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MEETING OF THE ASSEMBLY

The Assembly met at 9.30 am, pursuant to adjournment. The Speaker (Honourable M F Reynolds) read prayers.

ASSENT TO BILLS

Letters from the Governor were reported, informing the House that Her Excellency had, in the name and on behalf of Her Majesty, assented to the following Bills on the dates indicated—

4 December 2006—
A Bill for an Act to amend the *Health Services Act 1991*, and for other purposes (*Health Services Amendment Act 2006* – Act No. 52 of 2006)

7 December 2006—
A Bill for an Act to amend the *Major Sports Facilities Act 2001*, and for other purposes (*Major Sports Facilities Amendment Act (No. 2) 2006* – Act No. 53 of 2006)
A Bill for an Act to amend the *State Development and Public Works Organisation Act 1971*, and for other purposes (*State Development and Other Legislation Amendment Act 2006* – Act No. 54 of 2006)
A Bill for an Act to amend Acts administered by the Minister for Education and Training and Minister for the Arts, and for other purposes (*Education Legislation Amendment Act 2006* – Act No. 55 of 2006)
A Bill for an Act to provide for administrative arrangements for the Medical Board of Queensland, and for other purposes (*Medical Board (Administration) Act 2006* – Act No. 56 of 2006)
A Bill for an Act to amend the *Police Powers and Responsibilities Act 2000*, and for other purposes (*Police Powers and Responsibilities and Other Legislation Amendment Act 2006* – Act No. 57 of 2006)
A Bill for an Act to amend the *Police Service Administration Act 1990* (*Police Service Administration Amendment Act 2006* – Act No. 58 of 2006)
A Bill for an Act to amend the *Wild Rivers Act 2005*, and for other purposes (*Wild Rivers and Other Legislation Amendment Act 2006* – Act No. 59 of 2006)
A Bill for an Act to amend the *Electricity Act 1994* and the *Gas Supply Act 2003*, and for other purposes (*Electricity and Other Legislation Amendment Act 2006* – Act No. 60 of 2006)
A Bill for an Act to provide for the investigation into and resolution of particular disputes involving energy entities, or particular former energy entities, and for other purposes (*Energy Ombudsman Act 2006* – Act No. 61 of 2006)

Papers: Mr Speaker tabled the following papers—
Letter, dated 5 December 2006, from Her Excellency the Governor to Mr Speaker advising of assent to Bills on 4 December 2006
Letter, dated 8 December 2006, from Her Excellency the Governor to Mr Speaker advising of assent to Bills on 7 December 2006

PROCEDURE – SPEAKER’S STATEMENT – SUB JUDICE

Mr Speaker made the following ruling—

‘Honourable Members—

All Members are aware of a number of high profile matters, currently pending criminal proceedings.

These matters have caused considerable public debate outside the House. It is a matter for the courts to regulate debate in the community that may transgress contempt of those proceedings.

However, because the matters are pending in criminal courts, it is vital that no privileged and prejudicial debate occurs in this House.

Standing Order 233 lays down clear principle and rules in respect of matters pending in courts exercising a criminal jurisdiction. The matter should not be referred to in motion, debate or question from when the charge is laid to the determination of an appeal, if any.

I make it clear to all Members that I intend to enforce Standing Order 233 vigorously, and have issued an instruction to all Deputy Speaker’s to be similarly vigilant in its application.
I will not allow any petition, motion, debate or question which if said outside may constitute a contempt of court or which could in any way jeopardise a fair trial.

The community and the individuals concerned deserve a fair trial, not jeopardised in any way by debate in this House.

Accordingly, I have today instructed the Clerk to not present a petition touching upon one of the matters before the courts, until that matter is resolved pursuant to Standing Order 233.’

**DEATH OF WILLIAM BERNARD KAUS** *(Record of Proceedings p.2)*

Premier and Minister for Trade (Mr Beattie) moved—

(a) That this House desires to place on record its appreciation of the services rendered to this State by the late William Bernard Kaus, a former Member of the Parliament of Queensland.

(b) That Mr Speaker be requested to convey to the family of the deceased gentleman the above resolution, together with an expression of the sympathy and sorrow of the Members of the Parliament of Queensland, in the loss they have sustained.

Debate ensued.

Leader of the Opposition (Mr Seeney) seconded the motion.

Debate continued.

Members signified their assent by standing in silence in their places.

**PROCEDURE – SPEAKER’S STATEMENT – HOURS AND ORDER OF BUSINESS**

Mr Speaker made the following statement—

‘Honourable Members—

In accordance with Sessional Order No. 4, the order of business will now resume and Question Time will commence one hour from now at 10.50 a.m.’

**PETITIONS**

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

Ms Barry, from 437 petitioners, requesting the House to order an urgent review of the effectiveness of the delivery of the health and physical education curriculum in Year 9 of all Queensland high schools, specifically those topics which relate to sexual identity, sexual orientation, heterosexism and homophobia.

Mr Dempsey, from 1417 petitioners, requesting the House to extend the 100 metre yellow conservation park zone along Barolin Rocks and to change Burkitt’s Reef to a yellow conservation zone so that anglers may continue to fish these areas.

