LEGISLATIVE ASSEMBLY OF QUEENSLAND
1ST SESSION OF THE 52ND PARLIAMENT

VOTES AND PROCEEDINGS
NO. 24 – THURSDAY, 19 APRIL 2007

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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.

PAPER TABLED BY THE SPEAKER

Mr Speaker tabled the following paper—

Report to Parliament on overseas visit titled *The Fifty-Sixth Seminar on Parliamentary Practice and Procedures at Westminster, 5-16 March 2007*

AUDITOR–GENERAL – REPORT

Mr Speaker tabled the following report—

*Auditor–General of Queensland—*

Report to Parliament No. 1 for 2007 titled *Results of Local Government Audits for 2005-06*

SPEAKER’S STATEMENT – ELECTION OF SENATOR

Mr Speaker made the following statement—

‘Honourable Members—

I remind Honourable Members that Standing and Sessional Orders have been suspended to enable the House to consider the vacancy in the Senate at 11:30 am today.’

PETITIONS

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

Ms Bligh from 552 petitioners requesting the House to instruct the Minister for Public Works to discontinue the ongoing attempt to sell Yungaba Immigration Depot.

Mr Foley from 350 petitioners requesting the House to liaise with Hervey Bay City Council to establish a new safe all weather boat ramp and associated facilities at the Lions Park end of Burrum Street, Burrum Heads.

Mr Gibson from 686 petitioners requesting the House to abandon plans for the Traveston Dam and consider alternative solutions.

Mr Gibson from 3,033 petitioners requesting the House to retain vehicular beach access to Fraser Island north of Hook Point.

Mrs Menkens from 261 petitioners requesting the House to note the opposition to the proposed alumina refinery residue dump and concerns for the health of residents and the environment of Woodstock.

MINISTERIAL PAPER TABLED BY THE CLERK

The following ministerial paper was tabled by The Clerk—

*Minister for Education and Training and Minister for the Arts (Mr Welford)—*

Response from the Minister for Education and Training and Minister for the Arts (Mr Welford) to a paper petition (787-07) presented by Mr Nicholls from 136 petitioners regarding the possible sale of land at 77 Kitchener Road, Ascot which includes the Kitchener Road Children’s Centre

MINISTERIAL STATEMENTS  *(Record of Proceedings p.1374)*

Ministerial statements were made.

*Papers:* Premier and Minister for Trade (Mr Beattie), during his statements, tabled the following papers—

Report by the Commission for Children and Young People and Child Guardian, titled *Child Guardian Report 2006*

Rugby League News, volume eleven, number 3
Statements continued.

**Paper:** Minister for Health (Mr Robertson), during his statement, tabled the following paper—Report by Queensland Health, titled *Queensland Children’s Hospital, Talking and Planning together*

Statements continued.

**Statements concluded.**

**PUBLIC ACCOUNTS COMMITTEE – PAPER**

Chair of the Public Accounts Committee (Mr Hayward) tabled the following paper—

*Public Accounts Committee*—


**PUBLIC WORKS COMMITTEE – PAPER**

Chair of the Public Works Committee (Ms Stone) tabled the following paper—

*Public Works Committee*—

Report No. 96 – Redevelopment of the Sir David Longland Correctional Centre

**ELECTORAL COMMISSION OF QUEENSLAND – REPORT**

The following Ministerial paper was tabled—

*Attorney–General and Minister for Justice and Minister Assisting the Premier in Western Queensland (Mr Shine)*—

Report by the Electoral Commission of Queensland titled *Audit of the Conduct of Preselection Ballots Relating to the 2006 Queensland State General Election held on 9 September 2006*

**SELECT COMMITTEE ON TRAVELSAFE – PAPER** *(Record of Proceedings p.1385)*

Chair of the Select Committee on Travelsafe (Mr Pearce) tabled the following papers—

*Select Committee on Travelsafe*—

Program for United Nations Global Road Safety Week, Monday 23 April 2007

Brochure titled *First United Nations Global Road Safety Week, 23-29 April 2007*

Program for Travelsafe Committee forum on child run-over deaths and injuries, Monday 23 April 2007

**MOTION WITHOUT NOTICE – CRIMINAL CODE (DOUBLE JEOPARDY) AMENDMENT BILL – BILL DISCHARGED FROM NOTICE PAPER AND WITHDRAWN**


Question put and agreed to.

