

2001–03



LEGISLATIVE ASSEMBLY OF QUEENSLAND

FIRST SESSION OF THE FIFTIETH PARLIAMENT

VOTES AND PROCEEDINGS

NO. 130

THURSDAY, 11 SEPTEMBER 2003

CONTENTS

ADJOURNMENT	1212
ATTENDANCE	1212
BUILDING AMENDMENT BILL	1209
CHILD PROTECTION (INTERNATIONAL MEASURES) BILL	1209
HIGHER EDUCATION (GENERAL PROVISIONS) BILL	1211
HOUSING BILL	1209
LEGAL, CONSTITUTIONAL AND ADMINISTRATIVE REVIEW COMMITTEE – PAPERS	1208
MATTERS OF PRIVILEGE	1206, 1208
MEETING OF THE ASSEMBLY	1206
MINISTERIAL STATEMENTS	1207
PARLIAMENT OF QUEENSLAND (CHANGE OF POLITICAL STATUS) BILL	1208
PASTORAL WORKERS' ACCOMMODATION AMENDMENT BILL	1211
PETITIONS	1206
POSTPONED ORDER – GOVERNMENT BUSINESS	1211
PUBLIC ACCOUNTS COMMITTEE – PAPER	1208
PUBLIC WORKS COMMITTEE – PAPER	1208
QUESTIONS WITHOUT NOTICE	1208
SPECIAL ADJOURNMENT	1212
STATEMENT BY SPEAKER—	
QUESTIONS ON NOTICE	1206

1 MEETING OF THE ASSEMBLY

The Assembly met at 9.30am, pursuant to adjournment. The Speaker (Honourable R. K. Hollis) read prayers.

2 MATTER OF PRIVILEGE (Hansard p. 3487, 9.31am)

Premier and Minister for Trade (Mr Beattie) rose on a matter of privilege.

3 STATEMENT BY SPEAKER – QUESTIONS ON NOTICE

Mr Speaker made the following statement—

'Honourable Members

I wish to once again draw to the attention of honourable members the Standing and Sessional Orders relating to the asking of questions.

Sessional Order 68 provides for the general rules relating to questions and those rules include:

- Questions shall be brief and relate to one issue.
- Questions shall not contain arguments, imputations or hypothetical issues.
- Questions shall not ask for an expression of opinion or a legal opinion.
- Questions shall not be unduly lengthy.

In addition, Sessional Order 67A provides that questions may be put to a Minister about matters of administration for which they are responsible.

I am also becoming disturbed with the recent trend in questions, with and without notice, relating to the administration of justice. Whilst these questions are strictly not sub judice, they are nonetheless out of order.

The Director of Prosecutions and the Queensland Police Service act independently from the Government in deciding who is or is not charged with offences. Therefore, it is not in order, for example, to ask the Minister for Police as to when charges will be laid against a person. That is not a matter of administration for which the Minister is responsible.

While most questions being asked conform with the Sessional Orders, since my last statement on this matter there has been an increasing number which do not comply with the rules.

While I have always given some leeway to members questions in the past, I have a duty to monitor questions and enforce Standing and Sessional Orders where necessary.

I implore members to take more care with the drafting of their questions to ensure that they do not contravene Standing and Sessional Orders.

Members should be particularly careful to ensure that their questions relate to one issue only, are brief and not unduly lengthy and are not about issues outside the responsibility of Ministers.'

4 PETITIONS

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

Ms Male from 39 petitioners requesting the House to reject the proposed Primary Industries and Other Legislation Amendment Bill 2003 to the extent to which it relates to the abolition of all raw milk sales to the public and all "share cow" arrangements.

Ms Lee Long from 81 petitioners requesting the House to remove fees, charges and conditions or drastically reduce the fees and conditions attached to licences for pontoon owners in the Lake Tinaroo area.

Mr English from 614 petitioners requesting the House provide additional funds to the Redland Shire Council to improve their mosquito eradication program on the Southern Moreton Bay Islands and Redland Bay.

Miss Simpson from 672 petitioners requesting the House to support the urgent dredging of the Mooloolah River mouth and to ensure timely maintenance dredging is undertaken on an on-going basis to prevent the extreme build up of sand blocking safe access to Mooloolah River for commercial operators as well as recreational boats.

