

1998–2000

LEGISLATIVE ASSEMBLY OF QUEENSLAND

**VOTES AND PROCEEDINGS**

NO. 83

FIRST SESSION OF THE FORTY–NINTH PARLIAMENT

WEDNESDAY, 15 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—

Mr Baumann, from 4 petitioners, requesting the House to authorise the installation of directional and advisory signage to Sanctuary Cove/Hope Island from north and south bound traffic on the Pacific Highway.

Dr Clark, from 472 petitioners, requesting the House to instruct the Department of Main Roads to install traffic lights at the intersection of Harley Street and the Kamerunga-Brinsmead Road in Cairns, as soon as possible.

Mr Connor, from 1,565 petitioners, requesting the House to prevail upon the Minister for Transport and Minister for Main Roads, the Honourable Steve Bredhauer, to undertake the duplication of the Alexander Drive / Nielsens Road overpass on the Pacific Motorway at the earliest possible time, thus providing relief to the residents and motorists in this area.

Mr Cooper, from 16 petitioners, requesting the House to reassess the situation at Cooyar State School and have it remain a two teacher school.

Mr Cooper and Mr Hobbs, from 11 and 779 petitioners respectively, requesting the House to rescind the Vegetation Management Bill 1999 immediately.

Ms Nelson-Carr, from 26 petitioners, requesting the House to reject the application for a general licence to sell liquor for the proposed tavern at 186-188 Nathan Street, Aitkenvale on the grounds of (a) protection of residential amenity, (b) sufficient licensed premises in the vicinity and (c) increased traffic flow for long term residents.

**3 MINISTERIAL PAPERS**

The following papers were tabled—

*Premier (Mr Beattie)—*

*Governing Queensland Handbooks—*

Queensland Cabinet Handbook

Queensland Executive Council Handbook

Queensland Legislation Handbook

Queensland Ministerial Handbook

Queensland Parliamentary Procedures Handbook

Queensland Policy Handbook

Welcome Aboard: A guide for members and Queensland Government Boards, Committees and Statutory Authorities

**4 MINISTERIAL STATEMENTS**

- (a) Premier (Mr Beattie), by leave, made a ministerial statement relating to Queensland's manufacturing industry and Virgin Airlines.

*Papers:* Mr Beattie, during his statement, tabled the following papers—

Local Industry Policy – A Fair Go for Local Industry

Letter from Premier (Mr Beattie) and Deputy Premier (Mr Elder) to the Chairman, Queensland Investment Corporation

- (b) Premier (Mr Beattie), by leave, made a ministerial statement relating to water management.

*Papers:* Mr Beattie, during his statement, tabled the following papers—

Extract from *The Courier-Mail* dated 14 March 2000

Extract from the *Australian* dated 28 February 2000

Address to the World Water Congress by Senator Robert Hill on 13 March 2000

- (c) Deputy Premier and Minister for State Development and Minister for Trade (Mr Elder), by leave, made a ministerial statement relating to the Taskforce on Local Content Policy.
- (d) Minister for Health (Mrs Edmond), by leave, made a ministerial statement relating to funding for aged care in Queensland.
- (e) Minister for Mines and Energy and Minister Assisting the Deputy Premier on Regional Development (Mr McGrady), by leave, made a ministerial statement relating to the establishment of a working group on public safety and asset management in Energex.
- (f) Minister for Transport and Minister for Main Roads (Mr Bredhauer), by leave, made a ministerial statement relating to the impact of the GST on public transport.
- (g) Minister for Education (Mr Wells), by leave, made a ministerial statement relating to the results of the national Year 3 benchmark tests.
- (h) 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 Annual Action Plan for women.
- (i) Minister for Environment and Heritage and Minister for Natural Resources (Mr Welford), by leave, made a ministerial statement relating to a new plastics recycling industry in Queensland.

## 5 PERSONAL EXPLANATION

Mrs Sheldon, by leave, made a personal explanation.

## 6 MATTER OF PRIVILEGE

Treasurer (Mr Hamill) rose on a matter of privilege and made the following statement—

'I rise on a matter of privilege. The member for Caloundra has quite falsely misrepresented statements I made in the House yesterday.

The member for Caloundra has quite disgracefully misrepresented statements I made in the House yesterday by falsely stating this morning that I criticised stockbroking firms involved with the Suncorp Metway sell down.

Let the record show that yesterday I stated quite clearly that I did not question in any way the professionalism or the integrity of the brokers concerned.

