

1998–2000

LEGISLATIVE ASSEMBLY OF QUEENSLAND

VOTES AND PROCEEDINGS

NO. 105

FIRST SESSION OF THE FORTY-NINTH PARLIAMENT

WEDNESDAY, 6 SEPTEMBER 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 CRIMINAL JUSTICE COMMISSION – REPORT

Mr Speaker tabled the following report—

Criminal Justice Commission—

Allegations of Electoral Fraud : Report on an Advice by P D McMurdo, QC

Ordered to be printed.

3 AUDITOR-GENERAL – REPORT

Mr Speaker tabled the following report—

Auditor-General—

Report No. 6 1999–2000 – Results of Audits Performed for 1998–1999 as at 30 June 2000

4 DAILY TRAVELLING ALLOWANCE CLAIMS BY MEMBERS – REPORT

Mr Speaker tabled the following report—

Daily Travelling Allowance Claims by Members of the Legislative Assembly – Annual Report for 1999–2000

5 PETITIONS

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

Mr Hegarty, from 51 petitioners, requesting the House to keep the Queensland Symphony Orchestra and the Queensland Philharmonic Orchestra separate so that both can continue in their best suited pursuits and that the QPO continues with the chamber orchestra performances in rural Queensland and that there be no reduction in the number of QPO players or of concerts given by the orchestra as a separate entity.

Mr Lucas, from 135 petitioners, requesting the House to take the necessary steps to have the Quarantine Station building moved back to the Lytton National Park and that adequate funding be provided to make it available for heritage displays and performances for students, tourists and general public.

Mr Nelson, from 3,600 petitioners, requesting the House to construct a highway link between Cairns and the Atherton Tableland on the alignment identified as Route S7 by the Integrated Transport Study for the Kuranda Range and known locally as the Lake Morris/Davies Creek Road.

Mr Quinn from 1,060 petitioners, requesting the House to ensure that more police and resources are assigned to crime fighting in the Coolangatta area.

6 MINISTERIAL STATEMENTS

- (a) Premier (Mr Beattie), by leave, made a ministerial statement relating to recent Government achievements. *Hansard p.2953*
- (b) Premier (Mr Beattie), by leave, made a ministerial statement relating to the Criminal Justice Commission investigation into allegations of electoral fraud. *Hansard p.2955*
- (c) Deputy Premier and Minister for State Development and Minister for Trade (Mr Elder), by leave, made a ministerial statement relating to Smart State. *Hansard p.2956*
- (d) Minister for Health (Mrs Edmond), by leave, made a ministerial statement relating to the supply of syringes to Queensland diabetics. *Hansard p.2957*
- (e) Minister for Police and Corrective Services (Mr Barton), by leave, made a ministerial statement relating to new and refurbished police stations. *Hansard p.2958*
- (f) Minister for Mines and Energy and Minister Assisting the Deputy Premier on Regional Development (Mr McGrady), by leave, made a ministerial statement relating to wind

farming and renewable energy in Queensland and the Stanwell Corporation. *Hansard p.2958*

- (g) Minister for Environment and Heritage and Minister for Natural Resources (Mr Welford), by leave, made a ministerial statement relating to the Murray Darling Basin Draft Salinity Management Strategy and the Draft Integrated Catchment Management Policy. *Hansard p.2959*
- (h) Minister for Primary Industries and Rural Communities (Mr Palaszczuk), by leave, made a ministerial statement relating to drought-resistant sorghum. *Hansard p.2960*
- (i) Minister for Emergency Services (Mr Robertson), by leave, made a ministerial statement relating to Queensland Fire and Rescue Authority research. *Hansard p.2960*

7 NOTICE OF MOTION *Hansard p.2961*

8 PRIVATE MEMBERS' STATEMENTS

Private Members' statements were made. *Hansard p.2961*

9 QUESTIONS WITHOUT NOTICE

Questions without notice were asked. *Hansard p.2965*

Paper: Treasurer (Mr Hamill) tabled the following paper—
Graph showing Private Sector Dwelling Approvals July 1995 to July 2000

Questions continued.

