

2001–03



LEGISLATIVE ASSEMBLY OF QUEENSLAND

FIRST SESSION OF THE FIFTIETH PARLIAMENT

VOTES AND PROCEEDINGS

NO. 134

TUESDAY, 14 OCTOBER 2003

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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.3971, 9.31am)

Leader of the House (Ms Bligh) rose on a matter of privilege.

Paper: Ms Bligh, during her speech, tabled the following paper—

Table showing average number of questions asked by government and non-government members during question time for the years 1996 to 2003

3 PAPERS TABLED DURING THE RECESS

The Clerk informed the House that the following papers, received during the recess, were tabled on the date indicated—

13 October 2003—

Treasurer's Appropriation Statement 2002-03

Statement Of Unforeseen Expenditure To Be Appropriated 2002-03

Four reports by the Minister for Natural Resources and Minister for Mines (Mr Robertson) pursuant to section 56A(4) of the Statutory Instruments Act 1992

Report by the Minister for Environment (Mr Wells) pursuant to section 56A(4) of the Statutory Instruments Act 1992

4 STATUTORY INSTRUMENTS

The following statutory instruments were tabled by the Clerk—

Fisheries Act 1994—

Fisheries Amendment Regulation (No. 2) 2003, No. 213 (This instrument replaces the previous version of No. 213 tabled on 7 October 2003)

Health Practitioners (Special Events Exemption) Act 1998—

Health Practitioners (Special Events Exemption) Amendment Regulation (No. 2) 2003, No. 243

State Penalties Enforcement Act 1999—

State Penalties Enforcement Amendment Regulation (No. 8) 2003, No. 244

Nature Conservation Act 1992—

Nature Conservation (Protected Areas) Amendment Regulation (No. 3) 2003, No. 245

Architects Act 2002—

Architects Amendment Regulation (No. 1) 2003, No. 246

Professional Engineers Act 2002—

Professional Engineers Amendment Regulation (No. 1) 2003, No. 247

5 MINISTERIAL STATEMENTS (Hansard p.3972, 9.33am)

- (a) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to the preservation of the grey nurse shark.

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

Report by Department of Primary Industries and Environmental Protection Agency entitled *Grey nurse shark : Regulatory Impact Statement (RIS) and Draft Public Benefit Test (PBT) : October 2003*

- (b) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to the Smithsonian Institute and the inaugural meeting of the Queensland Smithsonian Alumni.

- (c) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to the Rugby World Cup.

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

Advertisement from *Westside News*, dated 15 October 2003 relating to the use of public transport to attend Rugby World Cup matches

- (d) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to the Dr Alf Ottone Memorial Youth Assistance Fund.
- (e) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to Roma Street Parklands.
- (f) Minister for Education (Ms Bligh) made a ministerial statement relating to technology in schools.
- (g) Minister for Health and Minister Assisting the Premier on Women's Policy (Mrs Edmond) made a ministerial statement relating to a doctors' threat to withdraw from public hospitals.
- (h) Minister for Police and Corrective Services and Minister Assisting the Premier on the Carpentaria Minerals Province (Mr McGrady) made a ministerial statement relating to an incident at the Arthur Gorrie Correctional Centre.
- (i) Minister for Transport and Minister for Main Roads (Mr Bredhauer) made a ministerial statement relating to public transport for major events in Brisbane.
- (j) Minister for Environment (Mr Wells) made a ministerial statement relating to conservation agreements with the Environmental Protection Agency.
- (k) Minister for Public Works and Minister for Housing (Mr Schwarten) made a ministerial statement relating to affordable housing and Anti-Poverty Week.
- (l) Minister for Primary Industries and Rural Communities (Mr Palaszczuk) made a ministerial statement relating to the grey nurse shark.
- (m) Minister for Tourism and Racing and Minister for Fair Trading (Ms Rose) made a ministerial statement relating to Queensland's share of the Australian cruise industry.

