

LEGISLATIVE ASSEMBLY OF QUEENSLAND

FIRST SESSION OF THE FIFTY-FIRST PARLIAMENT

VOTES AND PROCEEDINGS

NO. 41 – TUESDAY, 22 FEBRUARY 2005

CONTENTS

MEETING OF THE ASSEMBLY	394
ASSENT TO BILLS	394
STATEMENT BY SPEAKER – APPOINTMENT OF PARLIAMENTARY CRIME AND	
MISCONDUCT COMMISSIONER	394
STATEMENT BY SPEAKER - AUSTRALIAN RED CROSS BLOOD SERVICE MOBILE UNIT	394
STATEMENT BY SPEAKER – ABSENCE OF MEMBER FOR NICKLIN AND MEMBER FOR	
GAVEN	394
GAVEN DEATHS OF PETER NICHOLSON DUCKETT WHITE AND GREGORY BRIAN KEHOE (Hansard	
p. 2, 9.32 am)	395
PETITIONS	395
PAPERS TABLED DURING THE RECESS	
STATUTORY INSTRUMENTS	
REPORT TABLED BY THE CLERK	
MINISTERIAL STATEMENTS (Hansard p. 14, 10.10 am)	404
MOTION WITHOUT NOTICE – AMENDMENT OF SESSIONAL ORDERS – HOURS AND	
ORDER OF BUSINESS	
SCRUTINY OF LEGISLATION COMMITTEE – PAPER	
PAPERS	
QUESTIONS WITHOUT NOTICE (Hansard p. 29, 10.30 am)	
MATTER OF PRIVILEGE (Hansard p. 29, 11.11 am)	
MATTERS OF PUBLIC INTEREST (Hansard p. 33, 11.29 am)	406
APPROPRIATION BILL (NO. 2) AND APPROPRIATION (PARLIAMENT) BILL (NO. 2) (Hansard	
P , . =	406
MOTION WITHOUT NOTICE – ADDRESS TO THE GOVERNOR IN COUNCIL – APPOINTMENT	
OF INFORMATION COMMISSIONER (Hansard p. 84, 7.30 pm)	
PETROLEUM AND OTHER LEGISLATION AMENDMENT BILL (NO. 2) (Hansard p. 94, 8.25 pm)	
ADJOURNMENT (Hansard p. 100, 8.56 pm)	409
ATTENDANCE	/11 0

MEETING OF THE ASSEMBLY

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

ASSENT TO BILLS

Letter from the Governor was reported, informing the House that Her Excellency had, in the name and on behalf of Her Majesty, assented to the following Bills on 29 November 2004—

A Bill for an Act to amend the Commission for Children and Young People and Child Guardian Act 2000 and for other purposes (Commission for Children and Young People and Child Guardian Amendment Act 2004 – Act No. 49 of 2004)

A Bill for an Act to amend the *Electricity Act 1994* (*Electricity Amendment Act 2004* – Act No. 50 of 2004)

A Bill for an Act to amend the *Electricity Act 1994 (Electricity Amendment Act (No. 2) 2004* – Act No. 51 of 2004)

A Bill for an Act to require particular offenders who commit sexual, or particular other serious, offences against children to keep police informed of their whereabouts and other personal details for a period of time, to reduce the likelihood that they will re-offend, and to facilitate the investigation and prosecution of any future offences that they may commit, and for related purposes (*Child Protection (Offender Reporting) Act 2004* – Act No. 52 of 2004)

A Bill for an Act to make various amendments of Queensland statute law (*Statute Law (Miscellaneous Provisions) Act 2004* – Act No. 53 of 2004)

A Bill for an Act to amend the *Transport Infrastructure Act 1994*, and for other purposes (*Transport Infrastructure Amendment Act 2004* – Act No. 54 of 2004)

STATEMENT BY SPEAKER - APPOINTMENT OF PARLIAMENTARY CRIME AND MISCONDUCT COMMISSIONER

Mr Speaker made the following statement—

"Honourable Members-

I have to report that Mr Alan MacSporran has been appointed as the Parliamentary Crime and Misconduct Commissioner."

STATEMENT BY SPEAKER - AUSTRALIAN RED CROSS BLOOD SERVICE MOBILE UNIT

"Honourable Members-

Today and tomorrow from 9am until 3pm the Australian Red Cross has set up a blood service mobile unit.

The unit will be set up out the front of the old House for Members and staff who wish to donate.

May I remind everyone that unfortunately Easter becomes a busy time for the Red Cross and with the break upon us early this year I urge all members and staff to consider donating.

Appointments can be made if necessary – the number to call is posted outside the Chamber."

STATEMENT BY SPEAKER - ABSENCE OF MEMBER FOR NICKLIN AND MEMBER FOR GAVEN

"Honourable Members-

The Member for Nicklin, Peter Wellington and the Member for Gaven, Robert Poole will be absent from the Parliament this week for health reasons.

I'm sure you will join me in wishing them well."

<u>DEATHS OF PETER NICHOLSON DUCKETT WHITE AND GREGORY BRIAN KEHOE</u> (Hansard p. 2, 9.32 am)

Premier and Minister for Trade (Mr Beattie) moved—

- (a) That this House desires to place on record its appreciation of the services rendered to this State by the late former State Member for Southport and former Federal Member for McPherson, Mr Peter Nicholson Duckett White, and the late Gregory Brian Kehoe, a former Member of the Parliament of Queensland.
- (b) That Mr Speaker be requested to convey to the families of the deceased gentlemen the above resolution, together with an expression of the sympathy and sorrow of the Members of the Parliament of Queensland, in the loss they have sustained.

Debate ensued.

Leader of the Opposition (Mr Springborg) seconded the motion.

Debate continued.

Members signified their assent by standing in silence in their places.

