

	<p style="text-align: center;"><b>LEGISLATIVE ASSEMBLY OF QUEENSLAND</b></p> <p style="text-align: center;"><b>1<sup>ST</sup> SESSION OF THE 52<sup>ND</sup> PARLIAMENT</b></p>
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# VOTES AND PROCEEDINGS

**NO. 25 – TUESDAY, 22 MAY 2007**

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## MEETING OF THE ASSEMBLY

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

Mr Speaker acknowledged the Traditional Owners of the land upon which this Parliament is assembled and the Custodians of the sacred lands of our State.

## 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—

*23 April 2007—*

A Bill for an Act to amend the *Community Ambulance Cover Act 2003*, and for other purposes (*Community Ambulance Cover and Other Acts Amendment Act 2007 – Act No. 17 of 2007*)

A Bill for an Act to amend the *Consumer Credit (Queensland) Act 1994* to make changes to the Consumer Credit Code, and to amend the *Tourism Queensland Act 1979 (Consumer Credit (Queensland) and Another Act Amendment Act 2007 – Act No. 18 of 2007)*

A Bill for an Act to amend the *Land Act 1994*, and for other purposes (*Land and Other Legislation Amendment Act 2007 – Act No. 19 of 2007*)

A Bill for an Act to amend various Acts establishing statutory bodies (*Statutory Bodies Legislation Amendment Act 2007 – Act No. 20 of 2007*)

*26 April 2007—*

A Bill for an Act to amend the *Local Government Act 1993*, and for other purposes (*Local Government and Other Legislation Amendment Act 2007 – Act No. 21 of 2007*)

*Papers:* Mr Speaker tabled the following papers—

Letter, dated 24 April 2007, from Her Excellency the Governor to Mr Speaker advising of assent to Bills on 23 April 2007

Letter, dated 26 April 2007, from Her Excellency the Governor to Mr Speaker advising of assent to Bills on 26 April 2007

## SPEAKER'S STATEMENT – ELECTION OF SENATOR – LETTER FROM GOVERNOR

Mr Speaker made the following statement—

'Honourable Members—

I have to report that I have received from Her Excellency the Governor, a letter acknowledging my advice regarding the election of Suzanne Kay Boyce to fill the casual vacancy in the Senate of the Commonwealth of Australia.'

## SPEAKER'S STATEMENT – INDIGENOUS QUEENSLANDERS

Mr Speaker made the following statement—

'Honourable Members—

Today marks 147 years to the day of the first sitting of the Parliament of Queensland. I would like to make a special acknowledgement of the presence in the public gallery this morning of Aunty Valda Coolwell and Aunty Carol Currie from the Brisbane Council of Elders and Mr Thomas Sebasio representing the Torres Strait Islander community.

I also acknowledge Joan Collins, Chairperson of the Musgrave Park Cultural Centre Board of Management, and members of the board. Joan has given an enormous amount of time to the Parliament over the past three months in working with me and staff of the Parliamentary Service to make this week's celebrations a great reality.

I would also like to particularly acknowledge in the gallery Mr Peter Le Grand, a government policy adviser who is in Brisbane to attend this evening's reconciliation reception here at Parliament House. Peter has worked tirelessly over the last nine years developing collaborative partnerships with the Indigenous people of Queensland and particularly the Indigenous people of north Queensland. Peter's work in this area is unparalleled.

In our Parliament's 147-year history, there has only been one Indigenous person elected to this chamber, Mr Eric Deeral in the electorate of Cook between 1974 and 1977 representing the National Party. I hope that from today Indigenous Queenslanders will feel a greater sense of connection to their Parliament.'

### **SPEAKER'S STATEMENT – FLAGS**

Mr Speaker made the following statement—

'Honourable Members—

Earlier this morning, I was joined by the President of the Brisbane Council of Elders, Aunty Valda Coolwell and a representative of Torres Strait Islanders, Mr Thomas Sebasio at the front gates of Parliament House where together we hoisted the Aboriginal and Torres Strait Islander flags. I have ordered that the flags be flown in front of Parliament House on a permanent basis with the Australian and Queensland flags. All four flags have also been placed behind me on the Speaker's podium here inside the Legislative Assembly chamber.

As Members have just heard this morning, I introduced to our proceedings an acknowledgement of the Traditional Owners of the land upon which the Parliament is assembled and the Custodians of the sacred lands of our State. This will be my practice each sitting day while I am Speaker, and I hope that it will become the practice of Speakers forever more.

Members will also notice that an Indigenous art display has been established in the Legislative Council chamber. Members, staff and the public are invited to view the display which will run for two weeks and the work of the Parliament's inaugural Artist in Residence, Mr John Pene-Fonmosa, who has been commissioned to produce an official didgeridoo for the Parliament. The didgeridoo will become a significant parliamentary symbol used on special ceremonial occasions and will be displayed in a special cabinet alongside the mace.

I would also like to remind all Members of the importance of this evening's reconciliation reception that begins at 5.30 pm on the Speaker's Green. Members will have the opportunity to partake in a traditional smoking ceremony commencing at 6.30 pm and I strongly encourage all Members who can attend to do so.'