Mr Elmes, from 184 petitioners, requesting the House to investigate the activity of mining, material extraction from the property known as John’s Landing, Lake Cooroibah Road, Noosa, due to an expansion of the business and its close proximity to the community.

Mr Wellington, from 39 petitioners, requesting the House to reject the application for an amendment to a development approval for a soil conditioner manufacturing business at Palmwoods.

Mr Wellington, from 102 petitioners, requesting the House to reject the application by Maroochy Shire Council for a proposed landfill site at Ferntree Creek Road Kulangoor.

Mr Wellington, from 421 petitioners, requesting the House to remove the investigation area at Bridges from the SEQ Regional Plan.

Mr Nicholls, from 164 petitioners, requesting the House to acquire the lease of the land at 127 Eagle Farm Road, Pinkenba and cancel the lease of the Pinkenba Waste Transfer Station.

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

Mr Caltabiano, from 153 petitioners, requesting the House to implement legislation to bring Queensland in line with other Australian states and ban the sale and possession of slingshots.
Mr Moorhead, from 105 petitioners, requesting the House to take measures to ensure that hazardous and noxious industries do not pose a danger to homes, schools or recreation facilities within Logan City.

PAPERS TABLED DURING THE RECESS

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

1 December 2006—
Evaluation of the Queensland Aboriginal and Torres Strait Islander Justice Agreement
Queensland Government Response to the Evaluation of the Queensland Aboriginal and Torres Strait Islander Justice Agreement

4 December 2006—
Interim Government Response from the Attorney-General and Minister for Justice and Minister Assisting the Premier in Western Queensland (Mr Shine) to Parliamentary Crime and Misconduct Committee Report No. 71 titled Three Year Review of the Crime and Misconduct Commission

5 December 2006—
Response from the Minister for Health (Mr Robertson) to a paper petition (733-06) presented by Mr Elmes, from 185 petitioners, requesting the House to support the Coalition to investigate the persecution of Falun Gong to investigate forced organ harvesting allegations and the illegal detention of Falun Gong Practitioners in detention centres, labour camps, prisons and hospitals in China

6 December 2006—
Response from the Minister for Transport and Main Roads (Mr Lucas) to a paper petition (723-06) presented by Ms Lee Long, from 105 petitioners, regarding the one-lane, wooden bridge on the Peninsula Development Road at Rifle Creek

7 December 2006—
Amended response from the Minister for Health (Mr Robertson) to a paper petition (733-06) presented by Mr Elmes, from 185 petitioners, requesting the House to support the Coalition to investigate the persecution of Falun Gong and to investigate forced organ harvesting allegations and the illegal detention of Falun Gong Practitioners in detention centres, labor camps, prisons and hospitals in China

8 December 2006—
Response from the Minister for Education and Training Minister for the Arts (Mr Welford) to an E-petition (685-06) sponsored by Mr Caltabiano, from 15 petitioners, regarding the possible sale of land at 77 Kitchener Road, Ascot including the Kitchener Road Children's Centre

11 December 2006—
Legal, Constitutional and Administrative Review Committee—

12 December 2006—
Report by the Premier and Minister for Trade (Mr Beattie) titled Major Sports Facility Authority - 2006 Corporate Patronage
Priorities in Progress, Queensland - 2005-06: A report to all Queenslanders on outcomes under the Charter of Social and Fiscal Responsibility
Response from the Deputy Premier, Treasurer and Minister for Infrastructure (Ms Bligh) to two paper petitions (701-06 and 716-06) presented by Mr Wellington, from 113 and 147 petitioners respectively, requesting the House to remove the investigation area at Bridges (Yandina) from the South East Queensland Regional Plan

13 December 2006—
Response from the Minister for Mines and Energy (Mr Wilson) to an E-petition (638-06) sponsored by Mr Lee, from 1088 petitioners, regarding uranium mining in Queensland
Response from the Minister for Education and Training Minister for the Arts (Mr Welford) to a paper petition (740-06) presented by Mrs Attwood from 44 petitioners regarding teacher aide allocations for prep classrooms
Letter, dated 7 December 2006, from the Premier (Mr Beattie) to the Clerk of the Parliament enclosing a copy of a letter from the Commonwealth Parliament’s Joint Standing Committee on Treaties listing a proposed international treaty action tabled in both houses of the Federal Parliament on 28 November 2006 and the National Interest Analysis for the proposed treaty action listed

14 December 2006—
Supreme Court of Queensland – Annual Report 2005-06
Department of Justice and Attorney-General – Annual Report 2005-06 – Replacement page 61

15 December 2006—
Misconduct Tribunals – Eighth Annual Report 2005-06
Response from the Attorney-General and Minister for Justice and Minister Assisting the Premier in Western Queensland (Mr Shine) to a paper petition presented by Ms Spence, from 7319 petitioners, regarding “Truth in Sentencing”
Magistrates Court – Annual Report 2005-06
Response from the Minister for Natural Resources and Water and Minister Assisting the Premier in North Queensland (Mr Wallace) to an E-petition sponsored by Mr Fraser regarding a application for a road closure in Paddington

