LEGISLATIVE ASSEMBLY OF QUEENSLAND
FIRST SESSION OF THE FIFTY–FIRST PARLIAMENT

VOTES AND PROCEEDINGS
NO. 55 – THURSDAY, 12 MAY 2005

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MEETING OF THE ASSEMBLY
The Assembly met at 9.30 am, pursuant to adjournment. The Acting Speaker (Honourable J Fouras) read prayers.

MATTER OF PRIVILEGE (Hansard p. 1407, 9.30 am)
Premier and Minister for Trade (Mr Beattie) rose on a matter of privilege.

Papers: Mr Beattie, during his speech, tabled the following papers—
   Article from The Courier-Mail, dated 12 May 2005, titled Bid fails to fast-track treatment for victims
   Letter, dated 12 May 2005, from Mr Beattie to Mr Ian Fleming, Dr Patel Patient Support Group relating to the Bundaberg Base Hospital and an article in The Courier Mail
   Extract from Hansard, dated 11 May 2005, relating to the debate on the Bundaberg Hospital

STATEMENT BY SPEAKER – LENGTH OF MOTIONS AND AMENDMENTS
Mr Acting Speaker made the following statement—

   'Honourable Members—
   Erskine May, 22nd Edition at p. 335 states that notices of motions should not generally exceed 250 words in length. It also states that the rule has been interpreted to require that any amendment tabled, if added to the original motion, cannot bring the total length above the limit.
   Whilst this rule has always applied to the proceedings of this House, there have been incidents in the past of very lengthy motions or amendments being put and debated without adverse ruling.
   Since 31 August 2004, new Standing Orders have been in operation. Standing Order 70 makes it clear that a notice of motion, amongst other things, shall not exceed 250 words in length. Thus the rule regarding length, long applying by practice, is now clearly expressed in Standing Orders.
   On Wednesday 20 April 2005, the Member for Gympie gave notice of a motion that was 341 words in length. Acting in accordance with the Speaker’s powers under Standing Order 70(2) the member was requested to amend the motion prior to the motion being moved and debated. The final motion moved was 222 words. This course of action was in preference to the Speaker’s powers being utilised to rule the notice of motion out of order and direct that it not be published.
   Yesterday, the Leader of the Opposition gave notice of a motion that was well within the word limit and moved that motion. During debate of the motion, the Premier moved an amendment that was 259 words in length and which would bring the motion, as agreed, to 279 words – 29 words in excess of the word limit.
   The amendment offended Standing Order 70 and was out of order and should have been ruled out of order or amended so as to comply. However, during debate no point of order was taken by any Member and neither the Clerk nor I noticed the transgression. The House has accepted the amendment and agreed to the amended motion, thus the resolution passed cannot be impeached.
   However, I take the opportunity to remind Honourable Members about the length of notices of motion and amendments to those motions.'

PETITIONS
The following paper petitions, lodged with the Clerk by the Member/s indicated, were received—
   Mrs Stuckey from 49 petitioners requesting the House to establish a police station in the Ashmore/Benowa area as a measure directed at combating local crime.
   Mr Wellington from 539 petitioners requesting the House to make provision in the proposed new tenure for Forest Reserves to have the already existing fire trails and tracks set aside as Conservation Park Corridors

MINISTERIAL PAPERS
The following Ministerial papers were tabled—
Premier and Minister for Trade (Mr Beattie)—

Letter (undated) from Mr Beattie to Mr Robert Needham, Chairperson, Crime and Misconduct Commission relating to the draft Guidelines for the Financial Management of the Office of the Speaker.

Letters, dated 9 May 2005, from Mr Beattie to (a) the Deputy Speaker (Honourable J Fouras), (b) the Speaker (Honourable R K Hollis) and (c) Mr Neil Laurie, Clerk of the Parliament relating to the delegation of the Speaker’s powers for administrative functions to Mr Fouras.

MINISTERIAL STATEMENTS (Hansard p. 1408, 9.35 am)

(a) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to the gas industry and the Enertrade QNI gas deal.

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

(c) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to traffic infringements involving Government vehicles.

(d) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to the Federal Budget and infrastructure.

(e) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to the Federal Budget and welfare reform.

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

(g) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to the success of the Multicultural Summit held in the Parliamentary Annex on 27 and 28 April.

(h) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to the launch of Multicultural Trail Blazers by Jeannie Mok.

