

2001–03



LEGISLATIVE ASSEMBLY OF QUEENSLAND

FIRST SESSION OF THE FIFTIETH PARLIAMENT

VOTES AND PROCEEDINGS

NO. 138

WEDNESDAY, 29 OCTOBER 2003

CONTENTS

ADJOURNMENT	1297
APPROPRIATION BILL (NO. 2) AND APPROPRIATION (PARLIAMENT) BILL (NO. 2)	1294
ATTENDANCE	1298
AUDITOR–GENERAL – REPORT	1290
DISASTER MANAGEMENT BILL	1294
LEGAL PROFESSION BILL	1293
MATTERS OF PRIVILEGE	1290, 1294
MEETING OF THE ASSEMBLY	1290
MINISTERIAL PAPER	1290
MINISTERIAL PAPERS TABLED BY THE CLERK	1290
MINISTERIAL STATEMENTS	1290
MOTION WITHOUT NOTICE – HOURS AND ORDER OF BUSINESS FOR TODAY	1291
NOTICE OF MOTION (DEBATED)—	
SESSIONAL ORDERS RELATING TO THE WHISTLEBLOWERS PROTECTION ACT 1994	1295
NOTICES OF MOTION	1291
PRIMARY INDUSTRIES AND OTHER LEGISLATION AMENDMENT BILL	1295
PRIVATE MEMBERS' STATEMENTS	1292
PUBLIC HEALTH (INFECTION CONTROL FOR PERSONAL APPEARANCE SERVICES) BILL ..	1293
QUESTIONS WITHOUT NOTICE	1292
STATEMENT BY SPEAKER—	
NOTICE OF MOTION BY LEADER OF THE OPPOSITION	1293

1 MEETING OF THE ASSEMBLY

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

2 MATTERS OF PRIVILEGE (Hansard p.4453, 9.31am)

- (a) [Premier and Minister for Trade \(Mr Beattie\)](#) rose on a matter of privilege.
- (b) [Mr Flynn](#) rose on a matter of privilege.

3 AUDITOR-GENERAL – REPORT

Mr Speaker informed the House that he had received the following report from the Auditor-General—

Queensland Audit Office – Annual Report 2002-03

4 MINISTERIAL PAPERS TABLED BY THE CLERK

The following ministerial papers were tabled by The Clerk—

Minister for Families and Minister for Aboriginal and Torres Strait Islander Policy and Minister for Disability Services and Minister for Seniors (Ms Spence)—

Response from the Minister for Families and Minister for Aboriginal and Torres Strait Islander Policy and Minister for Disability Services and Minister for Seniors (Ms Spence) to an E-petition sponsored by Ms Bligh from 710 petitioners regarding the Queensland Government's Indigenous Wages and Savings Reparations Process

Response from the Minister for Families and Minister for Aboriginal and Torres Strait Islander Policy and Minister for Disability Services and Minister for Seniors (Ms Spence) to a paper petition presented by Mr Bredhauer from 568 petitioners regarding the Napranum Community Alcohol Management Plan

5 MINISTERIAL PAPER

The following ministerial paper was tabled—

Minister for Local Government and Planning (Mrs J Cunningham)—

Queensland Local Government Grants Commission Report 2003 – Allocation of the Commonwealth Financial Assistance Grant in Queensland for 2003-04

6 MINISTERIAL STATEMENTS (Hansard p.4457, 9.36am)

- (a) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to Schoolies Week 2003.

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

Queensland Government brochures produced to assist those attending Schoolies Week

- (b) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to the Department of Families website.
- (c) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to child health initiatives by Queensland Health.
- (d) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to the commencement of daily flights between Dubai and Brisbane.
- (e) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to the Premier's Queensland Exports Awards.
- (f) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to La Famiglia Fine Foods.
- (g) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to Queensland's Indigenous Art Marketing and Export Agency Advisory Board.
- (h) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to the Thai trade agreement.

