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MEETING OF THE ASSEMBLY

The Assembly met at 9.30 am, pursuant to adjournment. The Acting Speaker (Honourable D Fouras) read prayers.

Distinguished visitors—

Mr Acting Speaker informed the House of the presence in the Gallery of members of the Juvenile Diabetes Foundation.

CRIME AND MISCONDUCT COMMISSION – REPORT

Mr Acting Speaker reported that he had received from the Chairperson of the Crime and Misconduct Commission a report titled *Independence, influence and integrity in local government: a CMC inquiry into the 2004 Gold Coast City Council election*.

Paper: Mr Acting Speaker tabled the following paper—

Report by the Crime and Misconduct Commission titled *Independence, influence and integrity in local government: a CMC inquiry into the 2004 Gold Coast City Council election*

ACTING SPEAKER’S STATEMENT – ACTING SPEAKER’S RULING – TABLING OF E-PETITIONS

Mr Acting Speaker made the following ruling—

‘Honourable Members—

I refer to the Members’ Ethics and Parliamentary Privileges Committee’s Report No. 75 and the committee’s conclusions and recommendations.

I note that the non-compliance relates primarily to the method in which the E-petitions were compiled and not to the substance of the E-petitions. The committee found no evidence of fraud, inducement or that the signatories had not given their consent to be added to the E-petitions.

Taking into account all the above matters, I have authorised the Clerk to present the E-petitions today.’

PETITIONS

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

Mr Hobbs, from 2,172 petitioners, requesting the House to endorse the Maroochy Council approval for the proposed Montville residential/golf course development.

Mr Hobbs, from 1,237 petitioners, requesting the House to endorse the Maroochy Council approval for the proposed Montville residential/golf course development.

Mr Langbroek from 49 petitioners requesting the House to replace asbestos roofs in all schools throughout the Greenslopes electorate including the Cavendish Road State High School, Coorparoo State High School, Coorparoo Infant State School, Holland Park State High School, Marshall Road State School and Camp Hill State School.

MINISTERIAL PAPER

The following Ministerial paper was tabled—

*Deputy Premier, Treasurer and Minister for State Development, Trade and Innovation (Ms Bligh)—*

Report on an overseas trade mission to the United States and Canada by the Deputy Premier, Treasurer and Minister for State Development, Trade and Innovation (Ms Bligh) from 2 to 15 April 2006

MINISTERIAL STATEMENTS (Hansard p.1661, 9.33am)

(a) Premier (Mr Beattie) made a ministerial statement relating to the Juvenile Diabetes Research Foundation.
(b) Premier (Mr Beattie) made a ministerial statement relating to the Report by the Crime and Misconduct Commission titled *Independence, influence and integrity in local government: a CMC inquiry into the 2004 Gold Coast City Council election*.

(c) Premier (Mr Beattie) made a ministerial statement relating to Water Commission appointments.

(d) Premier (Mr Beattie) made a ministerial statement relating to Queensland Health appointments.

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

Curriculum Vitae for appointments to Queensland Health – David Egmont Thiele, Thomas F Ward and William Beresford

(e) Premier (Mr Beattie) made a ministerial statement relating to Cyclone Larry – housing recovery.

(f) Premier (Mr Beattie) made a ministerial statement relating to the Yeerongpilly sporting facility.

(g) Premier (Mr Beattie) made a ministerial statement relating to the death of Mr Grant McLennan.

(h) Premier (Mr Beattie) made a ministerial statement relating to the Australia Trade Coast Community Cabinet.

(i) Deputy Premier, Treasurer and Minister for State Development, Trade and Innovation (Ms Bligh) made a ministerial statement relating to Smart State Senior Fellowships.

(j) Minister for Health (Mr Robertson) made a ministerial statement relating to reforms at Queensland Health Scientific Services.

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

Six-monthly report on reforms at Queensland Health scientific services April 2006

(k) Minister for Police and Corrective Services (Ms Spence) made a ministerial statement relating to the Aspley explosives event.

(l) Minister for Justice and Attorney–General (Mrs Lavarch) made a ministerial statement relating to juvenile diabetes.

(m) Minister for Public Works, Housing and Racing (Mr Schwarten) made a ministerial statement relating to community housing.

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

Document by the Department of Housing, dated May 2006, titled *One Social Housing System: a new direction for community and local-government managed housing in the Smart State*

(n) Minister for Transport and Main Roads (Mr Lucas) made a ministerial statement relating to Cyclone Monica road damage.