5 MINISTERIAL STATEMENTS (Hansard p. 3488, 9.35am)

- (a) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to the second anniversary of the September 11 terrorist attacks in the United States of America. Members observed a minute's silence in remembrance by standing in their places.
- (b) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to the 2003 Premier of Queensland Literary Awards.
- (c) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to his visit to Townsville on 12 September and the redevelopment of the Townsville railway station and the new Nelly Bay ferry terminal.
- (d) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to the success of the e-petition process.
- (e) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to water needs in Toowoomba and the Lockyer district.
- (f) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to the Queensland economy and the Australian Bureau of Statistics.
- (g) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to the Surf Life Saving Queensland rescue appeal.
- (h) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to the sugar industry.

Paper: Mr Beattie, during his statement, tabled the following paper—

Copy of Memorandum of Understanding, dated 25 September 2002, between the Federal and Queensland Governments entitled *The Commonwealth and Queensland Working Together for the Sugar Industry and Communities*

- (i) Minister for Education (Ms Bligh) made a ministerial statement relating to the State Awards for Excellence.
- (j) Minister for Health and Minister Assisting the Premier on Women's Policy (Mrs Edmond) made a ministerial statement relating to funding for oral health services.
- (k) Minister for State Development (Mr Barton) made a ministerial statement relating to the growth of the super yacht industry in Queensland.
- (l) Minister for Police and Corrective Services and Minister Assisting the Premier on the Carpentaria Minerals Province (Mr McGrady) made a ministerial statement relating to the Queensland Police Union.
- (m) Minister for Transport and Minister for Main Roads (Mr Bredhauer) made a ministerial statement relating to safety in the public transport.
- (o) Minister for Environment (Mr Wells) made a ministerial statement relating to the Mooney Pipeline Co Ltd.
- (p) Minister for Public Works and Minister for Housing (Mr Schwarten) made a ministerial statement relating to the 10th anniversary of the Home Assist Secure Program.
- (q) Minister for Families and Minister for Aboriginal and Torres Strait Islander Policy and Minister for Disability Services and Minister for Seniors (Ms Spence) made a ministerial statement relating to child abuse awareness.
- (r) Minister for Primary Industries and Rural Communities (Mr Palaszcuk) made a ministerial statement relating to OGME Industries and kangaroo meat and other meat consumption.
- (s) Minister for Primary Industries and Rural Communities (Mr Palaszcuk) made a ministerial statement relating to the Toowoomba Carnival of Flowers.

- (t) Minister for Natural Resources and Minister for Mines (Mr Robertson) made a ministerial statement relating to the Gold Coast water supply.
- (u) Minister for Innovation and Information Economy (Mr Lucas) made a ministerial statement relating to domestic mobile phone roaming.

6 PUBLIC WORKS COMMITTEE – PAPER

Chair of the Public Works Committee (Mr Livingstone) tabled the following paper—

*Public Works Committee—
Annual Report 2002-03*

7 PUBLIC ACCOUNTS COMMITTEE – PAPER

Deputy Chair of the Public Accounts Committee (Dr Watson) tabled the following paper—

*Public Accounts Committee—
Annual Report 2002-03*

8 LEGAL, CONSTITUTIONAL AND ADMINISTRATIVE REVIEW COMMITTEE – PAPERS

(Hansard p. 3502, 10.24am)

Chair of the Legal, Constitutional and Administrative Review Committee (Ms Struthers) tabled the following papers—

*Legal, Constitutional and Administrative Review Committee—
Report No. 42 entitled *Hands on Parliament – A parliamentary committee inquiry into Aboriginal and Torres Strait Islander peoples' participation in Queensland's democratic processes*, together with submissions received*

9 PARLIAMENT OF QUEENSLAND (CHANGE OF POLITICAL STATUS) BILL (Hansard p. 3503, 10.25am)

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

Debate resumed.

Debate adjourned on the motion of Premier and Minister for Trade (Mr Beattie).

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

Distinguished visitor. Mr Speaker informed the House of the presence in the Gallery of Mr Eric Deeral, former Member of the Legislative Assembly.