- (i) Deputy Premier, Treasurer and Minister for Sport (Mr Mackenroth) made a ministerial statement relating to the Lexmark Indy 300.
- (j) Minister for Education (Ms Bligh) made a ministerial statement relating to the *Cooler Schools* program.
- (k) Minister for Employment, Training and Youth and Minister for the Arts (Mr M Foley) made a ministerial statement relating to the Young Artists Mentoring program.
- (l) Minister for Health and Minister Assisting the Premier on Women's Policy (Mrs Edmond) made a ministerial statement relating to Breast Cancer day.
- (m) Minister for Police and Corrective Services and Minister Assisting the Premier on the Carpentaria Minerals Province (Mr McGrady) made a ministerial statement relating to Schoolies Week 2003.
- (n) Minister for Transport and Minister for Main Roads (Mr Bredhauer) made a ministerial statement relating to increasing public transport use.
- (o) Minister for Environment (Mr Wells) made a ministerial statement relating to the current fire season.
- (p) Minister for Public Works and Minister for Housing (Mr Schwarten) made a ministerial statement relating to crisis and transitional housing.
- (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 financial assistance for those affected by recent storm damage.
- (r) Minister for Tourism and Racing and Minister for Fair Trading (Ms Rose) made a ministerial statement relating to Schoolies Week 2003.
- (s) Minister for Natural Resources and Minister for Mines (Mr Robertson) made a ministerial statement relating to Native Title.
- (t) Minister for Local Government and Planning (Mrs J Cunningham) made a ministerial statement relating to funding for local government security.

7 MOTION WITHOUT NOTICE – HOURS AND ORDER OF BUSINESS FOR TODAY

Leader of the House (Ms Bligh), by leave, moved – That notwithstanding anything contained in the Standing and Sessional Orders, for this day's sitting, the House can continue to meet past 7.30pm.

Private Members' motions will be debated between 6 and 7pm.

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

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

Question put and agreed to.

8 NOTICES OF MOTION

- (a) Mr Wellington gave notice that he will move – That this House resolves to recommend to the 51st Parliament that—
 - 1. It establishes a new committee to be known as the Health Committee;
 - 2. That the Committee, initially, be a select committee with terms of reference to be responsible for monitoring, reviewing and reporting to the House on the operation of the State's health system, including—
 - a) The operation of the State's hospitals, medical facilities and health programs;
 - b) The operation of departments and agencies (State and Local Government) responsible for implementing health policies and funding health initiatives;
 - c) The impact of Local, State and Commonwealth government policies and arrangements on the delivery on funding and the delivery of services at the State and Local level;

3. That the Committee membership consist of three government and three non government members;
 4. That the Committee be an authorised Committee within the meaning of the *Parliament of Queensland Act 2001* and be authorised to call for persons, documents and things;
 5. That consideration be given to funding the Committee by reducing the number of members on each statutory and select committee from seven to six (legislative amendments required) and allocation of modest supplementary funding.
- (b) Leader of the Opposition (Mr Springborg) gave notice that he will move – That this Parliament amend Sessional Orders to prohibit Members of Parliament from naming or otherwise identifying a person whose identity is protected pursuant to the *Whistleblowers Protection Act 1994*.
- (c) Mr Lingard gave notice that he will move – That the Sessional Orders be amended to provide that the order of business for each sitting day up to the commencement of Question Time be as follows—

9.30am – 10.10am—

Prayers
 Messages from the Governor
 Matters of Privilege
 Speaker's Statements
 Motions of Condolence
 Petitions
 Notification and tabling of papers by the Clerk
 Ministerial Papers
 Ministerial Notices of Motion
 Government Business Notices of Motion
 Ministerial Statements
 Any other Government Business

10.10am – 10.30am—

Personal Explanations
 Reports
 Notice of Motion for debate from 6pm to 7pm on Wednesday
 Private Members' Bills
 Debating of Committee Reports on each Thursday
 Private Members' Statements, during which Members may speak on any subject for 2 minutes

10.30am – 11.30am—

Question Time

9 PRIVATE MEMBERS' STATEMENTS (Hansard p.4472, 10.23am)

Private Members' statements were made.

