

2001–03



LEGISLATIVE ASSEMBLY OF QUEENSLAND

FIRST SESSION OF THE FIFTIETH PARLIAMENT

VOTES AND PROCEEDINGS

NO. 141

WEDNESDAY, 12 NOVEMBER 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 PETITIONS

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

Mr C Foley from 206 petitioners requesting the House to establish a locum-style service to provide a backup to the many carers in our community or, alternatively, provide training for volunteers who are willing to help with this issue. Qualifications and workplace health and safety issues would need to be addressed.

Ms Phillips from 2223 petitioners requesting the House to prevent the sale of public land in the Pioneer Park area, and to note opposition to the Thuringowa City Council's plan as detailed in the Riverway Master Plan Stage 1: Pioneer Park and Loam Island and to mandate that Pioneer Park be retained as open parkland freely accessible to all citizens in perpetuity.

3 MINISTERIAL PAPER TABLED BY THE CLERK

The following ministerial paper was tabled by The Clerk—

Premier and Minister for Trade (Mr Beattie)

Letter, dated 6 November 2003, from the Premier and Minister for Trade (Mr Beattie) to the Clerk of the Parliament referring to correspondence received by the Premier from the Commonwealth Parliament's Joint Standing Committee on Treaties regarding proposed international treaty actions tabled in both Houses of the Commonwealth Parliament on 8 October 2003 including National Interest Analyses for each of the proposed treaty actions listed in the correspondence

4 MINISTERIAL PAPERS

The following ministerial papers were tabled—

(a) *Minister for Health and Minister Assisting the Premier on Women's Policy (Mrs Edmond)*—

Queensland Nursing Council - Annual Report 2002-03
The Council of the Queensland Institute of Medical Research and Queensland Institute of Medical Research Trust - combined Annual Reports and Financial Reports 2002-03
Royal Brisbane Hospital Research Foundation and Royal Women's Hospital Research and Development Foundation - combined Annual Reports 2002-03
Far North Queensland Hospital Foundation - Annual Report 2002-03
Ipswich Hospital Foundation - Annual Report 2002-03
Sunshine Coast Health Services Foundation - Annual Report 2002-03
Toowoomba Hospital Foundation - Annual Report 2002-03
Townsville Hospital Foundation - Annual Report 2002-03

(b) *Minister for Industrial Relations (Mr Nuttall)*—

Department of Industrial Relations – Annual Report 2002-03

5 MINISTERIAL STATEMENTS (Hansard p.4785, 9.34am)

(a) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to a CMC inquiry.

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

The amendment moved by the Leader of the Opposition (Mr Springborg) to the notice of motion passed by the House on 11 November 2003

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

(c) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to the official State colour - maroon.

(d) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to the Multicultural Service Awards.

- (e) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to income inequality.

Paper: Mr Beattie, during his statement, tabled the following paper—
Report by Mr Peter Saunders of the Social Policy Research Centre entitled
Examining Recent Changes in Income Distribution in Australia

- (f) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to Opposition funding for the State election campaign.
- (g) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to the Smart State: Smart Stories project.
- (h) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to the death of Mr Peter 'Pedro' Gallagher.
- (i) Minister for Education (Ms Bligh) made a ministerial statement relating to the Preparatory Year trial.
- (j) Minister for Employment, Training and Youth and Minister for the Arts (Mr M Foley) made a ministerial statement relating to the Museum of Tropical Queensland, Townsville.
- (k) Minister for Health and Minister Assisting the Premier on Women's Policy (Mrs Edmond) made a ministerial statement relating to the Anti-Drugs Campaign initiative.
- (l) Minister for State Development (Mr Barton) made a ministerial statement relating to the Queensland Government's Small Business Agenda.

Papers: Mr Barton, during his statement, tabled the following papers—
Media release by National Retail Association, dated 30 October 2003, entitled
'Small business benefits from smart ideas'
Media release by Queensland Tourism Industry Council, dated 30 October 2003,
entitled *'Tourism ready to be smart in business'*
Media release by Australian Industry Group, dated 30 October 2003, entitled
'Smart small business'
Media release by Commerce Queensland, dated 30 October 2003, entitled
'Positive move'
Media release by Queensland Retail Traders & Shopkeepers Association, dated
30 October 2003, relating to State Government's Small Business Accelerator
Program
Media release by MTA-Q, dated 30 October 2003, entitled *'MTA-Q commends
State government's commitment to small business'*

- (m) Minister for Transport and Minister for Main Roads (Mr Bredhauer) made a ministerial statement relating to the upgrade of the Ipswich Motorway.
- (n) Minister for Environment (Mr Wells) made a ministerial statement relating to the Seaspray residential development and new national park at Cocoanut Point on the Capricorn Coast.
- (o) 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 care services.
- (p) Minister for Primary Industries and Rural Communities (Mr Palaszczuk) made a ministerial statement relating to the Queensland Rural Adjustment Authority and the death of R M Williams.

