



VOTES AND PROCEEDINGS

NO. 25 – THURSDAY, 2 SEPTEMBER 2004

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MEETING OF PARLIAMENT

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

MATTER OF PRIVILEGE (Hansard p. 2269, 9.31 am)

Mr Hopper rose on a matter of privilege.

PETITIONS

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

Mrs Pratt from 266 petitioners requesting the House to seal the unsealed section of road accessing the Bunya Mountains from Maidenwell as the journey for travellers from coastal areas will be considerably shortened, save on fuel and reduce travelling time for consumers. A speedy response is requested as construction of the Maidenwell Observatory, to be completed in August, will considerably increase traffic.

Mr Wellington from 202 petitioners requesting the House to make provision in the proposed new tenure for Mapleton Forest Reserve to have some of the already existing fire trails (approximately 2% of the forest) set aside as Conservation Park Corridors. By doing so, 98% of Mapleton Forest would become National Park and horse riders will be able to ensure that fire tracks remain open and preserve the safety and livelihood of the surrounding community.

Mr Wellington from 138 petitioners requesting the House to make provision in the proposed new tenure for Forest Reserves in South East Queensland State Forests to have the already existing fire trails and tracks set aside as Conservation Park Corridors.

MINISTERIAL STATEMENTS (Hansard p. 2270, 9.37 am)

(a) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to the June Quarter 2004 Australian Bureau of Statistics National Accounts.

(b) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to the FOI Implementation Unit.

Papers: Mr Beattie, during his statement, tabled the following papers—
88 pages of info relating to the FOI Implementation Unit

(c) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to the reappointment of Mr David Bevan as Ombudsman and Information Commissioner.

(d) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to expansion by BHP Billiton.

Paper: Mr Beattie, during his statement, tabled the following paper—
Graph titled *High value incremental growth to 100Mtpa capacity*

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

(f) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to the Bank of Queensland.

(g) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to counter-terrorism related projects.

(h) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to a trade and investment mission to Japan and India and the Queensland–Japan Economic Forum.

(i) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to a multiculturalism photographic competition.

(j) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to national livestock tracking and identification.

Paper: Mr Beattie, during his statement, tabled the following paper—
Copy of a document, dated 24 August 2004, titled *National Livestock Identification System (NLIS) Draft Queensland Implementation Plan for Cattle*

- (k) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to the Queensland Road Safety Action Plan 2004–2005.
- (l) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to the Royal Blind Foundation's Shades Day.
- (m) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to Atherton, Queensland Tidiest Town for 2004.
- (n) Deputy Premier, Treasurer and Minister for Sport (Mr Mackenroth) made a ministerial statement relating to the Queensland athletes competing at the 2004 Paralympic Games in Athens.
- (o) Deputy Premier, Treasurer and Minister for Sport (Mr Mackenroth) made a ministerial statement relating to the final stage of redevelopment at the Woolloongabba Cricket Grounds.
- (p) Minister for Education and the Arts (Ms Bligh) made a ministerial statement relating to the Report of the Ministerial Advisory Committee on Educational Renewal.

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

Ministerial Advisory Committee on Educational Renewal Report on Indigenous Education:
Recommendations to the Minister for Education and the Minister for the Arts, March 2004
Department of Education and the Arts response to recommendations of the Ministerial
Advisory Committee on Educational Renewal: Report on Indigenous Education

- (q) Minister for Employment, Training and Industrial Relations (Mr Barton) made a ministerial statement relating to the WIN Television promotion of the Breaking the Unemployment Cycle program.
- (r) Minister for State Development and Innovation (Mr McGrady) made a ministerial statement relating to the Gold Coast Convention and Exhibition Centre.
- (s) Minister for Public Works, Housing and Racing (Mr Schwarten) made a ministerial statement relating to the selection panel for the Thoroughbred Racing Board.
- (t) Minister for Natural Resources and Mines (Mr Robertson) made a ministerial statement relating to Queensland mining exports.
- (u) Minister for Communities, Disability Services and Seniors (Mr Pitt) made a ministerial statement relating to strengthening non-government organisations.