### **SPEAKER'S STATEMENT – ADDRESS IN REPLY – PRESENTATION TO GOVERNOR**

Mr Speaker made the following statement—

'Honourable Members—

I have to inform the House that Her Excellency the Governor will be pleased to receive the Address-in-Reply at Government House on Friday, 25 May 2007 at 9.30am and I invite all Honourable Members to accompany me on the occasion of its presentation.

Attendants will be circulating a list in the Chamber for Members to indicate if they will be attending and if transport is required.

Cars will depart the porte cochure at 9.00 am sharp to convey Members to Government House and return. Members wishing to proceed to Government House using their own transport should aim to arrive by 9.25 am to join other Members.'

### **AUDITOR-GENERAL – REPORT**

Mr Speaker tabled the following report—

*Auditor General of Queensland—*

Report to Parliament No. 2 for 2007 titled *Results of Performance Management Systems Audits of Management of Funding to Non-Government Organisations*

### **PETITIONS**

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

Mr Foley from 349 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.

Ms Spence from 29 petitioners requesting the House to compensate for the loss of trees and environmental and social values associated with the Altandi to Kuraby rail upgrade.

Mr Cripps from 707 petitioners requesting the House to change the Queensland Crocodile Protection Plan to allow for the immediate removal of crocodiles identified near public facilities and populated areas in the interests of public safety.

Mr Cripps from 314 petitioners requesting the House to assist landowners to manage the feral pig problem by controlling pig numbers in Queensland National Parks, State Forests and State controlled land.

Mr Wellington from 199 petitioners requesting the House to improve the condition of the Kenilworth Eumundi Road, increase Police patrols, limit the speed of vehicles and install speed cameras on the road as soon as possible.

Mr Wellington from 54 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 58 petitioners requesting the House to reject the application by Maroochy Shire Council for a proposed landfill site at Ferntree Creek Road Kulangoor.

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

Miss Simpson from 52 petitioners requesting the House to reject the Mooloolaba Spit futures study and oppose the use of crown land on the Spit for the development of high rise building.

Miss Simpson from 149 petitioners requesting the House to reject the Mooloolaba Spit futures study and oppose the use of crown land on the Spit for the development of high rise building.

Mrs Stuckey from 141 petitioners requesting the House to monitor the impacts of, implement guidelines for, and undertake regular reviews of the Needle Syringe Program at the Palm Beach Community Health Centre.

Mr Choi from 1,229 petitioners requesting the House to consider that the proposed concessions of delayed connection to Redlands water supply does not fairly compensate Redlands community for their initial \$27 million (in historic value terms) of water security already paid for at the expense of other services and infrastructure.

## PAPERS TABLED DURING THE RECESS

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

### 20 April 2007—

Response from the Minister for Transport and Main Roads (Mr Lucas) to a paper petition (790-07) presented by Mr Knuth from 121 petitioners regarding completing the seal on the Forsayth Road, Georgetown to Forsayth

Response from the Minister for Natural Resources and Water and Minister Assisting the Premier in North Queensland (Mr Wallace) to a paper petition (791-07) presented by Mrs Cunningham from 130 petitioners regarding a grout curtain for the Mt Larcom District

Response from the Minister for Health (Mr Robertson) to paper petitions (762-06 and 773-07) presented by Mr Foley from 1984 petitioners and 263 petitioners respectively regarding the placement of a CT Scanner at the Maryborough Hospital Accident and Emergency Department

### 23 April 2007—

Queensland Theatre Company – Annual Report 2006

Letter from the Minister for Emergency Services relating to Public Works Committee report regarding the Roma Street Fire and Ambulance Station Project

### 24 April 2007—

Queensland Treasury Corporation – Half Yearly Report July-December 2006

Letter, dated 23 April 2007, from the Premier and Minister for Trade (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 proposed international treaty action tabled in both houses of the Federal Parliament on 27 March 2007 and the National Interest Analyses for the proposed treaty action listed

*26 April 2007—*

Response from the Minister for Transport and Main Roads (Mr Lucas) to a paper petition (789-07) presented by Mr McArdle from 193 petitioners regarding a bus service that travels down Mark Road to service the residents of Kookaburra Retirement Village

Response from the Minister for Primary Industries and Fisheries (Mr Mulherin) to a paper petition (793-07) presented by Mr Shine from 1643 petitioners regarding genetically manipulated food crops

*27 April 2007—*

*Extraordinary Government Gazette* published on 15 March 2007 appointing Ms Jann Jarratt MP as Parliamentary Secretary to the Minister for State Development, Employment and Industrial Relations and Parliamentary Secretary to the Minister for Primary Industries and Fisheries

Report on an overseas visit by the Minister for Local Government, Planning and Sport (Mr Fraser) to New Zealand from 25 to 27 March 2007 – Report on the Ministerial Council for Local Government and Planning Auckland, New Zealand

*30 April 2007—*

Report on an overseas visit by the Minister for Public Works, Housing and Information and Communication Technology (Mr Schwarten) to Germany, Japan and Singapore from 14 to 31 March 2007

