VOTES AND PROCEEDINGS
NO. 108 – TUESDAY, 23 MAY 2006

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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.

ASSENT TO BILLS

Letter from the Governor was reported, informing the House that Her Excellency had, in the name and on behalf of Her Majesty, assented to the following Bills on 17 May 2006—


A Bill for an Act to amend the Workplace Health and Safety Act 1995, and for other purposes (Workplace Health and Safety and Other Acts Amendment Act 2006 – Act No. 22 of 2006)

A Bill for an Act to amend the Water Act 2000 (Water Amendment Act 2006 – Act No. 23 of 2006)

Paper: Mr Speaker tabled the following paper—

Letter, dated 17 May 2006, from Her Excellency the Governor to the Acting Speaker relating to assent to Bills

PROCEDURE – SPEAKER’S STATEMENT – NEW RECORD OF PROCEEDINGS

Mr Speaker made the following statement—

‘Honourable Members—

A new record of proceedings will be produced today. It will combine information previously contained in two separate documents: the Votes and Proceedings and Hansard.

The new Record of Proceedings, which replaces Hansard, will provide one official record of all debates and proceedings. This means one document containing both an edited record of what is said and a record of procedural events in the House.

The Votes and Proceedings will continue to be produced as a separate document until the House otherwise decides.

Procedures for checking and publishing the Record of Proceedings, including turnaround times, will be the same as for the current Hansard.

This is part of an initiative to deliver more modern, user friendly and integrated documents relating to the proceedings of the House.

It has only occurred following extensive consultation with Honourable Members and other stakeholders, who supported the proposals.

Of course, the Clerk and I welcome further feedback from Members about the new Record of Proceedings.’

PRIVILEGE – SPEAKER’S RULING – PARLIAMENTARY ANNEXE LIFTS

Mr Speaker made the following statement—

‘Honourable Members—

On 11 May 2006, the Member for Stafford raised concerns in the House about the slowness of the high rise lifts in the Parliamentary Annexe during a call for a division. I also received correspondence on the same day from the Member for Beaudesert on this matter.

I advise that the Clerk has made various inquiries about the incident. Those inquiries reveal that for at least two separate divisions on that day, there was some delay caused by visitors using the lifts in the Parliamentary Annexe.

Anecdotal evidence has also been provided directly to me that some Honourable Members are holding the lift doors, waiting for other members on their floor.

I would ask all Honourable Members to ensure that they take responsibility for their guests and ask their guests to heed the warnings and not use the lifts during divisions.'
I would also ask that Honourable Members not hold lift doors open waiting for considerable periods for other members on their floor to enter the lifts as this may cause undue delay to Members on other floors.

Finally, I advise that a memorandum has been issued under my hand today to all Parliamentary Service staff, Opposition staff and Government staff who occupy the precinct on sitting weeks reminding them to not use the high rise lifts in the Parliamentary Annexe, unless necessary, and to never use any lifts during divisions.'

PRIVILEGE – SPEAKER’S RULING – COMMUNICATION BY CONSTITUENTS

Mr Speaker made the following ruling—

‘Honourable Members—

On 25 August 2005, I advised the House that I had considered a matter raised by the Member for Burnett concerning a constituent’s communication with a Member and subsequent threatened legal action against the constituent by a public official.

At that time I indicated that, despite my ruling that there was no matter of privilege, I would correspond with the Premier to examine whether there were any changes to policies, protocols or public service codes of conduct which may reduce the likelihood of similar matters occurring again.

I advise that I have recently received correspondence from the Premier in respect of this matter. The Premier has indicated that he is satisfied that departmental codes of conduct can already be used to encourage public servants to allow complaints handling processes under those codes to run their proper course, however such codes cannot be fashioned in such a way as to prevent public servants seeking advice from their lawyers or to prevent their lawyers threatening defamation or other proceedings against complainants.’

PRIVILEGE – SPEAKER’S RULING – ALLEGATIONS OF MISLEADING THE HOUSE

Mr Speaker made the following ruling—

‘Honourable Members—

On 21 April 2006 I received correspondence from the Member for Moggill alleging that the Minister for Health had deliberately misled the House in answer to a Question Without Notice on 8 March 2006 regarding the tender for a Government contract.