6 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.

7 NOTICE OF MOTION

Miss Simpson gave notice that she will move – That this Parliament condemns the Beattie Government for its failure to properly resource emergency departments in our hospitals with the result that 19 of 21 hospitals are failing to meet the required treatment standards and that this failure in emergency response is being compounded by the governments refusal to address increased demand for ambulance services resulting from the ambulance tax.

8 NOTICE OF MOTION

Mr Rowell gave notice that he will move – That this House condemns the Beattie Government for introducing regulations to the Fisheries Act that will have a profound effect on the fishing industry without the provision of compensation.

9 PRIVATE MEMBERS' STATEMENTS (Hansard p.4797, 10.15am)

Private Members' statements were made.

10 QUESTIONS WITHOUT NOTICE (Hansard p.4800, 10.30am)

Questions without notice were asked.

Paper: Mr Johnson tabled the following paper—
Document depicting a Department of Main Roads sign concerning the Tugun Bypass - Joint State and Federal Government Project

Questions continued.

Questions concluded.

11 MATTER OF PRIVILEGE (Hansard p.4812, 11.30am)

Leader of the Opposition (Mr Springborg) rose on a matter of privilege.

Papers: Mr Springborg, during his speech, tabled the following papers—
Media statement, dated 1 February 2002, by the Queensland Nationals
Statement by De-Anne Kelly MP dated 27 September 2003

12 GUARDIANSHIP AND ADMINISTRATION AND OTHER ACTS AMENDMENT BILL (Hansard p.4812, 11.31am)

Order of the day read for the adjourned debate on the motion of the Attorney-General and Minister for Justice (Mr Welford) – 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 Welford.

In Committee

Clauses 1 to 61, as read, agreed to.

Bill to be reported without amendment.

In the House

Bill reported without amendment.

Mr Welford, 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 POSTPONED ORDERS – GOVERNMENT BUSINESS

Attorney-General and Minister for Justice (Mr Welford) moved – That Government Business Order of the Day No. 2 be postponed until a later hour of the sitting.

Question put and agreed to.

14 EDUCATION AND OTHER LEGISLATION (STUDENT PROTECTION) AMENDMENT BILL
(Hansard p.4820, 12.21pm)

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.

Question put and agreed to.

Bill read a second time.

Bill committed on the motion of Ms Bligh.

In Committee

Clauses 1 to 41, as read, agreed to.

New Clauses 42 and 43—

The following amendment was proposed by Ms Bligh—

At page 37, after line 5—

insert—

‘PART 6—AMENDMENT OF TRAINING REFORM ACT 2003

‘42 Act amended in pt 6

‘This part amends the *Training Reform Act 2003*.

‘43 Amendment of s 47 (Amendment of s 230 of Act No 23 of 2000)

‘Section 47, inserted section 230(1)—

insert—

‘(ea) the council’s order, or refusal to make an order, under section 71;’.

Debate ensued.

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

Explanatory Notes to Amendments in Committee to the Education and Other Legislation (Student Protection) Amendment Bill

Debate continued.

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

Schedule, 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.

15 EDUCATION (GENERAL PROVISIONS) AMENDMENT BILL (Hansard p.4856, 5.33pm)

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.

Debate adjourned on the motion of Ms Reilly.

Ordered – That the resumption of the debate be made an order of the day for a later hour of the sitting.

16 NOTICE OF MOTION – EMERGENCY SERVICES (Hansard p.4861, 6pm)

Miss Simpson, pursuant to notice, moved – That this Parliament condemns the Beattie Government for its failure to properly resource emergency departments in our hospitals with the

¹ Section 71 (Discipline)

result that 19 of 21 hospitals are failing to meet the required treatment standards and that this failure in emergency response is being compounded by the governments refusal to address increased demand for ambulance services resulting from the ambulance tax.

Debate ensued.

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

Letter, dated 5 November 2003, from the Acting Medical Superintendent, Gympie Health Service District to Dr Fowler, Cooroy.

Debate continued.