Brisbane Grammar School – Annual Report 2006

Townsville Grammar School – Annual Report 2006

*1 May 2007—*

Auditor-General of Queensland Auditing Standards – April 2007

*4 May 2007—*

Response from the Minister for Local Government, Planning and Sport (Mr Fraser) to a paper petition (767-07) presented by Mr Wellington from 39 petitioners regarding an amendment to a development approval for a Soil Conditioner Manufacturing business located at 262 Chevallum Road

Response from the Deputy Premier, Treasurer and Minister for Infrastructure (Ms Bligh) to a paper petition (810-07) sponsored by Mr Gibson from 686 petitioners regarding abandoning plans for the Traveston Crossing dam

Response from the Minister for Local Government, Planning and Sport (Mr Fraser) to a paper petition (745-06) presented by Mr Wellington from 126 petitioners regarding the development of land at Bli Bli

Response from the Minister for Environment and Multiculturalism (Ms Nelson-Carr) to a paper petition (766-07) presented by Mr Elmes from 184 petitioners regarding expansion of mining extraction in Lake Cooroibah Road, Noosa

*8 May 2007—*

Response from the Minister for Transport and Main Roads (Mr Lucas) to paper petitions (770-07 and 788-07) presented by Mr Nicholls from 164 petitioners and 7 petitioners respectively regarding the Pinkenba Waste Transfer Station

Government response from the Acting Premier and Minister for Trade (Ms Bligh) to the Members' Ethics and Parliamentary Privileges Committee Report No. 80 – Matter Referred under Schedule 2 of the Standing Rules and Orders of the Legislative Assembly

*10 May 2007—*

Response from the Minister for Health (Mr Robertson) to a paper petition (781-07) presented by Mr Hobbs from 821 petitioners regarding public sector dentists

Response from the Minister for Public Works, Housing and Racing (Mr Schwarten) to a paper petition (808-07) sponsored by Ms Bligh from 552 petitioners regarding preservation of Yungaba

*14 May 2007—*

University of the Sunshine Coast – Annual Report 2006

Ipswich Girls' Grammar School and Ipswich Junior Grammar School – Annual Report 2006

Central Queensland University – Annual Report 2006

University of Southern Queensland – Annual Report 2006  
 James Cook University – Annual Report 2006  
 Queensland University of Technology – Annual Report 2006, Volume 1  
 Queensland University of Technology – Annual Report 2006, Volume 2  
 Brisbane Girls Grammar School – Annual Report 2006  
 Toowoomba Grammar School – Annual Report 2006  
 The Rockhampton Girls Grammar School – Annual Report 2006  
 Board of Trustees of The Rockhampton Grammar School – Annual Report 2006  
 Queensland College of Teachers – Annual Report 2006  
 Griffith University – Annual Report 2006  
 Ipswich Grammar School – Annual Report 2006  
 University of Queensland – Annual Report 2006  
 University of Queensland – Annual Report 2006 Appendices  
 Overseas Travel Report – Desalination and Water Reuse Leadership Summit Singapore,  
 Inspection Singapore's Water Reuse Program 6 to 15 April, Hon. Craig Wallace MP, Minister for  
 Natural Resources and Water

**17 May 2007—**

Primary Industries Acts Amendment and Repeal Bill 2007 – Erratum to Explanatory Notes  
 Report on an overseas visit by the Minister for Transport and Main Roads (Mr Lucas) from 9 to 13  
 April 2007 – Trade mission to Russia

**21 May 2007—**

Report on an overseas visit by the Minister for Child Safety (Ms Boyle) to the United States of  
 America from 14 to 27 April 2007

## **STATUTORY INSTRUMENTS**

The following statutory instruments were tabled by the Clerk—

*Chiropractors Registration Act 2001, Dental Practitioners Registration Act 2001, Dental Technicians  
 and Dental Prosthetists Registration Act 2001, Health Act 1937, Health Services Act 1991, Medical  
 Practitioners Registration Act 2001, Medical Radiation Technologists Registration Act 2001, Nursing  
 Act 1992, Occupational Therapists Registration Act 2001, Optometrists Registration Act 2001,  
 Osteopaths Registration Act 2001, Pharmacists Registration Act 2001, Physiotherapists Registration  
 Act 2001, Podiatrists Registration Act 2001, Psychologists Registration Act 2001, Speech Pathologists  
 Registration Act 2001—*

Health Legislation Amendment Regulation (No. 2) 2007, No. 57

***Liquor Act 1992—***

Liquor Amendment Regulation (No. 1) 2007, No. 58 and Explanatory Notes for No. 58

***Nuclear Facilities Prohibition Act 2007—***

Proclamation commencing remaining provisions, No. 59

***Coal Mining Safety and Health Act 1999—***

Coal Mining Safety and Health Amendment Regulation (No. 1) 2007, No. 60

***Marine Parks Act 2004, Nature Conservation Act 1992, State Penalties Enforcement Act 1999—***

Environmental and Other Legislation Amendment Regulation (No. 1) 2007, No. 61

***Whistleblowers (Disclosure to Member of Parliament) Amendment Act 2007—***

Proclamation commencing remaining provisions, No. 62

***Superannuation (State Public Sector) Amendment Act 2007—***

Proclamation commencing certain provisions, No. 63

***Motor Accident Insurance Act 1994—***

Motor Accident Insurance Amendment Regulation (No. 2) 2007, No. 64

***State Development and Public Works Organisation Act 1971—***

State Development and Public Works Organisation Amendment Regulation (No. 2) 2007, No. 65

