

[PROOF]

1998–2000

LEGISLATIVE ASSEMBLY OF QUEENSLAND

VOTES AND PROCEEDINGS

NO. 107

FIRST SESSION OF THE FORTY–NINTH PARLIAMENT

FRIDAY, 8 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 PETITIONS

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

Mr Malone from 62 petitioners, requesting the House to delay the passage of the Water (Allocation and Management) Bill until an assessment of the impacts are investigated and not until industry is consulted as to these impacts.

Dr Watson from 2554 petitioners, requesting the House to abandon the proposed construction of Synergy Industrial Park on Formation Street, Carole Park and to preserve the land and keep the last remaining green site in the area for the long term health benefits to the residents in the area.

3 MINISTERIAL STATEMENTS

- (a) Premier (Mr Beattie), by leave, made a ministerial statement relating to jobs and the reopening of the Murgon Meatworks.
- (b) Minister for Communication and Information, Local Government and Planning and Minister for Sport (Mr Mackenroth), by leave, made a ministerial statement relating to the preparation of Brisbane for the Olympic Games.
- (c) Attorney-General and Minister for Justice and Minister for The Arts (Mr Foley), by leave, made a ministerial statement relating to the development of an indigenous arts industry and the Cape York Partnership Plan.
- (d) Minister for Transport and Minister for Main Roads (Mr Bredhauer), by leave, made a ministerial statement relating to new Queensland Rail service agreements.
- (e) Minister for Education (Mr Wells), by leave, made a ministerial statement relating to the Native Title Resolution Bill.

4 SUSPENSION OF STANDING AND SESSIONAL ORDERS – NATIVE TITLE RESOLUTION BILL

Leader of the House (Mr Mackenroth), by leave, moved – That so much of the Standing and Sessional Orders be suspended to enable the Native Title Resolution Bill to pass through all its remaining stages at this day's sitting.
Question put and agreed to.

5 QUESTIONS WITHOUT NOTICE

Questions without notice were asked.

6 NATIVE TITLE RESOLUTION BILL

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

Paper: Mrs Lavarch, during her speech, tabled the following paper—
Scrutiny of Legislation Committee—
Alert Digest No. 12 of 2000
Ordered to be printed.

Debate continued.

Question put.

The House divided.

AYES, 35

| | | | | |
|-----------|---------------|------------|------------|------------|
| Barton | Cunningham, E | Hayward | Nuttall | Schwarten |
| Beattie | Cunningham, J | Kaiser | Palaszczuk | Spence |
| Bligh | Edmond | Lavarch | Pearce | Struthers |
| Braddy | Elder | Lucas | Purcell* | Sullivan* |
| Bredhauer | Fenlon | Mackenroth | Roberts | Welford |
| Briskey | Fouras | McGrady | Robertson | Wellington |
| Clark | Hamill | Miller | Rose | Wells |

NOES, 31

| | | | | |
|-----------|----------|-------------|---------|---------|
| Baumann* | Elliott | Lester | Quinn | Turner |
| Beanland | Gamin | Littleproud | Rowell | Veivers |
| Black | Hegarty* | Malone | Santoro | Watson |
| Borbridge | Horan | Mitchell | Seeney | |
| Connor | Johnson | Nelson | Sheldon | |
| Cooper | Knuth | Paff | Simpson | |
| Davidson | Laming | Prenzler | Stephan | |

Pairs – (AYES) Mrs Attwood, Ms Boyle, Messrs Foley, Mickel, Mulherin and Musgrove, Ms Nelson–Carr, Messrs Pitt, Reeves and Reynolds, and (NOES) Messrs Dalgleish, Feldman, Goss, Grice, Hobbs, Healy, Kingston and Lingard, Mrs Pratt, Messrs Slack and Springborg

*Tellers

Question agreed to.

Bill read a second time.

Bill committed on the motion of Mr Beattie.

In Committee

Clauses 1 to 19—

Question put – That Clauses 1 to 19 be agreed to.

The Committee divided.

AYES, 35

| | | | | |
|-----------|---------------|------------|------------|------------|
| Barton | Cunningham, E | Hollis | Nuttall | Schwarten |
| Beattie | Cunningham, J | Kaiser | Palaszczuk | Spence |
| Bligh | Edmond | Lavarch | Pearce | Struthers |
| Braddy | Elder | Lucas | Purcell* | Sullivan* |
| Bredhauer | Fenlon | Mackenroth | Roberts | Welford |
| Briskey | Hamill | McGrady | Robertson | Wellington |
| Clark | Hayward | Miller | Rose | Wells |

NOES, 31

| | | | | |
|-----------|----------|-------------|---------|---------|
| Baumann* | Elliott | Lester | Quinn | Turner |
| Beanland | Gamin | Littleproud | Rowell | Veivers |
| Black | Hegarty* | Malone | Santoro | Watson |
| Borbridge | Horan | Mitchell | Seeney | |
| Connor | Johnson | Nelson | Sheldon | |
| Cooper | Knuth | Paff | Simpson | |
| Davidson | Laming | Prenzler | Stephan | |

Pairs – (AYES) Mrs Attwood, Ms Boyle, Messrs Foley, Mickel, Mulherin and Musgrove, Ms Nelson–Carr, Messrs Pitt, Reeves and Reynolds, and (NOES) Messrs Dalgleish, Feldman, Goss, Grice, Hobbs, Healy, Kingston and Lingard, Mrs Pratt, Messrs Slack and Springborg

*Tellers

Question agreed to.