18 December 2006—
Response from the Deputy Premier, Treasurer and Minister for Infrastructure (Ms Bligh) to an E-petition (689-06) sponsored by Ms Roberts, from 531 petitioners, regarding the use of dams to supply water in Queensland
Response from the Deputy Premier, Treasurer and Minister for Infrastructure (Ms Bligh) to an E-petition (691-06) sponsored by Mr Lingard, from 406 petitioners, regarding construction of a dam at Wyaralong
Overseas Travel Report for the Minister for Health (Mr Robertson) on his visit to the United Kingdom and the United States of America from 3 to 17 November 2006

19 December 2006—
The Coronial Recommendations Project – An investigation into the administrative practice of Queensland public sector agencies in assisting coronial inquiries and responding to coronial recommendations
Overseas Travel Report for the Minister for Natural Resources and Water and Minister Assisting the Premier in North Queensland’s (Mr Wallace) attendance at the Natural Resource Management Ministerial Council (NRMMC) meeting held in New Zealand from Thursday 23 November until Saturday 25 November 2006

20 December 2006—
Response from the Minister for Transport and Main Roads (Mr Lucas) to an E-petition (712-06) sponsored by Mr Caltabiano, from 47 petitioners, regarding traffic, parking and safety problems at Grovely, Oxford Park and Mitchelton train stations
Response from the Minister for Transport and Main Roads (Mr Lucas) to a paper petition (721-06) presented by Ms Bligh, from 883 petitioners, regarding the Boggo Road Busway
Response from the Minister for Transport and Main Roads (Mr Lucas) to an E-petition (632-06) sponsored by Ms Bligh, from 72 petitioners, regarding the Boggo Road Busway
Response from the Minister for Local Government, Planning and Sport (Mr Fraser) to paper petitions (737-06 and 738-06) presented by Mr Wellington, from 110 and 521 petitioners respectively, regarding the landfill site at Ferntree Creek Road, Kulangoor Overseas Travel Report for the Minister for Primary Industries and Fisheries (Mr Mulherin) for his visit to New Zealand from 20 to 25 November 2006

21 December 2006—
Nineteenth Report on the Register of Members’ Interests
Report to Speaker of Parliament Regarding the Cost of Legal Assistance and the Derrington Report
Overseas Travel Report by the Minister for Environment and Multiculturalism (Ms Nelson–Carr) to the Legislative Assembly on a visit to Christchurch, New Zealand to attend the Environment Protection and Heritage Council

22 December 2006—
Response from the Minister for Education and Minister for the Arts (Mr Welford) to a paper petition presented by Dr Flegg, from 479 petitioners, regarding Kenmore State High School Overseas Travel Report on a visit to India by the Minister for State Development, Employment and Industrial Relations (Mr Mickel)

3 January 2007—
Response from the Acting Minister for Public Works, Housing and Information and Communication Technology (Mr Purcell) to an E-petition (622-06) sponsored by Mr Caltabiano, from 196 petitioners, regarding sale of Yungaba Immigration Hostel
Director of Mental Health – Annual Report for the financial year ended 30 June 2006
Townsville Hospital Foundation – Annual Report 2005-2006
The Prince Charles Hospital Foundation – Annual Report 2005-2006
The Prince Charles Hospital Foundation – Annual Financial Statements for the year ended 30 June 2006

4 January 2007—
District Court of Queensland – Annual Report 2005-2006
Response from the Minister for Transport and Main Roads (Mr Lucas) to a paper petition (739-06) presented by Mrs Stuckey, from 332 petitioners, regarding the M1 Motorway Northbound Exit 92 Response from the Minister for Transport and Main Roads (Mr Lucas) to a paper petition (749-06) presented by Mr Cripps, from 136 petitioners, regarding the Kirrama Range Road

8 January 2007—
Notification from the Commonwealth Parliament’s Joint Standing Committee on Treaties regarding one proposed international treaty action tabled in both houses of the Federal Parliament on 6 December 2006
The National Interest Analysis for the proposed treaty action

9 January 2007—
Response from the Minister for Health (Mr Robertson) to a paper petition (735-06) presented by Mr Hobbs, from 730 petitioners, regarding public sector dentists
Response from the Minister for Health (Mr Robertson) to a paper petition (743-06) presented by Mrs Menkens, from 174 petitioners, regarding the Patient Travel Subsidy Scheme

10 January 2007—
Response from the Minister for Health (Mr Robertson) to a paper petition (736-06) presented by Ms Croft, from 120 petitioners, regarding the shortage of General Practitioners in the Runaway Bay area

19 January 2007—
Response from the Minister for Transport and Main Roads (Mr Lucas) to a paper petition (754-06) presented by Ms Lee Long, from 141 petitioners, regarding the intersection of Atherton-Herborton Road and Wongabel Road

23 January 2007—
Erratum to Explanatory Notes for the Whistleblowers (Disclosure to Member of Parliament) Amendment Bill 2006 tabled on 31 October 2006
Response from the Minister for Local Government, Planning and Sport (Mr Fraser) to a paper petition (744-06) presented by Mr Wellington, from 147 petitioners, regarding the Maroochy Shire Council’s proposal to develop a bioreactor landfill at Ferntree Creek Road, Kulangoor Correction to the Queensland Government’s gift register tabled in the Parliament in late 2006 regarding the ‘Maranoa River’ painting by Joanne Currie