***Transport Operations (Passenger Transport) Act 1994—***

Transport Operations (Passenger Transport) Amendment Standard (No. 1) 2007, No. 66

- State Penalties Enforcement Act 1999, Transport Operations (Passenger Transport) Act 1994—*  
Transport Operations (Passenger Transport) and Other Legislation Amendment Regulation (No. 1) 2007, No. 67
- Transport Operations (Marine Safety) Act 1994—*  
Transport Operations (Marine Safety) Amendment Regulation (No. 2) 2007, No. 68
- Maritime and Other Legislation Amendment Act 2006—*  
Proclamation commencing certain provisions, No. 69
- Rural and Regional Adjustment Act 1994—*  
Rural and Regional Adjustment Amendment Regulation (No. 5) 2007, No. 70
- Community Services (Torres Strait) Act 1984—*  
Community Services (Torres Strait) Amendment Regulation (No. 2) 2007, No. 71
- Local Government (Community Government Areas) Act 2004—*  
Local Government (Community Government Areas) Amendment Regulation (No. 1) 2007, No. 72
- Public Trustee Act 1978—*  
Public Trustee Amendment Regulation (No. 2) 2007, No. 73
- Community Ambulance Cover and Other Acts Amendment Act 2007—*  
Proclamation commencing certain provisions, No. 74
- Workplace Health and Safety Act 1995—*  
Workplace Health and Safety Amendment Regulation (No. 1) 2007, No. 75 and Regulatory Impact Statement for No. 75
- Fisheries Amendment Act 2006—*  
Fisheries Amendment (Postponement) Regulation 2007, No. 76
- Agricultural Chemicals Distribution Control Act 1966, Animal Care and Protection Act 2001, Chemical Usage (Agricultural and Veterinary) Control Act 1988, Exotic Diseases in Animals Act 1981—*  
Primary Industries Legislation Amendment Regulation (No. 1) 2007, No. 77
- Water Act 2000—*  
Water Resource (Gold Coast) Amendment Plan (No. 1) 2007, No. 78 and Explanatory Notes for No. 78
- Mineral Resources and Other Legislation Amendment Act 2006—*  
Mineral Resources and Other Legislation (Postponement) Regulation 2007, No. 79
- Maritime and Other Legislation Amendment Act 2006—*  
Proclamation commencing certain provisions, No. 80
- Transport Operations (Marine Pollution) Act 1995—*  
Transport Operations (Marine Pollution) Amendment Regulation (No. 1) 2007, No. 81
- Maritime and Other Legislation Amendment Act 2006—*  
Maritime and Other Legislation Amendment (Postponement) Regulation 2007, No. 82
- Tow Truck Act 1973, Transport Infrastructure Act 1994, Transport Operations (Marine Pollution) Act 1995, Transport Operations (Marine Safety) Act 1994, Transport Operations (Passenger Transport) Act 1994, Transport Operations (Road Use Management) Act 1995—*  
Transport Legislation (Fees) Amendment Regulation (No. 1) 2007, No. 83
- State Penalties Enforcement Act 1999, Transport Operations (Road Use Management) Act 1995—*  
Transport Operations (Road Use Management—Driver Licensing) and Other Legislation Amendment Regulation (No. 1) 2007, No. 84
- Public Health Act 2005—*  
Proclamation commencing remaining provisions, No. 85
- Health Act 1937, Public Health Act 2005, State Penalties Enforcement Act 1999—*  
Public Health and Other Legislation Amendment Regulation (No. 1) 2007, No. 86 and Regulatory Impact Statement and Explanatory Notes for No. 86
- Building Act 1975, Integrated Planning Act 1997—*  
Building and Other Legislation Amendment Regulation (No. 1) 2007, No. 87

**Land and Other Legislation Amendment Act 2007—**

Proclamation commencing certain provisions, No. 88

**Surveyors Act 2003—**

Surveyors Amendment Regulation (No. 1) 2007, No. 89

**Water Act 2000, River Improvement Trust Act 1940—**

Water and Other Legislation Amendment Regulation (No. 1) 2007, No. 90

**Community Ambulance Cover Act 2003—**

Community Ambulance Cover Amendment Regulation (No. 1) 2007, No. 91

**Exotic Diseases in Animals Act 1981—**

Exotic Diseases in Animals (Acarine and Varroa Mites) Notice 2007, No 92

**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—

**Local Government and Other Legislation Amendment Bill 2006—**

Amendments made to Bill—

**Short title and consequential references to short title—**

Omit—

'Local Government and Other Legislation Amendment Act 2006'

Insert—

'Local Government and Other Legislation Amendment Act 2007'.

**MINISTERIAL STATEMENTS** ([Record of Proceedings p.1490](#))

Ministerial statements were made.

