[PROOF]

1998-2000

# LEGISLATIVE ASSEMBLY OF QUEENSLAND

# **VOTES AND PROCEEDINGS**

# NO. 94

# FIRST SESSION OF THE FORTY–NINTH PARLIAMENT

# TUESDAY, 20 JUNE 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 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 8 June 2000—

A Bill for an Act about treating and protecting people who have mental illnesses, and for other purposes (*Mental Health Act 2000* – Act No. 16 of 2000)

A Bill for an Act to amend the *Motor Accident Insurance Act 1994 (Motor Accident Insurance Amendment Act 2000 – Act No. 17 of 2000)* 

A Bill for an Act to amend certain Acts administered by the Minister for Mines and Energy and Minister Assisting the Deputy Premier on Regional Development (*Mining and Other Legislation Amendment Act 2000 – Act No. 18 of 2000*)

#### 3 MATTER OF PRIVILEGE

Dr Watson rose on a matter of privilege and made the following statement-

'I rise on a matter of privilege. On 16 May, I asked the Treasurer a Question on Notice concerning specific details in relation to the consultancies let by his department from 1 July 1999. It is important that that date be noted – 1 July 1999. That was the first day of the 1999–2000 financial year. In his response to the question, the Treasurer stated—

"The information sought by the Honourable Member is contained in the annual reports of the Department and respective agencies."

Given the fact that the only publicly available annual report of Queensland Treasury is for the 1998–99 financial year, it therefore provides no details of consultancies let by the Queensland Treasury from 1 July 1999. It is my assertion that in light of this fact, the Treasurer has misled the House in his response to the question, and I will table the question and his answer.

How can the details of consultancies engaged in the 1999–2000 financial year be contained in a publicly available annual report that has not yet been completed? Therefore, Mr Speaker, I ask that you consider this matter and subsequently refer it to the Members' Ethics and Parliamentary Privileges Committee.'

Papers: Dr Watson, during his statement, tabled the following papers— Question on Notice No. 370, dated 16 May 2000, and answer

#### 4 PETITION

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

Mr Borbidge, from 283 petitioners, requesting the House to call on the Government not to proceed with the proposals to abolish suburb and locality names within the boundaries of the City of the Gold Coast which will cause inconvenience to residents and visitors, impact on property values and undermine the historical development of the City.

#### 5 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 June 2000-

Members' Ethics and Parliamentary Privileges Committee Report No. 42 – *Report on a matter of privilege – Unauthorised release of correspondence between a committee and ministers* 

#### 8 June 2000-

Consolidated Financial Report of the Government of Queensland, Year ended 30 June 1999

15 June 2000-

Board of Trustees of the Ipswich Girls' Grammar School – Annual Report 1999 Late tabling statement by the Minister for Education (Mr Wells) relating to the Board of Trustees of the Ipswich Girls' Grammar School Annual Report 1999 University of the Sunshine Coast – Annual Report 1999

Late tabling statement by the Minister for Education (Mr Wells) relating to the University of the Sunshine Coast Annual Report 1999

16 June 2000-

Cane Protection and Productivity Boards – Annual Reports 1999

Late tabling statement by the Minister for Primary Industries and Rural Communities (Mr Palaszczuk) relating to the Cane Protection and Productivity Boards Annual Reports 1999

#### 6 STATUTORY INSTRUMENTS

The following statutory instruments were tabled by The Clerk—

Acquisition of Land Act 1967, Body Corporate and Community Management Act 1997, Foreign Ownership of Land Register Act 1988, Forestry Act 1959, Land Act 1994, Land Title Act 1994, Rural Lands Protection Act 1985, Valuation of Land Act 1944 and Water Resources Act 1989— Natural Resources Logislation Amondment Regulation (No. 1) 2000, No. 111

Natural Resources Legislation Amendment Regulation (No. 1) 2000, No. 111 Associations Incorporation Act 1981—