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

Copy of Multicultural Trail Blazers by Jeannie Mok

(i) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to the QUT Smart Train project.

(j) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to the 2006 Ideas Festival to be held from 29 March to 2 April 2006.

(k) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to his attendance and address to the 15th Annual Australian Banking and Finance Awards in Sydney.

(l) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to the Community Cabinet meetings on the Sunshine Coast this weekend.

(m) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to a reply from HRH Prince Charles to his letter of congratulations on his marriage.

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

Copy of letter, dated 1 April 2005, from Mr Beattie to HRH Prince Charles and Mrs Camilla Parker-Bowles extending wedding congratulations.

Letter, dated 1 May 2005, from HRH Prince Charles to Mr Beattie replying to his letter of 1 April 2005.

(n) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to the location of the woman known as Vivian Young in Philippines.

(o) Minister for Employment, Training and Industrial Relations (Mr Barton) made a ministerial statement relating to Skilling Solutions Queensland and SmartVet.

(p) Minister for State Development and Innovation (Mr McGrady) made a ministerial statement relating to the Aurukun bauxite project.

(q) Minister for Health (Mr Nuttall) made a ministerial statement relating to an Independent review of maternity services in Queensland.
Mr Nuttall, during his statement, tabled the following paper—

(r) Minister for Public Works, Housing and Racing (Mr Schwarten) made a ministerial statement relating to a grant to research public housing needs.

(s) Minister for Police and Corrective Services (Ms Spence) made a ministerial statement relating to the Queensland’s legalised prostitution industry.

(t) Attorney–General and Minister for Justice (Mr Welford) made a ministerial statement relating to Law Week and the Legal Services Commission.

(u) Minister for Primary Industries and Fisheries (Mr Palaszczuk) made a ministerial statement relating to primary producers in the farming sector and his forthcoming trade mission to Thailand, Japan and Korea.

(v) Acting Minister for Communities, Disability Services and Seniors (Mr Palaszczuk) made a ministerial statement relating to the Queensland Seniors Council.

(w) Minister for Natural Resources and Mines (Mr Robertson) made a ministerial statement relating to objections to the 2005 land valuation notices.

(x) Minister for Child Safety (Mr Reynolds) made a ministerial statement relating to the implementation of a further seven recommendations of the Crime and Misconduct Commission’s Protecting Children report.

MOTION WITHOUT NOTICE – SESSIONAL ORDERS – ESTIMATES COMMITTEES
Acting Leader of the House (Mr Barton), by leave, moved – That the order of appointment for 2005 Estimates Committees dated 11 May 2005 be amended in accordance with the amendment circulated in my name, viz—

2005 ESTIMATES COMMITTEES – AMENDMENT TO ORDER OF APPOINTMENT DATED 11 MAY 2005
1. In (4) organisational units and portfolios are allocated to Estimates Committee B—
   Omit—
   • Attorney–General and Minister for Justice
   Insert—
   • Minister for State Development and Innovation
2. In (4) organisational units and portfolios are allocated to Estimates Committee D—
   Omit—
   • Minister for State Development and Innovation
   Insert—
   • Attorney–General and Minister for Justice

Question put and agreed to.

STATEMENT BY ACTING LEADER OF THE HOUSE
Acting Leader of the House (Mr Barton) made the following statement—

‘I advise Honourable Members that the House can continue to meet past 6.30 pm this day. The House can break for dinner at 6.30 pm and resume its sitting at 7.30 pm. The Order of Business shall then be Government Business, until the completion of Order No. 4 followed by a 30 minute adjournment debate.’

PUBLIC ACCOUNTS COMMITTEE – PAPER
Chair of the Public Accounts Committee (Mr Fenlon) tabled the following paper—

Public Accounts Committee—

NOTICE OF MOTION
Member for Currimundi (Mrs Stuckey) gave notice that she will move – That this House approves, in principle, the amendment of the Commission for Children and Young People Act 2000 to expand the
categories of people who must hold a blue card to include managers and employers working with children under the age of 17 and notes the need to strengthen safeguards for the protection from exploitation and danger of young people in the work force.

**PUBLIC SECTOR (VICTIMS PROTECTION) BILL**  
(Hansard p. 1424, 10.21 am)

Leader of the Opposition (Mr Springborg) presented a Bill for an Act to provide for the payment of compensation to public sector officials who are victims of crime in the course of performing their functions and Explanatory Notes and I move – That the Bill be now read a first time.