30 January 2007—
Response from the Deputy Premier, Treasurer and Minister for Infrastructure (Ms Bligh) to an E-petition (659-06) sponsored by Mr Lee, from 1083 petitioners, regarding amending the Integrated Planning Act 1997 and the South East Queensland Regional Plan 2005-2026 to allow the provisions of the Vegetation Management Act 1999 to apply to all of Queensland

1 February 2007—
Response from the Minister for Primary Industries and Fisheries (Mr Mulherin) to an E-petition (726-06) and a paper petition (763-06) presented by Ms Croft, from 1,570 and 7,343 petitioners respectively, regarding the ending of killing of stray or surrendered cats and dogs

2 February 2007—
Response from the Minister for Police and Corrective Services (Ms Spence) to a paper petition (752-06) presented by Mrs Menkens, from 513 petitioners, regarding increasing police numbers at Home Hill Police Station to allow the Station to be staffed on a 24-hour basis
Response from the Minister for Police and Corrective Services (Ms Spence) to a paper petition (755-06) presented by Ms Lee Long, from 84 petitioners, regarding the appointment of an investigator from outside Queensland to review all evidence relating to the deaths of Vicki Arnold and Julie-Anne Leahy at Atherton in 1991

5 February 2007—
Response from the Minister for Environment and Multiculturalism (Ms Nelson-Carr) to a paper petition (756-06) presented by Ms Nelson-Carr, from 5000 petitioners, requesting the House to intervene to prevent the development of the Reef Cove Resort on False Cape and for the Queensland Government to purchase this site
Response from the Minister for Local Government, Planning and Sport (Mr Fraser) to a paper petition (734-06) and an E-petition (711-06) presented by Mr Langbroek, from 349 petitioners and 112 petitioners respectively, regarding rate increases for strata titled property owners

STATUTORY INSTRUMENTS
The following statutory instruments were tabled by the Clerk—

Statutory Bodies Financial Arrangements Act 1982—
Statutory Bodies Financial Arrangements Amendment Regulation (No. 4) 2006, No. 288

Transport and Other Legislation Amendment Regulation (No. 1) 2006, No. 289

Weapons Act 1990—
Weapons Amendment Regulation (No. 1) 2006, No. 290

Police Powers and Responsibilities Act 2000—
Police Powers and Responsibilities Amendment Regulation (No. 4) 2006, No. 291

Primary Industries Legislation Amendment Act 2006—
Proclamation commencing remaining provisions, No. 292

Mines and Energy Legislation Amendment Regulation (No. 1) 2006, No. 293

Public Trustee Act 1978—
Public Trustee Amendment Regulation (No. 3) 2006, No. 294

Health Act 1937—
Health (Drugs and Poisons) Amendment Regulation (No. 1) 2006, No. 295
Plant Protection Act 1989—
Plant Protection (Mango Leaf Gall Midge) Notice 2006, No. 296
Plant Protection (Mango Leaf Gall Midge) Quarantine Notice 2006, No. 297

Government Owned Corporations Act 1993—
Government Owned Corporations Amendment Regulation (No. 2) 2006, No. 298

Integrated Planning and Other Legislation Amendment Act 2006—
Proclamation commencing certain provision, No. 299

Aboriginal Land Act 1991—
Aboriginal Land Amendment Regulation (No. 5) 2006, No. 300

Nature Conservation Act 1992—
Nature Conservation (Macropod Harvest Period 2007) Notice 2006, No. 301

Financial Administration and Audit Act 1977—
Financial Administration and Audit Amendment Regulation (No. 3) 2006, No. 302

Transport Operations (Road Use Management) Act 1995—
Transport Operations (Road Use Management—Driver Licensing) Amendment Regulation (No. 2) 2006, No. 303

Maritime and Other Legislation Amendment Act 2006—
Proclamation commencing certain provisions, No. 304

Housing Act 2003—
Housing Amendment Regulation (No. 2) 2006, No. 305

Police Powers and Responsibilities and Other Legislation Amendment Regulation (No. 2) 2006, No. 306

Tobacco and Other Smoking Products Act 1998—
Tobacco and Other Smoking Products Amendment Regulation (No. 1) 2006, No. 307

Health Legislation Amendment Regulation (No. 7) 2006, No. 308

Health Legislation Amendment Act 2006—
Proclamation commencing remaining provisions, No. 309

Health Services Amendment Act 2006—
Proclamation commencing certain provisions, No. 310

Public Health Act 2005—
Proclamation commencing certain provisions, No. 311

Workplace Health and Safety Act 1995—
Workplace Health and Safety Amendment Regulation 2006, No. 312

Child Employment Act 2006—
Child Employment Amendment Regulation (No. 1) 2006, No. 313 and Explanatory Notes for No. 313