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

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

- acknowledges that official figures show that 99.9 per cent of the most urgent emergency patients arriving in Queensland’s accident and emergency departments (category 1) are seen immediately by a doctor;
- recognises that hundreds of thousands of patients with non-urgent complaints are being forced to use the emergency departments of our hospitals because they cannot find a GP who will bulk bill;
- notes that Federal figures for the three years up to the June quarter of 2003 show that bulk billing rates in Queensland dropped by up to 32 per cent (for example, Federal seats of Ryan – 32%; Brisbane – 30%; Lilley – 29%); and
- calls on the National Party Leader and the Liberal Party Leader to join the Premier in a bipartisan approach to urge the Prime Minister and the Federal Health Minister to:
 - Increase the number of Federally-funded GPs who bulk bill;
 - Return to Queensland the \$160 million in funding that they removed earlier this year for public hospitals;
 - Match Queensland’s health funding on a dollar for dollar basis;
 - Work with the Queensland Government to encourage general practitioners to set up practices in or near hospitals on weekends and after hours to help reduce pressure on emergency departments and stop shifting costs to Queensland;
 - Deal with the shortage of residential aged care beds that means older people are being kept in acute care wards in public hospitals;
 - Ensure Australia trains more of its own health professionals so that we do not continue to rely on recruiting overseas-trained health workers.

Further, that this House commends the Beattie Government for budgeting to recruit 110 new paramedics in the Ambulance Service in this financial year to address increased demand.’.

Debate ensued.

The following amendment to Mr Beattie’s amendment was proposed by Mrs Sheldon—

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

- ‘1 calls on the Beattie Government to table its emergency department plan for Queensland;
- 2 to fund increased staff numbers in Queensland’s emergency department to match growth so true emergency patients can be treated in time; and
- 3 address the growing crisis in the State’s ambulance service.’.

Debate ensued.

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

Letter, dated 1 November 2003, to Mr Lester from Joy Davison-Lee

Debate continued.

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

The House divided.

AYES 21—

<i>Bell</i>	<i>Foley, C</i>	<i>Lee Long</i>	<i>Pratt</i>	<i>Seeney</i>	<i>Wellington</i>
<i>Copeland</i>	<i>Hobbs</i>	<i>Lester *</i>	<i>Quinn</i>	<i>Sheldon</i>	
<i>Cunningham, E</i>	<i>Hopper</i>	<i>Lingard</i>	<i>Roberts, E</i>	<i>Simpson</i>	
<i>Flynn</i>	<i>Johnson</i>	<i>Malone</i>	<i>Rowell</i>	<i>Watson *</i>	

NOES 52—

<i>Barry</i>	<i>Cunningham, J</i>	<i>Lucas</i>	<i>Palaszczyk</i>	<i>Robertson</i>	<i>Stone</i>
<i>Beattie</i>	<i>Edmond</i>	<i>Male</i>	<i>Pearce</i>	<i>Rodgers</i>	<i>Strong</i>
<i>Bligh</i>	<i>English</i>	<i>McNamara</i>	<i>Phillips</i>	<i>Rose</i>	<i>Struthers</i>
<i>Boyle</i>	<i>Foley, M</i>	<i>Mickel</i>	<i>Pitt</i>	<i>Schwarten</i>	<i>Sullivan, C</i>
<i>Briskey</i>	<i>Fouras</i>	<i>Miller</i>	<i>Poole</i>	<i>Scott, C</i>	<i>Sullivan, T *</i>
<i>Clark, E</i>	<i>Hayward</i>	<i>Molloy</i>	<i>Purcell *</i>	<i>Scott, D</i>	<i>Wells</i>
<i>Clark, L</i>	<i>Jarratt</i>	<i>Mulherin</i>	<i>Reilly</i>	<i>Shine</i>	<i>Wilson</i>
<i>Croft</i>	<i>Keech</i>	<i>Nelson–Carr</i>	<i>Reynolds</i>	<i>Smith</i>	
<i>Cummins</i>	<i>Lavarch</i>	<i>Nuttall</i>	<i>Roberts, N</i>	<i>Spence</i>	

** Tellers*

Question agreed to.

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

The House divided.

AYES 56—

<i>Barry</i>	<i>Cunningham, J</i>	<i>Lucas</i>	<i>Pearce</i>	<i>Rodgers</i>	<i>Struthers</i>
<i>Beattie</i>	<i>Edmond</i>	<i>Male</i>	<i>Phillips</i>	<i>Rose</i>	<i>Sullivan, C</i>
<i>Bligh</i>	<i>English</i>	<i>McNamara</i>	<i>Pitt</i>	<i>Schwarten</i>	<i>Sullivan, T *</i>
<i>Boyle</i>	<i>Foley, C</i>	<i>Mickel</i>	<i>Poole</i>	<i>Scott, C</i>	<i>Wellington</i>
<i>Briskey</i>	<i>Foley, M</i>	<i>Miller</i>	<i>Purcell *</i>	<i>Scott, D</i>	<i>Wells</i>
<i>Choi</i>	<i>Fouras</i>	<i>Molloy</i>	<i>Reilly</i>	<i>Shine</i>	<i>Wilson</i>
<i>Clark, E</i>	<i>Hayward</i>	<i>Mulherin</i>	<i>Reynolds</i>	<i>Smith</i>	
<i>Clark, L</i>	<i>Jarratt</i>	<i>Nelson–Carr</i>	<i>Roberts, E</i>	<i>Spence</i>	
<i>Croft</i>	<i>Keech</i>	<i>Nuttall</i>	<i>Roberts, N</i>	<i>Stone</i>	
<i>Cummins</i>	<i>Lavarch</i>	<i>Palaszczyk</i>	<i>Robertson</i>	<i>Strong</i>	