10 QUESTIONS WITHOUT NOTICE (Hansard p.4474, 10.30am)

Questions without notice were asked.

Paper: Mr Seeney tabled the following paper—

An invitation from Mr Kerry Shine MP to attend a launch of *Future Directions – Expansion of Youth Justice Conferencing Services for Toowoomba and South West Region*

Questions continued.

Papers: Mr Quinn tabled the following papers—

An invitation from Mr Kerry Shine MP to attend a special small business announcement on Wednesday, 5 November 2003

Extract from Gold Coast Bulletin dated 20 October 2003, relating to an invitation from Mrs Peta-Kaye Croft MP to attend a special small business announcement and complimentary networking breakfast on Wednesday, 5 November 2003.

Questions continued.

Paper: Premier and Minister for Trade (Mr Beattie) tabled the following paper—
Advice from Mr Graham Jones relating to the insurance industry's response to recent Southern Queensland storm damage

Questions continued.

Paper: Minister for Natural Resources and Minister for Mines (Mr Robertson) tabled the following paper—
Document entitled *Queensland Coals - Physical and Chemical Properties - Colliery and Company Information*, 14th edition, 2003

Questions continued.

Questions concluded.

11 STATEMENT BY SPEAKER – NOTICE OF MOTION BY LEADER OF THE OPPOSITION

Mr Speaker made the following statement—

'I refer to the Notice of Motion given by Mr Springborg earlier today.

The proposed motion seeks to amend Sessional Orders.

The proposed motion does not actually contain words to be omitted, inserted or otherwise amend the Sessional Orders.

The proposed motion is not, strictly speaking out of order. However, if the motion were to be adopted it would not effect the purpose it purportedly seeks to achieve because there is no omission, insertion or other amendment to Standing Orders.

I stress that I am not ruling the motion out of order, but rather bring the House's attention to the fact that if passed it would not itself effect an amendment to Sessional Orders.

The member may wish to seek leave to withdraw the motion and replace it at a later date with a more effective motion.'

12 PUBLIC HEALTH (INFECTION CONTROL FOR PERSONAL APPEARANCE SERVICES) BILL

(Hansard p.4486, 11.32am)

Order of the day read for the adjourned debate on the motion of the Minister for Health and Minister Assisting the Premier on Women's Policy (Mrs Edmond) – 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 Edmond.

In Committee

Clauses 1 to 162, as read, agreed to.

Schedules 1 and 2, as read, agreed to.

Bill to be reported without amendment.

In the House

Bill reported without amendment.

Mrs Edmond, 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 LEGAL PROFESSION BILL (Hansard p.4488, 11.42am)

Attorney-General and Minister for Justice (Mr Welford), by leave, moved – That leave be granted to bring in a Bill for an Act to provide for admission to, and the regulation of, the legal profession, and for other purposes.

Question put and agreed to.

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

**"MESSAGE
LEGAL PROFESSION BILL**

Constitution of Queensland 2001, section 68

I, QUENTIN BRYCE, Governor, recommend to the Legislative Assembly a Bill intituled—

A Bill for an Act to provide for admission to, and the regulation of, the legal profession, and for other purposes.

Quentin Bryce
GOVERNOR

27 October 2003"

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

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

Debate ensued.

Mr Quinn 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 DISASTER MANAGEMENT BILL (Hansard p.4490, 11.53am)

Minister for Emergency Services and Minister Assisting the Premier in North Queensland (Mr Reynolds), by leave, moved – That leave be granted to bring in a Bill for an Act to provide for matters relating to disaster management in the State, and for other purposes.

Question put and agreed to.

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

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

Debate ensued.