Associations Incorporation Amendment Regulation (No. 1) 2000, No. 122

Drug Rehabilitation (Court Diversion) Act 2000-

Drug Rehabilitation (Court Diversion) Regulation 2000, No. 104

Proclamation – the provisions of the Act that are not in force commence 13 June 2000, No. 103

Education (Senior Secondary Schools Studies) Act 1988-

Education (Senior Secondary School Studies) Amendment By-law (No. 1) 2000, No. 108

Fire and Rescue Authority Act 1990—

Fire and Rescue Authority Amendment Regulation (No. 1) 2000, No. 113

Gas Pipelines Access (Queensland) Act 1998-

Gas Pipelines Access (Queensland) Regulation 2000, No. 98

Government Owned Corporations Act 1993-

Government Owned Corporations (AUSTA Wind-up) Regulation 2000, No. 99 Indy Car Grand Prix Act 1990—

Indy Car Grand Prix Amendment Regulation (No. 1) 2000, No. 114 Land Court Act 2000—

Land Court Regulation 2000, No. 120

Occupational Therapists Act 1979-

Occupational Therapists Amendment By-law (No. 1) 2000, No. 106

Optometrists Act 1974—

Optometrists Amendment By-law (No. 1) 2000, No. 107

Retirement Villages Act 1999-

Proclamation – the provisions of the Act that are not in force commence 1 July 2000, No. 119

Small Claims Tribunals Act 1973—

Small Claims Tribunals Amendment Regulation (No. 1) 2000, No. 105 State Housing Act 1945—

State Housing Amendment Regulation (No. 1) 2000, No. 110

State Housing Amendment Act 2000-

Proclamation – the provisions of the Act that are not in force commence 12 June 2000, No. 109

Surveyors Act 1977—

Surveyors Amendment Regulation (No. 1) 2000, No. 121 Transport Infrastructure Act 1994—

Transport Infrastructure Amendment Regulation (No. 1) 2000, No. 100 Transport Operations (Marine Safety) Act 1994—

Transport Operations (Marine Safety-Bareboat Ships) Standard 2000, No. 118

Transport Operations (Marine Safety–Examining and Training (Commercial and Fishing Ships)) Standard 2000, No. 117

Transport Operations (Marine Safety–Hire and Drive Ships) Standard 2000, No. 116

Transport Operations (Marine Safety–Parasailing) Standard 2000, No. 115 Transport Operations (Passenger Transport) Act 1994—

Transport Operations (Passenger Transport) Amendment Regulation (No. 1) 2000, No. 101

Transport Operations (Passenger Transport) Amendment Standard (No. 1) 2000, No. 102

Water Resources Act 1989—

Water Resources (Areas and Boards) Regulation 2000, No. 112

#### 7 MINISTERIAL RESPONSES TO PETITIONS

The following responses to petitions, received during the recess, were tabled by The Clerk-

- (a) Response from the Premier (Mr Beattie) to a petition presented by Mrs Rose from 2 petitioners, regarding the financial arrangements made between the Queensland Government and Virgin Airlines
- (b) Response from the Premier (Mr Beattie) to a petition presented by Mr Borbidge from 63 petitioners, regarding issues raised by landowners of the Southern Moreton Bay Islands