10 QUESTIONS WITHOUT NOTICE (Hansard p. 3504, 10.30am)

Questions without notice were asked.

Paper: Minister for Health and Minister Assisting the Premier on Women's Policy (Mrs Edmond) tabled the following paper—

Copy of an article from the *British Medical Journal*, dated 23 August 2003, entitled *Quality improvement report - Sustaining better diabetes care in remote indigenous Australian communities*

Questions continued.

Questions concluded.

11 MATTER OF PRIVILEGE (Hansard p. 3516, 11.30am)

Premier and Minister for Trade (Mr Beattie) rose on a matter of privilege.

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

Copy of a facsimile, dated 11 September 2003, from Mr Brendan Butler, Chairperson of the Crime and Misconduct Commission to Mr Beattie relating to the Commission's response to a matter referred by Mr Beattie regarding the Queensland Police Union of Employees

A copy of a media release, dated 10 September 2003, by the Crime and Misconduct Commission entitled *CMC Response to Matter referred by Premier re QPUE*

12 HOUSING BILL (Hansard p. 3443, 11.32am)

Order of the day read for the adjourned debate on the motion of the Minister for Public Works and Minister for Housing (Mr Swarten) – 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 Swarten.

In Committee

Clauses 1 to 153, as read, agreed to.

Schedules 1 to 3, as read, agreed to.

Bill to be reported without amendment.

In the House

Bill reported without amendment.

Mr Swarten, 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.

13 BUILDING AMENDMENT BILL (Hansard p. 3532, 12.51pm)

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.

Question put and agreed to.

Bill read a second time.

Bill committed on the motion of Mrs J Cunningham.

In Committee

Clauses 1 to 12, as read, agreed to.

Bill to be reported without amendment.

In the House

Bill reported without amendment.

Mrs J Cunningham, 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.

14 CHILD PROTECTION (INTERNATIONAL MEASURES) BILL (Hansard p. 3541, 3.17pm)

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 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 Ms Spence.

In Committee

Clauses 1 to 39, as read, agreed to.

Schedules 1 and 2, as read, agreed to.

Schedule 3 (Other amendments of Acts)—

Paper: Ms Spence tabled the following paper—

Explanatory Notes to Amendments in Committee to the Children Protection (International Measures) Bill

The following amendments were proposed by Ms Spence—

At page 63, after line 5—

insert—

Section 127(2) and (3)—

omit, insert—

‘(2) The licence may be issued subject to the reasonable conditions the chief executive considers appropriate.

‘(3) The licence must be in the approved form.

‘(4) The approved form must provide for the inclusion of the following—

- (a) the licensee’s name;
- (b) the name of the nominee for the licence;
- (c) the address of the licensed premises;
- (d) any conditions of the licence.’.

At page 63, after line 8—

insert—

Section 134(2) and (3)—

omit, insert—

‘(2) The certificate may be issued subject to the reasonable conditions the chief executive considers appropriate.

‘(3) The certificate must be in the approved form.

‘(4) The approved form must provide for the inclusion of the following—

- (a) the approved foster carer’s name;
- (b) the type of care approved to be provided;
- (c) any conditions of the certificate.’.

At page 63, after line 11—

insert—

Section 137—

insert—

‘(3A) If the amendment is about changing the nominee for a licence, in deciding whether the amendment is necessary or desirable, the chief executive must consider whether the proposed nominee is a suitable person.’.

Section 139(a) to (d)—

renumber as section 139(c) to (f).

Section 139—

insert—

- ‘(a) if the authority is a licence—a relevant person, for the licence, is not a suitable person;
- (b) if the authority is a certificate of approval—
 - (i) the holder of the certificate is not a suitable person to be an approved foster carer; or
 - (ii) a member of the holder’s household is not a suitable person to associate on a daily basis with children;’.

Section 139—

insert—

‘(2) In this section—

“**relevant person**”, for a licence, means—

- (a) a director of the licensee; or
- (b) the nominee for the licence; or
- (c) a person responsible for directly managing the care service the subject of the licence; or
- (d) a person who is engaged in relation to the provision of care services by the service.’.

At page 63, line 25, ‘a licence or a licensee’—

omit, insert—

‘the licence or the licensee’.