(o) Minister for Energy and Aboriginal and Torres Strait Islander Policy (Mr Mickel) made a ministerial statement relating to retail electricity competition consumer protection.

(p) Minister for Justice and Attorney–General (Mrs Lavarch) made a ministerial statement relating to reports on strategic reviews of the Office of the Queensland Ombudsman and the Office of the Information Commissioner.

Papers: Mrs Lavarch, during her statement, tabled the following papers—


(q) Minister for Employment, Training and Industrial Relations and Minister for Sport (Mr Barton) made a ministerial statement relating to the Young Athlete Assistance Program.

(r) Minister for Environment, Local Government, Planning and Women (Ms Boyle) made a ministerial statement relating to the Federal Budget and the environment.

(s) Minister for Emergency Services (Mr Purcell) made a ministerial statement relating to Emergency Management Queensland, SES recruitment campaign.

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

Copy of an article from *The Courier-Mail*, dated 11 May 2006, titled *He is my angel*
Minister for Small Business, Information Technology Policy and Multicultural Affairs (Mr Cummins) made a ministerial statement relating to the Queensland ICT industry.

**Paper:** Mr Cummins, during his statement, tabled the following paper—
Juvenile Diabetes Research Foundation Commemorative Program for Kids in the House 11 May 2006

**PRIVATE MEMBERS’ STATEMENTS** (Hansard p.1672, 10.19am)
Private Members’ statements were made.

**QUESTIONS WITHOUT NOTICE** (Hansard p.1675, 10.30am)
Questions without notice were asked.

**Papers**:
- Mr Springborg tabled the following papers—
  Extract from *Hansard*, dated 22 November 2005 (pages 4122-3), relating to a staff appointment at the Prince Charles Hospital

Questions continued.
Questions concluded.

**WORKPLACE HEALTH AND SAFETY AND OTHER ACTS AMENDMENT BILL** (Hansard p.1686, 11.33am)
Order of the day read for the adjourned debate on the motion of the Minister for Employment, Training and Industrial Relations and Minister for Sport (Mr Barton) – That the Bill be now read a second time. Debate ensued.

**Papers**:
- Mr Barton, during his speech, tabled the following papers—
  Correspondence, dated 10 May 2006, from Mr Barton to Mr G Cuthbert and Mr A Craig relating to changes to the Workplace Health and Safety and Other Acts Amendment Bill

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 (Insertion of new pt 7A)—
  The following amendment was proposed by the Leader of the Opposition (Mr Springborg)—
  At page 11, lines 3 to 7—
  **omitting insert**—
  ‘(c) a worker working at the place makes a particular complaint about a contravention of the Act involving workplace health and safety to the employee organisation.’.

Debate ensued.

**Papers**:
- Mr Springborg, during his speech, tabled the following papers—
  Draft copy of the New South Wales Occupational Health and Safety Amendment Bill 2006
  Explanatory Notes to Mr Springborg’s amendments to the Workplace Health and Safety and Other Acts Amendment Bill

Debate continued.

**Paper**:
- Mr Barton, during his speech, tabled the following paper—
  Letter, dated 10 May 2006, from Mr Barton to the Chair of the Scrutiny of Legislation Committee (Mr Hayward) relating to matters raised by the Scrutiny of Legislation Committee

Debate continued.

**Papers**:
- Mr Foley, during his speech, tabled the following papers—
  Non-conforming petition relating to 2005-06 rates levied by the Tiaro Shire Council
  Bundle of documents relating to the Traveston Dam site

Question put – That Mr Springborg’s amendment be agreed to.
The House divided.
AYES 20—
Caltabiano  Hopper *  Langbroek  Messenger  Seeney
Copeland  Horan  Lee Long  Quinn  Simpson
Douglas  Johnson  McArdle  Rickuss  Springborg
Hobbs  Knuth  Menkens  Rogers *  Stuckey

NOES 54—
Attwood  Cummins  Lavarch  Nolan *  Reilly  Spence
Barton  Cunningham, E  Lawlor  Nuttall  Reynolds  Stone
Bligh  English  Livingstone  O'Brien  Roberts, E  Struthers
Boyle  Feenon  McNamara  Palaszczuk  Roberts, N  Sullivan, C
Briskey  Finn  McKelvie  Pearce  Robertson  Wallace
Choi  Fraser  Miller  Pitt  Schwarten  Welldorf
Clark, E  Hayward  Molloy  Pratt  Scott  Wellington
Clark, L  Hootahan  Mulherin  Purcell  Shine  Wells
Croft  Jarrett  Nelson–Carr  Reeves *  Smith  Wilson

Tellers *

Question negatived.

