

1998–2000

LEGISLATIVE ASSEMBLY OF QUEENSLAND

VOTES AND PROCEEDINGS

NO. 82

FIRST SESSION OF THE FORTY–NINTH PARLIAMENT

TUESDAY, 14 MARCH 2000

CONTENTS

Adjournment	894
Attendance	894
Civil Justice Reform Amendment Bill	890
Corporations (Queensland) Amendment Bill	890
General Business – Matters of Public Interest	890
Local Government and Other Legislation Amendment Bill	891
Meeting of the House	888
Mental Health Bill	891
Ministerial Paper	888
Ministerial response to a parliamentary committee report	888
Ministerial Statements—	
Chemcollect Program	889
Drummond and Kindred Clothing	889
Report – Taskforce on Women and the Criminal Code	889
Tennis in Queensland schools	889
The Consultancy Bureau – Review of the Ombudsman’s Office	889
Tourism in Queensland	889
Virgin Airlines	889
WorkCover Queensland	889
Notice of Motion	889
Notice of Motion (debated)—	
Queensland economy	893
Paper	890
Papers tabled during the recess	888
Petition	888
Police Powers and Responsibilities Bill	893
Postponed Orders – Government Business	893
Private Members’ Statements	890
Questions without notice	890
Statutory Instruments	888

1 MEETING OF THE HOUSE

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

2 PETITION

The following petition, lodged with The Clerk by the Member indicated, was received—

Mr Littleproud, from 275 petitioners, requesting the House to reconsider the future of the Columboola Environmental Education Centre for the benefit of local and city schools and essential tourism in the outback.

3 PAPERS TABLED DURING THE RECESS

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

7 March 2000—

Queensland Fisheries Joint Authority – Annual Report 1998–99

Queensland Treasury Corporation – Half Yearly Report to 31 December 1999

10 March 2000—

Queensland Theatre Company – Annual Report 1999

Late tabling statement by the Attorney-General and Minister for Justice and Minister for The Arts (Mr Foley) relating to the Queensland Theatre Company Annual Report 1999

4 STATUTORY INSTRUMENTS

The following statutory instruments were tabled by The Clerk—

Electricity Act 1994—

Electricity Amendment Regulation (No. 1) 2000, No. 35

Equity and Fair Trading (Miscellaneous Provisions) Act 1999—

Proclamation – certain provisions of the Act commence as stated in the schedule, No. 36

Forestry Act 1959—

Forestry Legislation Amendment Regulation (No. 1) 2000, No. 37

Fuel Subsidy Act 1997—

Fuel Subsidy Amendment Regulation (No. 1) 2000, No. 31

Health Services Act 1991—

Health Services Amendment Regulation (No. 1) 2000, No. 32

Land and Resources Tribunal Act 1999—

Land and Resources Tribunal (Postponement) Regulation 2000, No. 34

Lotteries Act 1997—

Lotteries Amendment Rule (No. 1) 2000, No. 39

South East Queensland Water Board (Reform Facilitation) Act 1999—

South East Queensland Water Board (Reform Facilitation) Transitional Regulation 2000, No. 38

Trade Measurement Amendment Act 1999—

Proclamation – the provisions of the Act that are not in force commence 8 March 2000, No. 33

5 MINISTERIAL RESPONSE TO A PARLIAMENTARY COMMITTEE REPORT

The following response to a parliamentary committee report, received during the recess, was tabled by The Clerk—

Response from the Minister for Transport and Minister for Main Roads (Mr Bredhauer) to Report No. 27 of the Travelsafe Committee entitled *Unlicensed, Unregistered and on the Road*

6 MINISTERIAL PAPER

The following paper was tabled—

*Minister for Environment and Heritage and Minister for Natural Resources (Mr Welford)—
National Environment Protection Council – Annual Report for 1998–99*

7 MINISTERIAL STATEMENTS

- (a) Premier (Mr Beattie), by leave, made a ministerial statement relating to Education Queensland's Community Capital Innovators Scheme and tennis facilities in Queensland schools.
- (b) Premier (Mr Beattie), by leave, made a ministerial statement relating to the appointment of The Consultancy Bureau to conduct a review of the Ombudsman's Office.

