



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

# VOTES AND PROCEEDINGS

**NO. 84 – THURSDAY, 24 NOVEMBER 2005**

## CONTENTS

MEETING OF THE ASSEMBLY .....	828
MATTER OF PRIVILEGE (Hansard p. 4251, 9.32 am).....	828
MOTION WITHOUT NOTICE – ALLEGATIONS OF BRIBERY (Hansard p. 4251, 9.32 am).....	828
STATEMENT BY SPEAKER – MATTER OF PRIVILEGE RAISED BY THE DEPUTY LEADER OF THE OPPOSITION .....	828
STATEMENT BY SPEAKER – USE OF PARLIAMENTARY LETTERHEAD BY THE MEMBER FOR GYMPIE .....	828
PAPER TABLED BY THE SPEAKER .....	829
MINISTERIAL PAPERS TABLED BY THE CLERK .....	829
MINISTERIAL PAPERS .....	829
STATEMENT BY SPEAKER – MR N NICOLAIDES .....	829
MINISTERIAL STATEMENTS (Hansard p. 4260, 10.24 am) .....	829
PERSONAL EXPLANATION (Hansard p. 4266, 10.28 am) .....	830
PUBLIC WORKS COMMITTEE – PAPERS.....	830
QUESTIONS WITHOUT NOTICE (Hansard p. 4267, 10.30 am) .....	830
STATEMENT BY LEADER OF THE HOUSE – HOURS AND ORDER OF BUSINESS FOR TODAY .....	831
MOTION WITHOUT NOTICE – LEAVE TO MOVE .....	831
MOTION WITHOUT NOTICE – FEDERAL INDUSTRIAL RELATIONS LEGISLATION (Hansard p. 4278, 11.32 am).....	831
MINISTERIAL STATEMENT (Hansard p. 4288, 12.41 pm).....	831
SUGAR INDUSTRY AMENDMENT BILL (Hansard p. 4289, 12.43 pm) .....	832
POLICE POWERS AND RESPONSIBILITIES (DRUG DETECTION DOGS) AMENDMENT BILL and POLICE POWERS AND RESPONSIBILITIES (MOTORBIKE NOISE) AMENDMENT BILL (Hansard p. 4314, 5.34 pm) .....	833
YOUTH PARTICIPATION IN EDUCATION AND TRAINING AND ANOTHER ACT AMENDMENT BILL (Hansard p. 4332, 8.25 pm).....	834
ADJOURNMENT (Hansard p. 4345, 9.58 pm) .....	834
ATTENDANCE .....	835

**MEETING OF THE ASSEMBLY**

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

**MATTER OF PRIVILEGE** (Hansard p. 4251, 9.32 am)

Premier and Treasurer (Mr Beattie) rose on a matter of privilege.

**MOTION WITHOUT NOTICE – ALLEGATIONS OF BRIBERY** (Hansard p. 4251, 9.32 am)

Premier and Treasurer (Mr Beattie), by leave, moved – That this Parliament refers the allegations of electoral bribery, raised in this Parliament yesterday, to the Crime and Misconduct Commission, Electoral Commission of Queensland, Queensland Police Service and the Members' Ethics and Parliamentary Privileges Committee for full and proper investigation.

Deputy Premier and Minister for Finance, Minister for State Development, Trade and Innovation (Ms Bligh) seconded the motion.

Debate ensued.

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

Letter, dated 24 November 2005, from Mr Robert Needham, Chairperson, Crime and Misconduct Commission relating to allegations of electoral bribery

Letter, dated 24 November 2005, from Mr Beattie to Mr Bob Atkinson, Commissioner of the Queensland Police Service relating to allegations of electoral bribery

Letter, dated 24 November 2005, from Mr Beattie to Mr Robert Longland, Electoral Commissioner, Queensland Electoral Commission relating to allegations of electoral bribery

Debate continued.

Question put and agreed to.

**STATEMENT BY SPEAKER – MATTER OF PRIVILEGE RAISED BY THE DEPUTY LEADER OF THE OPPOSITION**

Mr Speaker made the following statement—

'Honourable Members—

Yesterday the Deputy Leader of the Opposition raised in this House, and subsequently wrote to me, requesting that a matter be referred to the Members' Ethics and Parliamentary Privileges Committee. The Member also requested that I forward the matter to the Queensland Police Service.

Today the subject matter of that complaint has been referred by the House to the Committee. In these circumstances, the referral to me is redundant, and I will be taking no further action.

However, I emphasise that, given 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.'

