

1998–2000

LEGISLATIVE ASSEMBLY OF QUEENSLAND

VOTES AND PROCEEDINGS

NO. 81

FIRST SESSION OF THE FORTY–NINTH PARLIAMENT

THURSDAY, 2 MARCH 2000

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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 PETITIONS

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

Mrs E Cunningham, from 13 petitioners, requesting the House to oppose any review of prostitution laws unless such review results in the complete abolition of prostitution.

Mr Davidson, from 1,146 petitioners, requesting the House to reduce the current 100kph speed limit on Eumundi-Noosa Road between Cash Road and Beckmans Road to 90 kph only where dedicated right turn lanes exist, otherwise reduce to 80kph.

Mr Mulherin, from 20 petitioners, requesting the House to provide more equitable public transport subsidies to ensure the viability of a public transport system based on a combination of taxi transit and bus services to the Mackay region, which is readily accessible to the community of Mackay and district, including older persons and the disabled.

Mr Pitt, from 388 petitioners, requesting the House to investigate the options of two centre median cross-overs on the highway north of Mill Road and north of Collinson Creek Edmonton.

Mr Slack, from 349 petitioners, requesting the House to reject any move to close the General Practice Outpatients facility, a much needed and used public service and retain an adequate General Outpatients Service at the Bundaberg Base Hospital.

3 MINISTERIAL RESPONSE TO A PARLIAMENTARY COMMITTEE REPORT

The following response to a parliamentary committee report was tabled by The Clerk—

Response from the Attorney-General and Minister for Justice and Minister for The Arts (Mr Foley) to Report No. 63 of the Public Works Committee entitled *Capital Maintenance Program for the Queensland Cultural Centre*

4 MINISTERIAL PAPER TABLED BY THE CLERK

The Clerk tabled the following paper, received from the following Minister—

Minister for Aboriginal and Torres Strait Islander Policy and Minister for Women's Affairs and Minister for Fair Trading (Ms Spence)—

Internal Audit of the Auctioneers and Agents Fidelity Guarantee Fund – Findings and recommendations arising from audit testing

5 MINISTERIAL STATEMENTS

- (a) Deputy Premier and Minister for State Development and Minister for Trade (Mr Elder), by leave, made a ministerial statement relating to the Queensland Government's innovation strategy, "Innovation : Queensland's future", and the Queensland Innovation Council.
- (b) Attorney-General and Minister for Justice and Minister for The Arts (Mr Foley), by leave, made a ministerial statement foreshadowing amendments to the Criminal Code.
- (c) Minister for Police and Corrective Services (Mr Barton), by leave, made a ministerial statement relating to utilisation of prison labour in the floods clean-up in north and west Queensland.
- (d) Minister for Mines and Energy and Minister Assisting the Deputy Premier on Regional Development (Mr McGrady), by leave, made a ministerial statement relating to progress being made by the North West Queensland Development Initiative.
- (e) Minister for Public Works and Minister for Housing (Mr Schwarten), by leave, made a ministerial statement relating to new QBuild apprenticeships.

- (f) Minister for Families, Youth and Community Care and Minister for Disability Services (Ms Bligh), by leave, made a ministerial statement relating to the CJC review of the Basil Stafford Centre.
- (g) Minister for Aboriginal and Torres Strait Islander Policy and Minister for Women's Policy and Minister for Fair Trading (Ms Spence), by leave, made a ministerial statement relating to a review of the *Mobile Homes Act 1989*.

Paper: Ms Spence, during her statement, tabled the following paper—
Department of Equity and Fair Trading, Office of Fair Trading – Discussion Paper – Review of the *Mobile Homes Act 1989*

6 LEGAL, CONSTITUTIONAL AND ADMINISTRATIVE REVIEW COMMITTEE – PAPERS

Chairman of the Legal, Constitutional and Administrative Review Committee (Mr Fenlon) tabled the following papers—

Legal, Constitutional and Administrative Review Committee—

Report No 19 – Implications of the new Commonwealth enrolment requirements

Submissions received in relation to the Inquiry into the Implications of the new Commonwealth enrolment requirements

Ordered to be printed.