Papers: Mr Beattie, during his statement, tabled the following papers—
 Letter, dated 11 July 1997, from the Ombudsman to the Honourable R E Borbidge, MLA, Premier of Queensland
 Copy of document entitled "Borbidge Government Review Process – Wiltshire Review – 1997/98"
 Copy of Section 32 of the *Parliamentary Commissioner Act 1974*
 Extract from *Hansard* dated 15 September 1999 – Legal, Constitutional and Administrative Review Committee – Review of Ombudsman
 Letter, dated 13 March 2000, from the Ombudsman to the Editor of *The Courier-Mail*
 Article from *The Courier-Mail* dated 9 March 2000 entitled "Beattie helped hire donor for consultancy"
 Statement, dated 9 March 2000, by Mr Peter Forster, Consultancy Bureau
 Document entitled "State Government Departments where The Consultancy Bureau Pty Ltd undertook work in the 1996/97 and the 1997/98 financial year"

- (c) Deputy Premier and Minister for State Development and Minister for Trade (Mr Elder), by leave, made a ministerial statement relating to the Drummond and Kindred Clothing factory, Gympie.
- (d) Deputy Premier and Minister for State Development and Minister for Trade (Mr Elder), by leave, made a ministerial statement relating to Virgin Airlines.
- (e) Minister for Employment, Training and Industrial Relations (Mr Braddy), by leave, made a ministerial statement relating to WorkCover Queensland reforms.
- (f) Attorney-General and Minister for Justice and Minister for The Arts (Mr Foley), by leave, made a ministerial statement relating to the Report of the Taskforce on Women and the Criminal Code.

Paper: Mr Foley, during his statement, tabled the following paper—
 Report of the Taskforce on Women and the Criminal Code – February 2000

- (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 the Report of the Taskforce on Women and the Criminal Code.
- (h) Minister for Environment and Heritage and Minister for Natural Resources (Mr Welford), by leave, made a ministerial statement relating to the Chemcollect Program.
- (i) Minister for Tourism and Racing (Mrs Rose), by leave, made a ministerial statement relating to the tourism industry in Queensland.

8 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. 2 of 2000

Ordered to be printed.

9 NOTICE OF MOTION

10 PAPER

The following paper was tabled—

Mr Goss—

Report on visit to the Philippines – January–February 2000

11 PRIVATE MEMBERS' STATEMENTS

Private Members' statements were made.

Paper: Mr Reeves, during his speech, tabled the following paper—
Letter from Mr Gary Hardgrave, MP, to constituents

Statements continued.

Statements concluded.

12 QUESTIONS WITHOUT NOTICE

Questions without notice were asked.

Member further heard: And the time for the Premier (Mr Beattie) to answer the question having expired—

Dr Watson moved – That Mr Beattie be further heard.

Question put and agreed to.

Questions continued.

Withdrawal of Disorderly Member: And Mr Seeney, after warning, continuing to be disorderly, under the provisions of Standing Order 123A(3), the Speaker ordered Mr Seeney to withdraw immediately from the Chamber.

Whereupon Mr Seeney withdrew from the Chamber.

Questions continued.

Paper: Treasurer (Mr Hamill) tabled the following paper—
Article from *Warwick Daily News* dated 10 March 2000
Article from *Townsville Bulletin* dated 8 March 2000

Questions continued.

Questions concluded.

13 GENERAL BUSINESS – MATTERS OF PUBLIC INTEREST

Matters of public interest were debated.

14 CIVIL JUSTICE REFORM AMENDMENT BILL

Attorney-General and Minister for Justice and Minister for The Arts (Mr Foley), by leave, moved – That leave be granted to bring in a Bill for an Act to amend the *Civil Justice Reform Act 1998*.

Question put and agreed to.

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

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

Debate ensued.

Mr Springborg 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.

15 CORPORATIONS (QUEENSLAND) AMENDMENT BILL

Attorney-General and Minister for Justice and Minister for The Arts (Mr Foley), by leave, moved – That leave be granted to bring in a Bill for an Act to amend the Corporations (Queensland) Act 1990 and for other purposes.

Question put and agreed to.

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

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

Debate ensued.

Mr Springborg 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.

16 MENTAL HEALTH BILL

Minister for Health (Mrs Edmond), by leave, moved – That leave be granted to bring in a Bill for an Act about treating and protecting people who have mental illnesses, and for other purposes.

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.

17 LOCAL GOVERNMENT AND OTHER LEGISLATION AMENDMENT BILL

Order of the day read for the adjourned debate on the motion of the Minister for Communication and Information, Local Government and Planning and Minister for Sport (Mr Mackenroth) – That the Bill be now read a second time.

Debate resumed.

Paper: Mr Mackenroth, during his speech, tabled the following paper—
An amendment to the Explanatory Notes to the Local Government and Other Legislation Amendment Bill

Debate continued.

Question put.

The House divided.