NOES 16—

<i>Copeland</i>	<i>Hopper</i>	<i>Lester *</i>	<i>Pratt</i>	<i>Seeney</i>	<i>Watson *</i>
<i>Cunningham, E</i>	<i>Johnson</i>	<i>Lingard</i>	<i>Quinn</i>	<i>Sheldon</i>	
<i>Hobbs</i>	<i>Lee Long</i>	<i>Malone</i>	<i>Rowell</i>	<i>Simpson</i>	

** Tellers*

Question agreed to.

Motion, as amended, agreed to.

17 MINISTERIAL STATEMENT (Hansard p.4872, 8.30pm)

Premier and Minister for Trade (Mr Beattie), by leave, made a ministerial statement relating to the State funeral of R M Williams.

Paper: Mr Beattie, during his statement, tabled the following paper—
Program for the Funeral of Mr R M Williams

18 EDUCATION (GENERAL PROVISIONS) AMENDMENT BILL (Hansard p.4873, 8.32pm)

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.

Question put and agreed to.

Bill read a second time.

Bill committed on the motion of Ms Bligh.

In Committee

Clause 1, as read, agreed to.

Clause 2 (Commencement)—

The following amendment was proposed by Ms Bligh—

At page 6, line 6, after 'Act'—

insert—

‘, other than sections 9A and 13,’.

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

Clause 2, as amended, agreed to.

Clauses 3 to 8, as read, agreed to.

Clause 9 (Insertion of new pt 4, divs 7-10)—

The following amendments were proposed by Ms Bligh—

At page 11, line 22, before ‘direction’—

insert—

‘written’.

At page 17, line 10, before ‘direction’—

insert—

‘written’.

Debate ensued.

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

Explanatory Notes for Amendments in Committee to the Education (General Provisions) Amendment Bill

Debate continued.

Question – That Ms Bligh’s amendments be agreed to – put and agreed to.

Clause 9, as amended, agreed to.

New Clause 9A—

The following amendment was proposed by Ms Bligh—

At page 22, after line 18—

insert—

‘9A Amendment of s 115 (Dispensation from compliance with compulsory enrolment and attendance provisions)

‘Section 115—

insert—

‘(2A) The guidelines approved under subsection (2)(a)(i) may, for an application for a dispensation for the reason mentioned in that subparagraph, provide for each of the following—

(a) notifying the applicant of the decision on the application;

(b) if it is decided not to grant the application—the internal review of the decision.’.

Debate ensued.

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

Clauses 10 to 12, as read, be agreed to.

New Clause 13—

The following amendment was proposed by Ms Bligh—

At page 24, after line 24—

insert—

‘13 Insertion of new pt 13

‘After section 167—

insert—

‘PART 13—VALIDATION PROVISIONS FOR HOME SCHOOLING DISPENSATION

‘168 Definitions for pt 13

‘In this part—

“commencement” means commencement of this section.

“guidelines” means the guidelines, approved under this Act, stated in the order in council published in the gazette on 5 August 1989 at page 2 993.

‘169 Validation of guidelines

‘(1) The guidelines are, and always have been, valid.

‘(2) Without limiting subsection (1), an amount charged and collected under section 5(c)(ii) of the guidelines before the commencement is taken to have been validly charged and collected.

‘170 Amendment of guidelines

‘(1) The guidelines are amended by—

(a) in section 5(c)(ii) of the guidelines, omitting all words from ‘and submit’ to ‘Art’; and

- (b) omitting section 6 of the guidelines; and
 - (c) in section 7 of the guidelines, omitting the words 'and the Regional Director'.
- '(2) Without limiting subsection (1)(a), an amount payable under section 5(c)(ii) of the guidelines, but not paid before the commencement, is no longer payable.
- '(3) The amendment of the guidelines in this section does not affect the power of the Governor in Council to approve a further amendment, or revoke the Governor in Council's approval, of the guidelines.''

Debate ensued.

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

19 **ADJOURNMENT** (Hansard p.4901, 11.04pm)

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

Debate ensued.

Question put and agreed to.

The House adjourned at 11.35pm.

20 **ATTENDANCE**

The following members were present—

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

R K HOLLIS
SPEAKER

N J LAURIE
CLERK OF THE PARLIAMENT

BY AUTHORITY

K A TYNDALL, GOVERNMENT PRINTER, QUEENSLAND