MOTION WITHOUT NOTICE – COGNATE BILLS

Leader of the House (Ms Bligh), by leave, moved – That, in accordance with Standing Order 129, the Petroleum and Gas (Production and Safety) Bill and the Petroleum and Other Legislation Amendment Bill be treated as cognate Bills for their remaining stages—

- (a) one question being put in regard to the second readings;
- (b) the consideration of the Bills in detail together; and
- (c) one question being put for the third readings and long titles.

Question put and agreed to.

PARLIAMENTARY CRIME AND MISCONDUCT COMMITTEE – PAPERS (Hansard p. 2283, 10.19 am)

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

Crime and Misconduct Commission—

Child-Focused Sexual Abuse Prevention Programs

Councillor Information Kit 2004

Fraud and Corruption Control: An Integrated Approach to Controlling Fraud and Corruption Within the Workplace

False Complaints Against Police

Profiling the Queensland Public Sector: Functions, Risks and Misconduct Resistance Strategies

PROPERTY AGENTS AND MOTOR DEALERS (AUCTIONEERING PRACTICE) AMENDMENT BILL (Hansard p. 2283, 10.20 am)

Member for Currumbin (Mrs Stuckey) presented a Bill for an Act to amend the *Property Agents and Motor Dealers Act 2000*, and for other purposes and Explanatory Notes and moved – That the Bill be now read a first time.

Question put and agreed to.

Mrs Stuckey moved – That the Bill be now read a second time.

Debate ensued.

Minister for Tourism, Fair Trading and Wine Industry Development (Ms Keech) moved – That the debate be now adjourned.

Question put and agreed to.

PRIVATE MEMBERS' STATEMENTS (Hansard p. 2285, 10.23 am)

Private Members' statements were made.

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

Extracts (undated) from a document titled *Commando – From Tidal River to Tarakan*

Statements continued.

Statements concluded.

QUESTIONS WITHOUT NOTICE (Hansard p. 2286, 10.30 am)

Questions without notice were asked.

Paper: Minister for Primary Industries and Fisheries (Mr Palaszczuk) tabled the following paper—
Copy of a document, dated 2 September 2004, Department of Primary Industries and Fisheries titled *Non-government endorsed reports – native vegetation management*

Questions continued.

Paper: Deputy Leader of the Opposition (Mr Seeney) tabled the following paper—
Copy of a briefing note (undated) to the Minister for Primary Industries titled *Department of Primary Industries Briefing Note – Productivity Inquiry – Impacts of Native Vegetation Regulation – Draft*

Questions continued.

Paper: Premier and Minister for Trade (Mr Beattie) tabled the following paper—
Copy of a document, dated 2 September 2004, titled *United Kingdom Parliament – The Speaker of the House of Commons*

Questions continued.

Paper: Mr Horan tabled the following paper—
An advertisement from *Queensland Country Life*, dated 8 February 2001, titled *Attention Queensland Beef Producers and Constituents in the Burnett/Wide Bay Region*

Questions continued.

Papers: Minister for Transport and Main Roads (Mr Lucas) tabled the following papers—
Copy of Mr Lucas' answer to Question on Notice No. 299 asked on 29 April 2004
Copy of a letter, dated 11 June 2004, from Hon. Gary Hardgrave MP to Mr Lucas concerning the railway crossing on Beaudesert Road, Acacia Ridge
Bundle of six pictures titled *Beaudesert Road Open Level Crossing July 2004*

Questions continued.

Questions concluded.

MATTER OF PRIVILEGE (Hansard p. 2298, 11.30 am)

Mr Malone rose on a matter of privilege suddenly arising.

PROFESSIONAL STANDARDS BILL (Hansard p. 2298, 11.33 am)

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 ensued.

Question put and agreed to.

Bill read a second time.

Consideration in detail—

Clauses 1 to 6, as read, agreed to.

Clause 6 (Does this Act apply to all types of occupational liability)—

The following amendments were proposed by Mr Welford—

At page 9, line 8—

omit, insert—

6. Application’.

At page 9, after line 18—

insert—

‘(3) This Act does not apply to any cause of action arising under, or in relation to, a contract, or contractual relations, entered into before the commencement of this Act (whether or not the action lies in contract) unless the parties, after the commencement of this Act, vary the relevant contract so as to make express provision for the application of this Act.’.

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

Clause 6, as amended, agreed to.

Clauses 7 to 24, as read, agreed to.

