



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

VOTES AND PROCEEDINGS

NO. 68 –WEDNESDAY, 24 AUGUST 2005

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MEETING OF THE ASSEMBLY

The Assembly met at 9.30 am, pursuant to adjournment. The Speaker (Honourable A McGrady) read prayers.

STATEMENT BY SPEAKER – MATTER REFERRED TO MEMBERS' ETHICS AND PARLIAMENTARY PRIVILEGES COMMITTEE

Mr Speaker made the following statement—

'Honourable Members—

On 9 August 2005, Mr Stuart Copeland MP requested that a matter be referred to the Members' Ethics and Parliamentary Privileges Committee.

The matter concerns an allegation that the Honourable Gordon Nuttall MP, deliberately misled a committee of the House, Estimates Committee D, at its hearing held on 8 July 2005.

I have considered the material available and have decided to refer the matter to the Members' Ethics and Parliamentary Privileges Committee.

I now wish to emphasise a number of points:

- I understand that a complaint about this matter has been made to other authorities. I have requested the committee not to take any action in respect of the matter until it is established that other authorities are not taking any action in respect of this matter.
- It is stressed in the strongest possible terms that a Speaker's assessment of whether a matter should be referred to the committee is not a finding that a contempt has actually occurred. It is ultimately for the House to decide the issue of contempt, following investigation and recommendation by the appropriate body, the Members' Ethics and Parliamentary Privileges Committee (MEPPC).
- Given that the matter has been referred to the Committee, Standing Order 271 operates to ensure that no mention can be made of this matter until the committee reports and I will strictly enforce this Standing Order.'

PETITIONS

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

Mr Springborg from 175 petitioners requesting the House to enact legislation to train nurses in hospitals and offer degrees recognition for such hands on training.

Mrs J Cunningham from 357 petitioners requesting the House to call on the Federal Government to immediately take steps to provide the funding necessary to increase the number of university places for Australian medical students (in our universities) to a level that will eliminate our dependence on overseas doctors and to call on the Queensland Government to ensure these students will have training positions available in Queensland Hospitals.

Ms Lee Long from 73 petitioners requesting the House to direct the construction of the replacement Ambulance Station for Atherton to take place as a matter of urgency and without further delay.

Mrs Stuckey from 851 petitioners requesting the House to commit to increasing the Police presence in the Currumbin/Elanora/Palm Beach area and targeting youth related offences such as vandalism, violence and drinking in public places.

Mrs Reilly from 480 petitioners requesting the House to upgrade and maintain Worongary Road as a matter of priority.

Mr Fraser from 7 petitioners requesting the House to ensure teacher aide time is a minimum of 30 hours per week, part-time attendance is offered as an option for prep year; six child-height toilets are installed for up to 50 children; a minimum of 3.4 m² per child unencumbered learning space and that resources are allocated to ensure the prep year is resourced with a sandpit, playground climbing frame and physical skill equipment.

Mr Foley from 17,312 petitioners requesting the House to reject any recommendations within the Crime and Misconduct Commission's report entitled "Regulating Adult Entertainment: A review of the

live adult entertainment industry in Queensland” which expands the scope of this industry through legalisation of illegal activities, including Recommendations 7, 12, 15, 18 and 26, and to endorse recommendations from the report which protect minors and the community through enhanced regulation, enforcement and penalties.

Mr Wellington from 171 petitioners requesting the House to support the terms of the Private Members Bill “Child Protection (Recognition of Relative Carers) Amendment Bill” addressing the issue that grandparents, as relative carers, receive no funding for caring for their grandchildren.

MINISTERIAL PAPER

The following Ministerial paper was tabled—

Minister for Public Works, Housing and Racing (Mr Swarten)—

Report by the Minister for Public Works, Housing and Racing, the Honourable Robert Swarten MP – Visit to London and the United States of America – 6 July to 24 July 2005

MINISTERIAL NOTICE OF MOTION – SOUTH EAST QUEENSLAND REGIONAL PLAN

Premier and Treasurer (Mr Beattie) gave notice that he will move – That the House—

- (1) notes the Regulatory Provisions of the South East Queensland Regional Plan (the Plan) that was tabled in the Legislative Assembly as part of the Plan on 11 July 2005; and
- (2) ratifies the Regulatory Provisions of the Plan under section 2.5A.17 of the *Integrated Planning Act 1997*.