**STATEMENT BY SPEAKER – USE OF PARLIAMENTARY LETTERHEAD BY THE MEMBER FOR GYMPIE**

Mr Speaker made the following statement—

'Honourable Members—

Yesterday, the Deputy Leader of the Opposition wrote to me concerning a matter that was first raised in Question Time about the use of Parliamentary letterhead for a private purpose by the Member for Gympie.

The Deputy Leader of the Opposition requested that I rule on the appropriateness of members using parliamentary letterhead to undertake personal matters and that I refer the matter to the Members' Ethics and Parliamentary Privileges Committee.

I note that yesterday afternoon the Member for Gympie made a personal explanation about this matter. Under these circumstances, I do not intend to refer the matter involving the Member for Gympie to the committee.'

#### **PAPER TABLED BY THE SPEAKER**

Mr Speaker tabled the following paper—

Letter, dated 23 November 2005, from Joseph K H Koh, High Commissioner, Republic of Singapore to Mr Speaker enclosing a letter, dated 18 November 2005, from Tan Eng Beng, Principal Private Secretary to the President relating to Mr Van Tuong Nguyen

#### **MINISTERIAL PAPERS TABLED BY THE CLERK**

The following ministerial papers were tabled by The Clerk—

*Minister for Employment, Training and Industrial Relations (Mr Barton)—*

Report on an overseas visit by the Minister for Employment, Training and Industrial Relations (Mr Barton) to Vietnam from 12 to 21 October 2005 – Report on vocational education and training delegation to Vietnam

*Minister for Environment, Local Government, Planning and Women (Ms Boyle)—*

Report on an overseas visit by the Minister for Environment, Local Government, Planning and Women (Ms Boyle) to China and Japan from 9 to 18 October 2005

#### **MINISTERIAL PAPERS**

The following Ministerial papers were tabled—

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

Statement for public disclosure – Statement of Recurrent Expenditure for the Honourable R Hollis MP, Speaker of the Legislative Assembly for the period 1 July 2004 to 30 June 2005

Statement for public disclosure – Statement of Recurrent Expenditure for the Honourable R Hollis MP, Speaker of the Legislative Assembly for the period 1 July 2005 to 21 July 2005

#### **STATEMENT BY SPEAKER – MR N NICOLAIDES**

Mr Speaker made the following statement—

'Honourable Members—

Today is the last day for Nick, the cameraman from Channel 9, who has been working in this position for 46 years. He is also a Logie award winner.

Nick, on behalf of all Members here, I thank you for your services to this Parliament over many years. We wish you and your family all the very best in the future. We certainly hope that you will come back from time to time.

The Premier has assured me that he will shout you lunch or dinner. I think we will break the tradition; I think he deserves a round of applause.'

#### **MINISTERIAL STATEMENTS** (Hansard p. 4260, 10.24 am)

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

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

Brochure by the Office of Economic and Statistical Research titled *The Queensland economy in review* – November 2005

(b) Premier and Treasurer (Mr Beattie) made a ministerial statement relating to the PricewaterhouseCoopers report on health issues.

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

Document by PricewaterhouseCoopers titled *HealthCast 2020: Creating a sustainable future*

- (c) Premier and Treasurer (Mr Beattie) made a ministerial statement relating to Premier's Awards for the Public Service.

*Paper:* Mr Beattie, by leave, during his statement, tabled the following paper—  
Program for 2005 Premier's Awards for Excellence in Public Sector Management  
December 2005 issue of *Sectorwide* relating to the 2005 Premier's Awards

- (d) Premier and Treasurer (Mr Beattie) made a ministerial statement relating to the Major Sports Facilities Authority.
- (e) Premier and Treasurer (Mr Beattie) made a ministerial statement relating to the Queensland Academy of Sport.
- (f) Premier and Treasurer (Mr Beattie) made a ministerial statement relating to Mr T Sharp, Laser Beak Man.
- (g) Premier and Treasurer (Mr Beattie) made a ministerial statement relating to the Thursday Island Community Cabinet.
- (h) Premier and Treasurer (Mr Beattie) made a ministerial statement relating to the Queensland Multicultural Festival.
- (i) Premier and Treasurer (Mr Beattie) made a ministerial statement relating to the 100-Plus Club.
- (j) Deputy Premier and Minister for Finance, Minister for State Development, Trade and Innovation (Ms Bligh) made a ministerial statement relating to an increase in the number of gaming machines in Queensland Hotels.

*Papers:* Ms Bligh, during her statement, tabled the following papers—  
Document showing projected gambling revenues  
Discussion Paper for the review of the operation of the scheme for re-allocating gaming machine authorities in hotels

- (k) Minister for Environment, Local Government, Planning and Women (Ms Boyle) made a ministerial statement relating to the call in of a planning decision by the Belyando Shire Council for a residential development in Moranbah.
- (l) Minister for Public Works, Housing and Racing (Mr Schwarten) made a ministerial statement relating to the sale of QFleet vehicles.