Clause 25 (Different limits of liability for different persons and different work)—

The following amendment was proposed by Mr Welford—

At page 17, after line 13—

insert—

‘(3) A scheme may also specify a multiple, monetary ceiling or minimum cap by way of a formula that is to be applied to calculate the multiple, ceiling or cap.’.

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

Clause 25, as amended, agreed to.

Clauses 26 to 29, as read, agreed to.

Clause 30 (Limitation and amount of damages)—

The following amendment was proposed by Mr Welford—

At page 19, line 30, after ‘corporate’—

insert—

‘or in the relationship of body corporate and officer of the body corporate’.

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

Clause 30, as amended, agreed to.

Clauses 31 to 79, as read, agreed to.

Schedules 1 and 2, as read, agreed to.

Consideration in detail completed—

Mr Welford moved – That the Bill, as amended, be read a third time.

Question put and agreed to.

Mr Welford move – That the long title of the Bill be agreed to.

Question put and agreed to.

MATTER OF PRIVILEGE (Hansard p. 2305, 12.14 pm)

Minister for Primary Industries and Fisheries (Mr Palaszczuk) rose on a matter of privilege.

INTEGRATED PLANNING AND OTHER LEGISLATION AMENDMENT BILL (Hansard p. 2305, 12.16 pm)

Order of the day read for the adjourned debate on the motion of the Minister for Environment, Local Government, Planning and Women (Ms Boyle) – That the Bill be now read a second time.

Debate ensued.

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

A non conforming petition relating to the Links Group residential development for Montville
 Various letters [Member read the names into Hansard] about the Links Group residential development
 Document relating to the Montville Country Club
 Letter dated 30 August 2004 to Mr Peter Wellington MP from Ian Rolfe re the Links Group proposal to develop a country club
 Email dated 27 July 2004 to the Nicklin Electorate Office from Garth Greenaway re the Montville Country Club

Debate continued.

Question put and agreed to.

Bill read a second time.

Consideration in detail—

Clauses 1 to 8, as read, agreed to.

Clause 8 (Insertion of new ch 2, pt 5A)—

The following amendment was proposed by Mr Malone—

At page 19, after line 11—

insert—

'2.5A.23A How regional plan affects development by public sector entities

'(1) This section applies if—

- (a) a public sector entity proposes to carry out development that would conflict with the SEQ regional plan; and
- (b) the regional planning Minister is satisfied it is in the public interest that the development be carried out.

'(2) Before the development is carried out, the regional planning Minister must amend the SEQ regional plan under division 5 to remove the conflict.

'(3) However, subsection (2) does not apply if the regional planning Minister is satisfied the development must, in the public interest, be carried out urgently.'

Debate ensued.

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

The House divided.

AYES 22—

<i>Copeland</i>	<i>Horan</i>	<i>Lingard</i>	<i>Messenger</i>	<i>Roberts, E</i>	<i>Stuckey</i>
<i>Flegg</i>	<i>Knuth</i>	<i>Malone *</i>	<i>Pratt</i>	<i>Rowell</i>	<i>Wellington</i>
<i>Hobbs</i>	<i>Langbroek</i>	<i>McArdle</i>	<i>Quinn</i>	<i>Seeney</i>	
<i>Hopper *</i>	<i>Lee Long</i>	<i>Menkens</i>	<i>Rickuss</i>	<i>Simpson</i>	

NOES 57—

<i>Attwood</i>	<i>English</i>	<i>Lee</i>	<i>Mulherin</i>	<i>Reilly</i>	<i>Struthers</i>
<i>Barry</i>	<i>Fenlon</i>	<i>Livingstone</i>	<i>Nelson–Carr</i>	<i>Reynolds</i>	<i>Sullivan, C</i>
<i>Barton</i>	<i>Finn</i>	<i>Lucas</i>	<i>Nolan *</i>	<i>Roberts, N</i>	<i>Sullivan, T *</i>
<i>Beattie</i>	<i>Fouras</i>	<i>Mackenroth</i>	<i>Nuttall</i>	<i>Robertson</i>	<i>Wallace</i>
<i>Boyle</i>	<i>Fraser</i>	<i>Male</i>	<i>O'Brien</i>	<i>Schwarten</i>	<i>Welford</i>
<i>Choi</i>	<i>Hoolihan</i>	<i>McGrady</i>	<i>Palaszczuk</i>	<i>Scott</i>	<i>Wells</i>
<i>Clark, E</i>	<i>Jarratt</i>	<i>McNamara</i>	<i>Pearce</i>	<i>Shine</i>	<i>Wilson</i>
<i>Clark, L</i>	<i>Keech</i>	<i>Mickel</i>	<i>Pitt</i>	<i>Smith</i>	
<i>Croft</i>	<i>Lavarch</i>	<i>Miller</i>	<i>Purcell</i>	<i>Spence</i>	
<i>Cummins</i>	<i>Lawlor</i>	<i>Molloy</i>	<i>Reeves</i>	<i>Stone</i>	