PETITIONS

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

Ms Nelson-Carr from 1,944 petitioners requesting the House to authorise the purchase of the property known as the JCU Vincent Campus in order to preserve the hydrotherapy pool and associated facilities for use by all residents of Townsville Thuringowa and the surrounding region.

Mr Hoolihan from 2,171 petitioners requesting the House to establish a branch of the Queensland Police Citizens Youth Welfare Association (PCYC) on the Capricorn Coast at Yeppoon.

Mr Wellington from 2,698 petitioners requesting the House to cause the new call in powers of the Office of Urban Management to be used to prevent the proposed residential and golf course development behind the village of Montville being approved and to prevent Montville and its surrounds from further urbanisation and development by including it as an important part of the green belt of regional landscape in the new Urban Management Plan being put in place by State Government.

Mrs Sullivan from 2,774 petitioners requesting the House to take action to rezone the area from the four wheel drive track on Bribie Island's Ocean Beach opposite 8th Avenue, Woorim including approximately 200 metres out from the low-tide mark to Castlereagh Point, Scarborough as a special managed area for recreation and tourism zone.

Mr Langbroek from 1,640 petitioners requesting the House to take steps pursuant to section 161 of the Local Government Act to obtain a regulation of the Governor in Council permanently suspending the Gold Coast City Council's resolution of 29 November 2004 regarding the sale of freehold land at Surfers Paradise known as Neal Shannon Park, Bruce Bishop Car Park and Surfers Paradise Transit Centre.

Mr O'Brien from 1,013 petitioners requesting the House to use its authority to deem Weipa Town Office as an eligible organisation for funding purposes.

The following E-petitions, sponsored by the Members indicated, were received—

Mr Messenger from 338 petitioners requesting the House to maintain funding of the Reading Recovery Program in existing schools.

Mr Purcell from 27 petitioners requesting the House to stop the planned removal of large trees and find an alternative site for the construction of a Special Education Unit within the grounds of Morningside State School or investigate other suitable venues in the Bulimba Electorate.

Mr Choi from 631 petitioners requesting the House to require the Deputy Premier in his role as Head of the Office of Urban Management to incorporate only the existing urban footprint (as per the 1998 Redland Shire Strategic Plan) within the SEQ 2021 Draft Regional Plan and to require Local Government and Planning Minister to reject any Redland Shire Draft Planning Scheme based on further urban expansion in the Redland Shire.

Mr O'Brien from 259 petitioners requesting the House to refer the inability of citizens to register and vote electronically to the Legal, Constitutional and Administrative Review Committee asking it to investigate ways to allow Queenslanders to vote electronically.

Mr English from 131 petitioners requesting the House to provide more facilities and beds specifically for young people with an acquired brain injury.

Ms Barry from 101 petitioners requesting the House to reconsider its blanket settlement offer of wages removed from the indigenous community between 1890 and 1970 and award all monies owed to these peoples on individual merit.

Mr Fraser from 4,446 petitioners requesting the House to consider changes to the State Liquor Act which would formally recognise the Valley as Queensland's first Special Entertainment Precinct.

Mr Fraser from 1,428 petitioners requesting the House to provide funding in the forward capital works program for a safe pedestrian and cyclists crossing at the Toowong roundabout.

PAPERS TABLED DURING THE RECESS

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

26 November 2004—

Queensland's Category 2 Water Authorities – Summary of Annual Reports and Financial Statements 2003–04

Queensland's River Improvement Trusts - Summarised Annual Report 2003-04

29 November 2004-

Response from the Minister for Employment, Training and Industrial Relations (Mr Barton) to a paper petition presented by Ms Menkens from 605 petitioners regarding the introduction of Youth Training Incentive Scheme Initiatives for the Burdekin area

30 November 2004-

Legal, Constitutional and Administrative Review Committee – Report No. 46 – November 2004 titled *A preamble for the Queensland Constitution*?

Legal, Constitutional and Administrative Review Committee – Non-confidential submissions nos. 1 to 134 received relating to Report No. 46 – *A preamble for the Queensland Constitution?*

Response from the Minister for Environment, Local Government, Planning and Women (Ms Boyle) to a paper petition presented by Mr Wellington from 199 petitioners regarding the proposed Montville Country Club being established as a fully sewered, environmentally self-sustainable golfing residential community and that it be planned as a national model for non- reliance on state or local government community infrastructure

3 December 2004—

Government response from the Minister for Environment, Local Government, Planning and Women (Ms Boyle) to the Public Accounts Committee Report No. 67 titled *Review of Audit Reports – Financial Accountability and Governance of Aboriginal and Island Councils*

Report from the Minister for Education and the Arts (Ms Bligh) on an overseas trip to Singapore and the People's Republic of China – 24 October to 4 November 2004

6 December 2004—

Response from the Minister for Emergency Services (Mr Cummins) to two paper petitions presented by Mr Foley MP from 277 (Petition No. 402–04) and 178 (Petition No. 403–04) petitioners regarding the installation of an ambulance station in Glenwood Mental Health Court – Annual Report 2003–04

7 December 2004—

Response from the Minister for Transport and Main Roads (Mr Lucas) to a paper petition presented by Mr Quinn MP from 242 petitioners regarding a request to improve the intersection at the entrance to Pinklands Sporting Reserve on Cleveland – Redland Bay Road

Response from the Minister for Transport and Main Roads (Mr Lucas) to a paper petition presented by Mr Fraser MP from 235 petitioners regarding a request to upgrade the intersection of Coopers Camp Road, Jubilee Terrace, Simpsons Road and MacGregor Terrace, Bardon

8 December 2004—

Response from the Deputy Premier, Treasurer and Minister for Sport (Mr Mackenroth) to an E-petition sponsored by Mr Wellington MP from 1503 petitioners regarding the establishment of an independent inquiry into the impact of public liability insurance increases on the community Commercial and Consumer Tribunal – Annual Report 2003–04