Mr Wellington moved – That the Bill be withdrawn

Question put and agreed to.

**TRANSPORT OPERATIONS (ROAD USE MANAGEMENT—GREEN VEHICLES CONCESSION) AMENDMENT BILL** *(Record of Proceedings p.1385)*

Member for Burdekin (Mrs Menkens) presented a Bill for an Act to amend the *Transport Operations (Road Use Management) Act 1995* and Explanatory Notes and moved – That the Bill be now read a first time.

Question put and agreed to.

Mrs Menkens moved – That the Bill be now read a second time.

Debate ensued.

Minister for Transport and Main Roads (Mr Lucas) moved – That the debate be now adjourned.

Question put and agreed to.
CRIMINAL CODE (DOUBLE JEOPARDY) AMENDMENT BILL  

Member for Nicklin (Mr Wellington) presented a Bill for an Act to amend the Criminal Code to provide 2 exceptions to the double jeopardy rules to allow an acquitted person to be retried, and for other purposes and Explanatory Notes and moved – That the Bill be now read a first time.

Question put and agreed to.

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

Debate ensued.

Premier and Minister for Trade (Mr Beattie) moved – That the debate be now adjourned.

Question put and agreed to.

QUESTIONS WITHOUT NOTICE  

Questions without notice were asked.

Paper: Mr Messenger tabled the following paper—
Information relating to separations from the Police Service

Questions continued.

Papers: Minister for Local Government, Planning and Sport (Mr Fraser) tabled the following papers—

Questions continued.

Paper: Mr McArdle tabled the following paper—
Report by Queensland Air Museum titled Your Air Museum Love it or Lose it

Questions continued.

Paper: Minister for Police and Corrective Services (Ms Spence) tabled the following paper—
Paper detailing a table titled Separations History by Year

Questions continued.

Questions concluded.

ELECTION OF SENATOR  

Pursuant to the resolution of the House on Tuesday, 17 April 2007—

Mr Speaker called for nominations to fill the casual vacancy in the Senate rendered vacant by the resignation of Senator Santo Santoro.

Premier and Minister for Trade (Mr Beattie) nominated Suzanne Kay Boyce, company director, of 13 Mardale Street, Grange 4051, for election to hold the place in the Senate rendered vacant through the resignation of Senator Santo Santoro.

Paper: Mr Beattie tabled the following paper—
Declaration of qualification and consent to be nominated and act if elected by Ms Boyce, in accordance with schedule 4 of Standing Order 289

There being no further nominations—

Mr Beattie moved – That Suzanne Kay Boyce be elected to hold the place in the Senate of the Parliament of the Commonwealth rendered vacant through the resignation of Senator Santo Santoro.

Leader of the Liberal Party (Dr Flegg) seconded the motion.

Debate ensued.

Question put and agreed to.

MOTION – ELECTION OF SENATOR  

Leader of the House (Mr Schwarten) moved – That Mr Speaker inform Her Excellency the Governor that Suzanne Kay Boyce has been chosen to hold the place in the Senate of the Parliament of the Commonwealth rendered vacant by the resignation of Senator Santo Santoro.
Question put and agreed to.

MINISTERIAL STATEMENT  (Record of Proceedings p.1408)
A ministerial statement was made.