7 NOTICE OF MOTION – HOUSE TO TAKE NOTE OF COMMITTEE REPORT

8 PAPERS

The following papers were tabled—

- (a) *Mrs E Cunningham*—
Report of expenses for the Office of the Independent Member for Gladstone for period to 31 December 1999
- (b) *Mr Wellington*—
Report of expenses for the Office of the Independent Member for Nicklin for period to 31 December 1999
- (c) *Mr Feldman*—
Report of expenses for the Office of One Nation for period to 31 December 1999

9 VEGETATION MANAGEMENT REPEAL BILL

Leader of the Opposition (Mr Borbidge), by leave, moved – That leave be granted to bring in a Bill for an Act to repeal the *Vegetation Management Act 1999*.

Question put and agreed to.

Bill 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.

Minister for Environment and Heritage and Minister for Natural Resources (Mr Welford) 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.

10 PRIVATE MEMBERS' STATEMENTS

Private Members' statements were made.

Paper: Mr Lucas, during his statement, tabled the following paper—
Queensland Coalition Primary vote Performance at By-elections from 1949

Statements continued.

Papers: Miss Simpson, during her statement, tabled the following papers—
Letter, dated 1 March 2000, from Dr John Cox, President, Toowoomba and Darling Downs Local Medical Association relating to retractable needles
Transcript from Radio 4BC program with Minister for Health (Mrs Edmond) relating to needle sharing

Statements continued.
Statements concluded.

11 QUESTIONS WITHOUT NOTICE

Questions without notice were asked.

Distinguished visitor: Mr Speaker informed the House of the presence in the Gallery of a former Premier of Victoria, the Honourable Joan Kirner, AM.

Questions continued.
Questions concluded.

12 NOTICE OF MOTION – DISSENT FROM SPEAKER'S RULING

Mr Beanland, pursuant to notice, moved – That Mr Speaker's ruling, that the amendment to the motion moved by the Premier was relevant to the subject matter of Mr Borbidge's motion, be dissented from.

Debate ensued.

Question put.

The House divided.

AYES, 40

Baumann*	Davidson	Horan	Nelson	Sheldon
Beanland	Elliott	Johnson	Paff	Simpson
Black	Feldman	Kingston	Pratt	Slack
Borbidge	Gamin	Knuth	Prenzler	Springborg
Connor	Goss	Laming	Quinn	Stephan
Cooper	Healy	Lester	Rowell	Turner
Cunningham, E	Hegarty*	Malone	Santoro	Veivers
Dalglish	Hobbs	Mitchell	Seeney	Watson

NOES, 42

Attwood	Elder	Mackenroth	Pitt	Struthers
Barton	Fenlon	McGrady	Purcell*	Sullivan*
Bligh	Foley	Mickel	Reeves	Welford
Boyle	Fouras	Miller	Reynolds	Wellington
Braddy	Hamill	Mulherin	Roberts	Wells
Bredhauer	Hayward	Musgrove	Robertson	Wilson
Clark	Kaiser	Nelson-Carr	Rose	
Cunningham, J	Lavarch	Nuttall	Schwarten	
Edmond	Lucas	Pearce	Spence	

Pairs – Messrs Grice, Lingard and Littleproud (AYES) and Messrs Beattie, Briskey and Palaszczuk (NOES)

**Tellers*

Question negated.

13 PAPER

The following paper was tabled—

Mrs E Cunningham—

Report of expenses for the Office of the Independent Member for Gladstone for period to 31 December 1999 (signed)

14 NOTICE OF MOTION – DISSENT FROM SPEAKER'S RULING

Mr Beanland, pursuant to notice, moved – That Mr Speaker's ruling, that the amendment to the second reading of the Competition Policy Reform (Queensland) Repeal Bill moved by Mr Borbidge was out of order, be dissented from.

Debate ensued.

Question put.

The House divided.