Paper: Ms Rose, during her statement, tabled the following paper—
Booklet entitled xx xx

- (n) Minister for Local Government and Planning (Mrs J Cunningham) made a ministerial statement relating to information for prospective local government candidates.
- (o) Minister for Innovation and Information Economy (Mr Lucas) made a ministerial statement relating to the sale of Telstra.

And Mr Lingard, rising on a point of order, moved – That the Minister for Innovation and Information Economy (Mr Lucas) be not further heard.

Question put.

The House divided.

AYES 18—

<i>Copeland</i>	<i>Hobbs</i>	<i>Johnson</i>	<i>Lingard</i>	<i>Roberts, E</i>	<i>Simpson</i>
<i>Cunningham, E</i>	<i>Hopper</i>	<i>Lee Long</i>	<i>Malone</i>	<i>Rowell</i>	<i>Springborg</i>
<i>Flynn</i>	<i>Horan</i>	<i>Lester *</i>	<i>Quinn</i>	<i>Seeney</i>	<i>Watson *</i>

NOES 67—

<i>Attwood</i>	<i>Cummins</i>	<i>Lawlor</i>	<i>Nelson–Carr</i>	<i>Reynolds</i>	<i>Strong</i>
<i>Barry</i>	<i>Cunningham, J</i>	<i>Lee</i>	<i>Nolan</i>	<i>Roberts, N</i>	<i>Struthers</i>
<i>Barton</i>	<i>Edmond</i>	<i>Livingstone</i>	<i>Nuttall</i>	<i>Robertson</i>	<i>Sullivan, C</i>
<i>Bell</i>	<i>English</i>	<i>Lucas</i>	<i>Palaszczuk</i>	<i>Rodgers</i>	<i>Sullivan, T *</i>
<i>Beattie</i>	<i>Fenlon</i>	<i>Mackenroth</i>	<i>Pearce</i>	<i>Rose</i>	<i>Welford</i>
<i>Bligh</i>	<i>Foley, C</i>	<i>Male</i>	<i>Phillips</i>	<i>Schwarten</i>	<i>Wells</i>
<i>Boyle</i>	<i>Foley, M</i>	<i>McGrady</i>	<i>Pitt</i>	<i>Scott, C</i>	<i>Wilson</i>
<i>Bredhauer</i>	<i>Fouras</i>	<i>McNamara</i>	<i>Poole</i>	<i>Scott, D</i>	
<i>Briskey</i>	<i>Hayward</i>	<i>Mickel</i>	<i>Pratt</i>	<i>Shine</i>	
<i>Choi</i>	<i>Jarratt</i>	<i>Miller</i>	<i>Purcell</i>	<i>Smith</i>	
<i>Clark, E</i>	<i>Keech</i>	<i>Molloy</i>	<i>Reeves *</i>	<i>Spence</i>	
<i>Croft</i>	<i>Lavarch</i>	<i>Mulherin</i>	<i>Reilly</i>	<i>Stone</i>	

* Tellers

Question negatived.

Whereupon Mr Lucas concluded his statement.

6 SELECT COMMITTEE ON THE CONSEQUENCES OF CHANGING POLITICAL STATUS – APPOINTMENT OF MEMBERS

Leader of the House (Ms Bligh), by leave, moved that—

- (1) Mr Mickel, Mrs Lavarch, Mr Purcell, Mr Wilson, Dr Watson, Mr Seeney and Mr Wellington be appointed as the members of the Select Committee on the Consequences of Changing Political Status.
- (2) Mr Mickel be the Chair of the Committee.

Question put and agreed to.

7 STATEMENT BY LEADER OF THE HOUSE – HOURS AND ORDER OF BUSINESS FOR TODAY

Leader of the House (Ms Bligh) made the following statement—

'I advise Honourable Members that the House can continue to meet past 7.30pm this day.

The House can break for dinner at 7pm and resume its sitting at 8.30pm.

The Order of Business shall then be Government Business, followed by a 30 minute adjournment debate.'