9 December 2004—

Queensland Audit Office – Audit Report No. 7 2004–05 titled Results of Audits as at 31 October 2004 and Public Sector Auditing 1997-2004 – A Reflection

Crime and Misconduct Commission – Report titled Striking a balance: An inquiry into media access to police radio communications – December 2004

Response from the Minister for Environment, Local Government, Planning and Women (Ms Boyle) to a paper petition presented by Mr Wellington MP from 123 petitioners regarding a request for provision to be made in the proposed new tenure for Forest Reserves to have the already existing fire trails and tracks set aside as Conservation Park Corridors

Response from the Minister for Environment, Local Government, Planning and Women (Ms Boyle) to two paper petitions presented by Mr Wellington MP from 110 petitioners (Petition No. 390–04) and 153 petitioners (Petition No. 356–04) regarding a request for provision to be made in the proposed new tenure for Forest Reserves to have the already existing fire trails and tracks set aside as Conservation Park Corridors

Response from the Minister for Environment, Local Government, Planning and Women (Ms Boyle) to a paper petition presented by Mr Wellington MP from 1831 petitioners regarding a request for provision to be made in the proposed new tenure for Forest Reserves to have the already existing fire trails and tracks set aside as Conservation Park Corridors

Response from the Minister for Environment, Local Government, Planning and Women (Ms Boyle) to an E-petition sponsored by Mr Livingstone from 128 petitioners regarding a request to protect the sandstone abutments of the Heiner Road Overbridge, Heiner Road and the Wharf Branch Railway, North Ipswich

10 December 2004-

Murray-Darling Basin Commission – Annual Report 2003–04

Report from the Minister for Employment, Training and Industrial Relations (Mr Barton) on an overseas trip to Europe – 6 September to 18 September 2004 (various attachments tabled with the report)

Queensland Gaming Commission - Annual Report 2003-04

13 December 2004—

Response from the Minister for Transport and Main Roads (Mr Lucas) to a paper petition presented by Ms Stuckey MP from 144 petitioners regarding unacceptable noise levels experienced by residents at Elanora

15 December 2004—

Response from the Minister for Environment, Local Government, Planning and Women (Ms Boyle) to a paper petition presented by Mr Wellington MP from 1001 petitioners regarding a request for provision to be made in the proposed new tenure for Forest Reserves to have the already existing fire trails and tracks set aside as Conservation Park Corridors

Response from the Minister for Environment, Local Government, Planning and Women (Ms Boyle) to a paper petition presented by Mr Wells MP from 165 petitioners regarding the proposed high density residential development on land adjacent to the main northern rail line from Yebri Street to Water Street, Kallangur

Response from the Minister for Environment, Local Government, Planning and Women (Ms Boyle) to a paper petition presented by Ms C Molloy MP from 18,747 petitioners regarding the rejection of any proposal to amalgamate Noosa Shire with other shires on the Sunshine Coast

16 December 2004—

Queensland Audit Office – Audit Report No. 8, 2004–05 titled *Update on an audit of expenses reimbursed to the former Chief Executive Officer of ENERGEX Limited*

Bundaberg Cane Protection and Productivity Board - Annual Report 2003-04

Late tabling statement by the Minister for Primary Industries and Fisheries (Mr Palaszczuk) regarding the Bundaberg Cane Protection and Productivity Board's Annual Report 2003–04

Response from the Minister for Environment, Local Government, Planning and Women (Ms Boyle) to five paper petitions all presented by Mr P Wellington MP from 303 petitioners (Petition No. 344–04), 402 petitioners (Petition No. 350–04), 364 petitioners (Petition No. 355–04), 144 petitioners (Petition No. 381–04) and 51 petitioners (Petition No. 382–04), regarding horse riding in the Mapleton Forest Reserve

20 December 2004-

Response from the Minister for Health (Mr Nuttall) to a paper petition presented by Mr M Rowell MP from 3,963 petitioners regarding the failure to retain doctors on a long-term basis at Ingham Hospital, rectifying identified problems and maintaining the current level of service

Response from the Minister for Health (Mr Nuttall) to a paper petition presented by Mr G Fenlon MP from 1,340 petitioners regarding a request to stop the establishment of a drug and alcohol treatment facility by Ozcare in Hammond Way, Kelso

21 December 2004-

Legal, Constitutional and Administrative Review Committee – Report No. 47 titled Meeting with the Queensland Ombudsman – 23 November 2004

Crime and Misconduct Commission – Report titled Regulating Prostitution: An Evaluation of the Prostitution Act 1999 (Qld)

Crime and Misconduct Commission – Report titled Regulating Adult Entertainment: A Review of the Live Adult Entertainment Industry in Queensland

Department of Emergency Services – Discussion Paper titled *A review of fire safety arrangements in Queensland*

Letter, dated 20 December 2004, from the Premier and Minister for Trade (Mr Beattie) to the Clerk of the Parliament enclosing a copy of a letter from the Commonwealth Parliament's Joint Standing Committee on Treaties listing proposed international treaty actions tabled in the Commonwealth Parliament on 7 December 2004 and the National Interest Analyses for each of the proposed treaty actions listed

Response from the Minister for Natural Resources and Mines (Mr Robertson) to a paper petition presented by Mr J English MP from 7,989 petitioners and an E-petition sponsored by Mr J English MP from 530 petitioners regarding legalising ferret ownership in Queensland

Report from the Minister for Natural Resources and Mines (Mr Robertson) on an overseas trip to Japan and Taiwan – 11 to 20 November 2004

Travelsafe Committee - <u>Issues Paper No. 9 titled Educating drivers to stop driving tired</u>

22 December 2004—

Queensland Law Reform Commission - Annual Report and Statement of Affairs 2003-04

