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1 **MEETING OF THE ASSEMBLY**

The Assembly met at 9.30 a.m., 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 12 September 2002—

- A Bill for an Act to amend the *Drug Rehabilitation (Court Diversion) Act 2000* to facilitate a drug court pilot program in North Queensland, and for other purposes (*Drug Rehabilitation (North Queensland Court Diversion Initiative) Amendment Act 2002* – Act No. 41 of 2002)
- A Bill for an Act about electrical safety, and for other purposes (*Electrical Safety Act 2002* – Act No. 42 of 2002)

3 **VACANCY IN SENATE OF COMMONWEALTH OF AUSTRALIA**

Mr Speaker informed the House that His Excellency the Governor was advised by the Governor-General of the Commonwealth of Australia of the resignation of Senator John Herron, as follows—

5 September 2002

His Excellency the Right Reverend Dr Peter Hollingworth, AC, OBE
Governor-General of the Commonwealth of Australia
Government House
CANBERRA ACT 2600

Your Excellency,

Section 19 of the Constitution provides—

"A senator may, by writing addressed to the President, or to the Governor-General if there is no President or if the President is absent from the Commonwealth, resign his place, which thereupon shall become vacant."

As the President of the Senate is absent from the Commonwealth, I address my resignation to you.

I resign my place as a Senator for the State of Queensland, pursuant to section 19 of the Constitution of the Commonwealth of Australia.

Yours sincerely
(signed)
JOHN HERRON

4 **STATEMENT BY SPEAKER – POSTPONEMENT OF ELECTION OF SENATOR**

Mr Speaker made the following statement—

'Standing Order 331 provides that within fourteen days after Parliament has received notification of a casual vacancy in the Senate, the Speaker shall summon every Member to meet for the purpose of electing a Senator as required by section 15 of the Commonwealth of Australia Constitution Act.

I understand, however, that the Liberal Party pre-selection will not be completed within that timeframe and therefore, the meeting will need to be postponed to a later date.'

5 **OFFICE OF THE GOVERNOR – ANNUAL REPORT**

Mr Speaker tabled the following paper—

Office of the Governor – Annual Report 2001-02

6 **DEATHS OF GUELFI PAUL SCASSOLA AND HAROLD BERTRAM LOWES**  
(Hansard p. 3486, 9.34am)

Premier and Minister for Trade (Mr Beattie), by leave, moved—
(1) That this House desires to place on record its appreciation of the services rendered to this State by the late Guelfi Paul Scassola and Harold Bertram Lowes, former Members of the Parliament of Queensland.

(2) That Mr Speaker be requested to convey to the families of the deceased gentlemen the above resolution, together with an expression of the sympathy and sorrow of the Members of the Parliament of Queensland, in the loss they have sustained.

Debate ensued.
Leader of the Opposition (Mr Horan) seconded the motion.
Debate continued.
Members signified their assent by standing in silence in their places.

7 ABSENCE OF THE CLERK OF THE PARLIAMENT
Mr Speaker advised the House of the absence of The Clerk of the Parliament on extended leave.

8 PETITION
The following petition, lodged with the Acting Clerk by the Member indicated, was received—
Mr Reynolds, from 74 petitioners, requesting the House investigate and assist in the introduction of a more regular and consistent schedule of bus services for the residents of Railway Estate, South Townsville, Garbutt and adjoining suburbs with particular emphasis upon weekend services and specifically the introduction of Sunday services.

9 PAPERS TABLED DURING THE RECESS
The Acting Clerk informed the House that the following papers, received during the recess, were tabled on the dates indicated—

10 September 2002—
   Reports by the Deputy Premier, Treasurer and Minister for Sport (Mr Mackenroth) pursuant to section 56A of the Statutory Instruments Act 1992
   Report by the Minister for Police and Corrective Services and Minister Assisting the Premier on the Carpentaria Minerals Province (Mr McGrady) in compliance with section 56A of the Statutory Instruments Act 1992

11 September 2002—
   Response from the Minister for Health and Minister Assisting the Premier on Women’s Policy (Mrs Edmond) to a petition presented by Mr Purcell from 18 petitioners, regarding changes to Queensland’s dental legislation
   Response from the Minister for Environment (Mr Wells) to a petition presented by Mr Lucas from 454 petitioners, regarding the Lytton Quarantine Jetty located at Fort Lytton
   Response from the Minister for Environment (Mr Wells) to a petition presented by Mrs Sheldon from 1,366 petitioners, regarding the use of jetskis (personal water craft) in the Pumicestone Passage area

13 September 2002—
   Apprenticeship and Traineeship Ombudsman – Annual Report 2001-2002
   Training and Employment Board – Annual Report 2001-2002

