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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.

MATTER OF PRIVILEGE (Hansard p.4347, 9.31am)
Deputy Leader of the Opposition (Mr Seeney) rose on a matter of privilege.

Papers: Mr Seeney, during his speech, tabled the following papers—
Letter, dated 6 January 2004, from the Member for Gympie (Ms Roberts) to Mr Potter of the Cooloola Shire Council relating to a complaint against her dog Popsicle
Fax, dated 15 November 2005, from Ms Roberts to the Cooloola Shire Council relating to a complaint from a neighbour concerning Ms Roberts’ dog
Statutory Declaration, dated 23 November 2005, under the Oaths Act 1867 by Sally Winn relating to the receipt of a letter on official letterhead from Ms Roberts relating to a personal matter
Letter, dated 21 November 2005, from Ms Roberts to Mr and Mrs Brasington of Amanoor relating to the absence of Ms Roberts during parliamentary sittings

STATEMENT BY SPEAKER – FLOWERS IN CHAMBER
Mr Speaker made the following statement—
‘Honourable Members—
The Member for Nicklin has graciously donated the flower arrangements which are at the front of the Chamber. These arrangements come from a leading export company based on the Sunshine Coast. Apart from the flowers, the large variety of foliages in the arrangement is all from native plants growing in Queensland. The company currently exports 90 per cent of its production of these foliages all around the world and this is increasing yearly.’

OFFICE OF THE GOVERNOR – ANNUAL REPORT
Mr Speaker tabled the following paper—
Office of the Governor – Annual Report for 2004–05

STATEMENT BY SPEAKER – MEMBERS’ GUESTS
Mr Speaker made the following statement—
‘Honourable Members—
I have issued a memorandum to all Members, reminding Honourable Members about their responsibility when inviting guests into the precinct.
I am issuing a similar Memorandum to former Members and visiting Members of other Parliaments.
I would ask all Honourable Members to observe the matters contained in the memorandum.’

PETITIONS
The following paper petition, lodged with the Clerk by the Member indicated, was received—
Ms Lee Long from 1364 petitioners, requesting the House to appoint an independent investigator and investigation team from outside the State of Queensland to fully investigate all the known facts surrounding the deaths of Vicki Arnold and Julie-Anne Leahy and new evidence recently released and to prepare a full and comprehensive report to be placed before the Chief Coroner of Queensland for his investigation, assessment and compilation of a report to be placed before this House.
The following E-petitions, sponsored by the Members indicated, were received—

Dr Flegg from 20 petitioners, requesting the House to immediately call on the Government to reassess the National Trust of Queensland Act 1963 to assure that the Trust can no longer sell properties without consulting a magistrate.

Dr Flegg from 43 petitioners, requesting the House to immediately call on the Government to acquire Little Goat Island and guarantee its ongoing protection as part of the Pumicestone Passage Marine Park.

Mr Finn from 892 petitioners, requesting the House to act to reduce the financial burden on Queenslanders by requesting the Federal Government provide urgent relief for Queenslanders paying large federal taxes on fuel purchases; demand a greater share of the Federal Government’s fuel excise revenue be returned to the States; develop state policies to reduce the impacts of increased fuel prices and investigate fuel alternatives to reduce Queensland’s reliance on overseas oil and petroleum products.

PAPERS TABLED DURING THE RECESS

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

25 November 2005—
Gold Coast Hospital Foundation – Annual Report 2004-05
Late tabling statement by the Minister for Health (Mr Robertson) regarding the Gold Coast Hospital Foundation Annual Report 2004-05
The Prince Charles Hospital Foundation – Annual Report 2004-05
Late tabling statement by the Minister for Health (Mr Robertson) regarding The Prince Charles Hospital Foundation Annual Report 2004-05
Far North Queensland Hospital Foundation – Annual Report 2004-05
Late tabling statement by the Minister for Health (Mr Robertson) regarding the Far North Queensland Hospital Foundation Annual Report 2004-05

28 November 2005—
Supreme Court of Queensland – Annual Report 2004-05 (copies available on CD only)
Response from the Minister for Environment, Local Government, Planning and Women (Ms Boyle) to a paper petition presented by Dr Flegg from 625 petitioners and an e-petition sponsored by Dr Flegg from 55 petitioners requesting the House to immediately call on the Government to acquire Little Goat Island and ensure its ongoing protection as part of the Pumicestone Passage Marine Park
Electoral Commission of Queensland – Report on the details of polling at the Chatsworth and Redcliffe By-Elections held on Saturday 20 August 2005
Princess Alexandra Hospital Foundation – Annual Report 2004-05
Late tabling statement by the Minister for Health (Mr Robertson) regarding the Princess Alexandra Hospital Foundation Annual Report 2004-05
Queensland’s Category 2 Water Authorities – Summary of Annual Reports and Financial Statements 2004-05
Queensland’s River Improvement Trusts – Summarised Annual Reports and Financial Statements 2004-05