JUSTICE AND OTHER LEGISLATION AMENDMENT BILL  (Record of Proceedings p.1409)
Attorney–General and Minister for Justice and Minister Assisting the Premier in Western Queensland (Mr Shine) presented a Bill for an Act to amend legislation administered by the Attorney-General, and for other purposes and Explanatory Notes and moved – That the Bill be now read a first time.
Question put and agreed to.
Mr Shine moved – That the Bill be now read a second time.
Debate ensued.
Mr Lingard moved – That the debate be now adjourned.
Question put and agreed to.

LEGAL PROFESSION BILL  (Record of Proceedings p.1411)
Attorney–General and Minister for Justice and Minister Assisting the Premier in Western Queensland (Mr Shine) presented a Bill for an Act to provide for admission to, and the regulation of, the legal profession, and for entities involving members of the legal profession, and for other purposes and Explanatory Notes and moved – That the Bill be now read a first time.
Question put and agreed to.
Mr Shine moved – That the Bill be now read a second time.
Debate ensued.
Mr Lingard moved – That the debate be now adjourned.
Question put and agreed to.

LOCAL GOVERNMENT AND OTHER LEGISLATION AMENDMENT BILL  (Record of Proceedings p.1413)
Order of the day read for the adjourned debate on the motion of the Minister for Local Government, Planning and Sport (Mr Fraser) – That the Bill be now read a second time.
Debate ensued.
Debate adjourned on the motion of Mrs Cunningham.

MINISTERIAL STATEMENT  (Record of Proceedings p.1425)
A ministerial statement, by leave, was made.
Papers: Deputy Premier, Treasurer and Minister for Infrastructure (Ms Bligh), during her statement, tabled the following papers—
Pages from the website of Rob Messenger MP, Member for Burnett, downloaded on 19 April 2007 titled Welcome, Poll and Previous Polls

LOCAL GOVERNMENT AND OTHER LEGISLATION AMENDMENT BILL  (Record of Proceedings p.1425)
Order of the day read for the adjourned debate on the motion of the Minister for Local Government, Planning and Sport (Mr Fraser) – That the Bill be now read a second time.
Debate ensued.
Debate adjourned on the motion of Mr Copeland.

PRIVILEGE – MATTER RAISED – FURTHER ANSWER TO QUESTION WITHOUT NOTICE RELATING TO DISABILITY SERVICES REVIEW  (Record of Proceedings p.1447)
Minister for Communities, Minister for Disability Services Queensland, Minister for Aboriginal and Torres Strait Islander Partnerships, Minister for Seniors and Youth (Mr Pitt) rose on a matter of privilege.
LOCAL GOVERNMENT AND OTHER LEGISLATION AMENDMENT BILL  (Record of Proceedings p.1448)

Order of the day read for the adjourned debate on the motion of the Minister for Local Government, Planning and Sport (Mr Fraser) – That the Bill be now read a second time.

Debate ensued.

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

Acting Leader of the House (Mr Fraser) 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.’

Debate resumed.

Paper:  Mr Wellington, during his speech, tabled the following paper—
Copy of an article from the Sunshine Coast Daily, dated 18 April 2007, titled It’s time to get your act together: Beattie

Debate continued.

Papers:  Mr Fraser, during his speech, tabled the following papers—
Amendments to be moved by Mr Fraser during consideration in detail (re-supply) and explanatory notes (re-supply)
Copy of a letter, dated 16 February 2007, from the Minister for Local Government, Planning and Sport (Mr Fraser), to the Chair of the Scrutiny of Legislation Committee (Mrs Sullivan), relating to the Local Government and Other Legislation Amendment Bill
Copy of an article from the Bundaberg News Mail, dated 19 April 2007, titled Mixed views on changes
Copy of a letter, dated 19 April 2007, from Allan Ogden, Secretary, Mission Beach Community Association, to Mr Fraser relating to local government reform
Bundle of letters from various mayors to Mr Fraser relating to local government reform

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 ch 3, pt 1, div 8A)—
The following amendment was proposed by Mr Fraser—
At page 8, lines 15 to 17, page 9, lines 1 to 29, page 10, lines 1 to 31, page 11, lines 1 to 26, page 12, lines 1 to 27, page 13, lines 1 to 34 and page 14, lines 1 to 21—

omit, insert—

‘4 Amendment of s 18 (Declaration of classes of local government areas)

‘(1) Section 18(2), at the end—

insert—

‘• another class prescribed under a regulation.’.