Trade Measurement Legislation Amendment Regulation (No. 1) 2006, No. 314

Building and Other Legislation Amendment Regulation (No. 2) 2006, No. 315

Drug Court Act 2000, State Penalties Enforcement Act 1999—
State Penalties Enforcement and Other Legislation Amendment Regulation (No. 1) 2006, No. 316

Personal Injuries Proceedings Act 2002—
Personal Injuries Proceedings Amendment Regulation (No. 1) 2006, No. 317

Jury Act 1995—
Jury Amendment Regulation (No. 2) 2006, No. 318
Nature Conservation Act 1992—
Nature Conservation (Protected Areas) Amendment Regulation (No. 3) 2006, No. 319

Water Act 2000—
Water Resource (Calliope River Basin) Plan 2006, No. 320 and Explanatory Notes for No. 320
Water Resource (Gold Coast) Plan 2006, No. 321 and Explanatory Notes for No. 321

Motor Accident Insurance Act 1994—
Motor Accident Insurance Amendment Regulation (No. 2) 2006, No. 322

Criminal Offence Victims Act 1995—
Criminal Offence Victims Amendment Regulation (No. 1) 2006, No. 323

Gold Coast Motor Racing Events Act 1990—
Gold Coast Motor Racing Events Amendment Regulation (No. 1) 2007, No. 1

Police Service Administration Amendment Act 2006—
Proclamation commencing remaining provisions, No. 2

Health Services Act 1991—
Health Services Amendment Regulation (No. 1) 2007, No. 3

Community Services (Torres Strait) Act 1984—
Community Services (Torres Strait) Amendment Regulation (No. 1) 2007, No. 4

Mineral Resources Act 1989—
Mineral Resources Amendment Regulation (No. 1) 2007, No. 5

Criminal Code (Drink Spiking) and Other Acts Amendment Act 2006—
Proclamation commencing remaining provisions, No. 6

Justices Act 1886—
Justices Amendment Regulation (No. 1) 2007, No. 7

Workplace Health and Safety Act 1995—
Workplace Health and Safety (Codes of Practice) Amendment Notice (No. 1) 2007, No. 8

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—

Major Sports Facilities Amendment Bill (No. 2) 2006—
Amendments made to Bill (after amendments made during consideration in detail)
  Clause 1, (Short title)—
    At page 4, line 5, after ‘Act’—
    insert—
      ‘(No. 2)’.
    Clause 6 (Insertion of new pt 6, div 5)—
    At page 9, line 13, after ‘Act’—
    insert—
      ‘(No. 2)’.
  Clause 6 (Insertion of new pt 6, div 5)—
    At page 9, line 18, after ‘Act’—
    insert—
      ‘(No. 2)’.

Electricity and Other Legislation Amendment Bill 2006—
Amendments made to Bill (after amendments made during consideration in detail)
  Clause 25 (Insertion of new ch 4, pt 2, div 3)—
    At page 45, line 21, ‘(4)’—
    omit, insert—
      ‘(3)’.
  Clause 25 (Insertion of new ch 4, pt 2, div 3)—
    At page 45, line 24, ‘(3)’—
    omit, insert—
      ‘(4)’.
  Clause 25 (Insertion of new ch 4, pt 2, div 3)—
    At page 49, line 30, ‘(3)’—
    omit, insert—
      ‘(2)’. 
MINISTERIAL PAPER
The following Ministerial paper was tabled—

Minister for Local Government, Planning and Sport (Mr Fraser)—
Letter, dated 19 December 2006, from the Minister for Local Government, Planning and Sport, to the Electoral Commissioner for Queensland, concerning a special reference of a reviewable local government matter in relation to the area of the City of Brisbane, redividing the area into 26 single member divisions

MINISTERIAL STATEMENTS (Record of Proceedings p.10)
Ministerial statements were made.
Papers: Premier and Minister for Trade (Mr Beattie), during his statements, tabled the following papers—
Letter, dated 2 February 2007, from the Premier, to the Prime Minister relating to responsibility for the management of water within the Great Artesian Basin
Media release by the Premier, (undated), titled Federal Powers Up the Creek Without State Co-operation
Media release by the Premier, dated 2 February 2007, titled Premier Calls for Urgent Meeting on Water
Administrative Arrangements Amendment Order (No. 1) 2007
Letter (undated) from the Attorney-General to the Chairperson of the Crime and Misconduct Commission concerning Aboriginal deaths in custody
Document titled Royal Commission into Aboriginal Deaths in Custody (RCIADIC) Implementation Status
Document, dated 2 November 2006, titled Queensland Government response to Coroner’s comments in the inquest into the death of Mulrunji
Document titled 31 Recommendations requiring further action under Partnership Queensland
Copy of an advertisement titled Building a Prosperous future for North Queensland...building tomorrow’s Queensland today
Brochure titled Building tomorrow’s Queensland today: Key projects for South East Queensland

Statements continued.
Papers: Deputy Premier, Treasurer and Minister for Infrastructure (Ms Bligh), during her statement, tabled the following papers—
Document by the Queensland Water Commission titled Water Amendment Regulation (No. 6) 2006 – Monthly Progress Reports dated November 2006
Document by the Queensland Water Commission titled Water Amendment Regulation (No. 6) 2006 – Monthly Progress Reports dated December 2006