STATUTORY INSTRUMENTS

The following statutory instruments were tabled by the Clerk—

Education (Queensland College of Teachers) Act 2005—
Education (Queensland College of Teachers) Regulation 2005, No. 279 and Explanatory Notes and Regulatory Impact Statement for No. 279

Public Health Act 2005—
Proclamation commencing certain provisions, No. 280

Health Act 1937, Public Health Act 2005—
Public Health Regulation 2005, No. 281
Radiation Safety Act 1999—
Radiation Safety Amendment Regulation (No. 2) 2005, No. 282

Jury Act 1995—
Jury Amendment Regulation (No. 1) 2005, No. 283

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—

State Development and Other Legislation Amendment Bill 2005
Amendment made to Bill
Clause 28—
At page 18, line 13, ‘.’—
omit, insert—
‘; and’.

Liquor and Other Acts Amendment Bill 2005
Amendment made to Bill
Clause 26—
At page 18, line 35, ‘.’—
omit, insert—
‘; and’.

STATEMENT BY SPEAKER – MEMBER FOR ASPLEY

Mr Speaker made the following statement—

‘Honourable Members—

Sometimes the Speaker has some pleasant duties to do. I understand that the member for Aspley is in the Chamber. Can I just say welcome back. It is a delight to have you in our midst again.’

MINISTERIAL STATEMENTS (Hansard p. 4349, 9.35 am)

(a) Premier and Treasurer (Mr Beattie) made a ministerial statement relating to the UK recruitment campaign to attract health professionals to Queensland.

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

(b) Premier and Treasurer (Mr Beattie) made a ministerial statement relating to the advertising campaign to recruit health professionals to Queensland Health.

Paper: Mr Beattie, during his statement, tabled the following paper—
Article from The Courier–Mail, dated 23 November 2005, by Rosanne Barrett titled Positive prognosis for hospitals by students

(c) Premier and Treasurer (Mr Beattie) made a ministerial statement relating to funding for Queensland roads.

(d) Premier and Treasurer (Mr Beattie) made a ministerial statement relating to community information sessions and library displays for the Brisbane Airport Link and Northern Busway proposal.

(e) Premier and Treasurer (Mr Beattie) made a ministerial statement relating to the Commission for Children and Young People and Child Guardian Risk Management Strategy.

(f) Premier and Treasurer (Mr Beattie) made a ministerial statement relating to the Origin Energy coal seam methane gas plant at Spring Gully.

(g) Premier and Treasurer (Mr Beattie) made a ministerial statement relating to an obesity survey of children in Years 1, 5 and 10.

(h) Premier and Treasurer (Mr Beattie) made a ministerial statement relating to Senator Barnaby Joyce and industrial relations reforms.
(i) Premier and Treasurer (Mr Beattie) made a ministerial statement relating to the Liberal and National parties approaching independent Members to stand in the next election.

(j) Deputy Premier and Minister for Finance, Minister for State Development, Trade and Innovation (Ms Bligh) made a ministerial statement relating to grants under the Jupiter's Casino Community Benefit Fund and the Gambling Community Benefit Fund.

(k) Minister for Employment, Training and Industrial Relations (Mr Barton) made a ministerial statement relating to Senator Barnaby Joyce and industrial relations reforms.

(l) Minister for Health (Mr Robertson) made a ministerial statement relating to the reform of Queensland’s health system and the establishment of a Ministerial Clinical Advisory Committee.

(m) Minister for Transport and Main Roads (Mr Lucas) made a ministerial statement relating to funding for Queensland roads.

(n) Minister for Police and Corrective Services (Ms Spence) made a ministerial statement relating to the transfer of prisoners from the Sir David Longland Correctional Centre during the redevelopment and expansion of the centre.

(o) Minister for Environment, Local Government, Planning and Women (Ms Boyle) made a ministerial statement relating to swimming pool drownings and pool safety.

(p) Minister for Energy and Aboriginal and Torres Strait Islander Policy (Mr Mickel) made a ministerial statement relating to the opening of the Aurukun Bendigo Bank.