The following amendment was proposed by Mr Springborg—
At page 12, lines 2 to 16—
omit, insert—
‘employment of a worker relating to any of the following matters—
(a) hours of work;
(b) overtime;
(c) employee qualifications;
(d) another matter involving workplace health and safety at the workplace.’.

Debate ensued.
Question put – That Mr Springborg's amendment be agreed to.
The House divided.

AYES 24—
Caltabiano  Hobbs  Knuth  Malone  Pratt  Simpson
Copeland  Hopper *  Langbroek  McArdle  Rickuss  Springborg
Douglas  Horan  Lee Long  Menkens  Rogers *  Stuckey
Foley  Johnson  Lingard  Messenger  Seeney  Wellington

NOES 51—
Attwood  Cummins  Lavarch  Nelson–Carr  Reilly  Stone
Barton  Cunningham, E  Lawlor  Nolan *  Reynolds  Struthers
Bligh  English  Livingstone  Nuttall  Roberts, E  Sullivan, C
Boyle  Feenon  Lucas  O'Brien  Roberts, N  Wallace
Briskey  Finn  McNamara  Palaszczuk  Schwarten  Wells
Choi  Fraser  Mickel  Pearce  Scott  Wilson
Clark, E  Hayward  Miller  Pitt  Shine  Wells
Clark, L  Hootahan  Molloy  Purcell  Smith  Wilson
Croft  Jarrett  Mullerin  Reeves *  Spence  Wilson

Tellers *

Question negatived.

The following amendment was proposed by Mr Springborg—
At page 13, lines 11 to 14—
omit, insert—
‘(b) otherwise—immediately after the entry.
'(3) For entry in any case, the authorised representative must, immediately after entry, tell the
occupier of his or her presence.’.

Debate ensued.
Question put – That Mr Springborg's amendment be agreed to.
The House divided.
PRIVILEGE – MATTER RAISED – ANNEXE LIFTS (Hansard p.1698, 2.43pm)

Mr Sullivan rose on a matter of privilege suddenly arising.
Mr Deputy Speaker (Mr O’Brien) advised that the matter would be reported to the Acting Speaker and the Clerk.

Debate resumed.

The following amendment was proposed by Mr Springborg—
At page 14, after line 24—

insert—

‘Maximum penalty—40 penalty units.

‘(1A) An authorised representative for an employee organisation must not use or disclose information acquired at a place under this part other than for a purpose relating to the workplace health and safety of an eligible member of the employee organisation.

Maximum penalty—40 penalty units.

Example of information—
information from employment records’.

Debate ensued.

Question put – That Mr Springborg’s amendment be agreed to.

The House divided.
omitted, insert—

‘(3) If an authorised representative for an employee organisation finds evidence of a contravention of the Act involving workplace health and safety at a place, the authorised representative must immediately report the finding to the employer, occupier or a workplace health and safety representative of the place.’.

Debate ensued.

Question put – That Mr Springborg’s amendment be agreed to.
The House divided.

**AYES 23—**

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**NOES 54—**

| Attwood | Croft | Keech | Molloy | Purcell | Spence |
| Barry | Cummins | Lavarch | Mulherin | Reilly | Struthers |
| Barton | Cunningham, E | Lawlor | Nelson–Carr | Reynolds | Sullivan, C |
| Bligh | English | Lee | Nolan * | Roberts, N | Sullivan, T * |
| Boyle | Fenlon | Livingstone | Nuttall | Robertson | Wallace |
| Briskey | Finn | Male | O’Brien | Schwarten | Welford |
| Choi | Fraser | McNamara | Palaszczuk | Scott | Wellington |
| Clark, E | Hayward | Mickey | Pearce | Shine | Wells |
| Clark, L | Hoolihan | Miller | Pratt | Smith | Wilson |

Tellers *

Question negated.

Clause 4, as read, agreed to.

Clauses 5 to 33, as read, agreed to.

Consideration in detail completed—

Mr Barton moved – That the Bill be now 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.

**POSTPONED ORDER – GOVERNMENT BUSINESS**

Acting Leader of the House (Ms Spence) moved – That Government Business Order of the Day No. 2 be postponed.

Question put and agreed to.