#### 8 **M**INISTERIAL STATEMENTS

- (a) Premier (Mr Beattie), by leave, made a ministerial statement relating to the State Budget and the Local Content Policy.
- (b) Premier (Mr Beattie), by leave, made a ministerial statement relating to the Fuel Subsidy Scheme.
- (c) Deputy Premier and Minister for State Development and Minister for Trade (Mr Elder), by leave, made a ministerial statement relating to the Government's Innovation Start–up Scheme (ISUS) and the I–lab Technology Incubator.
- (d) Treasurer (Mr Hamill), by leave, made a ministerial statement relating to the death of Mr Reginald G Tanner.
- (e) Treasurer (Mr Hamill), by leave, made a ministerial statement relating to the Fuel Subsidy Scheme.
- (f) Minister for Transport and Minister for Main Roads (Mr Bredhauer), by leave, made a ministerial statement relating to Mr Reginald G Tanner and the Diesel and Alternative Fuel Grants Scheme.
- (g) Minister for Public Works and Minister for Housing (Mr Schwarten), by leave, made a ministerial statement relating to the new State Purchasing Policy.
- (h) Minister for Tourism and Racing (Mrs Rose), by leave, made a ministerial statement relating to a Government offensive against "sly grogging", the unlicensed sale of liquor, in remote communities.
- (i) Minister for Emergency Services (Mr Robertson), by leave, made a ministerial statement relating to the evacuation of Australian and foreign nationals from the Solomon Islands.

#### 9 STANDING AND SESSIONAL ORDERS - HOURS AND ORDER OF BUSINESS FOR 20 AND 22 JUNE

Leader of the House (Mr Mackenroth), by leave, moved – That, notwithstanding anything contained in the Standing and Sessional Orders, for this day's sitting and for Thursday 22 June 2000, the House can continue to meet past 7.30pm.

Private Members' motions will be debated between 6 and 7pm.

The House can then break for dinner and resume its sitting at 8.30pm.

Government Business will take precedence for the remainder of the days' sittings except for a 30-minute adjournment debate this evening. Question put and agreed to.

#### **10 PERSONAL EXPLANATION**

A personal explanation was made by Dr Prenzler.

#### 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. 8 of 2000

Ordered to be printed.

#### 12 PUBLIC WORKS COMMITTEE - PAPER

Chairman of the Public Works Committee (Mr Roberts) tabled the following paper-

Public Works Committee— Report No. 67 – Cairns Seaport Development Marlin Marina Wave Barrier Protection System

#### 13 NOTICE OF MOTION

#### 14 NOTICE OF MOTION - DISALLOWANCE OF STATUTORY INSTRUMENT

#### 15 PRIVATE MEMBERS' STATEMENTS

Private Members' statements were made.

Paper: Mr Connor, during his statement, tabled the following paper— Various articles and press clippings relating to law and order and Police in Nerang

Statements continued. Statements concluded.

#### 16 QUESTIONS WITHOUT NOTICE

Questions without notice were asked.

Paper: Mr Springborg tabled the following paper— Extract from sentencing guidelines

Questions continued.

Papers: Premier (Mr Beattie) tabled the following papers— Article from Sunshine Coast Daily, dated 18 October 1997, entitled "Fuel price hike not fair: Sheldon" Article from Gold Coast Bulletin, dated 28 October 1997, entitled "Blast for 8c petrol hike"

Questions continued. Questions concluded.

### 17 GENERAL BUSINESS – MATTERS OF PUBLIC INTEREST

Matters of public interest were debated.

Paper: Mr Sullivan, during his speech, tabled the following paper— Various documents relating to Australia Day

#### 18 RETAIL SHOP LEASES AMENDMENT BILL

Order of the day read for the adjourned debate on the motion of the Deputy Premier and Minister for State Development and Minister for Trade (Mr Elder) – That the Bill be now read a second time.

Debate resumed.

Question put and passed.

Bill read a second time.

Bill committed on the motion of Mr Elder.

In Committee

Clauses 1 to 3 agreed to.

Clause 4 (Amendment of s 5 (Definitions))—

The following amendment was proposed by Mr Elder—

At page 7, after line 10-

insert—

'(3) Section 5, definitions "approved accounting standards" and "approved auditor", 'the Australian Society of Certified Practising Accountants' omit\_insert—

'CPA Australia ACN 008 392 452'.'.

Debate ensued.

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

Clause 4, as amended, agreed to.

Clauses 5 to 9 agreed to.

Clause 10 (Insertion of new ss 22A-22E)-

The following amendment was proposed by Mr Elder-

At page 11, line 21, 'Australian Society of Certified Practising Accountants' omit. insert—

'CPA Australia ACN 008 392 452'.