(q) Minister for Natural Resources and Mines (Mr Palaszczuk) made a ministerial statement relating to SIMTARS and mine safety.

(r) Minister for Tourism, Fair Trading and Wine Industry Development (Ms Keech) made a ministerial statement relating to support for community events in rural and remote centres.

PERSONAL EXPLANATIONS (Hansard p. 4363, 10.27 am)

(a) Ms Roberts, by leave, made a personal explanation.

(b) Minister for Small Business, Information Technology Policy and Multicultural Affairs (Mr Cummins), by leave, made a personal explanation.

   Paper: Mr Cummins, during his statement, tabled the following paper—
   Letter, dated 17 February 2003, from Mr Cummins to Andrew Duncan, Marine Life Rescue Centre

MEMBERS’ ETHICS AND PARLIAMENTARY PRIVILEGES COMMITTEE – PAPER

Chair of the Members’ Ethics and Parliamentary Privileges Committee (Mrs Attwood) tabled the following paper—

   Members’ Ethics and Parliamentary Privileges Committee—
   Report No. 70 – Registration of members’ interests – Matter referred under Schedule 2 of the Standing Rules and Orders of the Legislative Assembly
   Right of Reply: Queensland Legislative Assembly Information Paper No. 1 – 8 November 2005

PRIVATE MEMBERS’ STATEMENTS (Hansard p. 4363, 10.27 am)

Private Members’ statements were made.

QUESTIONS WITHOUT NOTICE (Hansard p. 4364, 10.32 am)

Questions without notice were asked.

   Paper: Mr Horan tabled the following paper—
   Letter, dated 28 November 2005, from Mr Alex Scott, General Secretary QPSU to Mr J Varghese, Director–General, Department of Primary Industries and Fisheries relating to a Notice of Industrial Action to be taken by Veterinary Officers of the Department

Questions continued.

Questions concluded.
MINISTERIAL PAPER
The following ministerial paper was tabled—

Minister for Transport and Main Roads (Mr Lucas)—
Document by Department of Main Roads, dated 28 November 2005, titled Roads Implementation Program 2005-06 to 2009-10

MATTERS OF PUBLIC INTEREST (Hansard p. 4375, 11.30 am)
Matters of public interest were debated.

Paper: Mrs Pratt, during her speech, tabled the following paper—
Untitled 1 page financial statement

Debate continued.
Debate concluded.

RECREATION AREAS MANAGEMENT BILL (Hansard p. 4387, 12.32 pm)
Minister for Environment, Local Government, Planning and Women (Ms Boyle) presented a Bill for an Act for the establishment, management and use of recreation areas, and for other purposes and Explanatory Notes and moved – That the Bill be now read a first time.
Question put and agreed to.
Ms Boyle moved – That the Bill be now read a second time.
Debate ensued.
Mr Messenger moved – That the debate be now adjourned.
Question put and agreed to.

CHILD EMPLOYMENT BILL (Hansard p. 4388, 12.41 pm)
Minister for Employment, Training and Industrial Relations (Mr Barton) presented a Bill for an Act to safeguard children working in Queensland, and for other purposes and Explanatory Notes and moved – That the Bill be now read a first time.
Question put and agreed to.
Mr Barton moved – That the Bill be now read a second time.
Debate ensued.
Mr Hopper moved – That the debate be now adjourned.
Question put and agreed to.

PROPERTY AGENTS AND MOTOR DEALERS AND OTHER ACTS AMENDMENT BILL (Hansard p.4393, 12.53 pm)
Minister for Tourism, Fair Trading and Wine Industry Development (Ms Keech) presented a Bill for an Act to amend the Property Agents and Motor Dealers Act 2000, and for other purposes and Explanatory Notes and moved – That the Bill be now read a first time.
Question put and agreed to.
Ms Keech moved – That the Bill be now read a second time.
Debate ensued.
Mrs Stuckey moved – That the debate be now adjourned.
Question put and agreed to.

APPROPRIATION BILL (NO. 2) (Hansard p. 4395, 2.30 pm)
Order of the day read for the adjourned debate on the motion of the Premier and Treasurer (Mr Beattie) – That the Bill be now read a second time.
Debate ensued.
**Papers:** Mr Hopper, during his speech, tabled the following papers—
Supreme Court of Queensland Affidavit of Carey Graeme Stent in the matter of the State of Queensland and Russ David Acton
Supreme Court of Queensland Affidavit of Carey Graeme Stent in the matter of the State of Queensland and Louie William Gibson

Debate continued.
Question put and agreed to.
Bill read a second time.