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

Debate ensued.

Premier and Minister for Trade (Mr Beattie) moved – That the debate be now adjourned.

Question put and agreed to.

**SOFT DRINKS (PROHIBITION FROM SELLING AT SCHOOLS) BILL**  
(Hansard p. 1425, 10.24 am)

Member for Moggill (Dr Flegg) presented a Bill for an Act to prohibit the sale of certain soft drinks at Queensland schools and Explanatory Notes and moved – That the Bill be now read a first time.

Question put and agreed to.

Dr Flegg moved – That the Bill be now read a second time.

Debate ensued.

Acting Minister for Education and the Arts (Mr Barton) moved – That the debate be now adjourned.

Question put and agreed to.

**PRIVATE MEMBERS’ STATEMENTS**  
(Hansard p. 1426, 10.27 am)

Private Members’ statements were made.

*Paper:* Leader of the Opposition (Mr Springborg), during his speech, tabled the following paper—

Document relating to complaint handling by Queensland Health

Statements continued.

Statements concluded.

**QUESTIONS WITHOUT NOTICE**  
(Hansard p. 1427, 10.31 am)

Questions without notice were asked.

*Papers:* Premier and Minister for Trade (Mr Beattie) tabled the following papers—

Document, dated 12 May 2005, from Springborg.com website titled *Straight Talking*

Ministerial media statement, dated 7 April 2005, by Mr Beattie titled *Beattie praises Queenslanders for Nation’s lowest unemployment*

Ministerial media statement, dated 19 April 2005, by Mr Beattie titled *Southbank TAFE education precinct gets go ahead*

Ministerial media statement, dated 15 June 2004, by Deputy Premier, Treasurer and Minister for Sport (Mr Mackenroth) titled *Queensland records strong budget surplus*

Ministerial media statement, dated 19 October 2004, by Mr Mackenroth titled *Beattie Government records record surplus*

Department of the Premier and Cabinet – Annual Report for 2003-04

Questions continued.

*Papers:* Mr Beattie tabled the following papers—

Letter, dated 12 May 2005, from Mr Beattie to the Federal Minister for Immigration and Multicultural Indigenous Affairs (Senator Vanstone) relating to immigration detention cases

Letter, dated 12 May 2005, to the Prime Minister (Mr Howard) from Mr Beattie relating to immigration detention cases

Questions continued.

*Paper:* Dr Flegg tabled the following paper—

Extract from a transcript from Stateline of an interview with Kirrin McKechnie and Dr John Scott
Memorandum, dated 28 September 2004, from Dr Darren Walters, Director, Cardiac Catheterization Lab, Prince Charles Hospital to Gloria Wallace relating to a response to a meeting with the cardiology program on 14 September 2004

Questions continued.

**MATTER OF PRIVILEGE** (Hansard p. 1434, 10.58 am)
Miss Simpson rose on a matter of privilege.

*Paper:* Miss Simpson, during her speech, tabled the following paper—
Letter, dated 26 April 2005, from the Minister for Transport and Main Roads (Mr Lucas) to Miss Simpson relating to the upgrading of the Sunshine Motorway between Maroochydore and Mooloolaba Roads

Questions resumed.

**MATTER OF PRIVILEGE** (Hansard p. 1438, 11.26 am)
Leader of the Opposition (Mr Springborg) rose on a matter of privilege.

Questions resumed.
Questions concluded.

**MINISTERIAL STATEMENT** (Hansard p. 1439, 11.31 am)
Minister for Emergency Services (Mr Cummins), by leave, made a ministerial statement relating to new helicopters for the Queensland Rescue Service.

**AGRICULTURAL COLLEGE BILL** (Hansard p. 1439, 11.34 am)
Order of the day read for the adjourned debate on the motion of the Minister for Employment, Training and Industrial Relations (Mr Barton) – That the Bill be now read a second time. Debate ensued.

_Distinguished visitors:_ Mr Deputy Speaker informed the House of the presence in the Gallery of Rear Admiral Chris Ames and other officers of the United States Navy.

Debate resumed.
Question put.
The House divided.