Office of the Public Advocate - Queensland - Annual Report 2003-04

District Court of Queensland - Annual Report 2003-04

Supreme Court of Queensland - Annual Report 2003-04

Director of Public Prosecutions Queensland - Annual Report 2003-04

23 December 2004—

Townsville Hospital Foundation – Annual Report 2003-04

Late tabling statement by the Minister for Health (Mr Nuttall) regarding the Townsville Hospital Foundation Annual Report 2003–04

Response from the Deputy Premier, Treasurer and Minister for Sport (Mr Mackenroth) to a paper petition presented by Mr Wellington from 1116 petitioners regarding the proposed residential and golf course development behind the village of Montville

24 December 2004—

Report from the Minister for Primary Industries and Fisheries (Mr Palaszczuk) on an overseas trip to Vietnam, Japan and Korea – 11 to 21 November 2004

Response from the Attorney-General and Minister for Justice (Mr Welford) to a paper petition presented by Mr Fenlon from 110 petitioners regarding rules pertaining to the assessment for admission as a Barrister-at-Law

6 January 2005—

Response from the Minister for Transport and Main Roads (Mr Lucas) to a paper petition presented by Dr Clark from 2,370 petitioners regarding the proposed upgrade of the Kennedy Highway, Smithfield to Kuranda (Kuranda Range Road)

Final Government response from the Acting Premier and Minister for Trade (Mr Mackenroth) to Members' Ethics and Parliamentary Privileges Committee Report No. 64 titled Report on an examination of the appropriate scope of provisions on Members transacting business with an entity of the State, and related matters

13 January 2005—

Response from the Minister for Education and the Arts (Ms Bligh) to a paper petition presented by Mr Langbroek from 229 petitioners regarding the proposed sale of Crown Land in Brolga Close, Kewarra Beach

Response from the Minister for Education and the Arts (Ms Bligh) to a paper petition presented by Mr Langbroek from 1148 petitioners regarding speech therapy services available at the Warren Park Special Education Development Unit

14 January 2005—

Amended coversheet to the report from the Minister for Primary Industries and Fisheries (Mr Palaszczuk) on an overseas trip to Vietnam, Japan and Korea – 11 to 21 November 2004

17 January 2005—

Response from the Minister for Environment, Local Government, Planning and Women (Ms Boyle) to two paper petitions presented by Mr Livingstone from 165 petitioners (Petition No. 416-04) and 798 petitioners (Petition No. 417-04), regarding a request to protect the sandstone abutments of the Heiner Road Overbridge, Heiner Road and the Wharf Branch Railway, North Ipswich

19 January 2005—

Response from the Minister for Communities, Disability Services and Seniors (Mr Pitt) to an epetition sponsored by Mr Purcell from 313 petitioners regarding child care legislation

20 January 2005—

Priorities in Progress Report 2003-04

25 January 2005—

Response from the Minister for Transport and Main Roads (Mr Lucas) to a paper petition presented by Mr Mulherin from 554 petitioners regarding a request to refuse the application to upgrade Evans Avenue and Malcomson Street, North Mackay

1 February 2005—

Amendments to the $Murray-Darling\ Basin\ Agreement-Schedule\ C-Basin\ Salinity\ Management$ approved by the Murray-Darling Basin Ministerial Council on 1 November 2002

Amendments to the *Murray-Darling Basin Agreement – Schedule F – Cap on Diversions* approved by the Murray-Darling Basin Ministerial Council on 25 August 2000

3 February 2005—

Response from the Minister for Police and Corrective Services (Ms Spence) to a paper petition presented by Mrs Sullivan from 2864 petitioners regarding a request for a 24 hour police station on Bribie Island

9 February 2005—

Response from the Minister for Transport and Main Roads to a paper petition presented by Mr Reynolds from 87 petitioners regarding a request for the Townsville Port Authority to provide only one entry and exit point to the port, the Boundary Street/Benwell Road entry and that the port access road be supported and built as a matter of urgency

15 February 2005—

Guideline for using the Automated Interactive Voice Response (AIVR System) to give a Notice

16 February 2005—

Interim Rail Investigation Report into the Derailment of Cairns Tilt Train VCQ5, North of Berajondo, Queensland on 15 November 2004

17 February 2005—

Childrens Court of Queensland - Annual Report 2003-04

21 February 2005—

Interim Government Response from the Premier and Minister for Trade to Legal, Constitutional and Administrative Review Committee's Report No. 46 – A preamble for the Queensland Constitution?

STATUTORY INSTRUMENTS

The following statutory instruments were tabled by the Clerk—

Gambling Legislation Amendment Act 2004—

Proclamation commencing certain provisions, No. 252

Casino Control Act 1982, Charitable and Non-Profit Gaming Act 1999, Gaming Machine Act 1991, Interactive Gambling (Player Protection) Act 1998, Keno Act 1996, Lotteries Act 1997, Wagering Act 1998—

Gambling Legislation Amendment Regulation (No. 2) 2004, No. 253

Superannuation Legislation Amendment Act 2003—

Superannuation Legislation Amendment (Postponement) Regulation 2004, No. 254

Liquor Amendment Act 2004—

Proclamation commencing remaining provisions, No. 255

Workplace Health and Safety Act 1995-

Workplace Health and Safety Amendment Regulation (No. 2) 2004, No. 256

Health Services Act 1991—

Health Services Amendment Regulation (No. 2) 2004, No. 257

Motor Vehicles and Boats Securities Act 1986-

Motor Vehicles and Boats Securities Amendment Regulation (No. 1) 2004, No. 258

Community Ambulance Cover Act 2003—

Community Ambulance Cover Amendment Regulation (No. 2) 2004, No. 259

Drug Rehabilitation (Court Diversion) Act 2000—

Drug Rehabilitation (Court Diversion) Amendment Regulation (No. 1) 2004, No. 260

Criminal Proceeds Confiscation Act 2002—

Criminal Proceeds Confiscation Amendment Regulation (No. 1) 2004, No. 261

State Penalties Enforcement Act 1999-

State Penalties Enforcement Amendment Regulation (No. 7) 2004, No. 262

Justice and Other Legislation Amendment Act 2004—

Proclamation commencing certain provisions, No. 263

Surveyors Act 2003—

Surveyors Amendment Regulation (No. 1) 2004, No. 264

Forestry Act 1959, Nature Conservation Act 1992—

Forestry and Nature Conservation Legislation Amendment Regulation (No. 2) 2004, No. 265