8 MEMBERS' ETHICS AND PARLIAMENTARY PRIVILEGES COMMITTEE – PAPERS

Chair of the Members' Ethics and Parliamentary Privileges Committee (Mrs Attwood) tabled the following papers—

Members' Ethics and Parliamentary Privileges Committee—

Report No. 58 – Annual Report 2002-03

Audit of Discharge of Responsibilities 1 July 2002 to 30 June 2003

9 PARLIAMENTARY CRIME AND MISCONDUCT COMMITTEE – PAPER

Chair of the Parliamentary Crime and Misconduct Committee (Mr Wilson) tabled the following paper—

Parliamentary Crime and Misconduct Committee—

Report No. 61 – Annual Report 2002-03

10 PRIVATE MEMBERS' STATEMENTS (Hansard p.3984, 10.25am)

Private Members' statements were made.

11 QUESTIONS WITHOUT NOTICE (Hansard p.3985, 10.29am)

Questions without notice were asked.

Paper: Leader of the Opposition (Mr Springborg) tabled the following paper—

Extract from the State Budget 2003-04 regarding staff numbers for the Department of Families

Questions continued.

Paper: Deputy Premier, Treasurer and Minister for Sport (Mr Mackenroth) tabled the following paper—

Copy of various policies of the Queensland Nationals

Questions continued.

Paper: Premier and Minister for Trade (Mr Beattie) tabled the following paper—

Article by Rachelle Chapman in the *Dalby Herald*, dated 26 August 2003, entitled *Hopper 'puts boot' into Beattie*

Questions continued.

Matter of Privilege: Leader of the Opposition (Mr Springborg) rose on a matter of privilege. (Hansard p.3990, 10.57am)

Matter of Privilege: Premier and Minister for Trade (Mr Beattie) rose on a matter of privilege suddenly arising. (Hansard p.3993, 11.10am)

Paper: Mr Beattie, during his speech, tabled the following paper—
Printout from the Queensland Nationals' webpage relating to Queensland Nationals' policies

Questions resumed.
Questions concluded.

12 MATTERS OF PUBLIC INTEREST (Hansard p.3997, 11.30am)

Matters of public interest were debated.

13 APPROPRIATION BILL (NO. 2) (Hansard p.4009, 12.30pm)

Deputy Premier, Treasurer and Minister for Sport (Mr Mackenroth), by leave, moved – That leave be granted to bring in a Bill for an Act authorising the Treasurer to pay amounts from the consolidated fund for departments for the financial year starting 1 July 2002.
Question put and agreed to.

Message: The following message from Her Excellency the Governor was received and read—

**"MESSAGE
APPROPRIATION BILL (NO. 2) 2003
Constitution of Queensland 2001, section 68**

I, QUENTIN BRYCE, Governor, recommend to the Legislative Assembly a Bill intituled—
A Bill for an Act authorising the Treasurer to pay amounts from the consolidated fund for departments for the financial year starting 1 July 2002.

Quentin Bryce
GOVERNOR

9 October 2003"

Bill and Explanatory Notes presented by Mr Mackenroth, Bill read a first time and *ordered* to be printed.

Mr Mackenroth moved – That the Bill be now read a second time.

Debate ensued.

Mr Lingard 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.

14 APPROPRIATION (PARLIAMENT) BILL (NO. 2) (Hansard p.4010, 12.33pm)

Deputy Premier, Treasurer and Minister for Sport (Mr Mackenroth), by leave, moved – That leave be granted to bring in a Bill for an Act authorising the Treasurer to pay amounts from the consolidated fund for departments for the financial year starting 1 July 2002.
Question put and agreed to.

Message: The following message from Her Excellency the Governor was received and read—

**"MESSAGE
APPROPRIATION (PARLIAMENT) BILL (NO. 2)
Constitution of Queensland 2001, section 68**

I, QUENTIN BRYCE, Governor, recommend to the Legislative Assembly a Bill intituled—
A Bill for an Act authorising the Treasurer to pay an amount from the consolidated fund for the Legislative Assembly and parliamentary service for the financial year starting 1 July 2002.