**Consideration in detail—**
Clauses 1 and 2, as read, agreed to.
Schedule, as read, agreed to.

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

**TRANSPORT AND OTHER LEGISLATION AMENDMENT BILL** (Hansard p. 4401, 3.07 pm)
Order of the day read for the adjourned debate on the motion of the Minister for Transport and Main Roads (Mr Lucas) – That the Bill be now read a second time.
Debate ensued.

**Papers:** Mr Caltabiano, during his speech, tabled the following papers—
Three newspaper articles (undated)

Debate continued.

**Papers:** Mr Lucas, during his speech, tabled the following papers—
   Explanatory Notes to Mr Lucas’ amendments to the Transport and Other Legislation Amendment Bill
   Media releases regarding the Toowoomba second range crossing

Debate continued.
Question put and agreed to.
Bill read a second time.

**Consideration in detail—**
Clauses 1 to 22, as read, agreed to.
Clause 23 (Insertion of new ch 6, pt 6, div 2)—
The following amendment was proposed by Mr Caltabiano—
At page 16, lines 9 to 12—
   omit, insert—
   ‘(3) The declaration of land as State toll road corridor land may be subject to conditions about any of the following matters relevant to the toll road proposed for the State toll road corridor land that the Minister considers necessary in the circumstances—
   (a) the requirements for delivery of services;
   (b) performance specifications;
   (c) the transfer of assets;
   (d) tolling arrangements.
   ‘(4) The conditions must be included in the declaration under subsection (1).’.

Debate ensued.
Question— That Mr Caltabiano’s amendment be agreed to – put and negatived.
Clause 23, as read, agreed to.
Clause 24—
Debate ensued.
Question put – Clause 24, as read, negatived.
Clause 25, as read, agreed to.
Clause 26 (Replacement of s 93 (Tolls))—
The following amendments were proposed by Mr Caltabiano—
At page 19, line 29, ‘The Minister may, by gazette notice,’—
omit, insert—
‘A regulation may’.
At page 20, line 6, ‘declaration’—
omit, insert—
‘regulation’.
At page 20, line 13, ‘gazette notice’—
omit, insert—
‘regulation’.
At page 20, line 18, ‘gazette notice’—
omit, insert—
‘regulation’.

Debate ensued.

Question— That Mr Caltabiano’s amendments be agreed to — put and negatived.

Clause 26, as read, agreed to.

Clause 27 (Amendment of s 94 (Liability for toll and satisfying the liability))—
The following amendment was proposed by Mr Lucas—
At page 21, line 13, after ‘faulty’—
insert—
‘through no fault of the driver and the driver is unaware it is faulty’.

Debate ensued.

Question — That Mr Lucas’ amendment be agreed to — put and agreed to.

The following amendment was proposed by Mr Caltabiano—
At page 21, line 28, ‘gazette notice’—
omit, insert—
‘regulation’.

Debate ensued.

Question— That Mr Caltabiano’s amendment be agreed to — put and negatived.

Clause 27, as amended, agreed to.

Clause 28, as read, agreed to.

Clause 29 (Replacement for administration charge in addition to unpaid toll and user administration charge)—
The following amendment was proposed by Mr Lucas—
At page 22, line 17, after ‘faulty’—
insert—
‘through no fault of the driver and the driver is unaware it is faulty’.

Debate ensued.

Question — That Mr Lucas’ amendment be agreed to — put and agreed to.

Clause 29, as amended, agreed to.

Clauses 30 to 31, as read, agreed to.

Clause 32 (Insertion of new ch 6, pt 8)—
The following amendments were proposed by Mr Caltabiano—
At page 29, lines 10 and 11, ‘, by gazette notice,’—
omit.
At page 29, line 15, ‘, by gazette notice,’—
omit.
At page 29, line 26, ‘gazette notice’—
omit, insert—
‘declaration’.
At page 29, line 27, ‘gazette notice’—
omit, insert—
‘declaration’.
At page 29, line 28, ‘gazette notice’—
omit, insert—
‘declaration’.
At page 29, lines 31 to 34—
omit, insert—
“(6) The declaration of land as local government tollway corridor land may be subject to conditions about any of the following matters relevant to the local government tollway proposed for the local government tollway corridor land that the Minister considers necessary in the circumstances—
(a) the requirements for delivery of services;
(b) performance specifications;
(c) the transfer of assets;
(d) tolling arrangements.