Statements continued.
Paper: Minister for Communities, Minister for Disability Services Queensland, Minister for Aboriginal and Torres Strait Islander Partnerships, Minister for Seniors and Youth (Mr Pitt), by leave, during his statement, tabled the following paper—

Statements continued.
Statements concluded.
MOTION WITHOUT NOTICE – MEMBERS’ ETHICS AND PARLIAMENTARY PRIVILEGES COMMITTEE – MEMBERSHIP

Leader of the House (Mr Schwarten), by leave, moved – That the Member for Ipswich (Ms Nolan) be discharged from the Members’ Ethics and Parliamentary Privileges Committee and that the Member for Kurwongbah (Mrs Lavarch) be appointed to that committee.

Question put and agreed to.

MOTION WITHOUT NOTICE – SOUTH–EAST QUEENSLAND WATER RECYCLING PLEBISCITE BILL – BILL DISCHARGED FROM NOTICE PAPER AND WITHDRAWN


Question put and agreed to.

Mr Schwarten moved – That the Bill be withdrawn.

Question put and agreed to.

PRIVILEGE – MATTER RAISED – SUB JUDICE (Record of Proceedings p.21)

Premier and Minister for Trade (Mr Beattie) rose on a matter of privilege and sought leave to withdraw a paper he tabled earlier today, viz—

Document, dated 2 November 2006, titled Queensland Government response to Coroner’s comments in the inquest into the death of Mulrunji

Question put and agreed to.

PERSONAL EXPLANATION (Record of Proceedings p.21)

Minister for State Development, Employment and Industrial Relations (Mr Mickel) made a personal explanation.

SCRUTINY OF LEGISLATION COMMITTEE – PAPER

Chair of the Scrutiny of Legislation Committee (Mrs Sullivan) tabled the following paper—

Scrutiny of Legislation Committee—
Alert Digest No. 1 of 2007

PRIVATE MEMBER’S STATEMENT (Record of Proceedings p.22)

A private Member’s statement was made.

PROCEDURE – SPEAKER’S RULING – STATEMENT OUT OF ORDER

Under the provision of Standing Order 233, Mr Speaker ruled that the private Member’s statement made by the Leader of the Opposition (Mr Seeney) was out of order.

NOTICE OF MOTION – DISSENT FROM SPEAKER’S RULING

Member for Beaudesert (Mr Lingard) gave notice that he will move – That this House dissent from the ruling of Mr Speaker on 6 February 2007 in relation to his ruling out of order the private Member’s statement of the Member for Callide on the basis that it infringed the Speaker’s ruling of 6 February 2007 under Standing Order 233.

QUESTIONS WITHOUT NOTICE (Record of Proceedings p.23)

Questions without notice were asked.
PROCEDURE – SPEAKER’S RULING – QUESTION OUT OF ORDER
Under the provision of Standing Order 233, Mr Speaker ruled that the question without notice asked by the Leader of the Opposition (Mr Seeney) was out of order.

NOTICE OF MOTION – DISSENT FROM SPEAKER’S RULING
Leader of the Opposition (Mr Seeney) gave notice that he will move – That this House dissent from the ruling of Mr Speaker on 6 February 2007 in relation to his ruling out of order my question to the Premier on the basis that it infringed the Speaker’s ruling of 6 February 2007 under Standing Order 233.

Questions resumed.

PROCEDURE – SPEAKER’S RULING – QUESTION OUT OF ORDER
Under the provision of Standing Order 233, Mr Speaker ruled that the question without notice asked by the Leader of the Opposition (Mr Seeney) was out of order.

NOTICE OF MOTION – DISSENT FROM SPEAKER’S RULING
Leader of the Opposition (Mr Seeney) gave notice that he will move – That this House dissent from the ruling of Mr Speaker on 6 February 2007 in relation to his ruling out of order by question to the Attorney-General on the basis that it infringed the Speaker’s ruling of 6 February 2007 under Standing Order 233.

Questions resumed.

PROCEDURE – SPEAKER’S RULING – QUESTION OUT OF ORDER
Under the provision of Standing Order 233, Mr Speaker ruled that the question without notice asked by the Member for Moggill (Dr Flegg) was out of order.

MOTION WITHOUT NOTICE – LEAVE TO MOVE NOT GRANTED
Mr Lingard sought leave to move a motion without notice.

Question put – That leave be granted for Mr Lingard to move a motion without notice.
The House divided.

AYES 30—
Copeland Cripps Cunningham Dempsey Dickson *
Elmes Flegg Foley Hobbs
Hopper Horan Johnson Knuth Langbroek
Lee Long Messenger Lingard Nicholls Pratt
Horan Malone McArthur Menkens Rickuss *
Johnson

NOES 56—
Attwood Beattie Bligh Bombolas Boyle Choi
Croft Darling English Fenton
Elm Elmes

Tellers *

Question negatived.
NOTICE OF MOTION – DISSENT FROM SPEAKER’S RULING

Leader of the Liberal Party (Dr Flegg) gave notice that he will move – That this House dissent from the ruling of Mr Speaker on 6 February 2007 in relation to his ruling out of order my question to the Attorney-General on the basis that it infringed the Speaker’s ruling of 6 February 2007 under Standing Order 233.