10 STATUTORY INSTRUMENTS
The following statutory instruments were tabled by the Acting Clerk—

Gas Act 1965—
   Gas Amendment Regulation (No. 1) 2002, No. 236

Transport Infrastructure Act 1994—
   Transport Infrastructure (State-controlled Roads) Amendment Regulation (No. 1) 2002, No. 237

Fair Trading Act 1989—
   Fair Trading Amendment Regulation (No. 2) 2002, No. 238
Aboriginal Land Act 1991—
Aboriginal Land Amendment Regulation (No. 2) 2002, No. 239
Building Act 1975—
Standard Building Amendment Regulation (No. 1) 2002, No. 240
City of Brisbane Act 1924, Local Government Act 1993—
Local Government Legislation Amendment and Repeal Regulation (No. 1) 2002, No. 241

11 MINISTERIAL STATEMENTS (Hansard p. 3494, 10.10am)
(a) Premier and Minister for Trade (Mr Beattie), by leave, made a ministerial statement relating to the success of the regional sitting of Parliament in Townsville.
(b) Premier and Minister for Trade (Mr Beattie), by leave, made a ministerial statement relating to assistance to the sugar industry.
(c) Premier and Minister for Trade (Mr Beattie), by leave, made a ministerial statement relating to recent ABS statistics on unemployment.
(d) Minister for Education (Ms Bligh), by leave, made a ministerial statement relating to Mrs Catherine O'Sullivan, winner of the Queensland Telstra Business Woman of the Year Award.
(e) Minister for Tourism and Racing and Minister for Fair Trading (Ms Rose), by leave, made a ministerial statement relating to the death of Mr George Pippos.
(f) Minister for Employment, Training and Youth and Minister for the Arts (Mr Foley), by leave, made a ministerial statement relating to TAFE Queensland training amongst indigenous students.

12 STATEMENT BY LEADER OF THE HOUSE – HOURS AND ORDER OF BUSINESS FOR TODAY
Leader of the House (Ms Bligh) advised that the House will continue to meet past 7.30 p.m. this day.
The House can break for dinner at 7.00 p.m. and resume its sitting at 8.30 p.m. Government Business will take precedence for the remainder of the day’s sitting, except for a 30–minute Adjournment Debate.

Distinguished visitors: Mr Speaker informed the House of the presence in the Gallery of Mrs Dorothy Birgan, former Mayor of Charters Towers and first female Mayor in North Queensland, who will be receiving her OAM at Government House this week.

13 SCRUTINY OF LEGISLATION COMMITTEE – PAPERS
Chairman of the Scrutiny of Legislation Committee (Mr Pitt) tabled the following papers—
Scrutiny of Legislation Committee—
Alert Digest No. 8 of 2002
Ordered to be printed.

14 PRIVATE MEMBERS’ STATEMENTS (Hansard p. 3500, 10.26am)
Private Members’ statements were made.

15 QUESTIONS WITHOUT NOTICE (Hansard p. 3501, 10.30am)
Questions without notice were asked.
Paper: Leader of the Opposition (Mr Horan) tabled the following paper—
Media release, dated 1 June 1998, by Peter Beattie MLA, then Leader of the Opposition, relating to the Townsville spinal pain unit.
Questions continued.

**Paper:** Minister for Health and Minister Assisting the Premier on Women’s Policy (Mrs Edmond) tabled the following paper—
Information on renal service enhancement under Labor

Questions continued.

**Paper:** Premier and Minister for Trade (Mr Beattie) tabled the following paper—
Report by Commission for Children and Young People entitled *Volatile substance misuse in Queensland*

Questions continued.

**Paper:** Premier and Minister for Trade (Mr Beattie), tabled the following paper—
Letter, dated 11 September 2002, from Mr Beattie to the Leader of the Liberal Party (Mr Quinn) relating to the resignation of Senator John Heron and the election of a new Senator

Questions continued.

**Paper:** Ms Lee Long tabled the following paper—
Article from *Cairns Post*, dated 6 September 2002, entitled *Patients kept in ambulances because hospital has no beds*

Questions continued.

16 **MATTERS OF PUBLIC INTEREST** (Hansard p. 3513, 11.31am)

Matters of public interest were debated.

**Papers:** Leader of the Opposition (Mr Horan), during his speech, tabled the following papers—
Graph entitled *Industry thought of when 'Queensland' mentioned*
Graph relating to business values

Debate continued.