Paper: Mr Beattie tabled the following paper—
Part H Regulatory Provisions

MINISTERIAL STATEMENTS (Hansard p. 2650, 9.37 am)

- (a) Premier and Treasurer (Mr Beattie) made a ministerial statement relating to the Queensland Government’s submission to the Productivity Commission study of the health workforce.

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

Queensland Government’s submission to the Productivity Commission study of the health workforce

Letter (undated), from Mr Beattie to the Commissioner, Health Workforce Study, Productivity Commission relating to the Government’s submission

- (b) Premier and Treasurer (Mr Beattie) made a ministerial statement relating to the confiscation of superannuation payments paid to Dr Jayant Patel.
- (c) Premier and Treasurer (Mr Beattie) made a ministerial statement relating to a meeting he will have with the Minister for Health (Mr Robertson) and Visiting Medical Officers (VMOs).
- (d) Premier and Treasurer (Mr Beattie) made a ministerial statement relating to the proposed sale of Telstra.

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

Email, dated 24 August 2005, from Fiona Kennedy to Steve Keating containing a quote from Mr Knuth’s maiden speech relating to the sale of Telstra

- (e) Premier and Treasurer (Mr Beattie) made a ministerial statement relating to the *Queensland Economic Review*.

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

Copy of *Queensland Economic Review*

- (f) Premier and Treasurer (Mr Beattie) made a ministerial statement relating to Queensland’s AAA Standard and Poors credit rating.
- (g) Premier and Treasurer (Mr Beattie) made a ministerial statement relating to a report in *Australasian Legal Business* titled *Powerhouse*.

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

Report from *Australasian Legal Business* August 2005 titled *Powerhouse*

- (h) Premier and Treasurer (Mr Beattie) made a ministerial statement relating to the Gabba redevelopment.
- (i) Premier and Treasurer (Mr Beattie) made a ministerial statement relating to the Australian Export Heroes Awards.
- (j) Premier and Treasurer (Mr Beattie) made a ministerial statement relating to an increase in prize money for the 2005 Cadbury Schweppes PGA Australian Championship.
- (k) Minister for Health (Mr Robertson) made a ministerial statement relating to the Queensland Government's submission to the Productivity Commission study of the health work force.

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

Bundaberg Hospital Commission of Inquiry – Issues papers (3) titled *Health Workforce Paper 1 Medical Workforce June 2005*, *Health Workforce Paper 2 Medical Workforce August 2005* and *Health Workforce Paper Enhanced Clinical Roles June 2005*

- (l) Minister for Natural Resources and Mines (Mr Palaszczuk) made a ministerial statement relating to water resources, the Great Artesian Basin Draft Water Resource Plan.

Paper: Mr Palaszczuk, during his statement, tabled the following paper—
Document titled *Great Artesian Basin Draft Water Resource Plan*

- (m) Deputy Premier and Minister for Finance, Minister for State Development, Trade and Innovation (Ms Bligh) made a ministerial statement relating to a reduction in compulsory third party insurance premiums from 1 October 2005.
- (n) Minister for Energy and Minister for Aboriginal and Torres Strait Islander Policy (Mr Mickel) made a ministerial statement relating to electricity infrastructure upgrades by Ergon Energy for the Central Queensland Ports Authority.
- (o) Minister for Transport and Main Roads (Mr Lucas) made a ministerial statement relating to Queensland Rail.
- (p) Minister for Public Works, Housing and Racing (Mr Schwarten) made a ministerial statement relating to telecommunications services and the Queensland Telecommunications Strategic Framework 2005–08.
- (q) Minister for Police and Corrective Services (Ms Spence) made a ministerial statement relating to the Safe and Secure Seniors Survey.
- (r) Minister for Environment, Local Government, Planning and Women (Ms Boyle) made a ministerial statement relating to fire safety and planned burns by the Queensland Parks and Wildlife Service.
- (s) Minister for Communities, Disability Services and Seniors (Mr Pitt) made a ministerial statement relating to the Strengthening Non–Government Organisations Project.

PERSONAL EXPLANATION (Hansard p. 2660, 10.17 am)

A personal explanation was made by Ms Stone.

NOTICE OF MOTION

Mrs E Cunningham gave notice that she will move – That this House calls on the Federal Government to listen to the people of Queensland and indeed, a great many people across Australia, and retain public ownership of the majority of Telstra in order to better protect equity of service, access and standards for all Australians.

PRIVATE MEMBERS' STATEMENTS (Hansard p. 2661, 10.19 am)

Private Members' statements were made.

QUESTIONS WITHOUT NOTICE (Hansard p. 2663, 10.30 am)

Questions without notice were asked.