Quentin Bryce
GOVERNOR

9 October 2003"

Bill and Explanatory Notes presented by Mr Mackenroth, Bill read a first time and *ordered* to be printed.

Mr Mackenroth moved – That the Bill be now read a second time.

Debate ensued.

Mr Lingard 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.

15 BEACH PROTECTION LEGISLATION AMENDMENT BILL (Hansard p.4010, 12.36pm)

Minister for Environment (Mr Wells), by leave, moved – That leave be granted to bring in a Bill for an Act to amend the *Beach Protection Act 1968* and the *Coastal Protection and Management and Other Legislation Amendment Act 2001*.

Question put and agreed to.

Bill and Explanatory Notes presented by Mr Wells, Bill read a first time and *ordered* to be printed.

Mr Wells moved – That the Bill be now read a second time.

Debate ensued.

Mr Lingard 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.

16 EDUCATION AND OTHER LEGISLATION (STUDENT PROTECTION) AMENDMENT BILL (Hansard p.4012, 12.45pm)

Minister for Education (Ms Bligh), by leave, moved – That leave be granted to bring in a Bill for an Act to amend Acts administered by the Minister for Education, and for other purposes.

Question put and agreed to.

Bill and Explanatory Notes presented by Ms Bligh, Bill read a first time and *ordered* to be printed.

Ms Bligh moved – That the Bill be now read a second time.

Debate ensued.

Mr Copeland 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.

17 LOCAL GOVERNMENT AND OTHER LEGISLATION AMENDMENT BILL (Hansard p.4015, 12.51pm)

Minister for Local Government and Planning (Mrs J Cunningham), by leave, moved – That leave be granted to bring in a Bill for an Act to amend local government legislation, and for other purposes.

Question put and agreed to.

Bill and Explanatory Notes presented by Mrs J Cunningham, Bill read a first time and *ordered* to be printed.

Mrs J Cunningham 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.

18 INTEGRATED PLANNING AND OTHER LEGISLATION AMENDMENT BILL (Hansard p.4017, 2.30pm)

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.

Paper: Mrs J Cunningham, during her speech, tabled the following paper—

Explanatory Notes to Amendments in Committee to the Integrated Planning and Other Legislation Amendment Bill 2003

Debate continued.
 Bill read a second time.
 Bill committed on the motion of Mrs J Cunningham.

In Committee

Clauses 1 to 31, as read, agreed to.

Clause 32 (Insertion of new ch 6, pt 2, div 3)—

The following amendments were proposed by Mrs J Cunningham—

At page 51, after line 16—

insert—

‘(c) for sections 3.2.4 and 5.1.25, an assumption about the type, scale, location or timing of future development on which the plan is based has effect as if the assumption were stated in a priority infrastructure plan.’.

At page 51, after line 27—

insert—

‘(d) for sections 3.2.4 and 5.1.25, an assumption about the type, scale, location or timing of future development on which the plan is based has effect as if the assumption were stated in a priority infrastructure plan.’.

Debate ensued.

Question – That Mrs J Cunningham's amendments be agreed to – put and agreed to.

Clause 32, as amended, agreed to.

Clauses 33 and 34, as read, agreed to.

Clause 35 (Amendment of sch 10 (Dictionary))—

The following amendments were proposed by Mrs J Cunningham—

At page 56, lines 1 to 5—

omit, insert—

‘**“establishment cost”**, for infrastructure, means—

- (a) on-going administration costs for the infrastructure charges schedule for the infrastructure; and
- (b) for future infrastructure—all costs for the design, financing and construction of the infrastructure and for land acquisition for the infrastructure; and
- (c) for existing infrastructure—
 - (i) the cost of reconstructing the same works using contemporary materials, techniques and technologies; and
 - (ii) if the land acquisition for the infrastructure was completed after 1 January 1990—the present value of the amount (if any) paid by the infrastructure provider for acquiring the land.’.