I have reviewed the Member’s correspondence and the Minister for Health’s Ministerial Statement to the House on 21 April 2006 and documents tabled during that statement.

I am satisfied that there is no matter of privilege and do not intend to refer the matter to the Members’ Ethics and Parliamentary Privileges Committee.’

PRIVILEGE – SPEAKER’S RULING – ALLEGATIONS OF MISLEADING THE HOUSE

Mr Speaker made the following ruling—

‘Honourable Members—

On 10 May 2006 I received correspondence from the Member for Surfers Paradise alleging that the Minister for Energy and Minister for Aboriginal and Torres Strait Islander Policy had misrepresented the Member’s words in the House on 28 March 2006.

I have reviewed the Member’s correspondence, the original statement and the Member’s Personal Explanation in the House on 10 May 2006.

I am satisfied that there is no matter of privilege.’

PAPERS TABLED DURING THE RECESS

The Clerk informed the House that the following papers, received during the recess, were tabled on the dates indicated—
12 May 2006—

15 May 2006—
Marine Incidents in Queensland – Annual Report 2005
Sugar Authority – Final Report 1 July 2005 – 1 January 2006

16 May 2006—
Response from the Minister for Health (Mr Robertson) to a paper petition presented by Mr Caltabiano, from 439 petitioners, and an E-petition sponsored by Mr Caltabiano from 742 petitioners regarding Queensland’s free hospital system
Response from the Minister for Public Works, Housing and Racing (Mr Schwarten) to an E-petition sponsored by Mr Caltabiano, from 221 petitioners, regarding the Yungaba property

17 May 2006—
Response from the Minister for Police and Corrective Services (Ms Spence) to an E-petition sponsored by Mr Caltabiano, from 330 petitioners, regarding residential noise levels

18 May 2006—
Erratum to Explanatory Notes to the Mineral Resources and Other Legislation Amendment Bill 2006 tabled on 9 May 2006
Response from the Minister for Health (Mr Robertson) to a paper petition presented by Mr Beattie, from 76 petitioners, regarding the temporary closure of the Caboolture Hospital Emergency Department

19 May 2006—
Response from the Minister for Transport and Main Roads (Mr Lucas) to an E-petition sponsored by Ms Bligh, from 485 petitioners, regarding the suite of proposed Brisbane City Council projects titled TransApex

STATUTORY INSTRUMENTS

The following statutory instruments were tabled by the Clerk—

Local Government Act 1993—
Local Government (Toowoomba Water Futures Poll) Regulation 2006, No. 85 and Explanatory Notes for No. 85

Water and Other Legislation Amendment Act 2005—
Water and Other Legislation Amendment (Postponement) Regulation 2006, No. 86

Superannuation (State Public Sector) Act 1990—
Superannuation (State Public Sector) Amendment of Deed Regulation (No. 1) 2006, No. 87

Police Powers and Responsibilities Act 2000—
Police Powers and Responsibilities Amendment Regulation (No. 2) 2006, No. 88

Community Ambulance Cover Act 2003—
Community Ambulance Cover Amendment Regulation (No. 1) 2006, No. 89

Transport Legislation and Another Regulation Amendment Regulation (No. 1) 2006, No. 90

Health Act 1937, Public Health Act 2005—
Health Legislation Amendment Regulation (No. 3) 2006, No. 91

Workplace Health and Safety Act 1995—
Workplace Health and Safety (Codes of Practice) Amendment Notice (No. 2) 2006, No. 92
MEMBER’S PAPER TABLED BY THE CLERK
The following Member’s paper was tabled by The Clerk—

Member for Southport (Mr Lawlor)—
Non-conforming petition, from 205 petitioners, regarding sections 75 to 80 [Chapter 5: Instruction in a religious or other belief] of the Education (General Provisions) Bill 2006

MINISTERIAL STATEMENTS (Hansard p.1755, 9.38am)
(a) Premier (Mr Beattie) made a ministerial statement relating to doctor recruitment.

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

(b) Premier (Mr Beattie) made a ministerial statement relating to General Cosgrove.

(c) Premier (Mr Beattie) made a ministerial statement relating to water.

(d) Premier (Mr Beattie) made a ministerial statement relating to violence in indigenous communities.