Debate ensued.

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

Clause 10, as amended, agreed to.

Clauses 11 to 37 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 Elder, by leave, moved – That the Bill be now read a third time. Bill read a third time and passed. Title agreed to.

#### 19 GST AND RELATED MATTERS BILL

Order of the day read for the adjourned debate on the motion of the Treasurer (Mr Hamill) – That the Bill be now read a second time. Debate resumed.

Paper: Mr Nuttall, during his speech, tabled the following paper— Copy of printout of internet page entitled "Goods and Services Tax Information Page"

Debate continued.

Paper:Mr Knuth, during his speech, tabled the following paper—<br/>Copy of publication relating to voting for "Neither!"

Debate continued.

Question put and passed.

Bill read a second time.

Bill committed on the motion of Mr Hamill.

Clauses 1 to 29 agreed to.

Schedules 1 and 2 agreed to.

Schedule 3 (Amendment of Acts)—

The following amendments were proposed by Mr Hamill-

At page 58, after line 24—

insert-

# **ASSOCIATIONS INCORPORATION ACT 1981**

#### 1. Section 70(1), '\$1 000 000'—

omit, insert— '\$1 100 000'.'. At page 59, after line 20 insert—

# BILLS OF SALE AND OTHER INSTRUMENTS ACT 1955 1. Section 18K(4) and (5), after 'more than'—

insert—

', after discounting for any GST payable on any supply relating to the payment of the compensation,'.'.

At page 65, after line 20 insert—

#### CREDIT ACT 1987

## 1. Section 26(7), after 'does not exceed'-

insert-

', after discounting for any GST payable on any supply relating to the payment of the damages or sum of money,'.'.

At page 73, after line 22-

insert-

## FIRST HOME OWNER GRANT ACT 2000

## 1. Schedule 1, definition "permanent resident"—

omit, insert—

#### " "permanent resident" means-

- (a) the holder of a permanent visa as defined by the *Migration Act 1958* (Cwth), section 30(1); or
- (b) a New Zealand citizen who is the holder of a special category visa as defined by the *Migration Act 1958* (Cwth), section 32.'.'

At page 77, after line 16 insert—

## LIENS ON CROPS OF SUGAR CANE ACT 1931

#### 1. Section 7Q(4) and (5), after 'more than'-

insert—

', after discounting for any GST payable on any supply relating to the payment of the compensation,'.'.

At page 87, after line 27-

insert—

## ''Delayed operation of definition "building work", para (g)

**'16.** Despite schedule 2, definition **"building work"**, paragraph (g), until the end of 31 December 2000, building work under this Act is taken not to include the installation, maintenance, or certification of the installation or maintenance, of a fire protection system for a commercial or residential building.'.'.

At page 89, after line 15-

insert—

#### **'RETIREMENT VILLAGES ACT 1999**

#### 1. Section 50(3)(a), after 'is'—

insert—

', after discounting for any GST payable on any supply relating to the payment of the compensation,'.'.

Debate ensued.

Question – That Mr Hamill's amendments be agreed to – put and agreed to.

Schedule 3, as amended, agreed to.

Bill to be reported with amendments.

Bill reported with amendments. *Ordered* – That the Bill, as amended, be taken into consideration. Mr Hamill, by leave, moved – That the Bill be now read a third time. Bill read a third time and passed. Title agreed to.

#### 20 NOTICE OF MOTION - FUEL SUBSIDY SCHEME

Leader of the Opposition (Mr Borbidge), pursuant to notice, moved – That this House calls upon the Treasurer to direct the Commissioner of Stamp Duties to instigate an immediate investigation, using the powers invested in him under the *Fuel Subsidy Act (1997)* to ascertain the existence of any abuse of the fuel subsidy scheme and if so, move to prosecute all alleged offenders.