‘(7) The conditions must be included in the declaration under subsection (2) or (3).
‘(8) A declaration under this section is of no effect until it is approved by a regulation.
‘(9) If, under subsection (8), a declaration is approved by a regulation, the Minister must table a copy of the declaration with the regulation in the Legislative Assembly.’.

At page 30, line 21, ‘or desirable’—
omit.

At page 42, line 10, ‘, by gazette notice,’—
omit.

At page 42, after line 30—
insert—
“(3A) A declaration under this section is of no effect until it is approved by a regulation.
‘(3B) If, under subsection (3A), a declaration is approved by a regulation, the Minister must table a copy of the declaration with the regulation in the Legislative Assembly.’.

At page 42, line 31, ‘the Minister makes a declaration under subsection (1)’—
omit, insert—
‘a regulation under subsection (3A) approves a declaration made by the Minister’.

Debate ensued.

Question – That Mr Caltabiano’s amendments be agreed to – put and negatived.
The following amendments were proposed by Mr Lucas—

At page 41, line 7, ‘summaries of’—
omit.

At page 41, line 13, ‘a document containing a summary of’—
omit.

At page 41, lines 15 to 25—
omit.

At page 41, line 26, ‘(4)’—
omit, insert—
‘(2)’.

At page 41, line 27, ‘document’—
omit, insert—
‘local government tollway franchise agreement or the amendment of a local government tollway franchise agreement’.

Question – That Mr Lucas’ amendments be agreed to – put and agreed to.

Clause 32, as amended, agreed to.

Clauses 33 to 36, as read, agreed to.

Clause 37 (Insertion of new ch 18, pt 7)—
The following amendments were proposed by Mr Caltabiano—

At page 54, lines 22 to 30 and page 55, lines 1 to 11—
omit, insert—
‘(a) the road continues to be a toll road; and
(b) tolls payable for the use of toll roads under the previous provisions continue to be payable for the use of the toll roads; and
(c) the types of vehicles liable for tolls for use of the toll road under the previous provisions continue to be liable for tolls for use of the toll road; and
(d) the toll set as payable under the previous provisions for each type of vehicle at each toll plaza on the toll road continues to be payable; and
(e) the administration charge for a toll set under the previous provisions for chapter 6, part 7 of the Act continues as the administration charge for the toll.’.

At page 55, line 12, ‘The Minister may, by gazette notice,’—
omit, insert—
‘A regulation may’.
At page 55, line 16, ‘gazette notice’—
*omit, insert—
‘regulation’.

Debate ensued.

Question – That Mr Caltabiano’s amendments be agreed to – put and negatived.
Clause 37, as read, agreed to.

Reconsideration of Clause—
Mr Lucas moved – That Clause 32 be reconsidered.
Question put – That Clause 32 be reconsidered.
Agreed to.

Clause 32 (Insertion of new ch 18, pt 7)—
At page 44, line 5, after ‘faulty’—
*insert—
‘through no fault of the driver and the driver is unaware it is faulty’.
At page 45, line 21, ‘(3)’—
*omit, insert—
‘(4)’.
At page 45, line 28, ‘(3)’—
*omit, insert—
‘(4)’.
At page 46, line 12, after ‘faulty’—
*insert—
‘through no fault of the driver and the driver is unaware it is faulty’.

Question – That Mr Lucas’ amendments be agreed to – put and agreed to.
Clause 32, as amended, agreed to.

Clauses 38 to 42, as read, agreed to.

Consideration in detail completed—
Mr Lucas moved – That the Bill, as amended, 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.

POSTPONED ORDERS – GOVERNMENT BUSINESS
Leader of the House (Mr Schwarten moved – That Government Business Orders of the Day Nos. 3 to 4 be postponed until a later hour of the sitting.
Question put and agreed to.

NATURAL RESOURCES AND OTHER LEGISLATION AMENDMENT BILL  (Hansard p. 4442, 8.16 pm)
Order of the day read for the adjourned debate on the motion of the Minister for Natural Resources and Mines (Mr Palaszczuk) – That the Bill be now read a second time.
Debate ensued.
Debate adjourned on the motion of Mr Pearce.

ADJOURNMENT  (Hansard p. 4457, 10.00 pm)
Leader of the House (Mr Schwarten) moved – That this House do now adjourn.
Debate ensued.
Question put and agreed to.
The House adjourned at 10.30 pm.
ATTENDANCE

The following Members were present—

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A McGARDOY
SPEAKER

N J LAURIE
CLERK OF THE PARLIAMENT

BY AUTHORITY
GOVERNMENT PRINTER, QUEENSLAND