(e) Premier (Mr Beattie) made a ministerial statement relating to the Queensland economy.

(f) Premier (Mr Beattie) made a ministerial statement relating to the Premier’s Literary Awards.

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

(h) Deputy Premier, Treasurer and Minister for State Development, Trade and Innovation (Ms Bligh) made a ministerial statement relating to the environment industry.

Paper: Ms Bligh, during her statement, tabled the following paper—
Report by the Queensland Government titled The Queensland environment industry: Profile and trends report 2006

(i) Minister for Natural Resources, Mines and Water (Mr Palaszczuk) made a ministerial statement relating to south east Queensland water.

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

(k) Minister for Police and Corrective Services (Ms Spence) made a ministerial statement relating to police levels in Indigenous communities.

Papers: Ms Spence, during her statement, tabled the following papers—
Document titled Police to population ratios in Indigenous communities

(l) Minister for Education and Minister for the Arts (Mr Welford) made a ministerial statement relating to the Asbestos Roof Replacement Program.

Paper: Mr Welford, during his statement, tabled the following paper—
Document titled Asbestos Roof Replacement Program (ARRP) – Replacement Schedule – June–November 2006

(m) Minister for Child Safety (Mr Reynolds) made a ministerial statement relating to allegations in The Courier–Mail.

(n) Minister for Health (Mr Robertson) made a ministerial statement relating to the release of a mental health patient.

(o) Minister for Energy and Aboriginal and Torres Strait Islander Policy (Mr Mickel) made a ministerial statement relating to the Tarong Energy apprentice intake.

(p) Minister for Environment, Local Government, Planning and Women (Ms Boyle) made a ministerial statement relating to national park clear up after Cyclone Larry.

(q) Minister for Primary Industries and Fisheries (Mr Mulherin) made a ministerial statement relating to staff recruitment.
Minister for Communities, Disability Services and Seniors (Mr Pitt) made a ministerial statement relating to specialist disability accommodation.

PERSONAL EXPLANATION (Hansard p.1769, 10.26am)
Minister for Police and Corrective Services (Ms Spence) made a personal explanation.

SCRUTINY OF LEGISLATION COMMITTEE – PAPER
Chair of the Scrutiny of Legislation Committee (Mr Hayward) tabled the following paper—
  Scrutiny of Legislation Committee—
  Alert Digest No. 6 of 2006

QUESTIONS WITHOUT NOTICE (Hansard p.1770, 10.29am)
Questions without notice were asked.

Papers: Minister for Transport and Main Roads (Mr Lucas) tabled the following papers—
  Letter, dated 9 May 2006, from the Federal Minister for Transport and Regional Services and Deputy Leader of the Nationals (Mr Truss), to Mr Lucas relating to funding for Queensland under the AusLink Investment Programme (and Attachment A)

Questions continued.

MATTERS OF PUBLIC INTEREST (Hansard p.1781, 11.30am)
Matters of public interest were debated.

Paper: Mr McNamara, during his speech, tabled the following paper—
  Extract from Centrelink website titled Who can get Mobility Allowance

Debate continued.

STATUTE LAW (MISCELLANEOUS PROVISIONS) BILL (Hansard p.1792, 12.30pm)
Minister for Public Works, Housing and Racing (Mr Schwarten) presented a Bill for an Act to make various amendments of Queensland statute law, incorporating the Explanatory Notes, and moved – That the Bill be now read a first time.

Question put and agreed to.

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

Debate ensued.

Mr Caltabiano moved – That the debate be now adjourned.
Question put and agreed to.

POLICE POWERS AND RESPONSIBILITIES AND OTHER ACTS AMENDMENT BILL (Hansard p.1793, 12.34pm)
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 Messenger, during his speech, tabled the following paper—
  Letter, dated 18 May 2006, from Russell Stewart to Mr Messenger relating to police presence in the Moore Park area

Debate continued.

Paper: Ms Spence, during her speech, tabled the following paper—
  Explanatory Notes to Ms Spence’s amendments to the Police Powers and Responsibilities and Other Acts Amendment Bill

Debate ensued.

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

Consideration in detail—

Clause 1, as read, agreed to.