‘(2) Section 18(3), after ‘town’—

insert—

’, or another class prescribed under a regulation.’.

‘(3) Section 18—

insert—

‘(4) A provision of this Act that makes a reference generally to the 3 classes of city, town and shire is taken also to include a similar reference to any other class prescribed under a regulation under subsection (2).’.

Debate ensued.
Question – That Mr Fraser’s amendment be agreed to – put and agreed to.
Clause 4, as amended, agreed to.
New Clause 4A—
The following amendment was proposed by Mr Fraser —
At page 14, before line 22—
insert—
‘4A Insertion of new ch 3, pt 1A
‘Chapter 3—
insert—
‘Part 1A Whole of Queensland local government boundaries reform
‘Division 1 Preliminary
‘159A Application of pt 1A
‘(1) This part does not apply to the Brisbane City Council, or its local government area, and does
not affect any special reference for a reviewable local government matter or the
implementation of a reviewable local government matter as a result of a special reference.
‘(2) This part applies to Torres Strait Islander local governments.
‘(3) To remove any doubt, it is declared that this part also applies to—
(a) community governments under the Local Government (Community Government Areas) Act
2004; and
(b) the local governments of the Shire of Aurukun and the Shire of Mornington under the Local
‘159B Objective of pt 1A
‘The objective of this part is the achievement of the organisation of local government in a way
that—
(a) facilitates optimum service delivery to Queensland communities; and
(b) ensures that local governments effectively contribute to and participate in Queensland
regional economies; and
(c) manages economic, environmental and social planning consistently with regional
communities of interest; and
(d) effectively partners local government with other levels of government to ensure sustainable
and viable communities.
‘159C Achieving objective of pt 1A
‘For achieving the objective of this part, this part—
(a) establishes a Local Government Reform Commission—
(i) to examine, and to make recommendations for the reform of, on a whole of
Queensland basis, local government area boundaries, and local government classes
and names; and
(ii) to make recommendations for the composition of local governments and for the
internal divisional arrangements of local government areas; and
(iii) to make recommendations for the implementation of the recommendations mentioned
in subparagraphs (i) and (ii); and
(b) provides for the submission of the reform commission’s recommendations to the Minister;
and
(c) provides for the suspension of actions under part 1 while the whole of Queensland reform
process proceeds.
‘159D Definitions for pt 1A
‘In this part—
chairperson means the chairperson of the reform commission.
reform commission means the Local Government Reform Commission established under
section 159F.
reform commissioner see section 159G(1).
SSS review process means the review process—
(a) adopted for examining governance and service delivery arrangements in relation to 2 or
more local governments; and
(b) carried out under a review framework—
(i) put in place by the Local Government Association, local governments and the
department; and
(ii) generally referred to using the expression ‘Size, Shape and Sustainability’.
‘159E  Suspension of particular actions while part 1A processes operate
(1) Until the relevant day—
(a) the Minister must not act under part 1 to refer a reviewable local government matter to the commissioner; and
(b) a local government must not apply to the commissioner under section 80(1) for determination of a reviewable local government matter; and
(c) neither the commissioner, nor any electoral and boundaries review commission, may take any further action in relation to a reviewable local government matter that has been referred to or is otherwise before the commissioner or the commission; and
(d) no reviewable local government matter may be implemented under part 1, division 10, other than as that division is applied under section 159Z; and
(e) no reviewable community government matter may be implemented under the Local Government (Community Government Areas) Act 2004, section 19.
(2) In this section—
relevant day means—
(a) the conclusion of the last 2008 quadrennial election held for a local government area; or
(b) an earlier day prescribed under a regulation.