AYES, 43

Attwood
Barton
Beattie
Boyle
Braddy
Bredhauer
Briskey
Clark
Cunningham, J

Edmond
Elder
Fenlon
Foley
Fouras
Hamill
Hayward
Kaiser
Lavarch

Lucas
Mackenroth
McGrady
Mickel
Miller
Mulherin
Musgrove
Nelson
Nelson–Carr

Nuttall
Palaszczuk
Pearce
Pitt
Purcell*
Reeves
Reynolds
Roberts
Robertson

Rose
Schwarten
Spence
Sullivan*
Welford
Wells
Wilson

NOES, 41

Baumann*
Beanland
Black
Connor
Cooper
Cunningham, E
Dalglish
Davidson
Elliott

Feldman
Gamin
Goss
Healy
Hegarty*
Hobbs
Horan
Johnson
Kingston

Knuth
Laming
Lester
Lingard
Littleproud
Malone
Mitchell
Paff
Pratt

Prenzler
Quinn
Rowell
Santoro
Seeney
Sheldon
Simpson
Slack
Springborg

Stephan
Turner
Veivers
Watson
Wellington

Pairs – Ms Bligh and Ms Struthers (AYES) and Messrs Borbidge and Grice (NOES)

**Tellers*

Question agreed to.

Bill read a second time.

Bill committed on the motion of Mr Mackenroth..

In Committee

Clause 1 agreed to.

Clause 2 (*Commencement*)—

The following amendment was proposed by Mr Mackenroth—

At page 10, line 12, 'part 10'—

omit, insert—
‘part 9’.

Debate ensued.

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

Clause 2, as amended, agreed to.

Clause 3—

Debate ensued.

Mr Hobbs moved – That the Chairman report progress and ask leave to sit again.

Question put.

The Committee divided.

AYES, 41

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

NOES, 42

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

Pairs – Messrs Borbidge and Grice (AYES) and Ms Bligh and Ms Struthers (NOES)

**Tellers*

Question negatived.

Clauses 3 to 38 agreed to.

New Clause 38A—

The following amendment was proposed by Mr Mackenroth—

At page 25, after line 14—

insert—

‘Amendment of s 4.1.8 (Constituting court)

‘38A. Section 4.1.8—

insert—

‘(4) A failure to notify the name of a District Court Judge under subsection (1) does not, and never has, affected the validity of any decision or order made by the judge constituting, or purporting to constitute, the court.

‘(5) A decision or order of a District Court Judge constituting, or purporting to constitute, the court after the expiry of the period specified for the judge under subsection (2), is not, and never has been, invalidly made, merely because the decision or order was made after the expiry.’.

Debate ensued.

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

Clauses 39 to 93 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 Mackenroth, 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.

18 POSTPONED ORDERS – GOVERNMENT BUSINESS

Leader of the House (Mr Mackenroth) moved – That Government Business Orders of the Day Nos. 2 to 6 be postponed until a later hour of the sitting.
Question put and agreed to.

19 POLICE POWERS AND RESPONSIBILITIES BILL

Order of the day read for the adjourned debate on the motion of the Minister for Police and Corrective Services (Mr Barton) – That the Bill be now read a second time.

Debate resumed.

Debate adjourned on the motion of Mr Cooper.

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

20 NOTICE OF MOTION – QUEENSLAND ECONOMY

Dr Watson, pursuant to notice, moved – That this Parliament notes with great concern the deteriorating performance of the Queensland economy particularly in the area of job creation evidenced by the latest fall in full-time jobs, recent retrenchments in manufacturing, and Queensland's failure to match the rest of Australia in the creation of full-time jobs.
Debate ensued.

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

Delete all words after 'concern' and insert the following—

'the negative impact of the GST and rising interest rates on the performance of the Queensland economy, particularly by eroding business confidence and threatening the rate of job creation.'

Debate ensued.

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

The House divided.

AYES, 44

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

NOES, 39

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

Pairs – Messrs Borbidge and Grice (AYES) and Ms Bligh and Ms Struthers (NOES)

**Tellers*

Question agreed to.

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

The House divided.

AYES, 45

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

NOES, 38

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

Pairs – Messrs Borbidge and Grice (AYES) and Ms Bligh and Ms Struthers (NOES)

**Tellers*

Question agreed to.

21 ADJOURNMENT

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

Debate ensued.

Question agreed to.

The House adjourned at 7.29pm.

22 ATTENDANCE

The following Members were present—

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

R K HOLLIS

Speaker

R D DOYLE

The Clerk of the Parliament