** Tellers*

Question negatived.

Clause 8, as read, agreed to.

Clauses 9 to 50, as read, agreed to.

Schedule, as read, agreed to.

Consideration in detail completed—

Ms Boyle moved – That the Bill be read a third time.

Question put and agreed to.

Ms Boyle moved – That the long title of the Bill be agreed to.

Question put and agreed to.

NOTICE OF MOTION – REVOCATION OF PROTECTED AREAS AND FOREST RESERVES

(Hansard p. 2339, 5.12 pm)

Minister for Environment, Local Government, Planning and Women (Ms Boyle), pursuant to notice, moved—

- (i) That this House requests the Governor in Council to make a revocation by regulation of the dedication of protected areas and forest reserves under the *Nature Conservation Act 1992* of those areas as set out in the Proposal tabled by me in the House on 28 April 2004, viz—

A Proposal, under Sections 32 and 70E of the *Nature Conservation Act 1992*, requesting the Governor in Council to make a revocation by regulation of the dedication of protected areas and forest reserves of:

- (a) All those parts of Conway National Park described as being within stations 3–4–A–B–C–D–27–3 and Lot 399 on SP133143 and containing areas totally 13.3965 hectares as illustrated on the attached sketch marked 'A';
- (b) All that part of Millstream Falls National Park described as being within stations A–B–18a–A on CP900987 and containing an area of 0.1624 of a hectare as illustrated on the attached sketch marked 'B';
- (c) All that part of Trinity Forest Reserve described as Lot 11 on SP146414 and containing an area of 6.475 hectares as illustrated on the attached sketch marked 'C'; and

- (ii) That Mr Speaker and the Clerk of the Parliament convey a copy of this resolution to the Minister for Environment for submission to the Governor in Council.

Debate ensued.

Question put and agreed to.

SPECIAL ADJOURNMENT

Acting Leader of the House (Ms Boyle) moved – That the House at its rising do adjourn until 9.30am on Tuesday, 28 September 2004

Question put and agreed to.

ADJOURNMENT (Hansard p. 2341, 5.26 pm)

Acting Leader of the House (Ms Boyle) moved – That the House do now adjourn.

Debate ensued.

Question put and agreed to.

The House adjourned at 5.57 pm.

ATTENDANCE

The following members were present—

Attwood	Finn	Lavarch	Mickel	Reilly	Struthers
Barry	Flegg	Lawlor	Miller	Reynolds	Stuckey
Barton	Foley	Lee	Molloy	Rickuss	Sullivan, C
Beattie	Fouras	Lee long	Mulherin	Roberts, E	Sullivan, T
Bligh	Fraser	Lingard	Nelson–Carr	Roberts, N	Wallace
Boyle	Hobbs	Livingstone	Nolan	Robertson	Welford
Choi	Hollis	Lucas	Nuttall	Rowell	Wellington
Clark, E	Hoolihan	Mackenroth	O'Brien	Schwarten	Wells
Clark, L	Hopper	Male	Palaszczyk	Scott	Wilson
Copeland	Horan	Malone	Pearce	Seeney	
Croft	Jarratt	McArdle	Pitt	Shine	
Cummins	Johnson	McGrady	Pratt	Simpson	
Cunningham, J	Keech	McNamara	Purcell	Smith	
English	Knuth	Menkens	Quinn	Spence	
Fenlon	Langbroek	Messenger	Reeves	Stone	

R K HOLLIS
SPEAKER

N J LAURIE
CLERK OF THE PARLIAMENT