Mr Malone 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 APPROPRIATION BILL (NO. 2) AND APPROPRIATION (PARLIAMENT) BILL (NO. 2) (Hansard p.4495, 12.14pm)

Order of the day read for the adjourned debate on the motion of Deputy Premier, Treasurer and Minister for Sport (Mr Mackenroth) – That the Bills be now read a second time.

Debate resumed.

Paper: Miss E Roberts, during her speech, tabled the following paper—

Non-conforming petition relating to the proposal to apply to build an aged and palliative care unit in the Mary Valley

Debate continued.

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

Debate resumed.

Question put and agreed to.

Bill read a second time.

Bill committed on the motion of Mr Mackenroth.

In Committee

Appropriation Bill (No. 2)—

Clauses 1 and 2, as read, agreed to.

Schedule, as read, agreed to.

Appropriation (Parliament) Bill (No. 2)—

Clauses 1 and 2, a read, agreed to.

Bills to be reported without amendment.

In the House

Bills reported without amendment.

Mr Mackenroth, by leave, moved – That the Bills be now read a third time.

Question put and agreed to.

Bills read a third time and passed.

Title agreed to.

16 NOTICE OF MOTION – SESSIONAL ORDERS RELATING TO THE WHISTLEBLOWERS PROTECTION ACT 1994 (Hansard p.4537, 5.57pm)

Leader of the Opposition (Mr Springborg) gave notice that he will move – That this Parliament amend Sessional Orders to prohibit Members of Parliament from naming or otherwise identifying a person whose identity is protected pursuant to the *Whistleblowers Protection Act 1994*.

Debate ensued.

The following amendment was proposed by the Premier and Minister for Trade (Mr Beattie)—

Omit all the words after ‘Parliament’ and *insert* the following—

‘acknowledges the fundamental importance of Parliamentary privilege to the workings of the parliament and the democratic freedoms it represents.’.

Debate ensued.

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

The House divided.

AYES 51—

Barton	Cunningham, J	Livingstone	Nuttall	Robertson	Struthers
Beattie	Edmond	Lucas	Palaszczyk	Rodgers	Sullivan, C
Bligh	Fenlon	Mackenroth	Pearce	Rose	Sullivan, T *
Boyle	Foley, M	McGrady	Phillips	Scott, C	Welford
Briskey	Hayward	McNamara	Pitt	Shine	Wells
Choi	Jarratt	Mickel	Purcell *	Smith	Wilson
Clark, E	Lavarch	Miller	Reeves	Spence	
Clark, L	Lawlor	Mulherin	Reynolds	Stone	
Cummins	Lee	Nelson–Carr	Roberts, N	Strong	

NOES 18—

Bell	Flynn	Horan	Lester *	Quinn	Sheldon
Copeland	Foley, C	Johnson	Malone	Roberts, E	Springborg
Cunningham, E	Hobbs	Lee Long	Pratt	Seeney	Watson *

* Tellers

Question agreed to.

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

17 PRIMARY INDUSTRIES AND OTHER LEGISLATION AMENDMENT BILL (Hansard p.4548, 8.30pm)

Order of the day read for the adjourned debate on the motion of the Minister for Primary Industries and Rural Communities (Mr Palaszczyk) – That the Bill be now read a second time.

Debate resumed.

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

Letter, dated 27 October 2003, to Mr Palaszczyk from Wesley Judd, President, Dairyfarmers Organisation Ltd

Debate continued.

Question put.

The House divided.