At page 56, lines 27 to 33 and page 57, lines 1 to 3—

omit, insert—

‘1. **“Priority infrastructure area”** means the area—

- (a) that is developed, or approved for development, for each of the following purposes—
 - (i) residential, other than rural residential;
 - (ii) retail and commercial;
 - (iii) industrial; and
- (b) that will accommodate at least 10 years, but not more than 15 years, of growth for the purposes mentioned in paragraph (a).’.

At page 57, lines 11 to 13—

omit, insert—

‘(b) includes the plans for trunk infrastructure; and’.

Debate ensued.

Question – That Mrs J Cunningham's amendments be agreed to – put and agreed to.

Clause 35, as amended, agreed to.

Clauses 36 to 103, as read, agreed to.

Clause 104 (Amendment of s 6.1.45A (Development control plans under repealed Act))—

The following amendment was proposed by Mrs J Cunningham—

At page 107, after line 8—

insert—

‘(1AB) If a proposed IPA planning scheme is to include an unamended development control plan, schedule 1, sections 3 to 8, 12 to 14 and 17 do not apply for the development control plan.’.

Debate ensued.

Question – That Mrs J Cunningham's amendment be agreed to – put and agreed to.

Clause 104, as amended, agreed to.

Clauses 105 to 151, as read, agreed to.

Schedule, 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.

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.

19 ARTS LEGISLATION AMENDMENT BILL (Hansard p.4033, 3.56pm)

Order of the day read for the adjourned debate on the motion of the Minister for Employment, Training and Youth and Minister for the Arts (Mr M Foley) – 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 M Foley.

In Committee

Clauses 1 to 42, as read, agreed to.

Bill to be reported without amendment.

In the House

Bill reported without amendment.

Mr M Foley, 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 POLICE SERVICE ADMINISTRATION (ALCOHOL AND DRUG TESTING) AMENDMENT BILL
(Hansard p.4059, 6.23pm)

Order of the day read for the adjourned debate on the motion of the Minister for Police and Corrective Services and Minister Assisting the Premier on the Carpentaria Minerals Province (Mr McGrady) – That the Bill be now read a second time.

Debate resumed.

Paper: Mr McGrady, during his speech, tabled the following paper—

Explanatory Notes to Amendments in Committee to the Police Service Administration (Alcohol and Drug Testing) Amendment Bill 2003

Question put and agreed to.

Bill read a second time.

Bill committed on the motion of Mr McGrady.

In Committee

Clauses 1 to 4, as read, agreed to.

Clause 5 (Insertion of new pt 5A)—

The following amendments were proposed by Mr McGrady —

At page 10, after line 15—

insert—

‘ **(4)** This section does not apply to a relevant member who is a police officer to the extent it prevents the member consuming alcohol while performing duties under an exemption under section 5A.9(3A).’

At page 11, after line 11—

insert—

‘ **(3A)** Also, the commissioner or deputy commissioner may, in writing, exempt a relevant member or class of relevant member from random alcohol testing, either generally or in particular circumstances.

Examples—

1. The relevant member may be a covert operative.
2. The relevant member may be required to consume alcohol at a hotel when keeping a person suspected of engaging in criminal activities under surveillance.’

At page 12, after line 27—

insert—

‘ **(2)** Also, an authorised person may require a person who has been notified of the person’s appointment as a recruit to submit to a targeted substance test before the person starts the training necessary to become an officer.’

Debate ensued.

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

Clause 5, as amended, agreed to.

Clauses 6 and 7, 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.

Mr McGrady, 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.

21 **ADJOURNMENT** (Hansard p.4086, 10.38pm)

Minister for Police and Corrective Services and Minister Assisting the Premier on the Carpentaria Minerals Province (Mr McGrady) moved – That this House do now adjourn.

Debate ensued.

Paper: Mr Hopper, during his speech, tabled the following paper—

Coalition media releases relating to the Darling Downs/Lockyer Valley water pipeline

Question put and agreed to.

The House adjourned at 11.08pm.

22 **ATTENDANCE**

The following members were present—

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

R K HOLLIS
SPEAKER

N J LAURIE
CLERK OF THE PARLIAMENT