**Papers:** Mr Springborg, by leave, during his speech, tabled the following papers and items—
Various documents relating to Cleveland Palms/Phantom Retreat, including—
6 CDs
Copies of photographs
Affidavits by Neil Graham McLeod
Correspondence to Thuringowa Town Clerk
Document entitled *1881 Easement for road purposes – description and location*
Press Release entitled *Public access to the Alligator Creek, the public esplanade and waterfront – for all residents, families and children in our community?*
Submission to consider recreating a public access to the public esplanade, lands and waterway
Document entitled *A public submission respectfully seeks the Premier of Queensland’s consideration and public response to these public issues of concern*

Debate continued.

**Paper:** Mr Cummins, by leave, during his speech, tabled the following paper—
Pamphlet, dated 24 August 2002, entitled *Lighting up our Journey – The Blessing and Opening, Stage 1, Siena Catholic Primary School Sippy Downs*

Debate continued.

Debate concluded.

17 **RACING BILL** (Hansard p. 3525, 12.30pm)

Minister for Tourism and Racing and Minister for Fair Trading (Ms Rose), by leave, moved – That leave be granted to bring in a Bill for an Act to provide for the racing industry in Queensland, including betting on races and sporting contingencies, and for other purposes.
Question put and agreed to.
Bill and Explanatory Notes presented by Ms Rose, Bill read a first time and ordered to be printed. Ms Rose moved – That the Bill be now read a second time. Debate ensued.

Mr Hobbs 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.

INTEGRATED PLANNING AMENDMENT BILL  
(Hansard p. 3526, 12.38pm)

Order of the day read for the adjourned debate on the motion of the Minister for Local Government and Planning (Mrs J Cunningham) – That the Bill be now read a second time. Debate resumed.

Matter of Privilege:  Mr Hobbs rose on a matter of privilege suddenly arising.  (Hansard p. 3537, 3.16pm)

Debate continued.

Question put.
The House divided.

AYES 61—

Attwood  
Barry  
Beattie  
Bligh  
Boyle  
Bredhauer  
Briskey  
Choi  
Clark, E  
Clark, L

Cummins  
Cunningham, J  
Edmond  
Fenlon  
Foley  
Fours  
Jarratt  
Keech  
Lavarch  
Lawlor

Lee  
Livingstone  
Lucas  
McGrady  
McNamara  
Mickel  
Miller  
Mulherin  
Nelson–Carr  
Nolan  
Nuttall  
Pearce  
Pitt  
Poole  
Purcell  
Reeves *  
Reilly  
Reynolds  
Roberts, N

Robertson  
Rodgers  
Rose  
Schwarten  
Scott, C  
Scott, D  
Shine  
Smith  
Spence  
Stone

Struthers  
Sullivan, C  
Sullivan, T *  
Welford  
Wells  
Wilson

NOES 21—

Copeland  
Cunningham, E  
Flynn  
Hobbs  
Hopper  
Horan  
Johnson  
Kingston

Lee Long  
Lester *  
Lingard  
Malone

Quinn  
Roberts, E  
Rowell  
Seaneey

Sheldon  
Simpson  
Springborg *  
Watson

Wellington

*Tellers

Question agreed to.
Bill read a second time.
Bill committed on the motion of Mrs J Cunningham.

In Committee  
(Hansard p. 3553)

Clause 1, as read, agreed to.
Clause 2—

Debate ensued.

Question put – That Clause 2, as read, stand part of the Bill. The Committee divided.
AYES 60—

Attwood  Barry  Barton  Beattie  Bligh  Boyle  Bredhauer  Briskey  Choi  Clark, E

Lawlor  Mulherin  Reilly  Smith  Cummins  Livingstone  Nolan  Nuttall  Pearce  McNamara  Miller  Molloy  Reeves *

Reeves *  Shine  Nelson–Carr  Reynolds  Spence  Roberts, N  Strong  Rodgers  Strongers  Pitt  Poole  Purcell  Scott, D  Wells  Wilson

NOES 21—

Copeland  Cunningham, E  Flynn  Hobbs  Hopper  Horan  Johnson  Kingston  Lee Long  Lennon

Lee  Nelson–Carr  Reynolds  Smith  Lister *  Roberts, E  Rowell  Seenity  Sheldon  Simpson

Palaszczuk  Pearce  Roberts  Rodgers  Sullivan, C  Rose  Schwartz  Welford  Miller  Malone  Seeeny  Scott, C  Wells  Watson

* Tellers

Question agreed to.
Clause 2, as read, agreed to.
Clause 3, as read, agreed to.

Clause 4 (Amendment of s 4.1.21 (Court may make declarations))—

The following amendment was proposed by Mrs J Cunningham—

At page 4, after line 12—

insert—

‘(2) Section 4.1.21—

insert—

‘(1A) However, an assessment manager may bring proceedings about a matter done, to be done or that should have been done for chapter 3, part 6, division 2 for a development application if, when the application was called in under that division, the assessment manager—

(a) had not decided the application; or

(b) had refused the application.’.’.