**POLICE POWERS AND RESPONSIBILITIES AND OTHER ACTS AMENDMENT BILL** *(Hansard p.1703, 3.22pm)*

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

Debate ensued.

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

Copy of an article from the *Sunday-Mail*, dated 12 April 1998, titled “Wheelie” hoon to lose cars

Debate continued.

**Paper:** Mrs Pratt, during her speech, tabled the following paper—

Non-conforming petition seeking establishment of a pedestrian crossing at Coulson Street, Blackbutt

Debate continued.

Debate adjourned on the motion of Ms Attwood.
STATEMENT BY ACTING LEADER OF THE HOUSE – HOURS AND ORDER OF BUSINESS FOR TODAY

Acting Leader of the House (Ms Spence) 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, followed by a 30 minute adjournment debate.’

MINISTERIAL STATEMENT (Hansard p.1725, 5.48pm)

Minister for Police and Corrective Services (Ms Spence), by leave, made a ministerial statement relating to the charging of a man over the Aspley explosives incident.

POLICE POWERS AND RESPONSIBILITIES AND OTHER ACTS AMENDMENT BILL (Hansard p.1726, 5.510m)

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

Debate ensued.

Debate adjourned on the motion of Mr Hoolihan.

WATER AMENDMENT BILL (Hansard p.1732, 7.30pm)

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

Debate ensued.

Paper: Minister for Natural Resources, Mines and Water (Mr Palaszczuk) during his speech, tabled the following paper—

Erratum to the Explanatory Notes to the Water Amendment Bill

Question put and agreed to.

Bill read a second time.

Consideration in detail—

By leave, Clauses 1 to 22—

The following amendments were proposed, by leave, en bloc, by the Deputy Leader of the Opposition (Mr Seeney)—

At page 18, lines 1 to 10—

omit.

At page 20, after line 15—

insert—

‘(3) The Minister must table the advice in the Legislative Assembly within 7 sitting days after receiving it.

‘(4) Before making the report and program the Minister must comply with subsections (5) to (8).

‘(5) The Minister must—

(a) prepare drafts of the report and program; and

(b) publish a notice about the drafts in the gazette and a newspaper circulating generally in the region.

‘(6) The notice must state that—

(a) the drafts may be inspected on the department’s website on the internet; and

(b) any member of the public may make written comments to the Minister about the drafts within a stated period.

‘(7) The stated period must be at least 20 business days after the notice is published.

‘(8) The Minister must—

(a) take reasonable steps to ensure the drafts are published on the website from when the notice is published to the end of the stated period; and

(b) consider any written comments about the drafts received by the Minister within the stated period.’.
At page 24, line 20, ‘make reasonable endeavours to’—
omit.
At page 24, lines 22 and 23—
omit.

Debate ensued.

Question put – That Mr Seeney’s amendments be agreed to.
The House divided.

**AYES 22—**

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<th>Caltabiano</th>
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**NOES 43—**

| Attwood | Fenlon | Livingstone | O’Brien | Scott |
| Barry | Finn | Male | Palaszczuk | Shine |
| Briskey | Fraser | McNamara | Pearce | Smith |
| Choi | Hayward | Michel | Purcell | Spence |
| Clark, E | Hoolihan | Miller | Reeves | Stone |
| Clark, L | Jarratt | Mulherin | Reilly | Sullivan, C |
| Croft | Keech | Nelson–Carr | Roberts, N | Wallace |
| Cummins | Lavarch | Nolan | Robertson | |
| English | Lawlor | Nuttall | Schwarten | |

**Tellers * **

The following amendments were proposed, by leave, en bloc, by Mr Palaszczuk—

At page 11, lines 12 to 14—
omit, insert—

‘(b) for water sources—the principle that water quality should be managed from its source to its
end-users in a way that—
(i) ensures the health of catchments, aquifers and their ecosystems; and
(ii) delivers water of a quality desired by the end-users at the lowest overall cost; and’.

At page 11, line 20, after ‘sources’—
insert—
‘, and in accordance with desired levels of service objectives for the water’.

At page 11, lines 27 to 33—
omit, insert—

‘(e) for planning—the principle that assessments of regional water supply should—
(i) consider environmental, social and economic factors; and
(ii) include the application of ‘least cost planning’ to ensure proper economic comparison of all
supply-side and demand-side options; and

(f) for commission water restrictions—the principle that they should—
(i) help the achievement of the region’s objectives for long-term demand management for
water; and
(ii) enable the appropriate management of any significant threat to the region having a
sustainable and secure water supply; and

(g) for flood mitigation and dam safety—the principle that these issues should be considered in
the preparation of assessments of regional water supply.’.