Local Government (Community Government Areas) Act 2004— Proclamation commencing remaining provisions, No. 266

Community Services and Other Legislation Amendment Act 2004— Proclamation commencing remaining provisions, No. 267

Pay-roll Tax Act 1971, Taxation Administration Act 2001—

Taxation Legislation Amendment Regulation (No. 1) 2004, No. 268

Education (General Provisions) Act 1989—

Education (General Provisions) Amendment Regulation (No. 3) 2004, No. 269

Education (Queensland Studies Authority) Act 2002—

Education (Queensland Studies Authority) Amendment Regulation (No. 1) 2004, No. 270

Tobacco and Other Smoking Products Amendment Act 2004—

Proclamation commencing certain provision, No. 271

Gold Coast Motor Racing Events Act 1990, Police Powers and Responsibilities Act 2000, State Penalties Enforcement Act 1999, Tobacco and Other Smoking Products Act 1998—

Tobacco and Other Smoking Products Amendment Regulation (No. 1) 2004, No. 272

Police Service Administration Act 1990—

Police Service Administration Amendment Regulation (No. 1) 2004, No. 273

Legal Profession Act 2004—

Legal Profession Amendment Regulation (No. 2) 2004, No. 274

State Penalties Enforcement Act 1999—

State Penalties Enforcement Amendment Regulation (No. 8) 2004, No. 275

Supreme Court of Queensland Act 1991—

Uniform Civil Procedure Amendment Rule (No. 2) 2004, No. 276

Stock Act 1915-

Stock Amendment Regulation (No. 2) 2004, No. 277

Electricity Amendment Act 2004—

Proclamation commencing remaining provisions, No. 278

Electricity Act 1994—

Electricity Amendment Regulation (No. 3) 2004, No. 279

Community Services (Aborigines) Act 1984—

Community Services (Aborigines) Amendment Regulation (No. 4) 2004, No. 280

Radiation Safety Act 1999—

Radiation Safety (Radiation Safety Standards) Amendment Notice (No. 1) 2004, No. 281

Commission for Children and Young People and Child Guardian Amendment Act 2004— Proclamation commencing remaining provisions, No. 282

Government Owned Corporations Act 1993—

Government Owned Corporations Amendment Regulation (No. 3) 2004, No. 283

Superannuation Legislation Amendment Act 2004—

Proclamation commencing certain provisions, No. 284

Superannuation Legislation Amendment Act 2003—

Proclamation commencing certain provisions, No. 285

Vocational Education, Training and Employment Act 2000—

Vocational Education, Training and Employment Amendment Regulation (No. 1) 2004, No. 286

Workers' Compensation and Rehabilitation and Other Acts Amendment Act 2004— Proclamation commencing certain provisions, No. 287

Building and Construction Industry (Portable Long Service Leave) Act 1991—

Building and Construction Industry (Portable Long Service Leave) Amendment Regulation (No. 2) 2004, No. 288

Electrical Safety Act 2002, Workers' Compensation and Rehabilitation Act 2003, Workplace Health and Safety Act 1995—

Workers' Compensation and Rehabilitation and Other Legislation Amendment Regulation (No. 1) 2004, No. 289 and Explanatory Notes for No. 289

State Penalties Enforcement Act 1999, Workplace Health and Safety Act 1995—Workplace Health and Safety Amendment Regulation (No. 3) 2004, No. 290

Health Act 1937-

Health (Drugs and Poisons) Amendment Regulation (No. 1) 2004, No. 291

Health Services Act 1991, Private Health Facilities Act 1999—

Health Legislation Amendment Regulation (No. 4) 2004, No. 292

Public Records Act 2002—

Public Records Amendment Regulation (No. 1) 2004, No. 293

Domestic Building Contracts Act 2000, Queensland Building Services Authority Act 1991—
Queensland Building Services Authority and Other Legislation Amendment Regulation (No. 1) 2004, No. 294

Child Protection (Offender Reporting) Act 2004—

Proclamation commencing remaining provisions, No. 295

Child Protection (Offender Reporting) Regulation 2004, No. 296

Police Powers and Responsibilities Act 2000—

Police Powers and Responsibilities Amendment Regulation (No. 8) 2004, No. 297

Justice and Other Legislation Amendment Act 2004—

Proclamation commencing certain provisions, No. 298

Transport and Other Legislation Amendment Act (No. 2) 2004—

Proclamation commencing certain provisions, No. 299

Transport Operations (Road Use Management) Act 1995—

Transport Legislation Amendment Regulation (No. 3) 2004, No. 300

State Penalties Enforcement Act 1999, Transport Operations (Passenger Transport) Act 1994, Transport Operations (Road Use Management) Act 1995—

Transport Legislation Amendment Regulation (No. 4) 2004, No. 301

State Penalties Enforcement Act 1999, Tow Truck Act 1973, Transport Infrastructure Act 1994, Transport Operations (Road Use Management) Act 1995—

Transport Legislation and Another Regulation Amendment Regulation (No. 1) 2004, No. 302

Transport Operations (Passenger Transport) Act 1994—

Transport Operations (Passenger Transport) Amendment Regulation (No. 3) 2004, No. 303