Paper: Miss Simpson tabled the following paper—
Press release, dated 23 August 2005, by Queensland Health relating to oncology services at the Gold Coast Hospital

Questions continued.

Questions concluded.

MINISTERIAL STATEMENT (Hansard p. 2674, 11.30 am)

Minister for Natural Resources and Mines (Mr Palaszczuk) made a ministerial statement relating to scientific research guidelines.

CHILD SAFETY LEGISLATION AMENDMENT BILL (Hansard p. 2674, 11.32 am)

Order of the day read for the adjourned debate on the motion of the Minister for Child Safety (Mr Reynolds) – That the Bill be now read a second time.

Debate ensued.

Paper: Mr Reynolds, during his speech, tabled the following paper—
Explanatory Notes to Mr Reynolds' amendments to the Child Safety Legislation Amendment Bill

Debate continued.

Question put and agreed to.

Bill read a second time.

Consideration in detail—

Clauses 1 to 50, as read, agreed to.

Clause 51 (Replacement of ch 4, pt 2, div 5, hdg and s 142)—

The following amendments were proposed by Mr Reynolds—

At page 47, lines 16 and 17—

omit, insert—

'(d) details of the change, including a brief description of the circumstances of a conviction or charge, or of investigative information, to which the change relates.'

At page 47, after line 19—

insert—

“(4)A reference in this section to a person’s police information changing includes, for a person for whom there is no police information, the person becoming the subject of police information.’

Question – That Mr Reynolds' amendments be agreed to – put and agreed to.

Clause 51, as amended, agreed to.

Clauses 52 to 65, as read, agreed to.

New Clause 65A—

The following amendment was proposed by Mrs Menkens—

At page 54, after line 25—

insert—

‘65A Insertion of new s 248C

‘After section 248B—

insert—

‘248C Review of implementation of commission’s recommendations

‘(1) By 6 January 2006, the Minister must—

(a) review the implementation of the recommendations in the Protecting Children Report; and

(b) give the commission a report about the outcome of the review; and

(c) table a copy of the report in the Legislative Assembly.

‘(2) In this section—

commission means the Crime and Misconduct Commission.

Protecting Children Report means the commission’s report, titled ‘Protecting Children: An Inquiry Into Abuse of Children in Foster Care’, given under the *Crime and Misconduct Act 2001*, section 69(3), on 6 January 2004.’.

Paper: Mrs Menkens tabled the following paper—
Explanatory Notes to Mrs Menkens' amendment to the Child Safety Legislation Amendment Bill

Question put – That Mrs Menkens' amendment be agreed to.
The House divided.

AYES 22—

| | | | | | |
|----------------------|-----------------|------------------|------------------|-------------------|-------------------|
| <i>Copeland</i> | <i>Hobbs</i> | <i>Langbroek</i> | <i>McArdle</i> | <i>Rickuss</i> | <i>Stuckey</i> |
| <i>Cunningham, E</i> | <i>Hopper *</i> | <i>Lee Long</i> | <i>Menkens</i> | <i>Rowell</i> | <i>Wellington</i> |
| <i>Flegg</i> | <i>Horan</i> | <i>Lingard</i> | <i>Messenger</i> | <i>Seeney</i> | |
| <i>Foley</i> | <i>Johnson</i> | <i>Malone *</i> | <i>Quinn</i> | <i>Springborg</i> | |

NOES 55—

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

*Tellers **

Question negatived.

Clauses 66 to 69, as read, agreed to.

Schedule, as read, agreed to.

Consideration in detail completed—

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

Question put and agreed to.

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

Question put and agreed to.

VEGETATION MANAGEMENT AND OTHER LEGISLATION AMENDMENT BILL (Hansard p. 2700, 4.00 pm)

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

Debate ensued.

Debate adjourned on the motion of Mr Rickuss.

NOTICE OF MOTION – PROPOSED SALE OF TELSTRA (Hansard p. 2712, 5.30 pm)

Mrs E Cunningham moved – That this House calls on the Federal Government to listen to the people of Queensland and indeed, a great many people across Australia, and retain public ownership of the majority of Telstra in order to better protect equity of service, access and standards for all Australians.

Debate ensued.

The following amendment was proposed by the Premier and Treasurer (Mr Beattie)—

That the following words are inserted after 'Australians'—

'and that this House calls upon all Queensland senators and in particular, Senator Barnaby Joyce, to vote against the sale of Telstra.'

Debate ensued.