As I stated yesterday, in response to repeated interjections from the Opposition benches, those brokers were used by this Government in the sell down of the Queensland Government interest in the Bank of Queensland and the TAB. But there was an important difference. When we engaged brokers to do that work, there was no exclusive arrangement entered into, as the coalition had done with respect to the Suncorp sale. We sought expressions of interest in a competitive process and had a probity auditor undertake the review. No such thing occurred with respect to the very lucrative contract entered into by the then Treasurer, a contract that involved the payment of over \$600,000 in default of stage 2 of that contract.'

## 7 PARLIAMENTARY CRIMINAL JUSTICE COMMITTEE – PAPERS

Chairman of the Parliamentary Criminal Justice Committee (Mr Lucas) tabled the following papers—

Criminal Justice Commission—

What the public thinks about employee behaviour in the Queensland Public Service and local councils

Public attitudes towards the CJC

Reported sexual offences in Queensland

Prevention Pays! – Newspaper of the Criminal Justice Commission, Number 2, February 2000

Executive Summaries relevant to the above papers

**8 SCRUTINY OF LEGISLATION COMMITTEE – ALERT DIGEST**

Chairman of the Scrutiny of Legislation Committee (Mrs Lavarch) tabled the following paper—

Scrutiny of Legislation Committee—  
Alert Digest No. 3 of 2000

*Ordered* to be printed.

**9 NOTICE OF MOTION****10 LIQUOR (TRADING LIMITATIONS ON ANZAC DAY) AMENDMENT BILL**

Mr Healy, by leave, moved – That leave be granted to bring in a Bill for an act to amend the *Liquor Act 1992*.

Question put and agreed to.

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

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

Debate ensued.

Minister for Tourism and Racing (Mrs Rose) 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.

**11 QUESTIONS WITHOUT NOTICE**

Questions without notice were asked.

*Paper:* Minister for Education (Mr Wells) tabled the following paper—  
Memorandum to Minister for Education relating to market research

Questions continued.

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

Whereupon Mr Hobbs withdrew from the Chamber.

Questions continued.

*Paper:* Minister for Health (Mrs Edmond) tabled the following paper—  
Letter, dated 14 March 2000, from the QuIVAA relating to retractable needles

Questions continued.

Questions concluded.

**12 MATTER OF PRIVILEGE**

Leader of the Opposition (Mr Borbidge) rose on a matter of privilege and made the following statement—

‘I rise on a matter of privilege. This morning the Treasurer implied that during his answer to a question in this place yesterday he had not criticised a number of companies and individuals. My question related to Wilson HTM. A perusal of page 320 of yesterday’s Hansard reveals that the Treasurer named Wilson HTM, Morgans, and Were and Sons. He then went on to talk about secret lobbying, secret and exclusive dealings and financial kickbacks. The Treasurer said—

“Sometime before 26 August 1996, representatives of stockbroking houses Wilson HTM, Morgans, and Were and Sons met with the then Treasurer and her Treasury officials to lobby secretly ...”

He went on to say—

I would like to know who benefited out of these secret and exclusive dealings. On whose authority was there no tender?”

He went on to say—

"The story doing the rounds down at Eagle Street was that one broker was able to purchase a new Porsche as a result of this deal ..."

He went on to say—

"There is also the issue of financial kickbacks."

Clearly, the Treasurer of this State has smeared those companies. He has smeared the principles of those companies under parliamentary privilege. He has done so falsely and in a cowardly fashion, and he should have the decency and the courtesy to publicly apologise.'

### 13 MATTER OF PRIVILEGE

Treasurer (Mr Hamill) rose on a matter of privilege and made the following statement—

'I rise on a matter of privilege. It is typical of the Leader of the Opposition to selectively quote from any document or any reference which he has before him. In addition to the issues raised and the reflections cast on me by the Leader of the Opposition, let me quote from the record those elements which are not convenient for the Leader of the Opposition to use in support of his assertions. I said—

"I am not questioning the capacity of these people to do the work. They have done good work for us, too. I am questioning why they – the former Government – let a contract without a tender."

I did not name the firm in question. It was the Opposition which made connections that one of the key elements made a \$35,000 donation to the Liberal Party following the awarding of this contract. Those are matters that are on the public record. This demonstrates the hypocrisy of the Leader of the Opposition. He casts aspersions on Peter Forster for attending a Labor Party function and claims that was special treatment when his own Government allowed exclusive dealings to occur, awarding multimillion-dollar contracts without any opportunity for any other people to participate in the contract process.'

### 14 MATTER OF PRIVILEGE

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

'I rise on a matter of privilege. The Treasurer's position on this issue was very clear yesterday. It is only through the mischievous dishonesty of the Opposition and its reinterpretation of any matter that it does not want to agree with that we end up with a nonsense debate like this. The Leader of the Opposition could not tell the truth if his life depended on it. If we ever find the truth and the Leader of the Opposition in the one room at the same time, it will be an extraordinary day for Queensland. Let me make it clear: I stand by my Treasurer on this matter.'