Schedule 1 (*Amendments related to outcome of Commonwealth Native Title Act determinations and minor amendments*)—

The following amendments were proposed by Mr Beattie—

At page 13, after line 18—

insert—

‘17A. Section 422—

insert—

‘ “registered indigenous land use agreement” means an indigenous land use agreement registered on the register of indigenous land use agreements.’.

At page 16, after line 13—

insert—

‘39A. Section 472(5), ‘also’—

omit.’

Debate ensued.

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

Schedule 1, as amended, agreed to.

Schedule 2 (*Amendments related to enhancement of low impact provisions*)—

The following amendments were proposed by Mr Beattie—

At page 34, lines 6 and 7 and page 41, lines 18 and 19—

omit, insert—

'land that will be affected under the permit, and to obtain any necessary access agreement for entry'.'. .

At page 36, line 25, page 44, line 14 and page 52, line 15—

omit, insert—

'(2) If the mining registrar is asked to refer the matter to the tribunal for a decision—

(a) the mining registrar must refer the matter; and

(b) the tribunal must decide the terms of the access agreement.'.

At page 37, line 1, page 44, line 15 and page 52, line 16, 'If'—

omit, insert—

'When'.

At page 37, lines 19 to 21—

omit.

At page 38, line 8 and page 45, line 16, 'for drill pads'—

omit, insert—

'or drill pads'.

At page 45, lines 6 to 8—

omit.

At page 49, lines 23 and 24—

omit, insert—

'land that will be affected under the licence, and to obtain any necessary access agreement for entry'.'. .

Debate ensued.

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

Schedule 2, as amended, 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 Beattie, by leave, moved – That the Bill be now read a third time.

Question put.

The House divided.

AYES, 35

| | | | | |
|-----------|---------------|------------|------------|------------|
| Barton | Cunningham, E | Hayward | Nuttall | Schwarten |
| Beattie | Cunningham, J | Kaiser | Palaszczyk | Spence |
| Bligh | Edmond | Lavarch | Pearce | Struthers |
| Braddy | Elder | Lucas | Purcell* | Sullivan* |
| Bredhauer | Fenlon | Mackenroth | Roberts | Welford |
| Briskey | Fouras | McGrady | Robertson | Wellington |
| Clark | Hamill | Miller | Rose | Wells |

NOES, 31

| | | | | |
|----------|----------|-------------|---------|---------|
| Baumann* | Elliott | Lester | Quinn | Turner |
| Beanland | Gamin | Littleproud | Rowell | Veivers |
| Black | Hegarty* | Malone | Santoro | Watson |
| Borbidge | Horan | Mitchell | Seeney | |
| Connor | Johnson | Nelson | Sheldon | |
| Cooper | Knuth | Paff | Simpson | |
| Davidson | Laming | Prenzler | Stephan | |

Pairs – (AYES) Mrs Attwood, Ms Boyle, Messrs Foley, Mickel, Mulherin and Musgrove, Ms Nelson–Carr, Messrs Pitt, Reeves and Reynolds, and (NOES) Messrs Dalgleish, Feldman, Goss, Grice, Hobbs, Healy, Kingston and Lingard, Mrs Pratt, Messrs Slack and Springborg

**Tellers*

Question agreed to.

Bill read a third time and passed.

Title agreed to.

7 LAND AND RESOURCES TRIBUNAL AMENDMENT BILL

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

Debate resumed.

Question put.

The House divided.

AYES, 34

| | | | | |
|-----------|---------------|------------|------------|------------|
| Barton | Cunningham, E | Hayward | Palaszczuk | Spence |
| Beattie | Cunningham, J | Kaiser | Pearce | Struthers |
| Bligh | Edmond | Lavarch | Purcell* | Sullivan* |
| Braddy | Elder | Mackenroth | Roberts | Welford |
| Bredhauer | Fenlon | McGrady | Robertson | Wellington |
| Briskey | Fouras | Miller | Rose | Wells |
| Clark | Hamill | Nuttall | Schwarten | |