Division 2 The Local Government Reform Commission
Subdivision 1 Establishment
‘159F  Establishment of reform commission
The Local Government Reform Commission is established.
Subdivision 2 Reform commissioners
‘159G  Appointment
(1) The reform commission consists of 7 persons (each a reform commissioner), made up of a chairperson and 6 other reform commissioners.
(2) The reform commissioners are to be appointed by the Governor in Council.
(3) The reform commissioners may be appointed as full-time or part-time reform commissioners.
‘159H  Eligibility for appointment
A person is eligible for appointment as a reform commissioner only if the person—
(a) has extensive knowledge of and experience in 1 or more of the following—
(i) local government;
(ii) public administration;
(iii) law;
(iv) public finance;
(v) community affairs; or
(b) has other knowledge and experience the Governor in Council considers appropriate.
‘159I  Duration of appointment
(1) Subject to sections 159K and 159L, a reform commissioner holds office for the term stated in the reform commissioner’s instrument of appointment.
(2) A person appointed as a reform commissioner is eligible for reappointment.
‘159J  Terms and conditions of appointment
(1) A reform commissioner is to be paid the remuneration and allowances decided by the Governor in Council.
(2) A reform commissioner holds office on the terms and conditions, not provided for by this Act, that are decided by the Governor in Council.
‘159K  Resignation
A reform commissioner may resign by signed notice given to the Minister.
‘159L  Termination of appointment
(1) The Governor in Council may end a reform commissioner’s appointment for misbehaviour or for physical or mental incapacity.
(2) Unless it is ended sooner under this part, a reform commissioner’s appointment ends when this part expires.
‘159M  Effect of appointment to fill vacancy
(1) This section applies if the Governor in Council appoints a person (the new appointee) to be a reform commissioner, or to act in the office of a reform commissioner, because of the removal or suspension of a reform commissioner from office or because the office of a reform commissioner has otherwise become permanently or temporarily vacant for any reason.
‘(2) The reform commission’s capacity to continue to perform its functions under this part is taken not to be affected by the change in the persons comprising the reform commission.

‘159N Disclosure of interests
(1) This section applies if—
(a) a reform commissioner has a direct or indirect pecuniary interest in a matter being considered, or about to be considered, by the reform commission; and
(b) the interest could conflict with the proper performance of the reform commissioner’s functions for a matter.
(2) The reform commissioner must, as soon as practicable, disclose the interest to—
(a) for the chairperson—the other reform commissioners; or
(b) for another reform commissioner—the chairperson.
(3) A reform commissioner who has disclosed an interest relating to a matter is not prevented from participating in the reform commission’s consideration of the matter.

Subdivision 3 Meetings and other business of reform commission

‘159O Conduct of business
Subject to this division, the reform commission may conduct its business, including its meetings, in the way it considers appropriate.

‘159P Decisions outside meetings
(1) A decision of the reform commission, other than a decision at a reform commission meeting, may be made only with the written agreement of 2 reform commissioners.
(2) The reform commission must keep a record of any decisions under subsection (1).

Subdivision 4 Staff and other assistance to reform commission

‘159Q Administrative support
The chairperson and the chief executive may arrange for the services of officers or employees of the department to be made available to the reform commission.

‘159R Supply of information about current reviewable local government matters
The commissioner and each Local Government Electoral and Boundaries Review Commission must give the reform commission all information the commissioner or commission has about any reviewable local government matter, other than any special reference, that has been referred to or otherwise before the commissioner or the commission.