AYES 64—

Barry	English	Lawlor	Mulherin	Roberts, E	Springborg
Barton	Fenlon	Lee	Nelson–Carr	Roberts, N	Stone
Bligh	Foley, M	Lester	Nuttall	Rodgers	Strong
Boyle	Fouras	Livingstone	Palaszczyk	Rose	Struthers
Briskey	Hayward	Lucas	Pearce	Schwarten	Sullivan, C
Clark, E	Hobbs	Mackenroth	Phillips	Scott, C	Sullivan, T *
Copeland	Horan	Malone	Pitt	Scott, D	Welford
Clark, L	Jarratt	McGrady	Purcell	Seeney	Wells
Cummins	Johnson	McNamara	Quinn	Shine	Wilson
Cunningham, J	Keech	Mickel	Reeves *	Smith	
Edmond	Lavarch	Miller	Reynolds	Spence	

NOES 5—

Cunningham, E	Flynn	Foley, C *	Lee Long *	Pratt
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* Tellers

Question agreed to.

Bill read a second time.

Bill committed on the motion of Mr Palaszczyk.

In Committee

Clauses 1 to 40, as read, agreed to.

Clause 41 (Amendment of s 196 (Appeals to tribunal))—

The following amendment was proposed by Mr Palaszczyk—

At page 40, line 19—

omit, insert—

‘insert—’.

Debate ensued.

Question – That Mr Palaszczyk’s amendment be agreed to – put and agreed to.

Clause 41, as amended, agreed to.

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

Explanatory Notes to Amendments in Committee to the Primary Industries and Other Legislation Amendment Bill

Debate continued.

Clauses 42 to 46, as read, agreed to.

Clause 47 (Amendment of s 6 (Exemption from application of Act))—

The following amendment was proposed by Mr Hobbs—

At page 53, line 17—

omit, insert—

‘subsection; or

(c) the primary producer complies with the scientific standards for the removal set by Food Standards Australia New Zealand.’.

Debate ensued.

Question put – That Mr Hobbs’ amendment be agreed to.

The Committee divided.

AYES 16—

Copeland	Foley, C	Horan	Lester *	Quinn	Springborg
Cunningham, E	Hobbs	Johnson	Malone	Roberts, E	
Flynn	Hopper *	Lee Long	Pratt	Seeney	

NOES 54—

Barry	Edmond	Lee	Mulherin	Reynolds	Spence
Barton	English	Livingstone	Nelson–Carr	Roberts, N	Stone
Bligh	Fenlon	Lucas	Nuttall	Rodgers	Strong
Boyle	Foley, M	Mackenroth	Palaszcuk	Rose	Struthers
Briskey	Hayward	Male	Pearce	Schwarten	Sullivan, C
Clark, E	Jarratt	McGrady	Phillips	Scott, C	Sullivan, T *
Clark, L	Keech	McNamara	Pitt	Scott, D	Welford
Cummins	Lavarch	Mickel	Purcell *	Shine	Wells
Cunningham, J	Lawlor	Miller	Reeves *	Smith	Wilson

* Tellers

Question negatived.

Clause 47, as read, agreed to.

Clauses 48 to 78, as read, agreed to.

Clause 79 (Insertion of new ch 5, pt 8A)—

The following amendment was proposed by Mr Palaszcuk—

At page 71, lines 25 and 26—

omit, insert—

‘(A) for a hatchery for the production of larvae; or’.

Debate ensued.

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

Clause 79, as amended, agreed to.

Clauses 80 to 88, 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.

Mr Palaszcuk, 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 ADJOURNMENT (Hansard p.4548, 8.30pm)

Minister for Primary Industries and Rural Communities (Mr Palaszcuk) moved – That this House do now adjourn.

Debate ensued.

Papers: Mrs E Cunningham, by leave, during her speech, tabled the following papers—
Reports and documents relating to the Mt Larcom Community Restoration Project

Debate continued.

Paper: Mr Horan, by leave, during his speech, tabled the following paper—
Speech by John Coman at the St Mary's College Presentation Night 2003

And the House having continued to sit till 12 midnight—

THURSDAY, 30 OCTOBER 2003

Debate continued.

Question put and agreed to.

The House adjourned at 12.06am.

19 ATTENDANCE

The following members were present—

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

R K HOLLIS
SPEAKER

N J LAURIE
CLERK OF THE PARLIAMENT