#### **PERSONAL EXPLANATION** (Hansard p. 4266, 10.28 am)

Leader of the Opposition (Mr Springborg) made a personal explanation.

#### **PUBLIC WORKS COMMITTEE – PAPERS**

Chair of the Public Works Committee (Mr Livingstone) tabled the following papers—

*Public Works Committee—*

- Report 89 – Redevelopment of the Mabuiag Island Primary Health Care Centre  
Report 90 – Redevelopment of the Iama (Yam) Island Primary Health Care Centre  
Report 91 – Redevelopment of the Moa Island (Kubin Community) Primary Health Care Centre

#### **QUESTIONS WITHOUT NOTICE** (Hansard p. 4267, 10.30 am)

Questions without notice were asked.

*Papers:* Minister for Transport and Main Roads (Mr Lucas) tabled the following papers—  
Extract from *Hansard*, dated 8 November 2005, page 3732  
Copy of UBD Map 180  
Document by the Liberal Party titled *Moving Brisbane*

Questions continued.

---

#### *Distinguished visitors—*

Mr Speaker informed the House of the presence in the Gallery of His Excellency Mr Tammam Sulaiman, Ambassador of the Syrian Arab Republic.

Questions resumed.  
Questions concluded.

# STATEMENT BY LEADER OF THE HOUSE – HOURS AND ORDER OF BUSINESS FOR TODAY

Leader of the House (Mr Schwarten) made the following statement—

‘Honourable Members—

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, followed by a 30 minute adjournment debate.’

## MOTION WITHOUT NOTICE – LEAVE TO MOVE

Premier and Treasurer (Mr Beattie), by leave, moved – That notwithstanding anything contained in Standing and Sessional Orders, the Premier be permitted to immediately move a Motion about the proposed Commonwealth Industrial Relations Legislation, with time limits for speeches and debate as follows—

All members – 10 minutes maximum each

Total debate time before question put – 1 Hour

Question put and agreed to.

## MOTION WITHOUT NOTICE – FEDERAL INDUSTRIAL RELATIONS LEGISLATION (Hansard p. 4278, 11.32 am)

Premier and Treasurer (Mr Beattie), by leave, moved – That this House calls on all Queensland senators to reject the Commonwealth proposed industrial relations legislation when it comes before the Senate next week to protect the living standards of Queenslanders and their families.

Debate ensued.

Question put.

The House divided.

### AYES 79—

Attwood	Fenlon	Lavarch	Molloy	Reynolds	Stone
Barton	Finn	Lawlor	Mulherin	Rickuss	Struthers
Beattie	Foley	Lee	Nelson–Carr	Roberts, E	Sullivan, C
Bligh	Fouras	Lee Long	Nolan *	Roberts, N	Sullivan, T *
Boyle	Fraser	Lingard	Nuttall	Robertson	Wallace
Briskey	Hayward	Livingstone	O’Brien	Rowell	Wellford
Choi	Hobbs	Lucas	Palaszczyk	Schwarten	Wellington
Clark, E	Hoolihan	Male	Pearce	Scott	Wells
Clark, L	Hopper	Malone	Pitt	Seeney	Wilson
Copeland	Horan	McNamara	Poole	Shine	
Croft	Jarratt	Menkens	Pratt	Simpson	
Cummins	Johnson	Messenger	Purcell	Smith	
Cunningham, E	Keech	Mickel	Reeves	Spence	
Cunningham, J	Knuth	Miller	Reilly	Springborg	

### NOES 7—

Calabiano	Langbroek	Quinn	Stuckey
Flegg	McArdle *	Rogers *	

Tellers \*

Question agreed to.

## MINISTERIAL STATEMENT (Hansard p. 4288, 12.41 pm)

Minister for Justice and Attorney–General (Mrs Lavarch), by leave, made a ministerial statement relating to the Hervey Bay Patients Support Group.

*Paper:* Mrs Lavarch, during her statement, tabled the following paper—  
Copy of a receipt, dated 2 November 2005, signed by Laurie Brock, President, Hervey Bay Patients Support Group for travel and meal allowances

**SUGAR INDUSTRY AMENDMENT BILL** (Hansard p. 4289, 12.43 pm)

Order of the day read for the adjourned debate on the motion of the Minister for Primary Industries and Fisheries (Mr Nuttall) – That the Bill be now read a second time.

Debate ensued.