**AYES 50—**

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<th>Boyle</th>
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**NOES 22—**

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<th>Flegg</th>
<th>Hobbs</th>
<th>Tellers *</th>
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<td>Johnson</td>
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<td>Langbroek</td>
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<td>Mc Ardle</td>
<td>Menkens</td>
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<td>Simpson</td>
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_Tellers * Question agreed to._
Bill read a second time.

Consideration in detail—

Clauses 1 to 4, as read, agreed to.

Clause 5—

Debate ensued.

Question put — That Clause 5, as read, stand part of the Bill.

The House divided.

AYES 49—

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NOES 22—

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<td>Menkens</td>
<td>Rickuss</td>
<td>Simpson</td>
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Tellers *

Question agreed to.

Debate ensued.

Clause 6, as read, agreed to.

Clause 7—

Debate ensued.

Debate adjourned on the motion of Mr Barton.

STATEMENT BY ACTING SPEAKER – REFERRAL TO MEMBERS’ ETHICS AND PARLIAMENTARY PRIVILEGES COMMITTEE

Mr Acting Speaker made the following statement—

‘Honourable Members—

I have today received a letter from the Leader of the Opposition making a complaint against the Speaker, the Honourable Ray Hollis MP, alleging breaches of travel guidelines for the financial management of the Office of the Speaker and requesting that I refer the matter to the Members’ Ethics and Parliamentary Privileges Committee under Standing Order 269.

I have considered this matter and advise as follows.

The Code of Ethical Standards is an important document explaining existing legislation, standing orders, resolutions of the House, practice and procedure. Whilst the Code attempts to draw together all of the existing obligations on members, provide an overview of those obligations and put them in an ethical framework, the Code itself does not create any new enforceable obligations.

Section 3.5 of the Code does remind members of their obligation to comply with the administrative rules or requirements which apply from time to time to any entitlement or allowance they receive. However, that section of the Code does not create any new enforceable obligations.

The complaints procedure outlined in the Code, including Standing Order 269, clearly relates to matters involving a breach of privilege or a contempt. The alleged failure of a member to comply with financial guidelines is not a breach of privilege or a contempt in itself.

In conclusion, I have come to the opinion that under existing Standing Orders and the complaints procedure in the Code of Ethical Standards, a Speaker has no basis or power to refer the matter to the Members’ Ethics and Parliamentary Privileges Committee.’
MINISTERIAL STATEMENTS (Hansard p. 1450, 2.32 pm)

(a) Premier and Minister for Trade (Mr Beattie), by leave, made a ministerial statement relating to the unemployment rate.

(b) Premier and Minister for Trade (Mr Beattie), by leave, made a ministerial statement relating to the Premier’s Literary Awards.

Paper: Premier and Minister for Trade (Mr Beattie), during his statement, tabled the following paper—
Application book for nominations for the 2005 Queensland Premier's Literary Awards

AGRICULTURAL COLLEGE BILL (Hansard p. 1439, 2.34 pm)

Order of the day read for the further consideration of the Bill in detail.

Consideration in detail—

Clause 7—
Debate ensued.
Clauses 7 to 21, as read, agreed to.

Clause 22—
Debate ensued.
Question put — That Clause 22, as read, stand part of the Bill.
The House divided.

AYES 54—

Atwood
Barry
Barton
Beattie
Boyle
Brisker
Choi
Clark, E
Clark, L
Croft
Cummins
Cunningham, J
Fenlon
Finn
Fraser
Hayward
Jarratt
Keech
Lavarch
Lawlor
Livingstone
Lucas
Male
McGrady
McNamara
Mickel
Miller
Molloy
Mulherin
Nelson–Carr
Nolan
Nuttall
Pearce
Poole
Purcell
Reeves *
Reilly
Reynolds
Roberts, N
Robertson
Schwarten
Scott
Shine
Smith
Spence
Stone
Struthers
Sullivan, C
Sullivan, T *
Wallace
Welford
Wells
Wilson

NOES 22—

Copeland
Cunningham, E
Flegg
Hobbs
Hopper *
Horan
Johnson
Knuth
Langbroek
Lingard
Malone *
McArdie
Menkens
Messenger
Rickuss
Rowell
Seeney
Simpson
Springborg
Stuckey

Tellers *

Question agreed to.
Clauses 23 to 60, as read, agreed to.
Schedules 1 and 2, as read, agreed to.

Consideration in detail completed—

Mr Barton moved – That the Bill be read a third time.
Question put and agreed to.
Mr Barton moved – That the long title of the Bill be agreed to.
Question put and agreed to.