Questions concluded.

10 PENALTIES AND SENTENCES (NON-CONTACT ORDERS) 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 *Penalties and Sentences Act 1992*.

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. *Hansard p.2977*

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.

11 WATER BILL

Order of the day read for the adjourned debate on the motion of the Minister for Environment and Heritage and Minister for Natural Resources (Mr Welford) – That the Bill be now read a second time.

Debate resumed. *Hansard p.2978*

Debate adjourned on the motion of Mr Welford.

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

12 SUSPENSION OF SESSIONAL ORDERS – ORDER OF BUSINESS FOR 6 SEPTEMBER

Leader of the House (Mr Mackenroth), by leave, moved – That so much of the Sessional Orders be suspended to enable Government Business to take precedence from 8.30 pm today until the adjournment of the House, except for a 30-minute Adjournment Debate.

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

Debate ensued. *Hansard p.3029*

Question put.

The House divided.

AYES, 41

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

NOES, 39

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

Pairs – Mr Bredhauer, Mrs Lavarch and Ms Nelson–Carr (AYES) and Dr Kingston and Messrs Knuth and Santoro (NOES)

*Tellers

Question agreed to.

13 NOTICE OF MOTION – HOSPITAL WAITING LISTS

Miss Simpson, pursuant to notice, moved – That this House condemns the Beattie Labor Government for allowing hospital waiting lists to grow, for cutting back on intensive care beds, and for bad management practices that have placed dangerously high pressure on staff.

Debate ensued. *Hansard p.3029*

Paper: Miss Simpson, during her speech, tabled the following paper—
Table entitled Waiting Times – July 2000

Debate continued.

Papers: Leader of the Opposition (Mr Borbidge), during his speech, tabled the following papers—
Letter, dated 16 February 1996 to Mr M J Horan, MLA from Peter Beattie, then Minister for Health relating to the appointment of Dr R L Stable, Director–General, Queensland Health
Copy of Queensland Health Agreement re Incentives as per the Contract of Employment of Dr Stable dated 2 February 1996

Debate continued.

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

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

'notes high levels of demand for elective surgery and the Beattie Labor Government is reducing hospital waiting lists, expanding intensive care services and improving the delivery of health services for Queenslanders.'

Debate ensued.

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

The House divided.

And the Bars having been closed—

Personal explanation: Mrs Sheldon made a personal explanation. *Hansard p.3040*

AYES, 40

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

NOES, 39

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

Pairs – Mr Bredhauer, Mrs Lavarch and Ms Nelson–Carr and Mr Welford (AYES) and Dr Kingston and Messrs Lester, Knuth and Santoro (NOES)

**Tellers*

Question agreed to.

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

The House divided.

AYES, 40

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

NOES, 39

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

Pairs – Mr Bredhauer, Mrs Lavarch and Ms Nelson–Carr and Mr Welford (AYES) and Dr Kingston and Messrs Lester, Knuth and Santoro (NOES)

**Tellers*

Question agreed to.

14 PERSONAL EXPLANATION

A personal explanation was made by Attorney–General and Minister for Justice and Minister for The Arts (Mr Foley). *Hansard p.3041*

15 WATER BILL

Order of the day read for the adjourned debate on the motion of the Minister for Environment and Heritage and Minister for Natural Resources (Mr Welford) – That the Bill be now read a second time.

Debate resumed. *Hansard p.3041*

Quorum: At 8.33pm, a quorum was formed.

Debate continued.

Question put and agreed to.

Bill read a second time.

Bill committed on the motion of Mr Welford.

In Committee

Hansard p.3041

Clause1 agreed to.

Clause 2 (*Commencement*)—

The following amendments were proposed by Mr Welford—

At page 32, line 6, ‘schedule 3’—

omit, insert—

‘schedule 2’.