Division 3 Review and recommendations

Subdivision 1 Reform commission

‘159S Functions of reform commission
(1) The reform commission has the following functions—
(a) to carry out a structural review of all local government areas;
(b) to make recommendations to the Minister for—
(i) how many local government areas there should be; and
(ii) what the external boundaries of each of the local government areas should be, including the local government areas for which no external boundary change is recommended; and
(iii) any class of local government area that there should be in addition to the classes of city, town and shire, and the criteria that should apply for declaring a local government to be of that class;
(c) to recommend to the Minister, for each local government area as recommended by the reform commission under paragraph (b)(i) and (ii)—
(i) the name of the local government area; and
(ii) the class of the local government area; and
(iii) the composition of the local government for the area; and
(iv) whether the local government area should have divisions, and if so, what the boundaries of the divisions should be, and how many councillors should be assigned to each division;
(d) to make recommendations to the Minister for implementation issues for any relevant reviewable local government matter mentioned in section 64(1)(a), (c), (e) or (f).
(2) The reform commission must act in the performance of its functions under subsection (1) in a way that is consistent with making its recommendations before 1 August 2007.
(3) However, the Minister may by gazette notice, whether published before or after 1 August 2007, declare a later date for the performance of—
(a) the reform commission’s functions in relation to all or a part of the State; or
(b) an identified aspect of the reform commission’s functions in relation to all or a part of the State.

(4) Subsections (2) and (3) do not stop the Minister from receiving a recommendation from the reform commission after the time provided for under the subsections for receiving the recommendation.

(5) In this section—

relevant reviewable local government matter means a reviewable local government matter that must be implemented if a recommendation of the reform commission under this section is to be given effect.

159T Particular requirements for reform commission’s performance of its functions

(1) In performing its functions, the reform commission must have regard to—

(a) the objective of this part; and
(b) any terms of reference given to it by the Minister; and
(c) the terms of reference stated in this subdivision.

(2) Without limiting subsection (1)(b), terms of reference given by the Minister may provide for the reform commission to provide some or all of its recommendations in sequence for different parts of the State to the extent that this is reasonably consistent with providing its recommendations on a whole of Queensland basis.

(3) As soon as practicable after the reform commission’s establishment, the reform commission must, by public notice, invite suggestions from persons and entities.

(4) The public notice must state that suggestions are to be given to the reform commission at a stated address in writing within the time stated in the notice.

(5) The public notice must be published—

(a) in the gazette; and
(b) on the department’s website; and
(c) in a newspaper circulating generally in the State.

(6) In making its recommendations to the Minister, the reform commission must consider all suggestions properly given to it.

159U Terms of reference

(1) This section states terms of reference for the reform commission in performing its functions.

(2) The reform commission must consider the grouping of like communities of interest to maintain the social fabric and character of communities and areas of the State, and in particular, must consider—

(a) review areas established under SSS review processes; and
(b) boundaries of areas covered by the regions for which regional planning advisory committees have been established under the Integrated Planning Act 1997.

(3) The reform commission’s recommendations must be directed at—

(a) consolidating, to the extent practicable, regional natural resource management areas, including for example water catchment areas, and environmental areas, including for example, coastal wetlands; and
(b) creating local governments with improved financial sustainability.

(4) In making a recommendation for creating a new local government area from 2 or more existing local government areas, the reform commission must give preference, to the extent practicable, to including all of the existing local government areas in the new area rather than parts of the existing areas.

(5) The reform commission must identify options for community representation that reflect the diversity of the State’s regions and that promote representation of discrete communities.

(6) In making its recommendations for new arrangements, the reform commission must identify any issues requiring further consideration for successfully establishing the new arrangements.

159V General powers

The reform commission has the powers necessary or convenient to perform its functions and to help achieve the objective of this part.

Subdivision 2 The State

159W Minister

(1) The Minister may provide terms of reference to the reform commission for any aspect of the performance of its functions.

(2) The terms of reference must be consistent with the objective of this part.
‘(3) The Minister must consider all recommendations given to the Minister by the reform commission.
‘(4) The Minister must make the recommendations publicly available in the way the Minister considers appropriate.
Example—publication on the department’s website

Division 4 Miscellaneous

‘159X Review of particular decisions and actions

‘(1) A designated decision—
(a) is final and conclusive; and
(b) can not be challenged, appealed against, reviewed, quashed, set aside, or called into question in another way, under the Judicial Review Act 1991 or otherwise (whether by the Supreme Court, another court, a tribunal or another entity); and
(c) is not subject to any writ or order of the Supreme Court, another court, a tribunal or another entity on any ground.