### Debate ensued.

The following amendment was proposed by Treasurer (Mr Hamill)—

Delete all words after 'House' and insert the following-

- '(a) applauds the establishment by the Government of a Fuel Subsidy Taskforce comprising key representatives of—
  - the Royal Automobile Club of Queensland;
  - Motor Trades Association of Queensland;
  - Road Transport Association of Queensland;
  - Boating Industry Association;
  - Taxi Council of Queensland;
  - Local Government Association of Queensland;
  - Agforce;
  - Queensland Farmers Federation; and
  - Queensland Chamber of Commerce and Industry

in order to discuss specific proposals for the reform of Queensland's fuel subsidy scheme with three central objectives:

- (i) the establishment of a retail-based subsidy scheme;
- (ii) the prevention of illegal cross–border trade which results in Queensland taxpayers subsidising interstate fuel prices; and
- (iii) ensuring that the full 8.354 cents–per–litre subsidy is received by Queensland motorists and intended recipients.
- (b) notes that the Borbidge Government identified the rorts that were going on, including the cross-border loss of \$104 million a year in subsidies, but was unable to prevent the losses;
- (c) further notes that because of the effect of Section 92 of the Australian Constitution and other practical compliance issues, the Commissioner of Stamp Duties has only been able to recover \$16.8 million of more than \$200 million of subsidy which has gone interstate as a consequence of the cross border fuel trade despite pursuing 167 investigations since January 1998.
- (d) calls upon the Government to ensure that the full 8.354 cents per litre fuel subsidy is delivered to Queensland motorists and
- (c) takes appropriate action to establish a robust fuel subsidy scheme which is enforceable by the Commissioner of Stamp Duties.'.

#### Debate ensued.

Paper: Mr Hamill, during his speech, tabled the following paper— Letter, dated 31 May 2000, from the Australian Institute of Petroleum to the Treasurer (Mr Hamill) relating to the fuel subsidy scheme

Debate continued.

Paper:Premier (Mr Beattie), during his speech, tabled the following paper—<br/>Government advertisement in *The Courier—Mail*, dated 1 September 1997,<br/>entitled "High Court Decision Forces New Tax Arrangements For Liquor,<br/>Tobacco and Petroleum"<br/>Media Release, dated 24 September 1997, by the Leader of the Opposition (Mr<br/>Beattie) entitled "Borbidge bill to taxpayers for propaganda now \$6M"

#### Debate continued.

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

#### The House divided.

Attwood Barton Beattie Bigh Boyle Braddy Bredhauer Briskey Clark	Cunningham, J Edmond Elder Fenlon Foley Fouras Hamill Hayward Kaiser	Lavarch Lucas Mackenroth McGrady Mickel Mulherin Musgrove Nelson–Carr Nuttall NOES, 38	Palaszczuk Pearce Pitt Purcell* Reeves Reynolds Roberts Robertson Robertson Rose	Schwarten Spence Struthers Sullivan* Wells
Baumann* Beanland Black Borbidge Connor Cooper Cunningham, E Dalgleish	Davidson Feldman Gamin Grice Healy Hegarty* Hobbs Horan	Johnson Kingston Knuth Laming Lester Lingard Littleproud Malone	Mitchell Paff Prenzler Quinn Rowell Santoro Seeney Slack	Springborg Stephan Turner Veivers Watson Wellington

Pairs – Mrs Miller, Messrs Welford and Wilson (AYES) and Messrs Elliott and Goss and Miss Simpson (NOES) \*Tellers