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

Document, dated October 2001, titled *Telstra's Universal Service Obligation Standard Marketing Plan*

Copy of *Telstra Corporation Act 1991* (Cwlth)

Debate continued.

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

The House divided.

AYES 59—

| | | | | | |
|---------------|---------------|-------------|-------------|------------|---------------|
| Attwood | Cunningham, J | Keech | Nelson—Carr | Reilly | Stone |
| Barry | English | Lawlor | Nolan | Reynolds | Struthers |
| Barton | Fenlon | Lee Long | Nuttall | Roberts, E | Sullivan, C |
| Beattie | Finn | Livingstone | O'Brien | Roberts, N | Sullivan, T * |
| Bligh | Foley | Male | Palaszcuk | Robertson | Wallace |
| Briskey | Fouras | McNamara | Pearce | Schwarten | Welford |
| Choi | Fraser | Mickel | Pitt | Scott | Wellington |
| Clark, L | Hayward | Miller | Pratt | Shine | Wells |
| Croft | Hoolihan | Molloy | Purcell | Smith | Wilson |
| Cunningham, E | Jarratt | Mulherin | Reeves * | Spence | |

NOES 19—

| | | | | |
|----------|-----------|-----------|---------|------------|
| Copeland | Horan | Malone * | Quinn | Simpson |
| Flegg | Johnson | McArdle | Rickuss | Springborg |
| Hobbs | Langbroek | Menkens | Rowell | Stuckey |
| Hopper * | Lingard | Messenger | Seeney | |

Tellers *

Question agreed to.

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

The House divided.

AYES 59—

| | | | | | |
|---------------|---------------|-------------|-------------|------------|---------------|
| Attwood | Cunningham, J | Keech | Nelson—Carr | Reilly | Stone |
| Barry | English | Lawlor | Nolan | Reynolds | Struthers |
| Barton | Fenlon | Lee Long | Nuttall | Roberts, E | Sullivan, C |
| Beattie | Finn | Livingstone | O'Brien | Roberts, N | Sullivan, T * |
| Bligh | Foley | Male | Palaszcuk | Robertson | Wallace |
| Briskey | Fouras | McNamara | Pearce | Schwarten | Welford |
| Choi | Fraser | Mickel | Pitt | Scott | Wellington |
| Clark, L | Hayward | Miller | Pratt | Shine | Wells |
| Croft | Hoolihan | Molloy | Purcell | Smith | Wilson |
| Cunningham, E | Jarratt | Mulherin | Reeves * | Spence | |

NOES 19—

| | | | | |
|----------|-----------|-----------|---------|------------|
| Copeland | Horan | Malone * | Quinn | Simpson |
| Flegg | Johnson | McArdle | Rickuss | Springborg |
| Hobbs | Langbroek | Menkens | Rowell | Stuckey |
| Hopper * | Lingard | Messenger | Seeney | |

Tellers *

Question agreed to.

Motion, as agreed—

That this House calls on the Federal Government to listen to the people of Queensland and indeed, a great many people across Australia, and retain public ownership of the majority of Telstra in order to better protect equity of service, access and standards for all Australians and that this House calls upon all Queensland senators and in particular, Senator Barnaby Joyce, to vote against the sale of Telstra.

CHILD PROTECTION (RECOGNITION OF RELATIVE CARERS) AMENDMENT BILL (Hansard p. 2722, 7.30 pm)

Order of the day read for the adjourned debate on the motion of the Member for Nicklin (Mr Wellington) – That the Bill be now read a second time.

Debate ensued.

Papers: Premier and Treasurer (Mr Beattie), during his speech, tabled the following papers—
 Communique containing details of agreed outcomes of a meeting of the Council of Australian Governments, held in Canberra on 25 June 2004
 Letter, dated 24 August 2005, from Mr Beattie to the Prime Minister (Mr Howard)

Debate continued.

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

Bundle of correspondence between Mr Wellington and various individuals and organisations relating to the Child Protection (Recognition of Relative Carers) Bill and grandparent carers
Non-conforming petition from 548 petitioners requesting that the Government support Mr Wellington's Private Member's Bill

Debate adjourned on the motion of Mr Wellington.

ADJOURNMENT (Hansard p. 2746, 10.00 pm)

Leader of the House (Mr Swarten) moved – That this House do now adjourn.

Debate ensued.

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

Non-conforming petition from 81 petitioners

Debate continued.

Question put and agreed to.

The House adjourned at 10.30 pm.

ATTENDANCE

The following Members were present—

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

A McGRADY
SPEAKER

N J LAURIE
CLERK OF THE PARLIAMENT