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

Report to Honourable Warren Pitt MP, Minister for Communities, Disability Services and Seniors, by the Hon W J Carter QC, dated July 2006, titled *Challenging Behaviour and Disability – A Targeted Response*

Media release, dated 22 May 2007, by the Minister for Disability Services, titled *Queensland Government approves \$113 million response to Carter Report*

Report by Dr Heather Beattie on overseas visits to Hong Kong, Korea and the USA from 30 April to 14 May 2007 and related publications

Copy of program for ANZOG/Griffith University Centre for Governance and Public Policy symposium titled *The Fitzgerald Inquiry – 20 years on* to be held on 22 May 2007

Media release, dated 22 May 2007, by the Premier titled *Queensland Toughens Position on Share Ownership and Directorships for Ministers and Parliamentary Secretaries*

Copy of speech to be presented by the Premier to ANZOG/Griffith University Centre for Governance and Public Policy symposium titled *The Fitzgerald Inquiry – 20 years on* to be held on 22 May 2007

Statements continued.

*Paper:* Minister for Local Government, Planning and Sport (Mr Fraser), during his statement, tabled the following paper—

Report by Queensland Treasury Corporation, dated 21 May 2007, titled *Updated Interim Report – Financial Sustainability Review of Local Governments in Queensland*

Statements continued.

*Papers:* 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 papers—

Report by Disability Services Queensland, undated, titled *Investing in Positive Futures - the Queensland Government's Response to a report by the Honourable W J Carter QC, Challenging Behaviours and Disability – A Targeted Response – Overview*



Report by Disability Services Queensland, undated, titled *Investing in Positive Futures - Response to Recommendations*

Statements continued.

Statements concluded.

#### **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. 5 of 2007

#### **PRIVATE MEMBER'S STATEMENT** ([Record of Proceedings p.1501](#))

A private Member's statement was made.

#### **QUESTIONS WITHOUT NOTICE** ([Record of Proceedings p.1502](#))

Questions without notice were asked.

*Papers:* Minister for Local Government, Planning and Sport (Mr Fraser) tabled the following papers—  
Copies of pages 164–165 of the Budget Strategy and Outlook 2006–07

Questions continued.

*Paper:* Premier and Minister for Trade (Mr Beattie) tabled the following paper—  
Copy of letter, dated 5 April 2007, from Mr Lawrence Springborg MP, to the Minister for Local Government, Planning and Sport (Mr Fraser) relating to a deputation from the Warwick Shire Council

Questions continued.

Questions concluded.

#### **MATTERS OF PUBLIC INTEREST** ([Record of Proceedings p.1514](#))

Matters of public interest were debated.

*Paper:* Dr Flegg, during his speech, tabled the following paper—  
Copy of an advertisement in *The Sunday-Mail*, dated 20 May 2007, titled *I'm Wazza: I'm building our water grid*

Debate continued.

Debate concluded.

#### **QUEENSLAND BUILDING SERVICES AUTHORITY AND OTHER LEGISLATION AMENDMENT BILL** ([Record of Proceedings p.1525](#))

Minister for Public Works, Housing and Information and Communication Technology (Mr Schwarten) presented a Bill for an Act to amend the *Queensland Building Services Authority Act 1991* and other Acts and 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 Stevens moved – That the debate be now adjourned.

Question put and agreed to.

#### **WINE INDUSTRY AMENDMENT BILL** ([Record of Proceedings p.1526](#))

Minister for Tourism, Fair Trading, Wine Industry Development and Women (Mrs Keech) presented a Bill for an Act to amend the *Wine Industry Act 1994* and Explanatory Notes and moved – That the Bill be now read a first time.

Question put and agreed to.

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

Debate ensued.

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

#### **ENVIRONMENTAL PROTECTION AMENDMENT BILL** ([Record of Proceedings p.1528](#))

Minister for Environment and Multiculturalism (Ms Nelson-Carr) presented a Bill for an Act to amend the *Environmental Protection Act 1994* and Explanatory Notes and moved – That the Bill be now read a first time.

Question put and agreed to.

Ms Nelson-Carr moved – That the Bill be now read a second time.

Debate ensued.

Mr Stevens moved – That the debate be now adjourned.

Question put and agreed to.

#### **LOTTERIES AMENDMENT BILL** ([Record of Proceedings p.1530](#))

Order of the day read for the adjourned debate on the motion of the Deputy Premier, Treasurer and Minister for Infrastructure (Ms Bligh) – That the Bill be now read a second time.

Debate ensued.

*Papers:* Dr Flegg, during his speech, tabled the following papers—

Press release, dated 22 May 2005, issued by the Premier and Minister for Trade (Mr Beattie) relating to the Golden Casket Lottery Corporation  
Diagram titled *Transaction Structure Diagram* and notes relating to changes to lottery arrangements

Debate continued.

*Paper:* Ms Bligh, during her speech, tabled the following paper—

Explanatory Notes to Ms Bligh's amendments to the Lotteries Amendment Bill

Debate ensued.

Question put and agreed to.

Bill read a second time.

*Consideration in detail—*

Clauses 1 to 49, as read, agreed to.

Clause 50 (Insertion of new ss 131A and 131B)—

The following amendments were proposed by Ms Bligh—

At page 28, line 26, '**consolidated fund**'—

*omit, insert—*

'**Treasurer's unclaimed moneys fund**'.