Primary Industries and Other Legislation Amendment Act 2003—

Proclamation commencing remaining provisions, No. 304

Fisheries Act 1994, Integrated Planning Act 1997, State Penalties Enforcement Act 1999— Fisheries and Other Legislation Amendment Regulation (No. 1) 2004, No. 305 and Explanatory Notes and Regulatory Impact Statement for No. 305

Rural and Regional Adjustment Act 1994—

Rural Adjustment Authority Amendment Regulation (No. 2) 2004, No. 306

Sugar Industry Act 1999—

Sugar Industry Amendment Regulation (No. 2) 2004, No. 307

Petroleum and Gas (Production and Safety) Act 2004—

Proclamation commencing remaining provisions, No. 308

Coal Mining Safety and Health Act 1999, Mineral Resources Act 1989, Petroleum and Gas (Production and Safety) Act 2004—

Petroleum and Gas (Production and Safety) Regulation 2004, No. 309 and Explanatory Notes and Regulatory Impact Statement for No. 309

Petroleum Act 1923—

Petroleum Regulation 2004, No. 310 and Explanatory Notes and Regulatory Impact Statement for No. 310

Land Sales Act 1984—

Land Sales Amendment Regulation (No. 1) 2004, No. 311

Consumer Credit (Queensland) Act 1994—

Consumer Credit Amendment Regulation (No. 2) 2004, No. 312

Property Agents and Motor Dealers Act 2000—

Property Agents and Motor Dealers Amendment Regulation (No. 1) 2004, No. 313

Electricity Act 1994—

Electricity Amendment Regulation (No. 4) 2004, No. 314

Environmental Protection and Other Legislation Amendment Act 2004—

Proclamation commencing certain provisions, No. 315

Coastal Protection and Management Act 1995, Environmental Protection Act 1994, Nature Conservation Act 1992, State Penalties Enforcement Act 1999—

Environmental Protection and Other Legislation Amendment Regulation (No. 1) 2004, No. 316

Forestry Act 1959, Nature Conservation Act 1992—

Forestry and Nature Conservation Legislation Amendment Regulation (No. 3) 2004, No. 317

Community Services (Aborigines) Act 1984-

Community Services Legislation Amendment and Repeal Regulation (No. 1) 2004, No. 318

Community Services (Torres Strait) Act 1984, Education (General Provisions) Act 1989, Housing Act 2003, Liquor Act 1992, Local Government Act 1993, Local Government (Community Government Areas) Act 2004, State Penalties Enforcement Act 1999, Statutory Bodies Financial Arrangements Act 1982, Transport Operations (Road Use Management) Act 1995—

Local Government (Community Government Areas) Regulation 2004, No. 319

Food Production (Safety) Act 2000—

Food Production (Safety) Amendment Regulation (No. 2) 2004, No. 320 and Explanatory Notes and Regulatory Impact Statement for No. 320

Financial Administration and Audit Act 1977—

Financial Management Amendment Standard (No. 1) 2004, No. 321

Casino Control Act 1982-

Casino Gaming Amendment Rule (No. 3) 2004, No. 322

Community Services (Aborigines) Act 1984, Local Government Act 1993, Local Government (Community Government Areas) Act 2004—

Local Government (Community Government Areas) Finance Standard 2004, No. 323

Nature Conservation Act 1992—

Nature Conservation (Macropod Harvest Period) Notice 2004, No. 324

Workplace Health and Safety Act 1995—

Workplace Health and Safety (Repeal of Code of Practice) Notice 2004, No. 325

Casino Control Act 1982, Charitable and Non-Profit Gaming Act 1999, Gaming Machine Act 1991, Interactive Gambling (Player Protection) Act 1998, Keno Act 1996, Lotteries Act 1997, Wagering Act 1998—

Gambling Legislation Amendment Regulation (No. 1) 2005, No. 1

Mineral Resources Act 1989-

Mineral Resources Amendment Regulation (No. 1) 2005, No. 2 and Explanatory Notes for No. 2

Education Legislation Amendment Act 2004—

Proclamation commencing remaining provisions, No. 3

Education (Capital Assistance) Act 1993—

Education (Capital Assistance) Regulation 2005, No. 4

Radiation Safety Act 1999—

Radiation Safety Amendment Regulation (No. 1) 2005, No. 5

Building and Construction Industry Payments Act 2004—

Building and Construction Industry Payments Amendment Regulation (No. 1) 2005, No. 6

Drugs Misuse Act 1986-

Drugs Misuse Amendment Regulation (No. 1) 2005, No. 7

Pay-roll Tax Administration Amendment Act 2004—

Proclamation commencing remaining provisions, No. 8

Statutory Bodies Financial Arrangements Act 1982—

Statutory Bodies Financial Arrangements Amendment Regulation (No. 1) 2005, No. 9

Water Act 2000—

Water Amendment Regulation (No. 1) 2005, No. 10 and Explanatory Notes and Regulatory Impact Statement for No. 10

Mineral Resources Act 1989-

Mineral Resources Amendment Regulation (No. 2) 2005, No. 11 and Explanatory Notes and Regulatory Impact Statement for No. 11

Marine Parks Act 1982-

Marine Parks Zoning Plans Amendment Zoning Plan (No. 1) 2005, No. 12 Marine Parks Amendment Regulation (No. 1) 2005, No. 13

Local Government Act 1993—

Local Government Amendment Regulation (No. 1) 2005, No. 14

Petroleum Act 1923-

Petroleum (Entry Permission—Queensland Gas Company Limited) Notice 2005, No. 15

REPORT TABLED BY THE CLERK

The following report was tabled by The Clerk—

Report pursuant to Standing Order 158 (Clerical errors or formal changes to any bill) detailing amendments to certain Bills, made by the Clerk, prior to assent by Her Excellency the Governor, *viz*—

Statute Law (Miscellaneous Provisions) Bill 2004

Amendment made to Bill

Schedule, amended Act title-

At page 45, line 1—

omit—

'And'

insert-

'and'.