PROCEDURE – SPEAKER’S RULING – QUESTION OUT OF ORDER

Under the provision of Standing Order 115, Mr Speaker ruled that the question without notice asked by Miss Simpson was hypothetical and out of order.

MATTERS OF PUBLIC INTEREST (Record of Proceedings p.32)

Matters of public interest were debated.

Papers: Miss Simpson, during her speech, tabled the following papers—
- Bundle of media releases relating to the PNG gas pipeline

Papers: Mr Elmes, during his speech, tabled the following papers—
- Copy of a letter, dated 24 October 2006, from Shirley Williamson, Project Officer, Noosa Parks Association Inc. to the Minister for Natural Resources and Water and Minister Assisting the Premier in North Queensland (Mr Wallace) relating to an extractive industry at Johns Road, Cooribbah
- Copy of a letter, dated 26 October 2006, from Shirley Williamson, Project Officer, Noosa Parks Association Inc. to Mr Elmes relating to an extractive industry at Johns Road, Cooribbah
- Copy of a document titled Lake Cooribbah Heavy Vehicles Class 8
- Copy of a letter dated 6 November 2006 from Mr Elmes to the Minister for Environment and Multiculturalism (Ms Nelson-Carr)
- Copy of a letter dated 22 November 2006 from Ms Nelson-Carr to Mr Elmes
- Copy of a letter, dated 22 November 2006, from Nick Heath, Policy Advisor, Office of the Minister for Environment and Multiculturalism, to Shirley Williamson, Project Officer, Noosa Parks Association Inc., relating to an extractive industry at Johns Road, Cooribbah
- Copy of a letter, dated 20 November 2006, from Dr Glen Brown, Southern Region, EPA, to Mr Ted Allen relating to development approval compliance issues
- Copy of a letter, dated 15 December 2006 from Ms Nelson-Carr to Mr Elmes relating to an extractive industry at Johns Road, Cooribbah
- Two photos

Papers: Mr Wellington, during his speech, tabled the following papers—
- Copy of a fact sheet from the Department of Justice and Attorney-General titled The Office of the Director of Public Prosecutions
- Copy of a fact sheet from the Queensland Parliament titled Separation of Powers
- Copy of an extract from Halsbury’s Laws of Australia relating to contempt of court

Debate concluded.
HEALTH AND OTHER LEGISLATION AMENDMENT BILL  (Record of Proceedings p.42)
Minister for Health (Mr Robertson) presented a Bill for an Act to amend Acts administered by the Minister for Health and the Ambulance Service Act 1991, and for other purposes and Explanatory Notes and moved – That the Bill be now read a first time.
Question put and agreed to.
Mr Robertson moved – That the Bill be now read a second time.
Debate ensued.
Mr Langbroek moved – That the debate be now adjourned.
Question put and agreed to.

WILD RIVERS AND OTHER LEGISLATION AMENDMENT BILL  (Record of Proceedings p.44)
Minister for Natural Resources and Water and Minister Assisting the Premier in North Queensland (Mr Wallace) presented a Bill for an Act to amend the Wild Rivers Act 2005, and for other purposes and Explanatory Notes and moved – That the Bill be now read a first time.
Question put and agreed to.
Mr Wallace moved – That the Bill be now read a second time.
Debate ensued.
Papers: Mr Wallace, during his speech, tabled the following papers—
Hinchinbrook wild river declaration, Department of Natural Resources and Water, February 2007
Settlement wild river declaration, Department of Natural Resources and Water, February 2007
Fraser wild river declaration, Department of Natural Resources and Water, February 2007
Morning Inlet wild river declaration, Department of Natural Resources and Water, February 2007
Gregory wild river declaration, Department of Natural Resources and Water, February 2007
Staaten wild river declaration, Department of Natural Resources and Water, February 2007
Wild Rivers Code, Department of Natural Resources and Water, February 2007
Debate continued.
Mr Messenger moved – That the debate be now adjourned.
Question put and agreed to.

POSTPONED ORDERS – GOVERNMENT BUSINESS
Acting Leader of the House (Mr Pitt) moved – That Government Business Orders of the Day Nos. 1 to 4 be postponed.
Question put and agreed to.

MOTION – GOVERNOR’S OPENING SPEECH – ADDRESS–IN–REPLY  (Record of Proceedings p.46)
Order of the day read for the resumption of debate on the motion of Ms Jones – That the following address be presented to the Governor in reply to the speech delivered by Her Excellency in opening this, the First Session of the 52nd Parliament of Queensland—

"May it please Your Excellency—

We, the Members of the Legislative Assembly of Queensland, wish to assure Your Excellency of our continued respect for the Crown and loyalty to the system of government in this State and to tender our thanks for the speech with which you opened the First Session.

The various measures to which Your Excellency referred, and all other matters that may be brought before us, will receive our careful consideration, and we shall strive to deal with them so that our endeavours may contribute to the advancement and prosperity of the people of this State."