‘(2) Without limiting subsection (1), a person may not bring a proceeding for an injunction or any other order to stop or otherwise restrain the performance of a designated act, or for a declaration about the validity of a designated act.

‘(3) In this section—
decision includes—
(a) conduct engaged in to make a decision; and
(b) conduct related to making a decision; and
(c) failure to make a decision.
designated act means—
(a) an act of the reform commission, including the act of making a recommendation to the Minister, the performance of which is authorised, or purportedly authorised, under this part; or
(b) an act of the Minister the performance of which is authorised, or purportedly authorised, under this part.
designated decision means a decision to perform a designated act.

‘159Y Expiry of pt 1A

‘This part expires at the end of 31 December 2008, or at an earlier time fixed under a regulation.’.

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

AYES 46—

Attwood  Barry  Bombo  Choi  Croft  Darling  English  Fenlon

Finn  Fraser  Gray  Hayward  Hinchliffe  Hoilhan  Jones  Keech

Kieman  Lavarch  Nelson–Carr  Lucas  Male  Mickel  Miller  Miller

Moorhead  Schawten  Scott  Pearce  Purcell  Reeves  Roberts  Robertson

Nelson–Carr  Scott  Shine  Spence  Stone  Struthers  Sullivan  Van Litsenburg

Weightman  Welford  Wellington  Wells  Wendt  Wilson

NOES 20—

Copeland  Cripps  Cunningham  Dempsey

Dickson  Elmes  Flegg  Hobbs

Langbroek  Lingard  Mc Ardle  Menkens

Messenger  Nicholls  Pratt  Rickuss

Schawten  Springborg  Stevens  Stuckey

Weightman  Wellington  Wells  Wendt  Wilson

Tellers *

Question agreed to.
Clauses 5 to 9, as read, agreed to.
Clause 10 (Amendment of s 248 (Access to registers))—
The following amendments were proposed by Mr Fraser—

At page 21, lines 9 to 11—
omit, insert—
‘the information relates to any of the following—’.

At page 21, line 15, ‘(5C)’—
omitted, inserted—
(5B).
At page 21, lines 15 and 16, ‘prescribed under’—
omitted, inserted—
‘included in the register of councillor’s interests about a matter mentioned in’.

Question – That Mr Fraser’s amendments be agreed to – put and agreed to.
Clause 10, as amended, agreed to.
Clause 11 (Amendment of s 250 (Improper use of information by councillors))—
The following amendment was proposed by Mr Fraser—
At page 21, lines 24 to 27—
omitted, inserted—
(1) Section 250(2), from ‘that—’ to ‘confidential.’.
omitted, inserted—
‘that is confidential to the local government.’.

Debate ensued.
Question – That Mr Fraser’s amendment be agreed to – put and agreed to.
Clause 11, as amended, agreed to.
Clauses 12 to 51, as read, agreed to.

New Clauses 51A and 51B—
The following amendment was proposed by Mr Fraser—
At page 51, after line 33—
inserted—
‘51A Insertion of new s 473A
Chapter 6, part 1, division 6—
inserted—
‘473A Community boards
(1) A local government may establish 1 or more community boards for local communities within its
local government area to advise the local government about matters relating particularly to the
local communities.
(2) In establishing a community board, a local government must—
(a) to the extent practicable, identify the local communities; and
(b) appoint the members of the community board.
Example of possible suitable members—
recognised community leaders
(3) A regulation may provide for—
(a) other matters about the establishment of community boards; and
(b) requirements about the operation of community boards.
(4) Subject to a regulation providing for a requirement about the operation of community boards, a
community board may conduct its business, including its meetings, in the way it considers
appropriate.’.