At page 32, lines 10 and 11—

omit, insert—

‘(2) The following provisions of this Act commence on assent—

- chapter 1
- chapter 2, parts 1, 2 (except section 20(3)) and part 3, divisions 1 and 2
- chapter 5, parts 1, 2 and part 3, division 3
- chapter 6, parts 1, 2 and 3
- chapter 7
- chapter 8, sections 1006, 1007 and 1010 to 1015
- chapter 9, part 1, sections 1037 to 1045, 1048C, 1048D, 1048F and 1107A and part 5
- schedule 2, amendment of the *Integrated Planning Act 1997* amendments 1A and 13
- schedule 3, amendments of the *Aboriginal Land Act 1991*, the *Forestry Act 1959*, the *State Development and Public Works Organisation Act 1971*, and the *Torres Strait Islander Land Act 1991*
- schedule 3, amendment of the *Water Resources Act 1989*, amendments 1A, 1B, 1C, 1, 2, 3 and 5A.’

Debate ensued.

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

Clause 2, as amended, agreed to.

Clauses 3 and 4 agreed to.

Clauses 5 to 9 – Not allocated for drafting purposes.

Clause 10 (*Purpose of ch 2*)—

The following amendment was proposed by Mr Lester—

At page 34, line 11, after ‘needs’—

insert—

‘including the allocations to existing water entitlement holders’.

Debate ensued.

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

The Committee divided.

AYES, 37

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

NOES, 37

Bligh	Fenlon	Mackenroth	Pearce	Spence
Boyle	Foley	McGrady	Pitt	Sullivan*
Braddy	Fouras	Mickel	Purcell*	Welford
Bredhauer	Hamill	Miller	Reynolds	Wells
Briskey	Hayward	Mulherin	Roberts	Wilson
Clark	Hollis	Musgrove	Robertson	
Cunningham, J	Kaiser	Nuttall	Rose	
Edmond	Lucas	Palaszcuk	Schwarten	

Pairs – Dr Kingston, Messrs Baumann, Borbridge, Goss, Grice and Knuth and Dr Watson (NOES) and Mrs Attwood, Messrs Barton, Beattie and Elder, Mrs Lavarch, Ms Nelson–Carr and Ms Struthers (AYES)

*Tellers

The numbers being equal, the Temporary Chairman cast his vote with the 'NOES'.

Question negated.

Clause 10, as read, agreed to.

Clauses 11 and 12 agreed to.

Clauses 13 to 18 – Not allocated for drafting purposes.

Clause 19 (*Rights in all water vests in State*)—

The following amendment was proposed by Mr Lester—

At page 35, lines 26 and 27—

omit, insert—

‘19.(1) All rights to the use, flow and control of all water in watercourses, lakes and springs and all underground water are vested in the State.’

'(2) All rights to the use, flow and control of overland flow water are vested in the owner of the land over which the water flows.

'(3) However, a moratorium notice or a water resource plan may limit or alter the volume of overland flow water that may be taken or interfered with on land.

'(4) Subsection (5) applies if a moratorium notice or a water resource plan limits or alters the volume of overland flow water that may be taken or interfered with on land.

'(5) To the extent any rights mentioned in subsection (2) are not limited or altered by the moratorium notice or the water resource plan, the rights remain vested in the owner of the land.'

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.

16 ADJOURNMENT

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

Debate ensued. *Hansard p.3066*

Question agreed to.

The House adjourned at 11.37pm.

17 ATTENDANCE

The following Members were present—

Attwood	Davidson	Kaiser	Nuttall	Sheldon
Barton	Edmond	Knuth	Paff	Simpson
Baumann	Elder	Laming	Palaszcuk	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	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	
Dalglish	Johnson	Nelson-Carr	Seeney	

R K HOLLIS
Speaker

R D DOYLE
The Clerk of the Parliament