AYES, 41

Baumann*	Elliott	Kingston	Prenzler	Stephan
Beanland	Feldman	Knuth	Quinn	Turner
Black	Gamin	Laming	Rowell	Veivers
Borbidge	Goss	Lester	Santoro	Wellington
Connor	Healy	Malone	Seeney	Watson
Cooper	Hegarty*	Mitchell	Sheldon	
Cunningham, E	Hobbs	Nelson	Simpson	
Dalglish	Horan	Paff	Slack	
Davidson	Johnson	Pratt	Springborg	

NOES, 41

Attwood	Edmond	Lucas	Pitt	Struthers
Barton	Elder	Mackenroth	Purcell*	Sullivan*
Bligh	Fenlon	McGrady	Reeves	Welford
Boyle	Foley	Mickel	Reynolds	Wells
Braddy	Fouras	Miller	Roberts	Wilson
Bredhauer	Hamill	Mulherin	Robertson	
Briskey	Hayward	Musgrove	Rose	
Clark	Kaiser	Nelson–Carr	Schwarten	
Cunningham, J	Lavarch	Pearce	Spence	

Pairs – Messrs Grice, Lingard and Littleproud (AYES) and Messrs Beattie, Nuttall and Palaszczuk (NOES)

**Tellers*

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

15 NOTICE OF MOTION – INCLUSION OF AREAS IN BRISBANE FOREST PARK

Minister for Environment and Heritage and Minister for Natural Resources (Mr Welford), pursuant to notice, moved –

- (1) That this House agrees that the Proposal by the Governor in Council to include in Brisbane Forest Park areas totalling about 1778 hectares being—
 - about 1348 hectares of State forest 809; and
 - about 430 hectares of the D’Aguilar National Park
 be carried out; and
- (2) That Mr Speaker convey a copy of this Resolution to the Minister for submission to His Excellency the Governor in Council.

Debate ensued.

Question put and agreed to.

16 DRUG REHABILITATION (COURT DIVERSION) BILL

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

Debate resumed.

Paper: Mr Foley, during his speech, tabled the following paper—
List of corrections to the explanatory notes accompanying the Drug Rehabilitation (Court Diversion) Bill

Debate continued.

Question put and agreed to.

Bill read a second time.

Bill committed on the motion of Mr Foley.

In Committee

Clauses 1 to 6 agreed to.

Clause 7 (*What is a “disqualifying offence”*)—

The following amendment was proposed by Mr Foley—

At page 8, after line 20—

insert—

'(3) For subsection (1), an offence of a sexual nature does not include an offence by a prostitute in providing prostitution, or in offering or accepting an offer to provide prostitution.'

Debate ensued.

Question – That Mr Foley's amendment be agreed to – put and agreed to.

Clause 7, as amended, agreed to.

Clauses 8 to 46 agreed to.

Clause 47 (*Expiry of Act*)—

The following amendment was proposed by Mr Foley—

At page 29, after line 25—

insert—

'(2) Despite the expiry of this Act under subsection (1), a warrant issued under section 40(1), but not executed before the expiry, remains in force and may be executed after the expiry as if it authorised the police officer arresting the offender to bring the offender before any magistrate to be dealt with according to law.

'(3) It is declared that subsection (2) is a law to which the *Acts Interpretation Act 1954*, section 20A applies.'

Debate ensued.

Question – That Mr Foley's amendment be agreed to – put and agreed to.

Clause 47, as amended, agreed to.

Schedule agreed to.

Bill to be reported with amendments.

In the House

Bill reported with amendments.

Ordered – That the Bill, as amended, be taken into consideration.

Mr Foley, by leave, moved – That the Bill be now read a third time.

Question put and agreed to.

Bill read a third time and passed.

Title agreed to.

17 TRANSPORT LEGISLATION AMENDMENT BILL

Order of the day read for the adjourned debate on the motion of the Minister for Transport and Minister for Main Roads (Mr Bredhauer) – That the Bill be now read a second time.

Debate resumed.

Debate adjourned on the motion of Mr Johnson.

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

18 NOTICE OF MOTION – RETRACTABLE NEEDLES

Miss Simpson, pursuant to notice, moved – That—

Given the growing community concern about needlestick injury from needles discarded by IV drug users in public places and possibly fatal infection of innocent people, the Parliament calls on the State Government to introduce retractable needles into the State's needle exchange program..