NOES, 29

| | | | | |
|----------|----------|-------------|----------|---------|
| Baumann* | Elliott | Laming | Paff | Sheldon |
| Beanland | Gamin | Lester | Prenzler | Simpson |
| Borbidge | Hegarty* | Littleproud | Quinn | Turner |
| Connor | Horan | Malone | Rowell | Veivers |
| Cooper | Johnson | Mitchell | Santoro | Watson |
| Davidson | Knuth | Nelson | Seeney | |

Pairs – (AYES) Mrs Attwood, Ms Boyle, Messrs Foley, Mickel, Mulherin and Musgrove, Ms Nelson–Carr, Messrs Pitt, Reeves, Reynolds and Wilson, and (NOES) Messrs Black, Dalgleish, Feldman, Goss, Grice, Hobbs, Healy, Kingston and Lingard, Mrs Pratt, Messrs Slack and Springborg

**Tellers*

Question agreed to.

Bill read a second time.

Bill committed on the motion of Mr Beattie.

In Committee

Clauses 1 to 13—

Question put – That Clauses 1 to 13 be agreed to.

The House divided.

AYES, 34

| | | | | |
|-----------|---------------|------------|------------|------------|
| Barton | Cunningham, E | Hollis | Palaszczuk | Spence |
| Beattie | Cunningham, J | Kaiser | Pearce | Struthers |
| Bligh | Edmond | Lavarch | Purcell* | Sullivan* |
| Braddy | Elder | Mackenroth | Roberts | Welford |
| Bredhauer | Fenlon | McGrady | Robertson | Wellington |
| Briskey | Hamill | Miller | Rose | Wells |
| Clark | Hayward | Nuttall | Schwarten | |

NOES, 29

| | | | | |
|----------|----------|-------------|----------|---------|
| Baumann* | Elliott | Laming | Paff | Sheldon |
| Beanland | Gamin | Lester | Prenzler | Simpson |
| Borbidge | Hegarty* | Littleproud | Quinn | Turner |
| Connor | Horan | Malone | Rowell | Veivers |
| Cooper | Johnson | Mitchell | Santoro | Watson |
| Davidson | Knuth | Nelson | Seeney | |

Pairs – (AYES) Mrs Attwood, Ms Boyle, Messrs Foley, Mickel, Mulherin and Musgrove, Ms Nelson–Carr, Messrs Pitt, Reeves, Reynolds and Wilson, and (NOES) Messrs Black, Dalgleish, Feldman, Goss, Grice, Hobbs, Healy, Kingston and Lingard, Mrs Pratt, Messrs Slack and Springborg

**Tellers*

Question agreed to.

Bill to be reported without amendment.

In the House

Bill reported without amendment.

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

Question put.

The House divided.

AYES, 34

| | | | | |
|-----------|---------------|------------|------------|------------|
| Barton | Cunningham, E | Hayward | Palaszczyk | Spence |
| Beattie | Cunningham, J | Kaiser | Pearce | Struthers |
| Bligh | Edmond | Lavarch | Purcell* | Sullivan* |
| Braddy | Elder | Mackenroth | Roberts | Welford |
| Bredhauer | Fenlon | McGrady | Robertson | Wellington |
| Briskey | Fouras | Miller | Rose | Wells |
| Clark | Hamill | Nuttall | Schwarten | |

NOES, 29

| | | | | |
|----------|----------|-------------|----------|---------|
| Baumann* | Elliott | Laming | Paff | Sheldon |
| Beanland | Gamin | Lester | Prenzler | Simpson |
| Borbidge | Hegarty* | Littleproud | Quinn | Turner |
| Connor | Horan | Malone | Rowell | Veivers |
| Cooper | Johnson | Mitchell | Santoro | Watson |
| Davidson | Knuth | Nelson | Seeney | |

Pairs – (AYES) Mrs Attwood, Ms Boyle, Messrs Foley, Mickel, Mulherin and Musgrove, Ms Nelson–Carr, Messrs Pitt, Reeves, Reynolds and Wilson, and (NOES) Messrs Black, Dalglish, Feldman, Goss, Grice, Hobbs, Healy, Kingston and Lingard, Mrs Pratt, Messrs Slack and Springborg

*Tellers

Question agreed to.
Bill read a third time and passed.
Title agreed to.

8 LEGAL, CONSTITUTIONAL AND ADMINISTRATIVE REVIEW COMMITTEE – PAPER

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

Legal, Constitutional and Administrative Review Committee—

Inquiry into the prevention of electoral fraud – Issues Paper – September 2000

Ordered to be printed.

8 SPECIAL ADJOURNMENT

Leader of the House (Mr Mackenroth) moved – That the House, at its rising, do adjourn until 9.30am on Tuesday, 3 October 2000.

Question agreed to.

9 ADJOURNMENT

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

Question put and passed.

The House adjourned at 4.33pm.

10 ATTENDANCE

The following Members were present—

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

R K HOLLIS
Speaker

R D DOYLE
The Clerk of the Parliament