CONTRACT CLEANING INDUSTRY (PORTABLE LONG SERVICE LEAVE) BILL (Hansard p. 1457, 3.23 pm)

Order of the day read for the adjourned debate on the motion of Minister for Employment, Training and Industrial Relations (Mr Barton) – That the Bill be now read a second time.

Debate ensued.
Question put ad agreed to.
Bill read a second time.

Consideration in detail—

Clauses 1 to 8, as read, agreed to.

Clause 9 (Who is a worker)—
The following amendment was proposed by Mr Barton—
At page 10, line 1, after ‘contract’—

insert—

‘, whether or not the contract is a contract of service’.

**Paper:** Mr Barton, during his speech, tabled the following paper—
Explanatory Notes to amendments to the Contract Cleaning Industry (Portable Long Service Leave) Bill

Debate ensued.
Question – That Mr Barton's amendment be agreed to – put and agreed to.
Clause 9, as amended, agreed to.
Clause 10 to 155, as read, agreed to.
Schedule 1 and 2, as read, agreed to.

**Consideration in detail completed**—
Mr Barton moved – That the Bill be read a third time.
Question put and agreed to.
Mr Barton moved – That the long title of the Bill be agreed to.
Question put and agreed to.

**TRANSPORT INFRASTRUCTURE AND OTHER LEGISLATION AMENDMENT BILL** (Hansard p. 1465, 4.15 pm)
Order of the day read for the adjourned debate on the motion of Minister for Transport and Main Roads (Mr Lucas) – That the Bill be now read a second time.
Debate ensued.

**Paper:** Mr Lucas, during his speech, tabled the following paper—
Explanatory Notes to amendments to the Transport Infrastructure and Other Legislation Amendment Bill
Ministerial media statement, dated 19 April 2005, by Mr Beattie titled *Beattie Govt Announces New Plan to Manage Jet Skis*

Debate ensued.
Question put and agreed to.
Bill read a second time.
Consideration in detail—
Clauses 1 to 16, as read, agreed to.
Clause 17 (Amendment of sch 6 (Dictionary)—
The following amendment was proposed by Mr Lucas—
At page 45, after line 18—

insert—

‘charterer, of an aircraft, for chapter 8, part 3A, does not include a person who hires, as part of the same transaction, the aircraft and the services of a pilot for the aircraft.’.

Question – That Mr Lucas's amendment be agreed to – put and agreed to.
Clause 18 to 22, as read, agreed to.

**Consideration in detail completed**—
Mr Lucas moved – That the Bill be read a third time.
Question put and agreed to.
Mr Lucas moved – That the long title of the Bill be agreed to.
Question put and agreed to.

**BUILDING AMENDMENT BILL** (Hansard p. 1479, 5.42 pm)
Order of the day read for the adjourned debate on the motion of Minister for Environment, Local Government, Planning and Women (Ms Boyle) – That the Bill be now read a second time.
Debate ensued.
Question put and agreed to.

**Paper:** Ms Boyle, during her speech, tabled the following paper—
Erratum to the Explanatory Notes to the Building Amendment Bill
Debate continued.
Bill read a second time.

Consideration in detail—
Clauses 1 to 3, as read, agreed to.

Consideration in detail completed—
Ms Boyle moved – That the Bill be now 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 – DISSENT FROM SPEAKER’S RULING
Leader of the Opposition (Mr Springborg) gave notice that he will move – That this House dissent from the ruling of Mr Acting Speaker in relation to my request for reference to the Members Ethics and Parliamentary Privileges Committee of matters relating to the Speaker as outlined in my letter of 12 May 2005 to the Acting Speaker.

SPECIAL ADJOURNMENT
Acting Leader of the House (Mr Barton) moved – That the House at its rising do adjourn until 9.30am on Tuesday, 24 May 2004
Question put and agreed to.

ADJOURNMENT (Hansard p. 1485, 6.19 pm)
Acting Leader of the House (Mr Barton) moved – That this House do now adjourn.
Debate ensued.
Question put and agreed to.
The House adjourned at 6.51 pm.

ATTENDANCE
The following Members were present—

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J FOURAS
ACTING SPEAKER

N J LAURIE
CLERK OF THE PARLIAMENT

BY AUTHORITY
GOVERNMENT PRINTER, QUEENSLAND

2005-05