Debate ensued.

Paper: Leader of the Opposition (Mr Borbidge), during his speech, tabled the following paper—

Fax from Scientific Educational Supplies Pty Ltd regarding the approximate costing of retractable syringes

Debate continued.

The following amendment was proposed by Minister for Health (Mrs Edmond)—

Add the following—

'at such time as their safety and effectiveness is established by the (National) Intergovernment Committee on Drugs (IGCD) and the (National) Intergovernment Committee on Hepatitis C and Aids Related Diseases (IGCARD) which includes Queensland Health representation and this Parliament recognises the Needle

Availability and Support Programs role in reducing infection and endorses its continuation.’.

Debate ensued.

Paper: Dr Clark, during her speech, tabled the following paper—
Report by Queensland Health entitled “Alcohol and Other Drug Services in Queensland 1999 – Inventory of specialist Agencies”

Debate continued.

Question put – That Mrs Edmond's amendment be agreed to.

The House divided.

AYES, 44

Attwood	Elder	Lavarch	Nuttall	Spence
Barton	Feldman	Lucas	Paff	Struthers
Bligh	Fenlon	Mackenroth	Prenzler	Sullivan*
Boyle	Foley	McGrady	Purcell*	Turner
Braddy	Fouras	Mickel	Reeves	Welford
Bredhauer	Hamill	Miller	Reynolds	Wellington
Briskey	Hayward	Mulherin	Robertson	Wells
Cunningham, E	Kaiser	Musgrove	Rose	Wilson
Edmond	Kingston	Nelson–Carr	Schwarten	

NOES, 30

Baumann*	Dagleish	Hobbs	Mitchell	Simpson
Beanland	Davidson	Horan	Pratt	Slack
Black	Elliott	Johnson	Quinn	Springborg
Borbidge	Gamin	Knuth	Santoro	Stephan
Connor	Healy	Laming	Seeney	Veivers
Cooper	Hegarty*	Lester	Sheldon	Watson

Pairs – Mr Beattie, Dr Clark, Mrs J Cunningham, Messrs Palaszczuk, Pearce, Pitt and Roberts (AYES) and
Messrs Goss, Grice, Lingard, Littleproud, Malone, Nelson and Rowell (NOES)

**Tellers*

Question agreed to.

Question – That the motion, as amended, be agreed to – put and agreed to.

19 GRIEVANCE DEBATE

Grievances were debated.

20 SPECIAL ADJOURNMENT

Leader of the House (Mr Mackenroth) moved – That the House at its rising do adjourn until 9.30am on Tuesday, 14 March 2000.

Question put and passed.

21 ADJOURNMENT

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

Question agreed to.

The House adjourned at 7.29pm.

22 ATTENDANCE

The following Members were present—

Attwood	Edmond	Kingston	Paff	Simpson
Barton	Elder	Knuth	Palaszczuk	Slack
Baumann	Elliott	Laming	Pearce	Spence
Beanland	Feldman	Lavarch	Pitt	Springborg
Black	Fenlon	Lester	Pratt	Stephan
Bligh	Foley	Lingard	Prenzler	Struthers
Borbidge	Fouras	Lucas	Purcell	Sullivan
Boyle	Gamin	Mackenroth	Quinn	Turner
Braddy	Goss	Malone	Reeves	Veivers
Bredhauer	Grice	McGrady	Reynolds	Watson
Briskey	Hamill	Mickel	Roberts	Welford
Clark	Hayward	Miller	Robertson	Wellington
Connor	Healy	Mitchell	Rose	Wells
Cooper	Hegarty	Mulherin	Rowell	Wilson
Cunningham, E	Hobbs	Musgrove	Santoro	
Cunningham, J	Horan	Nelson	Schwarten	
Dagleish	Johnson	Nelson—Carr	Seeney	
Davidson	Kaiser	Nuttall	Sheldon	

R K HOLLIS
Speaker

R D DOYLE
The Clerk of the Parliament