Debate ensued.
Debate adjourned on the motion of Mr Roberts.
PROCEDURE – SPEAKER’S STATEMENT – ALLEGED BIAS BY SPEAKER

Mr Speaker made the following statement—

‘Honourable Members—

Today, during question time, the Leader of the Opposition, following a number of rulings by me and an unsuccessful attempt by the Member for Beaudesert to seek leave to move a motion without notice, questioned whether I should remain in the chair given previous comments by me as Member for Townsville and my rulings today.

Whilst the Leader of the Opposition has not expressed it as such, by raising the matter in the manner he has, he is effectively questioning whether I have actual, perceived or ostensible bias in the matter which has in some way affected my decision-making as Speaker. The Leader of the Opposition has been more blunt in correspondence.

Any Member of this House has the right to speak about matters concerning their electorate, either in the community, or provided it transgresses no rules of this House, in the House itself.

Any statement I have made as the Member for Townsville about any particular matter, I have made as the Member for Townsville, as I am entitled to do. The rulings I have made today, I have made as Speaker, because I am required to do so by Standing Orders.

The statements I have made as the Member for Townsville and the rulings I have made as Speaker are separate and distinct. Indeed, any close analysis of the Leader of the Opposition’s claims would show them to be illogical.

I am confident that the rulings I have made are correct and according to Standing Orders and are untainted by previous statements I have made. What the Leader of the Opposition is asking for is for the Speaker to give a ruling that would allow privileged contempt in this Parliament – a position clearly against even the most narrow interpretation of the Westminster separation of powers doctrine.

As I knew that issues of sub judice may be raised today, I have sought the advice of the principle permanent officer of this House, the Clerk, before deciding on any general course of action and, as members may have witnessed, have been assisted by the Clerk during rulings today. I have not acted inconsistently with advice tendered.

Unfortunately, claims of bias can be made easily, and the stains left by the claim are less easily dissolved. I am, however, settled in my conscience that I have acted impartially and can remain impartial.

I draw to the attention of the House and individual Members the importance of not disrespecting the authority of the chair and Members’ Ethics and Parliamentary Privileges Committee Report No. 73. Members should not disrespect the authority of the chair in any circumstances, but especially simply because decisions are made with which they do not agree.

The fact remains that there is plenty of scope for the Opposition to keep the government accountable on issues. It becomes an exercise of careful wording of questions. All the questions asked today, ruled out of order, could be modified so as to be in order and not offend Standing Orders. It simply takes the effort of careful consideration. I suggest that this effort take place, rather than the easier and more damaging method of casting easy aspersions on the chair.’

MOTION – GOVERNOR’S OPENING SPEECH – ADDRESS–IN–REPLY (Record of Proceedings p.53)

Order of the day read for the resumption of debate on the motion of Ms Jones – That the following address be presented to the Governor in reply to the speech delivered by Her Excellency in opening this, the First Session of the 52nd Parliament of Queensland—

“May it please Your Excellency—

We, the Members of the Legislative Assembly of Queensland, wish to assure Your Excellency of our continued respect for the Crown and loyalty to the system of government in this State and to tender our thanks for the speech with which you opened the First Session.
The various measures to which Your Excellency referred, and all other matters that may be brought before us, will receive our careful consideration, and we shall strive to deal with them so that our endeavours may contribute to the advancement and prosperity of the people of this State.”

Debate ensued.

PRIVILEGE – MATTER RAISED – SPEAKER’S STATEMENT (Record of Proceedings p.57)
Leader of the Opposition (Mr Seeney) rose on a matter of privilege suddenly arising.

*Paper:* Mr Seeney, during his speech, tabled the following paper—
Copy of a letter, dated 6 February 2007, from Mr Seeney to Mr Speaker

Debate resumed.

*Papers:* Mr Springborg, during his speech, tabled the following papers—
- Document titled *Endocrine disrupting chemicals (EDS)* by The Royal Society, dated June 2000
- Article titled *Assessment of Feminization of Male Fish in English Rivers* by the Environment Agency of England and Wales, by M Gross-Sorokin, S Roast and G Brighty, dated April 2006
- Research paper titled *Assessing the Sensitivity of Different Life Stages for Sexual Disruption in Roach (Rutilus rutilus) Exposed to Effluents from Wastewater Treatment Works*, by K Liney, S Jobling, J Shears, P Simpson and C Tyler, dated October 2005
- Report titled *Risk Assessment and Health Effects Studies of Indirect Potable Reuse Schemes* by the Centre for Water and Waste Technology, University of NSW dated January 2007

Debate continued.

Debate adjourned on the motion of Ms Jarratt.

SUMMARY OFFENCES AND OTHER ACTS AMENDMENT BILL (Record of Proceedings p.78)
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 Ms Spence.

ADJOURNMENT (Record of Proceedings p.105)
Acting Leader of the House (Ms Spence) moved – That the House do now adjourn.
Debate ensued.
Question put and agreed to.
The House adjourned at 10.25 pm.
ATTENDANCE
The following Members were present—

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M F REYNOLDS
SPEAKER

N J LAURIE
CLERK OF THE PARLIAMENT

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