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

		//illo, 42		
Attwood Barton Beattie Bligh Boyle Braddy Bredhauer Briskey Clark	Cunningham, J Edmond Elder Fenlon Foley Fouras Hamill Hayward Kaiser	Lavarch Lucas Mackenroth McGrady Mickel Mulherin Musgrove Nelson-Carr Nuttall	Palaszczuk Pearce Pitt Purcell* Reeves Reynolds Roberts Robertson Robertson Rose	Schwarten Spence Struthers Sullivan* Turner Wells
		NOES, 37		
Baumann* Beanland Black Borbidge Connor Cooper Cunningham, E Dalgleish	Davidson Feldman Gamin Grice Healy Hegarty* Hobbs Horan	Johnson Kingston Laming Lester Lingard Littleproud Malone	Mitchell Paff Prenzler Quinn Rowell Santoro Seeney Slack	Springborg Stephan Veivers Watson Wellington

Pairs - Mrs Miller, Messrs Welford and Wilson (AYES) and Messrs Elliott and Goss and Miss Simpson (NOES)

\*Tellers

Question agreed to.

#### 21 POSTPONED ORDER - GOVERNMENT BUSINESS

Minister for Employment, Training and Industrial Relations (Mr Braddy) moved – That Government Business Order of the Day No. 3 be postponed until a later hour of the sitting. Question put and agreed to.

#### 22 TRAINING AND EMPLOYMENT BILL

Order of the day read for the adjourned debate on the motion of the Minister for Employment, Training and Industrial Relations (Mr Braddy) – That the Bill be now read a second time. Debate resumed.

Debate resumed. Question put and passed. Bill read a second time. Bill committed on the motion of Mr Braddy.

In Committee

Clause 2 (Commencement)—

The following amendment was proposed by Mr Braddy— At page 18, after line 7 *insert*— '(**1A**) Schedule 1, section 77 commences, or is taken to have commenced, on 1 July 2000.'. Debate ensued. Question – That Mr Braddy's amendment be agreed to – put and agreed to.

Clause 2, as amended, agreed to.

Clauses 3 to 82 agreed to.

Clause 83—

Debate ensued.

Question put – That Clause 83, as read, stand part of the Bill. The Committee divided.

#### AYES, 45

Attwood Barton Bigh Boyle Braddy Bredhauer Briskey Clark Cunningham, E	Dalgleish Edmond Feldman Foloy Hamill Hayward Hollis Kaiser	Lavarch Lucas Mackenroth McGrady Miller Miller Mulherin Musgrove Nelson–Carr	Nuttall Paff Palaszczuk Pearce Pitt Prenzler Purcell* Reeves Reynolds	Roberts Robertson Schwarten Spence Struthers Sullivan* Welford Wells Wilson
		NOES, 31		
Baumann* Beanland Black Connor Cooper Davidson Gamin	Healy Hegarty* Hobbs Horan Johnson Kingston Knuth	Laming Lester Lingard Littleproud Malone Mitchell Quinn	Rowell Santoro Seeney Slack Springborg Stephan Turner	Veivers Watson Wellington

Pairs – Beattie J Cunningham, Elder Rose (AYES) and Borbidge Elliott Goss Simpson (NOES)

\*Tellers

Question agreed to. Clauses 84 to 148 agreed to. Clause 149— 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.

#### 23 ADJOURNMENT

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

 Papers:
 Mrs E Cunningham, by leave, during her speech, tabled the following papers—

 East End Mine Action Group Inc – Documents entitled "Local Knowledge Companion Hydrology Study" and "An administrative and water related historical perspective of dispute between Queensland Cement Ltd and East End Mine Action Group Inc at East end Mt Larcom Qld, Australia"

Debate continued.

Question agreed to.

The House adjourned at 11.28pm.

#### 24 ATTENDANCE

The following Members were present—

Clark     Hayward     McGrady     Roberts     Welford       Connor     Healy     Mickel     Robertson     Wellingt       Cooper     Hegarty     Miller     Rose     Wells       Cuppinghow     Helpho     Mitchell     Bowell     Willson	igton
Cooper         Hegarty         Miller         Rose         Wells           Cunningham, E         Hobbs         Mitchell         Rowell         Wilson           Cunningham, J         Horan         Mulherin         Santoro	ı

R K HOLLIS Speaker R D DOYLE The Clerk of the Parliament