Clause 2 (Commencement)—

The following amendment was proposed by Ms Spence—
At page 14, line 17, ‘8.’—
omitted, insert—
‘8;
(h) schedule 2, to the extent it amends the following—
(i) the Cross-Border Law Enforcement Legislation Amendment Act 2005;
(ii) the Police Powers and Responsibilities (Motorbike Noise) Amendment Act 2005.’

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

Clause 2, as amended, agreed to.

Clauses 3 to 77, as read, agreed to.

Clause 78 (Insertion of new ch 11, pt 3, div 9)—

The following amendment was proposed by Ms Spence—
At page 75, line 2, ‘442’—
omitted, insert—
‘443’.

Debate ensued.

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

Clause 78, as amended, agreed to.

Clauses 79 to 119, as read, agreed to.

Schedule 1, as read, agreed to.

Schedule 2 (Other Acts amended)—

The following amendment was proposed by Ms Spence—
At page 163, after line 8—
insert—
‘Cross-Border Law Enforcement Legislation Amendment Act 2005
1 Section 23, ‘omit,’—
omit.
2 Section 28, new section 500(3), ‘1197ZZH’—
omit, insert—
‘197ZZH’.
3 Section 30(1), after ‘entity,’—
insert—
‘listening device,’.
4 Schedule 1, item 15, ‘; and’—
omit, insert—
‘; or’.
5 Schedule 1, after item 16—
insert—
‘16A Schedule 4, definition relevant person, paragraphs (c), (d) and (e), ‘; and’—
omit, insert—
‘; or’.

‘Police Powers and Responsibilities (Motorbike Noise) Amendment Act 2005
1 Section 28(1), after ‘prescribed offence’—
insert—
‘; relevant court’.’.

Debate ensued.

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

Schedule 2, as amended, agreed to.

Consideration in detail completed—

Ms Spence moved – That the Bill, as amended, be now read a third time.

Question put and agreed to.

Ms Spence moved – That the long title of the Bill be agreed to.

Question put and agreed to.
LIQUOR AMENDMENT BILL  (Hansard p.1821, 5.02pm)
Order of the day read for the adjourned debate on the motion of the Minister for Tourism, Fair Trading and Wine Industry Development (Ms Keech) – 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 8, as read, agreed to.
Consideration in detail completed—
Ms Keech moved – That the Bill be now read a third time.
Question put and agreed to.
Ms Keech moved – That the long title of the Bill be agreed to.
Question put and agreed to.

PERSONAL INJURIES PROCEEDINGS (LEGAL ADVERTISING) AND OTHER ACTS AMENDMENT BILL  (Hansard p.1839, 7.52pm)
Order of the day read for the adjourned debate on the motion of the Minister for Justice and Attorney– General (Mrs Lavarch) – 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 6, as read, agreed to.
Clause 7 (Amendment of s 37 (Exchange of material for compulsory conference))—
The following amendment was proposed by Mrs Lavarch—
At page 6, line 2, ‘may’—
omit, insert—
‘must’.
Debate ensued.
Question – That Mrs Lavarch’s amendment be agreed to – put and agreed to.
Clause 7, as amended, agreed to.
Clauses 8 to 30, as read, agreed to.
Consideration in detail completed—
Mrs Lavarch moved – That the Bill, as amended, be now read a third time.
Question put and agreed to.
Mrs Lavarch moved – That the long title of the Bill be agreed to.
Question put and agreed to.

CORRECTIVE SERVICES BILL  (Hansard p.1843, 8.22pm)
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—
Letter, dated 24 April 2006, from Alex Scott, General Secretary QPSU to Queensland Public Sector Union members, Department of Corrective Services relating to the use of perimeter patrol vehicles
Debate continued.
Debate adjourned on the motion of Ms Spence.

ADJOURNMENT  (Hansard p.1861, 10.05pm)
Leader of the House (Mr Schwarten) moved – That the House do now adjourn.
Debate ensued.
Paper: Mr Langbroek, during his speech, tabled the following paper—
Article from The Courier-Mail, dated 23 May 2006, titled Betfair set to get licence in Victoria

Debate continued.
Question put and agreed to.
The House adjourned at 10.36pm.

ATTENDANCE
The following Members were present—

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A McGrady
SPEAKER

N J Laurie
CLERK OF THE PARLIAMENT