At page 29, line 15, 'consolidated fund'—

*omit, insert—*

'Treasurer's unclaimed moneys fund'.

At page 29, line 16, 'consolidated fund'—

*omit, insert—*

'Treasurer's unclaimed moneys fund'.

At page 29, lines 21 and 22, from 'must pay' to 'further appropriation'—

*omit, insert—*

'must—

(a) pay the amount from the Treasurer's unclaimed moneys fund; or

(b) if the amount has been paid into the consolidated fund under the *Financial Administration and Audit Act 1977*, section 46(3), pay the amount from the consolidated fund without further appropriation'.

At page 29, after line 25—

*insert—*

'**Treasurer's unclaimed moneys fund** means the fund by that name kept under the *Financial Administration and Audit Act 1977*, section 46.'

Debate ensued.

Question – That Ms Bligh's amendments be agreed to – put and agreed to.

Clause 50, as amended, agreed to.

Clauses 51 to 62, as read, agreed to.

Clause 63 (Insertion of new pt 12, div 6)—

The following amendment was proposed by Ms Bligh—

At page 45, lines 1 and 2, '**into, and out of, the consolidated fund**'—

*omit.*

Debate ensued.

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

Clause 63, as amended, agreed to.

Clauses 64 to 67, as read, agreed to.

Schedules 1 and 2, as read, agreed to.

*Consideration in detail completed—*

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

Question put and agreed to.

Bill, as amended, read a third time.

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

Question put and agreed to.

# **INDUSTRIAL RELATIONS ACT AND OTHER LEGISLATION AMENDMENT BILL** ([Record of Proceedings p.1543](#))

Order of the day read for the adjourned debate on the motion of the Minister for State Development, Employment and Industrial Relations (Mr Mickel) – 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 29, as read, agreed to.

Clause 30 (Insertion of new ch 8A)—

The following amendment was proposed by Miss Simpson—

At page 25, after line 30—

*insert—*

'(ha)to investigate allegations of intimidation and bullying of public service employees and other employees of public sector units in relation to industrial relations and other work-related matters;'.  
'

Debate ensued.

Question put – That Miss Simpson's amendment be agreed to.

The House divided.

## **AYES 28—**

<i>Copeland</i>	<i>Elmes</i>	<i>Hopper</i>	<i>Malone</i>	<i>Pratt</i>	<i>Stevens</i>
<i>Cripps</i>	<i>Flegg</i>	<i>Horan</i>	<i>McArdle</i>	<i>Rickuss *</i>	<i>Stuckey</i>
<i>Cunningham</i>	<i>Foley</i>	<i>Langbroek</i>	<i>Menkens</i>	<i>Seeney</i>	<i>Wellington</i>
<i>Dempsey</i>	<i>Gibson</i>	<i>Lee Long</i>	<i>Messenger</i>	<i>Simpson</i>	
<i>Dickson *</i>	<i>Hobbs</i>	<i>Lingard</i>	<i>Nicholls</i>	<i>Springborg</i>	

## **NOES 50—**

<i>Attwood</i>	<i>Gray</i>	<i>Lucas</i>	<i>Palaszczyk</i>	<i>Shine</i>	<i>Welford</i>
<i>Barry</i>	<i>Hayward</i>	<i>McNamara</i>	<i>Pearce</i>	<i>Smith</i>	<i>Wells</i>
<i>Bligh</i>	<i>Hinchliffe</i>	<i>Mickel</i>	<i>Pitt</i>	<i>Spence</i>	<i>Wendt</i>
<i>Bombolas</i>	<i>Jarratt</i>	<i>Miller</i>	<i>Purcell</i>	<i>Stone</i>	<i>Wettenhall</i>
<i>Choi</i>	<i>Jones</i>	<i>Moorhead</i>	<i>Reeves</i>	<i>Struthers</i>	<i>Wilson</i>
<i>Darling</i>	<i>Keech</i>	<i>Mulherin</i>	<i>Reilly</i>	<i>Sullivan</i>	
<i>English</i>	<i>Lavarch</i>	<i>Nelson–Carr</i>	<i>Roberts</i>	<i>Van Litsenburg</i>	
<i>Fenlon</i>	<i>Lawlor</i>	<i>Nolan *</i>	<i>Schwarten</i>	<i>Wallace</i>	
<i>Finn *</i>	<i>Lee</i>	<i>O'Brien</i>	<i>Scott</i>	<i>Weightman</i>	

*Tellers \**

Question negatived.

Clause 30, as read, agreed to.

Clauses 31 to 79, as read, agreed to.

Schedule, as read, agreed to.

*Consideration in detail completed—*

Mr Mickel moved – That the Bill be now read a third time.

Question put.

The House divided.