### 15 MATTER OF PRIVILEGE

Leader of the Opposition (Mr Borbidge) rose on a matter of privilege and made the following statement—

'The Premier was not in the Chamber when I quoted the words of the Treasurer. If the Premier is in any doubt whatsoever that his Treasurer has smeared the good name and reputation of some of Brisbane's finest firms and finest business people, I refer him to page 320 of yesterday's Hansard.

What we have seen is a gutless Premier who will not discipline a Treasurer who has indulged in an act of massive political cowardice in an attempt to score some points off the most successful privatisation that this State has ever seen. The answers to the Treasurer's queries were more than appropriately responded to by the former Treasurer and the member for Caloundra this morning.

If the Treasurer had any decency whatsoever, he would get up in this place and apologise to those companies and those individuals for the very definite inference which was his answer yesterday and which is now on the public record in Hansard for all time.'

**16 TRANSPORT (BUSWAY AND LIGHT RAIL) AMENDMENT BILL**

Minister for Transport and Minister for Main Roads (Mr Bredhauer), by leave, moved – That leave be granted to bring in a Bill for an Act to amend Acts administered by the Minister for Transport and Minister for Main Roads.

Question put and agreed to.

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

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

Debate ensued.

Mr Johnson 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 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 Lucas.

*Ordered* – That the resumption of the debate be made an order of the day for a later hour of the sitting.

**18 STATEMENT BY SPEAKER – LIQUOR (TRADING LIMITATIONS ON ANZAC DAY) BILL**

Mr Speaker made the following statement—

‘Honourable Members—

I draw the attention of the House to the Liquor (Trading Limitations on Anzac Day) Amendment Bill 2000 introduced in the House this morning. This Bill has the same purpose as the Liquor Amendment Bill 1999, which was defeated on the second reading during this session of Parliament. Page 499 of *Erskine May* has this to say on matters already decided during the same session—

“There is no general rule or custom which restrains the presentation of two or more bills relating to the same subject, and containing similar provisions. But if a decision of the House has already been taken on one such bill, for example, if the bill has been given or refused a second reading, the other is not proceeded with if it contains substantially the same provisions; nor could such a bill be introduced on a motion for leave ...”

Our own Standing Order 76 has this to say on the matter in question—

“A Question or Amendment shall not be proposed which is the same in substance as any Question which, during the same Session, has been resolved in the Affirmative or Negative.”’.

*Speaker’s ruling:* Mr Speaker ruled that the Liquor (Trading Limitations on Anzac Day) Amendment Bill was out of order.

**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.

Question put and agreed to.

Bill read a second time.

Bill committed on the motion of Mr Barton.

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*In Committee*

Clauses 1 to 9 agreed to.

Clause 10—

Debate ensued.

*Paper:* Mr Barton, during his speech, tabled the following paper—  
Letter, dated 15 March 2000 from Minister for Police and Corrective Services (Mr Barton) to Chairman of the Scrutiny of Legislation Committee (Mrs Lavarch) regarding a response to Scrutiny of Legislation Committee Alert Digest No. 3 of 2000

Debate continued.

Clauses 10 to 31 agreed to.

Clause 32 (*Person may be required to state name and address*)—

The following amendment was proposed by Mr Barton —

At page 45, line 25, after ‘*Tobacco*’—

*insert—*

‘*and Other Smoking*’.

Debate ensued.

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

Clause 32, as amended, agreed to.

Clause 33 (*Prescribed circumstances for requiring name and address*)—

The following amendment was proposed by Mr Barton —

At page 46, line 10, after ‘*notice*’—

*insert—*

‘or an order under section 236’.

Debate ensued.

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

Clause 33, as amended, agreed to.

Clause 34 agreed to.

Clause 35 (*Unlawful supply of tobacco products to children*)—

The following amendments were proposed by Mr Barton —

At page 48, line 8, ‘**tobacco**’—

*omit, insert—*

‘**smoking**’.

At page 48, line 11, ‘*tobacco*’—

*omit, insert—*

‘*smoking*’.

At page 48, line 17, ‘*tobacco*’—

*omit, insert—*

‘*smoking*’.

At page 48, line 23, after ‘*Tobacco*’—

*insert—*

‘*and Other Smoking*’.

At page 48, line 26, after ‘*Tobacco*’—

*insert—*

‘*and Other Smoking*’.

At page 48, line 28—

*omit, insert—*

‘“**smoking product**” has the meaning given to it by the *Tobacco and Other Smoking Products*’.