*Paper:* Mr Hoolihan, during his speech, tabled the following paper—  
Non-conforming petition from 147 petitioners requesting that the Government fund the establishment and operation of a radiation oncology facility at Rockhampton Base Hospital

Debate continued.

Question put and agreed to.

Bill read a second time.

*Consideration in detail—*

Clauses 1 to 3, as read, agreed to.

Clause 4—

Debate ensued.

Question put – That Clause 4, as read, stand part of the Bill.

The House divided.

AYES 55—

Barton	Cunningham, J	Lavarch	Nelson–Carr	Reynolds	Sullivan, T *
Beattie	English	Lawlor	Nolan *	Roberts, N	Wallace
Bligh	Fenlon	Lee	Nuttall	Robertson	Welford
Boyle	Finn	Livingstone	O'Brien	Schwarten	Wells
Briskey	Fouras	Lucas	Pearce	Scott	Wilson
Choi	Fraser	Male	Pitt	Smith	
Clark, E	Hayward	McNamara	Poole	Spence	
Clark, L	Hoolihan	Miller	Purcell	Stone	
Croft	Jarratt	Molloy	Reeves	Struthers	
Cummins	Keech	Mulherin	Reilly	Sullivan, C	

NOES 20—

Caltabiano	Johnson	Malone *	Pratt	Simpson
Cunningham, E	Langbroek	McArdle	Rickuss	Springborg
Flegg	Lee Long	Menkens	Rogers *	Stuckey
Horan	Lingard	Messenger	Rowell	Wellington

Tellers \*

Question agreed to.

Clauses 5 to 7, as read, agreed to.

Clause 8—

Debate ensued.

Question put – That Clause 8, as read, stand part of the Bill.

The House divided.

AYES 47—

Barton	Fenlon	Lavarch	Mulherin	Reeves	Struthers
Bligh	Finn	Lawlor	Nelson–Carr	Reilly	Sullivan, C
Boyle	Fouras	Livingstone	Nolan *	Reynolds	Sullivan, T *
Briskey	Fraser	Lucas	Nuttall	Robertson	Wallace
Clark, E	Hayward	McNamara	O'Brien	Scott	Welford
Clark, L	Hoolihan	Mickel	Pearce	Smith	Wells
Croft	Jarratt	Miller	Poole	Spence	Wilson
Cunningham, J	Keech	Molloy	Purcell	Stone	

**NOES 23—**

<i>Caltabiano</i>	<i>Foley</i>	<i>Lee Long</i>	<i>Menkens</i>	<i>Rogers *</i>	<i>Springborg</i>
<i>Copeland</i>	<i>Horan</i>	<i>Lingard</i>	<i>Messenger</i>	<i>Rowell</i>	<i>Stuckey</i>
<i>Cunningham, E</i>	<i>Johnson</i>	<i>Malone</i>	<i>Pratt</i>	<i>Seeney</i>	<i>Wellington</i>
<i>Flegg</i>	<i>Langbroek</i>	<i>McArdle</i>	<i>Rickuss *</i>	<i>Simpson</i>	

*Tellers \**

Question agreed to.

Clauses 9 to 21, as read, agreed to.

*Consideration in detail completed—*

Mr Nuttall moved – That the Bill be now read a third time.

Question put.

The House divided.

**AYES 47—**

<i>Barton</i>	<i>Cunningham, J</i>	<i>Keech</i>	<i>Molloy</i>	<i>Reeves</i>	<i>Struthers</i>
<i>Beattie</i>	<i>Fenlon</i>	<i>Lavarch</i>	<i>Mulherin</i>	<i>Reilly</i>	<i>Sullivan, C</i>
<i>Bligh</i>	<i>Finn</i>	<i>Lawlor</i>	<i>Nelson–Carr</i>	<i>Reynolds</i>	<i>Sullivan, T *</i>
<i>Boyle</i>	<i>Fouras</i>	<i>Livingstone</i>	<i>Nolan *</i>	<i>Robertson</i>	<i>Wallace</i>
<i>Briskey</i>	<i>Fraser</i>	<i>Lucas</i>	<i>Nuttall</i>	<i>Scott</i>	<i>Welford</i>
<i>Clark, E</i>	<i>Hayward</i>	<i>McNamara</i>	<i>O'Brien</i>	<i>Smith</i>	<i>Wells</i>
<i>Clark, L</i>	<i>Hoolihan</i>	<i>Mickel</i>	<i>Pearce</i>	<i>Spence</i>	<i>Wilson</i>
<i>Croft</i>	<i>Jarratt</i>	<i>Miller</i>	<i>Poole</i>	<i>Stone</i>	

**NOES 22—**

<i>Caltabiano</i>	<i>Horan</i>	<i>Lingard</i>	<i>Messenger</i>	<i>Rowell</i>	<i>Stuckey</i>
<i>Copeland</i>	<i>Johnson</i>	<i>Malone</i>	<i>Pratt</i>	<i>Seeney</i>	<i>Wellington</i>
<i>Cunningham, E</i>	<i>Langbroek</i>	<i>McArdle</i>	<i>Rickuss *</i>	<i>Simpson</i>	
<i>Flegg</i>	<i>Lee Long</i>	<i>Menkens</i>	<i>Rogers *</i>	<i>Springborg</i>	

*Tellers \**

Question agreed to.

