 1985 to 1993. He was then CEO of the Commonwealth EPA from 1993 to 1996.

It has been the practice in Queensland for certain senior CEOs to be paid at a salary point that would not have been available to a less experienced appointee to the same position. Other examples include Mr Tom Fenwick, paid at a CEO3 rate while working in DPI and DNR; Mr Bruce Wilson, paid at a CEO3 rate while working in Queensland Transport following the split in the Transport and Main Roads portfolios; and Dr Rob Stable, who has been paid a "market allowance" on top of the CEO3 salary. They were all directors-general under the Borbidge Government, even though Dr Stable was the Director-General of Health when I was Health Minister. It is therefore quite reasonable for another senior CEO to be paid at a higher pay point to reflect his personal standing and experience.

The facts about CEO pay points are well known. The full range of 11 CEO pay points is published in the Government Gazette. But the decision on the actual amount payable to an individual CEO should always be a matter on which the Premier must form a judgment and recommend an appropriate amount to Governor in Council, which I think is appropriate for the Premier to do. This is simply good management practice. It is only appropriate that Queensland CEOs are paid what they are worth—no more and no less. These people have been appropriately appointed following due process, and I urge the Leader of the Opposition to stop this character assassination of decent public servants in this State.”

27 Sugar Industry Bill
Order of the day read for the adjourned debate on the motion of the Minister for Primary Industries (Mr Palaszczuk) – That the Bill be now read a second time.

Debate resumed.

Paper: Mr Malone, during his speech, tabled the following paper—
Contract, dated December 1910, between a mill owner and a canegrower

Debate continued.

Question put and agreed to.

Bill read a second time.

Bill committed on the motion of Mr Palaszczuk.

In Committee

Clauses 1 to 5 agreed to.

Clause 6 (Cane production area)—
The following amendment was proposed by Mr Knuth—
At page 16, line 17, after ‘area’—
insert—
Debate ensued.

Question – That Mr Knuth’s amendment be agreed to – put and negatived.

The following amendment was proposed by Mr Palaszczuk—

At page 16, lines 16 to 19—

omit, insert—

(10) Part 2, division 4, provides for the supply to the mill by the mill owner of cane grown on land included in the owner’s cane production area.”.

Debate ensued.

Question – That Mr Palaszczuk’s amendment be agreed to – put and agreed to.

Clause 6, as amended, agreed to.

Clause 7 agreed to.

Clause 8 (General provisions applying to applications)—

The following amendment was proposed by Mr Knuth—

At page 18, line 13, after ‘area’—

insert—

‘requiring a grower to use practices relating to land use, land management and environmental protection’.

Debate ensued.

Question – That Mr Knuth’s amendment be agreed to – put and negatived.

Clause 8, as read, agreed to.

Clauses 9 to 16 agreed to.

Clause 17 (Relationship between entitlement change and supply agreement obligations)—

The following amendment was proposed by Mr Knuth—

At page 24, line 31, after ‘grower’—

insert—

’, or any right the grower may have to take proceedings against the mill owner.’.

Debate ensued.

Ordered – To report progress and ask leave to sit again.

In the House

Reported – That the Committee had considered the Bill, made progress, and asked leave to sit again.

Ordered – That further consideration of the Bill in Committee of the Whole House be made an order of the day for tomorrow.

28 NOTICE OF MOTION – CENSURE OF MINISTER FOR MINES AND ENERGY

Leader of the Opposition (Mr Borbidge) to move—

That this House censures the Minister for Mines and Energy over his handling of the massive unauthorised pay rise and associated benefits for ENERGEX chief executive officer Mr Brian Blinco, including free power and big bonuses, and for his mismanagement of the Queensland electricity supply industry in general – particularly—

• His lack of transparency in relation to crucial decisions on major power generation projects;
• His lack of transparency on the future of tariff equalisation based community service obligation payments;
• His lack of transparency in relation to the future of billions of dollars in taxpayer funded generation assets; and
• Rampant Labor Party cronyism in regard to appointments to power industry boards.

Debate ensued.

The following amendment was moved by the Premier (Mr Beattie)—

Delete all words after ‘this House’ and insert the following—

‘applauds the Minister for Mines and Energy for bringing to the attention of the taxpayers of Queensland the lack of control by the Coalition Government over some Government owned corporations and notes—’.
• the unprecedented rules approved by State Cabinet to ensure that the salary packages of GOC senior executives are transparent and justifiable unlike during the Borbidge–Sheldon years when a blank cheque policy operated; and
• the excellent quality of the board members of GOCs under the Labor Government.’

Debate ensued.

**Paper:** Premier (Mr Beattie), during his speech, tabled the following paper—
Document entitled “GOC CEO salary packages and movements”

Debate continued.

**Papers:** Minister for Transport and Minister for Main Roads (Mr Bredhauer), during his speech, tabled the following papers—
Correspondance, dated April 1998, regarding the service contract of the CEO of Queensland Rail
Contract of Employment – Vincent John O’Rourke

Debate continued.

Question put – That Mr Beattie’s amendment be agreed to.
The House divided.

**AYES, 43**

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**NOES, 31**

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Pairs – Mrs Attwood and Mr Robertson (AYES) and Messrs Hobbs and Horan (NOES)  
*Tellers

Question agreed to.

Question put – That the motion, as amended, be agreed to.
The House divided.

**AYES, 43**

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**NOES, 31**

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Pairs – Mrs Attwood and Mr Robertson (AYES) and Messrs Hobbs and Horan (NOES)  
*Tellers

Question agreed to.
29 ADJOURNMENT
Leader of the House (Mr Mackenroth) moved – That this House do now adjourn.
Debate ensued.
Question agreed to.
The House adjourned at 7.30pm.

30 ATTENDANCE
The following Members were present—

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<tr>
<th>Barton</th>
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<th>Johnson</th>
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R K HOLLIS
Speaker

R D DOYLE
The Clerk of the Parliament