AYES 51—

Attwood	Finn *	Lee	O'Brien	Scott	Weightman
Barry	Gray	Lucas	Palaszcuk	Shine	Welford
Bligh	Hayward	McNamara	Pearce	Smith	Wells
Bombolas	Hinchliffe	Mickel	Pitt	Spence	Wendt
Choi	Jarratt	Miller	Purcell	Stone	Wettenhall
Cunningham	Jones	Moorhead	Reeves	Struthers	Wilson
Darling	Keech	Mulherin	Reilly	Sullivan	
English	Lavarch	Nelson–Carr	Robertson	Van Litsenburg	
Fenlon	Lawlor	Nolan *	Schwarten	Wallace	

NOES 27 —

Copeland	Flegg	Horan	McArdle	Rickuss *	Stuckey
Cripps	Foley	Langbroek	Menkens	Seeney	Wellington
Dempsey	Gibson	Lee Long	Messenger	Simpson	
Dickson *	Hobbs	Lingard	Nicholls	Springborg	
Elmes	Hopper	Malone	Pratt	Stevens	

*Tellers \**

Question agreed to.

Bill read a third time.

Mr Mickel moved – That the long title of the Bill be agreed to.

Question put and agreed to.

## **LEGAL PROFESSION BILL** ([Record of Proceedings p.1567](#))

Order of the day read for the adjourned debate on the motion of the Attorney–General and Minister for Justice and Minister Assisting the Premier in Western Queensland (Mr Shine) – That the Bill be now read a second time.

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

Explanatory Notes to Mr Shine's amendments to the Legal Profession 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 Mr Shine—

At page 34, lines 7 and 8—

*omit, insert—*

'This Act, other than the following provisions, commences on a day to be fixed by proclamation—

- part 3.2, divisions 1 to 4, other than sections 217, 223 and 226
- part 7.6, division 6, other than section 698.'

Debate ensued.

Question – That Mr Shine's amendment be agreed to – put and agreed to.

Clause 2, as amended, agreed to.

Clauses 3 to 222, as read, agreed to.

Clause 223 (Public notice of proposed legal profession rules)—

The following amendment was proposed by Mr Shine—

At page 177, line 14, after 'that'—

*insert—*

', after the commencement of this section,'.

Question – That Mr Shine's amendment be agreed to – put and agreed to.

Clause 223, as amended, agreed to.

Clauses 224 to 231, as read, agreed to.

Clause 232 (Indemnity rules)—

The following amendments were proposed by Mr Shine—

At page 186, lines 33 and 34, 'an incorporated legal'—

*omit, insert—*

'a law'.

At page 186, line 37, 'an incorporated legal'—

*omit, insert—*

'a law'.

Question – That Mr Shine's amendments be agreed to – put and agreed to.

Clause 232, as amended, agreed to.

Clauses 233 to 300, as read, agreed to.

Clause 301 (Terms relating to third party payers)—

The following amendment was proposed by Mr Shine—

At page 228, line 25, after 'A third'—

*insert—*

'party'.

Debate ensued.

Question – That Mr Shine's amendment be agreed to – put and agreed to.

Clause 301, as amended, agreed to.

Clauses 302 to 318, as read, agreed to.

Clause 319 (On what basis are legal costs recoverable)—

The following amendments were proposed by Mr Shine—

At page 242, line 5, 'Subject'—

*omit, insert—*

'(1) Subject'.

At page 242, after line 16—

*insert—*

'(2) Subsection (1) does not apply in relation to the recovery of legal costs for work by a barrister retained, before the relevant day, to perform that work.

'(3) In this section—

**relevant day** means the day that is 6 months after the day of commencement of this section.'

Debate ensued.

Question – That Mr Shine's amendments be agreed to – put and agreed to.

Clause 319, as amended, agreed to.

Clauses 320 to 351, as read, agreed to.

Clause 352 (Ordinary protection and immunity allowed)—

The following amendments were proposed by Mr Shine—

At page 265, lines 31 and 32, and page 266, lines 1 and 2—

*omit, insert—*

'(2) A party appearing in a costs assessment has the same protection and immunity the party would have if the costs assessment were a proceeding being heard before the Supreme Court.'

At page 266, after line 9—

*insert—*

'(5) In this section—

**party** includes a party's lawyer or agent.'

Debate ensued.

Question – That Mr Shine's amendments be agreed to – put and agreed to.

Clause 352, as amended, agreed to.

Clauses 353 to 735, as read, agreed to.

Clause 736 (Failure to comply with Queensland Law Society Act 1952 after commencement and before relevant day)—

The following amendment was proposed by Mr Shine—

At page 488, line 3, after 'law practice'—

*insert—*

‘, other than a barrister,’.

Debate ensued.

Question – That Mr Shine's amendment be agreed to – put and agreed to.

Clause 736, as amended, agreed to.

Clauses 737 to 770, as read, agreed to.

Schedule 1 (Acts amended)—

The following amendments were proposed by Mr Shine—

At page 511, after line 2—

*insert—*

**‘Criminal Code**

**‘1 Section 436(4)—**

*insert—*

‘(g) a legal practitioner associate of a law practice, within the meaning of the *Legal Profession Act 2007*, if part 3.3 of that Act applies to the law practice.’.

**‘2 Section 568—**

*insert—*

‘(2A) For subsection (2), the reference to a trustee to whom the *Trust Accounts Act 1973* applies includes a legal practitioner associate of a law practice, within the meaning of the *Legal Profession Act 2007*, if part 3.3 of the *Legal Profession Act 2007* applies to the law practice.’.