At page 13, line 2, after ‘related entity of a’—
insert—
‘body corporate that is a’.

At page 16, line 26, ‘commissioner’—
omit, insert—
‘chairperson’.

At page 17, after line 21—
insert—
‘(4) Before designating a region under subsection (1)(a), the Minister must consult with each local
government whose area is wholly or partly in the region.

‘(5) The Minister may carry out the consultation in any way the Minister considers appropriate.’.
At page 18, line 4, ‘is’—
*omit, insert—*
‘are to be’.
At page 19, line 7, ‘advice’—
*omit, insert—*
‘make and give advice’.
At page 19, lines 23 and 24—
*omit, insert—*
‘(e) assessing the likely costs and pricing implications of addressing the issues mentioned in paragraphs (c) and (d);’.
At page 19, line 27, ‘modifications or building’—
*omit, insert—*
‘demand management, and the modifications or building’.
At page 20, lines 25 to 28—
*omit, insert—*
‘(4) Subsections (4A) and (4B) apply for the Integrated Planning Act 1997 if there is any inconsistency between the program and a plan, policy or code under an Act.
‘(4A) If the plan is the SEQ regional plan under that Act, the plan prevails to the extent of the inconsistency.
‘(4B) Otherwise, the program prevails to the extent of the inconsistency.’.
At page 25, line 23, ‘Subdivision 2’—
*omit, insert—*
‘Subdivision 1’.
At page 27, lines 10 and 11, ‘climatic conditions or water conservation needs’—
*omit, insert—*
‘a significant threat to sustainable and secure water supply’.
At page 27, after line 19—
*insert—*
‘Examples of things that may pose a significant threat to sustainable and secure water supply—
- climatic conditions
- water conservation needs
- water quality needs
- a failure of water supply works to operate properly or at all’.
At page 28, after line 16—
*insert—*
‘(2A) Before it gives the notice the commission must consult with water service providers for water supply works in the region the subject of the commission water restriction.
‘(2B) However, subsection (2A) does not apply if the commission considers that there is an urgent need for the commission water restriction.
‘(2C) A failure to consult under subsection (2A) does not invalidate or otherwise affect the validity of the notice.’.
At page 33, line 25, after ‘adopts’—
*insert—*
‘all or part of’.
At page 34, line 1, after ‘adopts’—
*insert—*
‘all or part of’.
At page 34, line 8, after ‘adopts’—
*insert—*
‘all or part of’.
At page 34, after line 12—
*insert—*
‘(4A) Subsections (4B) and (4C) apply if, because of subsection (2), no regional water security options have been given for the region.
‘(4B) The Minister may, by gazette notice, require the commission to give regional water options for the region for the purpose of updating or revising the region’s regional water security program.
‘(4C) For chapter 2A, a requirement under subsection (4B) is taken to be a requirement under section 360D(1)(b).’.
At page 34, line 16, ‘before the commencement’—
omit.
At page 34, line 18, after ‘strategy’ ‘—
insert—
‘, the preparation of which started before the commencement’.
At page 34, line 20, ‘before the commencement’—
omit.
At page 34, line 22, after ‘region’ ‘—
insert—
‘, the preparation of which started before the commencement’.
Debate ensued.
Question – That Mr Palaszczuk’s amendments be agreed to – put and agreed to.
Clauses 1 to 22, as amended, agreed to.

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

SPECIAL ADJOURNMENT
Acting Leader of the House (Mr Palaszczuk) moved – That the House at its rising do adjourn until 9.30 am on Tuesday, 23 May 2006.
Question put and agreed to.

ADJOURNMENT (Hansard p.1745, 8.54pm)
Acting Leader of the House (Mr Palaszczuk) moved – That this House do now adjourn.
Debate ensued.

Paper: Mr Caltabiano, during his speech, tabled the following paper—
Letter, dated 8 May 2006, from the residents of Carina Heights to Mr Caltabiano, Councillor Adrian Schrinner and the Minister for Public Works, Housing and Racing (Mr Schwarten)

Debate continued.
Question put and agreed to.
The House adjourned at 9.24pm.

ATTENDANCE
The following Members were present—

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D FOURAS N J LAURIE
ACTING SPEAKER

BY AUTHORITY
CLERK OF THE PARLIAMENT

2006-06