‘51B Amendment of s 899A (Definitions for pt 5)
(1) Section 899A, definition expiry date, paragraph (a), ‘2010’—
omitted, inserted—
‘2012’.
(2) Section 899A, definitions first review date and subsequent review date, ‘2008’—
omitted, inserted—
‘2010’.

Debate ensued.
Question – That Mr Fraser’s amendment be agreed to – put and agreed to.
Clauses 52 to 66, as read, agreed to.

New Clauses 67 to 71—
The following amendment was proposed by Mr Fraser—
At page 65, after line 20—
inserted—
‘Part 6 Amendment of Integrated Planning Act 1997
67 Act amended in pt 6
This part amends the Integrated Planning Act 1997.
68 Amendment of s 6.1.20 (Planning scheme policies for infrastructure)
‘(1) Section 6.1.20(4), ‘expires’—
   omit, insert—
   ‘ceases to have effect, in relation to the planning scheme.’.
‘(2) Section 6.1.20(4)(a), ‘30 June 2007’—
   omit, insert—
   ‘30 June 2008’.

‘69 Amendment of s 6.1.31 (Conditions about infrastructure for applications)
‘Section 6.1.31(3)(b)(i), ‘30 June 2007’—
   omit, insert—
   ‘30 June 2008’.

‘Part 7 Amendment of Judicial Review Act 1991
‘70 Act amended in pt 7
   ‘This part amends the Judicial Review Act 1991.

‘71 Amendment of sch 1 (Operation of other laws)
   Schedule 1, part 1—
   insert—
   ‘Local Government Act 1993, section 159X’.

Question – That Mr Fraser’s amendment be agreed to – put and agreed to.
Consideration in detail completed—
Mr Fraser moved – That the Bill, as amended, be now read a third time.
Question put.
The House divided.

AYES 46—
   Atwood               Barry              Bombolas
   Finn *              Fraser              Gray
   Kieman              Lavarch             Hayward
   Moorhead            Nelson–Carr        Lee
   Schwarten           Scott              Palaszczuk
   Weightman           Shine              Pearce
   Wellington          Spence              Purcell
   Wells

NOES 19—
   Copeland            Cripps             Cunningham
   Dickson             Elmes              Flegg
   Langbroek           Lingard            Mc Ardle
   Nicholls            Pratt              Rickuss *
   Springborg          Stevens            Stuckey
   Tellefs *           Hobbs              Messenger
   Seeley

Question agreed to.
Bill, as amended, read a third time.
Mr Fraser moved – That the long title of the Bill be agreed to.
Question put and agreed to.

SPECIAL ADJOURNMENT
Leader of the House (Mr Schwarten) moved – That the House at its rising do adjourn until 9.30 am on Tuesday, 22 May 2007.
Question put and agreed to.

ADJOURNMENT (Record of Proceedings p.1479)
Leader of the House (Mr Schwarten) moved – That the House do now adjourn.
Debate ensued.
Question put and agreed to.
The House adjourned at 10.03 pm.
ATTENDANCE

The following Members were present—

<table>
<thead>
<tr>
<th>Attwood</th>
<th>English</th>
<th>Jones</th>
<th>McNamara</th>
<th>Pratt</th>
<th>Stevens</th>
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<tr>
<td>Barry</td>
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<td>Bombolas</td>
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<td>Choi</td>
<td>Fraser</td>
<td>Lavarch</td>
<td>Moorhead</td>
<td>Rickuss</td>
<td>Van Litsenburg</td>
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<td>Copeland</td>
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<td>Lawlor</td>
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<td>Roberts</td>
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<td>Lee Long</td>
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<td>Shire</td>
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<td>Mc Ardle</td>
<td>Pitt</td>
<td>Springborg</td>
<td>Wilson</td>
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</tbody>
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M F REYNOLDS
SPEAKER

N J LAURIE
CLERK OF THE PARLIAMENT