Debate ensued.

Question – That Ms Spence's amendments be agreed to – put and agreed to.

Schedule 3, as amended, agreed to.

Schedule 4, as read, 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.

Ms Spence, 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.

15 PASTORAL WORKERS' ACCOMMODATION AMENDMENT BILL (Hansard p. 3550, 4pm)

Order of the day read for the adjourned debate on the motion of the Minister for Industrial Relations (Mr Nuttall) – 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 Nuttall.

In Committee

Clauses 1 to 26, as read, agreed to.

Bill to be reported without amendment.

In the House

Bill reported without amendment.

Mr Nuttall, 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.

16 POSTPONED ORDER – GOVERNMENT BUSINESS

Leader of the House (Ms Bligh) moved – That Government Business Order of the Day No. 5 be postponed until a later hour of the sitting.

Question put and agreed to.

17 HIGHER EDUCATION (GENERAL PROVISIONS) BILL (Hansard p.3561, 5pm)

Order of the day read for the adjourned debate on the motion of the Minister for Education (Ms Bligh) – That the Bill be now read a second time.

Debate resumed.

Papers: Mr Cummins, by leave, during his speech, tabled the following papers—

Newsletter from Kawana Waters State High School and brochure for 2003 Showcase Awards for Excellence

Debate continued.

Papers: Ms Bligh, during her speech, tabled the following papers—

Addendum to the Explanatory Notes to Amendments in Committee to the Higher Education (General Provisions) Bill
Explanatory Notes to Amendments in Committee to the Higher Education (General Provisions) Bill

Debate continued.

Question put and agreed to.

Bill read a second time.

Bill committed on the motion of Ms Bligh.

In Committee

Clauses 1 to 82, as read, agreed to.

New Clause 82A—

The following amendment was proposed by Ms Bligh—

At page 42, after line 15—

insert—

'82A Conferring of higher education award without course being undertaken

'A person, other than a university, must not confer a higher education award on another person unless the other person has undertaken a course leading to the award.¹

Maximum penalty—200 penalty units.'

Debate ensued.

Question – That Ms Bligh's amendment be agreed to – put and agreed to.

Clauses 83 to 102, as read, agreed to.

Schedules 1 and 2, 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.

Ms Bligh, 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.

18 SPECIAL ADJOURNMENT

Leader of the House (Ms Bligh) moved – That this House at its rising do adjourn until 9.30 a.m. on Tuesday, 7 October 2003.

Question put and agreed to.

19 ADJOURNMENT (Hansard p. 3584, 7.15pm)

Leader of the House (Ms Bligh) moved – That this House do now adjourn.

Debate ensued.

Question put and agreed to.

The House adjourned at 7.38pm.

20 ATTENDANCE

The following members were present—

Attwood	Cummins	Keech	Mickel	Quinn	Simpson
Barry	Cunningham, E	Lavarch	Miller	Reeves	Smith
Barton	Cunningham, J	Lawlor	Molloy	Reilly	Spence
Beattie	Edmond	Lee	Mulherin	Reynolds	Springborg
Bell	English	Lee Long	Nelson–Carr	Roberts, E	Stone
Bligh	Fenlon	Lester	Nolan	Roberts, N	Strong
Boyle	Flynn	Lingard	Nuttall	Robertson	Struthers
Bredhauer	Foley, M	Livingstone	Palaszcuk	Rodgers	Sullivan, C
Briskey	Fouras	Lucas	Pearce	Rose	Sullivan, T
Choi	Hayward	Mackenroth	Phillips	Rowell	Watson
Clark, E	Hobbs	Male	Pitt	Schwarten	Wellford
Clark, L	Hopper	Malone	Poole	Scott, C	Wellington
Copeland	Horan	McGrady	Pratt	Scott, D	Wells
Croft	Jarratt	McNamara	Purcell	Shine	Wilson

¹ See also sections 44 (Conferring of higher education award by overseas higher education institution etc.), 58 (Conferring of higher education award by non-university provider etc.) and 71 (Conferring of higher education award by interstate university etc.).

**R K HOLLIS
SPEAKER**

**N J LAURIE
THE CLERK OF THE PARLIAMENT**