MINISTERIAL STATEMENTS (Hansard p. 14, 10.10 am)

(a) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to the public report of ministerial expenses for the period 1 July 2004 to 31 December 2004.

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

Public Report of Ministerial Expenses – Total for all Ministerial Portfolios – For the period 1 July 2004 to 31 December 2004

(b) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to the ICT industry.

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

Queensland Government promotional folder of ICT documents, including *Smart ICT – Taking it to the world*

(c) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to multicultural policy.

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

Queensland Government Multicultural Policy 2004 titled Multicultural Queensland – Making a world of difference

(d) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to the koala conservation plan.

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

Environmental Protection Agency and Queensland Parks and Wildlife Service – Draft Nature Conservation (Koala) Conservation Plan 2005 and Management Program 2005–2015

(e) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to counter–terrorism contingencies.

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

Queensland Government 2005–2007 Counter-Terrorism Strategy

- (f) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to the top 10 improvements to Queensland's way of life.
- (g) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to jobs creation in regional Queensland.

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

Commemorative book titled *City of Gympie 100 years of news 1905–2004* compiled by Pat Towner, edited by Neville McHarg

(h) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to Government advertising.

Papers: Mr Beattie, during his statement, tabled the following papers—Government advertisements (5) and schedule of publication

- (i) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to waiting times in public hospitals.
- (j) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to the Emergency Response Centre.
- (k) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to the Clarion Hotel, Mackay Marina.
- (I) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to new funding for projects.
- (m) Minister for Education and the Arts (Ms Bligh) made a ministerial statement relating to air conditioning in schools.
- (n) Minister for Police and Corrective Services (Ms Spence) made a ministerial statement relating to Police Commissioner Bob Atkinson.

MOTION WITHOUT NOTICE - AMENDMENT OF SESSIONAL ORDERS - HOURS AND ORDER OF BUSINESS

Leader of the House (Ms Bligh), by leave, moved – That the days and hours of sitting and Order of Business contained in sessional order number 1 be amended in accordance with the amendment circulated in my name; *viz*—

That the days and hours of sitting and Order of Business contained in Sessional Order number 1 be amended by-

(1) In 1(b) omitting:
"1.00pm – 2.00pm (each day)—
Lunch Break"
and inserting:
"1.00pm – 2.30pm (each day)—
Lunch break"
(2) In 1 (b) omitting:
"7.30pm – 9.00pm (Tuesday)—
Government Business"
and inserting:
"7.30pm – 10.00pm (Tuesday)—

Question put and agreed to.

Government Business".

SCRUTINY OF LEGISLATION COMMITTEE - PAPER

Chair of the Scrutiny of Legislation Committee (Mr Hayward) tabled the following paper— Scrutiny of Legislation Committee— Alert Digest No. 1 of 2005

PAPERS

The following papers were tabled—

Ms Nelson-Carr-

Report on visit to Mumbai, India from 4 to 7 December 2004

Leader of the Opposition (Mr Springborg)—

Public Report of Office Expenses for the Office of the Leader of the Opposition for the period 1 July 2004 to 31 December 2004

Leader of the Liberal Party (Mr Quinn)—

Public Report of Office Expenses for the Office of the Leader of the Liberal Party for the period 1 July 2004 to 31 December 2004

QUESTIONS WITHOUT NOTICE (Hansard p. 29, 10.30 am)

Questions without notice were asked.

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

Letter, dated 7 February 2005, to Russell Galt from John Miles, Chairman, Disciplinary Committee, Liberal Party of Australia Queensland Division titled *Notice of a Disciplinary*

Committee Investigation and Hearing

Questions continued.

Paper. Mr Horan tabled the following paper—

Letter (undated) from Dr David Evans, Medical Superintendent, QEII Hospital Health Service

District to doctors relating to gastroenterology services

Questions continued.

Paper. Minister for Health (Mr Nuttall) tabled the following paper—

Document titled Has your hospital been cheated?: Blackspot zones as reported in AMA

Queensland Budget Audit February 2005

Questions continued.

MATTER OF PRIVILEGE (Hansard p. 29, 11.11 am)

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

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

Document titled Issues in Juvenile Justice

Speaker's Ruling—

Mr Speaker ruled that there was no matter of privilege.

. .

Questions resumed.

Questions concluded.

MATTERS OF PUBLIC INTEREST (Hansard p. 33, 11.29 am)

Matters of public interest were debated.

APPROPRIATION BILL (NO. 2) AND APPROPRIATION (PARLIAMENT) BILL (NO. 2) (Hansard p. 44, 12.30 pm)

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

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

Copy of text of memo (undated) to Mr Frank Turvey, Asset Manager, Advisory Branch of Building Division, Q-Build, from John Rowland, Program Manager Environment, Q-Build Letter, dated 3 December 2004, from Ricky Fenwick, student at Macgregor High School, to Mr Messenger regarding asbestos at Macgregor High School

Letter, dated 14 December 2004, from Mr Ken Rogers, Assistant Director-General, School Performance, Education Queensland, to Mr and Mrs H Rzeszewski relating to concerns at Rosedale State School

Letter, dated 4 February 2005, from Henry and Deborah Rzeszewski to Mr Messenger relating to concerns at Rosedale State School

Email, dated 16 February 2005, from Mrs Linda Mulligan, District Director of Nursing Services, Bundaberg Health Services, to various addressees relating to roster and leave arrangements

Letter, dated 16 February 2005, from Lorraine Smith, CEO, Queensland School Bus Alliance, to Mr Messenger relating to school bus services

Debate continued.

Distinguished visitor—

Mr Speaker informed the House of the presence in the Gallery of His Excellency Mr John Lepi Lanyasunya, High Commissioner for the Republic of Kenya.

Debate resumed.