**‘3 Section 641—**

*insert—*

‘(4) For subsection (1) or (3), the reference to a trustee within the meaning of the *Trust Accounts Act 1973* includes a legal practitioner associate of a law practice, within the meaning of the *Legal Profession Act 2007*, if part 3.3 of the *Legal Profession Act 2007* applies to the law practice.’.

At page 511, after line 3—

*insert—*

**‘1AA Section 9A(1), table, column 1, item 20, ‘as a legal practitioner’—**

*omit, insert—*

‘to the legal profession’.’.

At page 522, after line 1—

*insert—*

**‘1AA Sections 125(2), 160(4)(c) and 354(4)(b), ‘the *Trust Accounts Act 1973*’—**

*omit, insert—*

‘the *Legal Profession Act 2007*’.

**‘1AB Section 372(1)(b)—**

*omit, insert—*

‘(b) a law practice; or’.

**‘1AC Section 372—**

*insert—*

‘(5) In this section—

***law practice*** means any of the following, within the meaning of the *Legal Profession Act 2007*, that has an office in Queensland—

(a) an Australian legal practitioner who is a sole practitioner but not a barrister under that Act;

(b) a law firm;

(c) an incorporated legal practice;

(d) a multi-disciplinary partnership.’.

Question – That Mr Shine's amendments be agreed to – put and agreed to.

Schedule 1, as amended, agreed to.

Schedule 2, as read, agreed to.

*Consideration in detail completed—*

Mr Shine moved – That the Bill, as amended, be read a third time.

Question put and agreed to.

Bill, as amended, read a third time.

Mr Shine moved – That the long title of the Bill be agreed to.

Question put and agreed to.

# **PROCEDURE – ERROR IN DIVISION TALLY – AMENDMENT OF RECORD**

Deputy Speaker (Mr O'Brien) made the following statement—

‘Honourable Members—

It has come to the attention of the Chair that there were errors in calculating the votes on the tellers’ sheets in the two divisions held earlier this evening on the two votes on the Industrial Relations Act and Other Legislation Amendment Bill.

The errors do not affect the outcome of the votes, but the tellers have adjusted the tally sheets and the record needs to be corrected.

The result of the first division was in fact Ayes 28 and Noes 50.

The result of the second division was in fact Ayes 51 and Noes 27.

I have instructed the Clerk to amend the records accordingly.’

## **ADJOURNMENT** ([Record of Proceedings p.1587](#))

Acting Leader of the House (Mr Shine) moved – That the House do now adjourn.

Debate ensued.

Question put and agreed to.

The House adjourned at 10.16 pm.

## **ATTENDANCE**

The following Members were present—

<i>Attwood</i>	<i>English</i>	<i>Johnson</i>	<i>McNamara</i>	<i>Purcell</i>	<i>Stevens</i>
<i>Barry</i>	<i>Fenlon</i>	<i>Jones</i>	<i>Menkens</i>	<i>Reeves</i>	<i>Stone</i>
<i>Beattie</i>	<i>Finn</i>	<i>Keech</i>	<i>Messenger</i>	<i>Reilly</i>	<i>Struthers</i>
<i>Bligh</i>	<i>Flegg</i>	<i>Kiernan</i>	<i>Mickel</i>	<i>Reynolds</i>	<i>Stuckey</i>
<i>Bombolas</i>	<i>Foley</i>	<i>Knuth</i>	<i>Miller</i>	<i>Rickuss</i>	<i>Sullivan</i>
<i>Boyle</i>	<i>Fraser</i>	<i>Langbroek</i>	<i>Moorhead</i>	<i>Roberts</i>	<i>Van Litsenburg</i>
<i>Choi</i>	<i>Gibson</i>	<i>Lavarch</i>	<i>Mulherin</i>	<i>Robertson</i>	<i>Wallace</i>
<i>Copeland</i>	<i>Gray</i>	<i>Lawlor</i>	<i>Nelson–Carr</i>	<i>Schwarten</i>	<i>Weightman</i>
<i>Cripps</i>	<i>Hayward</i>	<i>Lee</i>	<i>Nicholls</i>	<i>Scott</i>	<i>Welford</i>
<i>Croft</i>	<i>Hinchliffe</i>	<i>Lee Long</i>	<i>Nolan</i>	<i>Seeney</i>	<i>Wellington</i>
<i>Cunningham</i>	<i>Hobbs</i>	<i>Lingard</i>	<i>O'Brien</i>	<i>Shine</i>	<i>Wells</i>
<i>Darling</i>	<i>Hoolihan</i>	<i>Lucas</i>	<i>Palaszczuk</i>	<i>Simpson</i>	<i>Wendt</i>
<i>Dempsey</i>	<i>Hopper</i>	<i>Male</i>	<i>Pearce</i>	<i>Smith</i>	<i>Wettenhall</i>
<i>Dickson</i>	<i>Horan</i>	<i>Malone</i>	<i>Pitt</i>	<i>Spence</i>	<i>Wilson</i>
<i>Elmes</i>	<i>Jarratt</i>	<i>McArdle</i>	<i>Pratt</i>	<i>Springborg</i>	

**M F REYNOLDS**  
**SPEAKER**

**N J LAURIE**  
**CLERK OF THE PARLIAMENT**