Paper:  Mrs J Cunningham tabled the following paper—

Integrated Planning Amendment Bill 2002 – Addendum to Explanatory Notes – Amendment in Committee to Clause 4

Debate ensued.
Question put – That Mrs J Cunningham’s amendment be agreed to.
The House divided.

AYES 60—

Atwood  Barry  Barton  Beattie  Bligh  Boyle  Bredhauer  Briskey  Choi  Clark, E

Lawlor  Mulherin  Reilly  Smith  Cummins  Livingstone  Nolan  Nuttall  Pearce  McNamara  Miller  Molloy  Reeves *

Reeves *  Shine  Nelson–Carr  Reynolds  Spence  Roberts, N  Strong  Rodgers  Strongers  Pitt  Poole  Purcell  Scott, D  Wells  Wilson

NOES 21—

Copeland  Cunningham, E  Flynn  Hobbs  Hopper  Horan  Johnson  Kingston  Lee Long  Lennon

Lee  Nelson–Carr  Reynolds  Smith  Lister *  Roberts, E  Rowell  Seeeny  Sheldon  Simpson

Palaszczuk  Pearce  Roberts  Rodgers  Sullivan, C  Rose  Schwartz  Welford  Miller  Malone  Seeeny  Scott, C  Wells  Watson

* Tellers

Question agreed to.
Clause 4, as amended, agreed to.
Clause 5, as read, agreed to.
Bill to be reported with an amendment.

In the House

Bill reported with an amendment.
Ordered – That the Bill, as amended, be taken into consideration.
Mrs J Cunningham, by leave, moved – That the Bill be now read a third time.
Question put.
The House divided.

AYES 59—
Attwood
Barry
Barton
Bligh
Boyle
Bredhauer
Brisker
Choi
Clark, E
Clark, L
Cummins

Lee
Livingstone
Lucas
Nolan
Nolan–Carr
Nuttall
Palaszczuk
Pearce
Phillips
Pitt
Miller
Molloy
Mulherin

Reilly
Reynolds
Robert, N
Robertson
Rodgers
Rose
Sullivan, C
Sullivan, T
Schwarten
Scott, C
Scott, D
Shine

Strong
Struthers

Stone

Welford
Wellington

Wilson

NOES 21—
Copeland
Cunningham, E
Flynn
Hobbs

Lee Long
Lester *
Lingard
Malone

Quinn
Reeves *
Rowell
Seeley

Sheldon
Smith
Springborg *

Wellington

Wells

Wilson

* Tellers

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

19 ENVIRONMENTAL PROTECTION AND OTHER LEGISLATION AMENDMENT BILL (Hansard p. 3556, 5.31pm)

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

Paper: Mrs E Cunningham, during her speech, tabled the following paper—
Letter, dated 12 August 2002, from B Whelan to Mr Wells relating to his ministerial statement on 7 August 2002

Debate continued.
Question put and agreed to.
Bill read a second time.
Bill committed on the motion of Mr Wells.

In Committee
(Hansard p. 3571)

Clauses 1 to 34, as read, agreed to.
Schedule, as read, agreed to.
Bill to be reported without amendment.

In the House

Bill reported without amendment.
Mr Wells, 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.

20 COMMUNITY SERVICES LEGISLATION AMENDMENT BILL AND INDIGENOUS COMMUNITIES LIQUOR LICENCES BILL (Hansard p. 3572, 8.35pm)
Order of the day read for the adjourned debate on the motion of the Minister for Families and Minister for Aboriginal and Torres Strait Islander Policy and Minister for Disability Services (Ms Spence) – That the Bills be now read a second time.
Debate resumed.
Debate adjourned on the motion of Ms Spence.

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

21 ADJOURNMENT (Hansard p. 3600, 11.34pm)
Minister for Families and Minister for Aboriginal and Torres Strait Islander Policy and Minister for Disability Services (Ms Spence) moved – That this House do now adjourn.
Debate ensued.
And the House having continued to sit till 12 midnight—

WEDNESDAY, 18 SEPTEMBER 2002

Debate continued.
Question put and agreed to.
The House adjourned at 12.03 a.m.

22 ATTENDANCE
The following members were present—

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R K HOLLIS
SPEAKER

N J LAURIE
ACTING CLERK OF THE PARLIAMENT

BY AUTHORITY
K A TYNDALL, ACTING GOVERNMENT PRINTER, QUEENSLAND

2002-012