Question put and agreed to.

Bills read a second time.

Consideration in detail—

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, as read, agreed to.

Consideration in detail completed—

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

Question put and agreed to.

Mr Mackenroth moved – That the long titles of the Bills be agreed to.

Question put and agreed to.

MOTION WITHOUT NOTICE - ADDRESS TO THE GOVERNOR IN COUNCIL - APPOINTMENT OF INFORMATION COMMISSIONER (Hansard p. 84, 7.30 pm)

Attorney–General and Minister for Justice (Mr Welford), by leave, moved – That an address in the following terms be presented to Her Excellency the Governor in Council—

'Your Excellency-

The Legislative Assembly, humbly request that, pursuant to the provisions of section 61 of the *Freedom of Information Act 1992*, Your Excellency in Council approve the appointment of Ms Cathi Taylor, as the Information Commissioner.'

Motion seconded by Dr Clark.

Debate ensued.

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

Curriculum vitae of Ms Cathi Taylor

Debate continued.

Question put and agreed to.

PETROLEUM AND OTHER LEGISLATION AMENDMENT BILL (NO. 2) (Hansard p. 94, 8.25 pm)

Order of the day read for the adjourned debate on the motion of the Minister for Natural Resources and Mines (Mr Robertson) – That the Bill be now read a second time.

Debate ensued.

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

Article from Petroleum News, dated August 2004, titled Simmons hopes he's wrong

Article from The Business, dated 7 November 2004, titled Oil supply to peak sooner than we

think, says BP scientist

Debate continued.

Paper. Mr Robertson, by leave, during his speech, tabled the following paper—

Explanatory Notes to amendments in consideration in detail to the Petroleum and Other Legislation Amendment Bill (No. 2)

Debate continued.

Question put and agreed to.

Bill read a second time.

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Consideration in detail—
Clauses 1 to 8, as read, agreed to.
New Clause 8A-
   The following amendment was proposed by Mr Robertson—
   At page 12, after line 7—
   insert-
   '8A Amendment of s 756 (Application of sdiv 8)
   Section 756—
   insert—
   (2) Sections 757 to 759 also apply for any coal or oil shale mining lease granted for an application
       made before 31 December 2004 if the land the subject of the application was not in the area of
       a petroleum tenure.
   (3) For applying subsection (2), the definition relevant period in section 758(4) is taken to be as
       follows-
       relevant period means 6 months after the first anniversary of the grant of the lease.'.'
Question – That Mr Robertson's amendment be agreed to – put and agreed to.
Clauses 9 to 48, as read, agreed to.
Clause 49 (Amendment of S 89 (Compliance with Act etc.))—
   The following amendment was proposed by Mr Robertson—
   At page 56, line 6, 'Compliance with Act etc.'-
   omit. insert-
   'Applying for potential commercial area'.
Question – That Mr Robertson's amendment be agreed to – put and agreed to.
Clause 49, as amended, agreed to.
Clauses 50 to 66, as read, agreed to.
Clause 67 (Amendment of s 292 (Obligation to decommission))—
   The following amendment was proposed by Mr Robertson—
   At page 64, lines 14 to 20—
   omit, insert-
   '(4) Section 292(4)(b), before 'about the decommissioning'—
   insert-
   'for the well or bore'.'.
Question – That Mr Robertson's amendment be agreed to – put and agreed to.
Clause 67, as amended, agreed to.
Clauses 68 to 85, as read, agreed to.
Clause 86 (Amendment of s 687 (Who is the executive safety manager of an operation plant))—
   The following amendment was proposed by Mr Robertson—
   At page 73, line 5, 'operation'-
   omit, insert-
   'operating'.
Question – That Mr Robertson's amendment be agreed to – put and agreed to.
Clause 86, as amended, agreed to.
Clauses 87 to 105, as read, agreed to.
Schedule (Minor amendments of Acts)—
   The following amendments were proposed by Mr Robertson—
   At page 84, after line 6-
   insert-
   Forestry Act 1959
   '6A Section 5, definition Mining Acts, ', Petroleum and Gas (Production and Safety Act
       2004'—
   omit.
   At page 85, after line 1—
   insert-
   '10A Section 25G(2)(d)(ii), '573'—
   omit. insert-
   '25J'.
   At page 85, after line 6—
   insert-
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'12A Section 74B(2), 'does'omit. insert-'does not'. '12B Section 74O, note 3, 'subdivision 3'omit. insert-'subdivision 2' '12C Section 74Q(1), note 1, 'subdivision 3'omit. insert-'subdivision 2'.'. At page 85, after line 11 insert-'14A Section 74V(3)(b), 'lease' omit, insert-'tenure'.'. At page 92, after line 15 insert-'64A Section 802(1)(a)(i)omit, insert-

'(i) carried out under this Act or the 1923 Act and under the authority of a petroleum tenure or a 1923 Act petroleum tenure; or'.'.

At page 93, after line 4—

insert-

'66A Section 878(4), '2004'-

omit, insert-

'1923'.

'66B Section 893, 'lease numbered 195'-

omit, insert-

'leases numbered 194, 195, 198, 209, 220 and 226'.'.

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

Schedule, as amended, agreed to.

Consideration in detail completed—

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

Question put and agreed to.

Mr Robertson moved – That the long title of the Bill be agreed to.

Question put and agreed to.

ADJOURNMENT (Hansard p. 100, 8.56 pm)

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

Papers: Leader of the Opposition (Mr Springborg), during his speech, tabled the following papers— Article from Warwick Daily News, dated 2 February 2005, titled Battle over - Court upholds

Killarney appeal

List of land valuations in Killarney area

Debate continued.

Question put and agreed to.

The House adjourned at 9.27 pm.

ATTENDANCE

The following Members were present—

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

R K HOLLIS SPEAKER N J LAURIE CLERK OF THE PARLIAMENT