Bill read a third time.

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

Question put and agreed to.

**POLICE POWERS AND RESPONSIBILITIES (DRUG DETECTION DOGS) AMENDMENT BILL AND POLICE POWERS AND RESPONSIBILITIES (MOTORBIKE NOISE) AMENDMENT BILL** (Hansard p. 4314, 5.34 pm)

Order of the day read for the adjourned debate on the motion of the Minister for Police and Corrective Services (Ms Spence) – That the Bills be now read a second time.

Debate ensued.

*Paper:* Ms Spence, during her speech, tabled the following paper—  
Explanatory Notes to Ms Spence's amendments to the Police Powers and Responsibilities (Motorbike Noise) Amendment Bill

Debate continued.

Question put and agreed to.

Bill read a second time.

*Consideration in detail—*

*Police Powers and Responsibilities (Drug Detection Dogs) Amendment Bill—*

Clauses 1 to 5, as read, agreed to.

*Police Powers and Responsibilities (Motorbike Noise) Amendment Bill—*

Clauses 1 to 6, as read, agreed to.

Clause 7 (Replacement of ch 2, pt 6, div 2 hdg and ss 59A–59LA)—

The following amendments were proposed by Ms Spence—

At page 26, line 16—

*omit, insert—*



'has been charged with the offence and an application for a forfeiture order for the motorbike can not be made under section 59LK.<sup>1</sup>'

At page 37, lines 28 to 30—

*omit, insert—*

'(b) is taken to have been made in the proceeding for the vehicle related offence or motorbike noise order offence giving rise to the application for the impounding order or forfeiture order.'

Debate ensued.

Question – That Ms Spence's amendments be agreed to – put and agreed to.

Clause 7, as amended, agreed to.

Clauses 8 to 11, as read, agreed to.

Clause 12 (Replacement of ss 59Q-59W)—

The following amendment was proposed by Ms Spence—

At page 49, line 14, after 'payment of'—

*insert—*

'the costs of'.

Debate ensued.

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

Clause 12, as amended, agreed to.

Clauses 13 to 34, as read, agreed to.

Schedule, as read, agreed to.

*Consideration in detail completed—*

Ms Spence moved – That the Police Powers and Responsibilities (Drug Detection Dogs) Amendment Bill and the Police Powers and Responsibilities (Motorbike Noise) Amendment Bill, as amended, be now read a third time.

Question put and agreed to.

Ms Spence moved – That the long titles of the Bills be agreed to.

Question put and agreed to.

#### **YOUTH PARTICIPATION IN EDUCATION AND TRAINING AND ANOTHER ACT AMENDMENT BILL** (Hansard p. 4332, 8.25 pm)

Order of the day read for the adjourned debate on the motion of the Minister for Education and Minister for the Arts (Mr Welford) – That the Bill be now read a second time.

Debate ensued.

Question put and agreed to.

Bill read a second time.

*Consideration in detail—*

Clauses 1 to 24, as read, agreed to.

Schedule, as read, agreed to.

*Consideration in detail completed—*

Mr Welford moved – That the Bill be now read a third time.

Question put and agreed to.

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

Question put and agreed to.

#### **ADJOURNMENT** (Hansard p. 4345, 9.58 pm)

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

Debate ensued.

<sup>1</sup>

Section 59LK (Application for forfeiture order for motorbike noise order offence)



*Paper:* Dr Flegg, during his speech, tabled the following paper—  
Copy of email, dated 15 November 2005, from Public Affairs (Jane Bebbington) (HR–Broad)  
titled *An important message to all staff*

Debate continued.

*Paper:* Ms Nolan, during his speech, tabled the following paper—  
Copy of web page from [www.users.on.net](http://www.users.on.net) titled *Save The Bilby Fund By doing NOTHING!*  
and attachments

Debate continued.

Question put and agreed to.

The House adjourned at 10.27 pm.

## ATTENDANCE

The following Members were present—

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

**A McGRADY**  
**SPEAKER**

**N J LAURIE**  
**CLERK OF THE PARLIAMENT**