Debate ensued.

Question – That Mr Barton’s amendments be agreed to – put and agreed to.

Clause 35, as amended, agreed to.

Clauses 36 to 39 agreed to.

Clause 40 (*Proposal for notified area*)—

The following amendment was proposed by Mr Horan —

At page 51, after line 13—

*insert—*

‘**(1A)** If the government entity or local government reasonably believes the need for the declaration is urgent, the government entity or local government may apply to a magistrate or a justice of the peace (magistrates court) for an interim declaration of a stated area as a notified area.

‘**(1B)** An interim declaration of a notified area has effect until—

- (a) a regulation declares the area to be a notified area under section 41; or
- (b) a magistrate disallows the order on the Minister's application.'

Debate ensued.

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

Clause 40, as read, agreed to.

Clauses 41 to 61 agreed to.

Clause 62—

*Ordered* – That the Chairman report progress and ask leave to sit again.

The Chairman 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.

## 20 MOTION WITHOUT NOTICE – MEMBERS FOR BUNDAMBA AND WOODRIDGE

Leader of the House (Mr Mackenroth), by leave, moved – That the House takes note of the election of the Members for Bundamba and Woodridge.

Motion seconded by Mrs Miller.

Debate ensued.

Question put and agreed to.

## 21 NOTICE OF MOTION – FUNDING FOR LIFE EDUCATION CENTRES

Mr Quinn, pursuant to notice, moved – That this Parliament calls upon the ALP Government to reinstate the funding, as commenced by the Coalition, to Life Education Centres.

Debate ensued.

The following amendment was proposed by Minister for Education (Mr Wells)—

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

'commends the Government for a responsible and forward-looking approach to education in general, and drug education in particular.'

Debate ensued.

*Papers:* Mr Wells, during his speech, tabled the following papers—

Research Report entitled "Does Life Education's drug education programme have a public health benefit?"

Articles from *The Courier-Mail* entitled "Education blamed for hike in drug use", "Battle lines drawn over drug education" and "Life Education update (in Queensland)"

Debate continued.

Question put – That Mr Wells' amendment be agreed to.

The House divided.

### AYES, 42

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

### NOES, 42

Baumann*	Elliott	Kingston	Paff	Springborg
Beanland	Feldman	Knuth	Prenzler	Stephan
Black	Gamin	Laming	Quinn	Turner
Borbidge	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	Nelson	Slack	



*\*Tellers*

The numbers being equal, Mr Speaker cast his vote with the 'AYES'.

Question agreed to.

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

The House divided.

**AYES, 42**

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

**NOES, 42**

Baumann*	Elliott	Kingston	Paff	Springborg
Beanland	Feldman	Knuth	Prenzler	Stephan
Black	Gamin	Laming	Quinn	Turner
Borbidge	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	Nelson	Slack	

Pairs – Mrs Lavarch and Mr Pearce (AYES) and Mr Grice and Mrs Pratt (NOES)

*\*Tellers*

The numbers being equal, Mr Speaker cast his vote with the 'AYES'.

Question agreed to.

**22 GOVERNMENT PUBLICITY CONTROL BILL**

Dr Watson, by leave, moved – That leave be granted to bring in a Bill for an Act to provide for the scrutiny of, and guidelines for, government publicity that appears to have the capacity to influence public support for a political party or its candidates or for a member of the Legislative Assembly, and for other purposes.

Question put and agreed to.

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

Dr Watson moved – That the Bill be now read a second time.

Debate ensued.

Treasurer (Mr Hamill) 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.

**23 COMPETITION POLICY REFORM (QUEENSLAND) REPEAL BILL**

Order of the day read for the adjourned debate on the motion of Mr Feldman – That the Bill be now read a second time.

Debate resumed.

Debate adjourned on the motion of Mr Musgrove.

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

**24 ADJOURNMENT**

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

Debate ensued.

Question agreed to.

The House adjourned at 11.29pm.

**25 ATTENDANCE**

The following Members were present—

Attwood	Davidson	Kingston	Nuttall	Sheldon
Barton	Edmond	Knuth	Paff	Simpson
Baumann	Elder	Laming	Palaszczyk	Slack
Beanland	Elliott	Lavarch	Pearce	Spence
Beattie	Feldman	Lester	Pitt	Springborg
Black	Fenlon	Lingard	Pratt	Stephan
Bligh	Foley	Littleproud	Prenzler	Struthers
Borbridge	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	Schwarten	
Dalglish	Kaiser	Nelson–Carr	Seeney	

**R K HOLLIS**  
Speaker

**R D DOYLE**  
The Clerk of the Parliament