



## LEGISLATIVE ASSEMBLY OF QUEENSLAND

### 1<sup>ST</sup> SESSION OF THE 52<sup>ND</sup> PARLIAMENT

# VOTES AND PROCEEDINGS

NO. 34 – THURSDAY, 9 AUGUST 2007

## CONTENTS

MEETING OF THE ASSEMBLY .....	376
SPEAKER'S STATEMENT – LOCAL GOVERNMENT REFORM IMPLEMENTATION BILL .....	376
AUDITOR-GENERAL – REPORT .....	376
REGISTER OF MEMBERS' INTERESTS – TWENTIETH REPORT.....	376
PETITIONS.....	376
MINISTERIAL PAPER TABLED BY THE CLERK.....	377
MINISTERIAL STATEMENTS (Record of Proceedings p.2454) .....	377
MOTION WITHOUT NOTICE – HOURS AND ORDER OF BUSINESS FOR TODAY .....	377
PUBLIC ACCOUNTS COMMITTEE – PAPER .....	377
REPORT.....	377
MINISTERIAL PAPER.....	377
NOTICE OF MOTION – DISALLOWANCE OF STATUTORY INSTRUMENT .....	378
CRIMINAL CODE (ASSAULT CAUSING DEATH) AMENDMENT BILL (Record of Proceedings p.2465) .....	378
PRIVATE MEMBERS' STATEMENTS (Record of Proceedings p.2466).....	378
QUESTIONS WITHOUT NOTICE (Record of Proceedings p.2468) .....	378
MINISTERIAL STATEMENTS (Record of Proceedings p.2480) .....	378
MINISTERIAL PAPERS .....	379
APPROPRIATION (PARLIAMENT) BILL AND APPROPRIATION BILL (Record of Proceedings p.2483) .....	379
LOCAL GOVERNMENT REFORM IMPLEMENTATION BILL (Record of Proceedings p.2483) .....	379
MOTION WITHOUT NOTICE – LOCAL GOVERNMENT REFORM IMPLEMENTATION BILL – REMAINING STAGES (Record of Proceedings p.2583) .....	380
LOCAL GOVERNMENT REFORM IMPLEMENTATION BILL (Record of Proceedings p.2586) .....	381
SPEAKER'S STATEMENT – PARLIAMENTARY STAFF .....	387
SPECIAL ADJOURNMENT.....	387
ADJOURNMENT (Record of Proceedings p.2618).....	387
ATTENDANCE .....	387

**MEETING OF THE ASSEMBLY**

The Assembly met at 9.30 am, pursuant to adjournment. The 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.

**SPEAKER'S STATEMENT – LOCAL GOVERNMENT REFORM IMPLEMENTATION BILL**

Mr Speaker made the following statement—

'Honourable Members—

I indicate to all Members that today is an important day—our last day of sitting. I thank Members for their consideration over the last two days with regard to how the Parliament has been working. I also want to indicate that the bill before the House today—the Local Government Reform Implementation Bill—is an important one for all parliamentarians. I want to say this, first of all, to Members of the Government and to Members of the Opposition: the people who will be speaking on this Bill today have a very strong right to be able to speak and to enunciate their clear convictions and feelings with regard to this issue. Sometimes people will feel strongly and will speak strongly.

I say to all Members of Parliament—Members of the Government front bench and the Government back bench—that you may not like what some of the Members of the Opposition are saying. However, we need to respect their right to speak. Everyone in this Parliament has the right to their own convictions.

Rather than goading or interjecting at a rapid rate from either side, let us make sure that the Local Government Reform Implementation Bill can be debated respecting the convictions and the statements of each Member of the Parliament.'

**AUDITOR-GENERAL – REPORT**

Mr Speaker tabled the following report—

*Auditor-General of Queensland—*

Report to Parliament No. 5 for 2007 titled *Results of Audits as at 31 May 2007*

**REGISTER OF MEMBERS' INTERESTS – TWENTIETH REPORT**

Mr Speaker tabled the following report—

Twentieth Report on the Register of Members' Interests, dated 3 August 2007

**PETITIONS**

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

Ms van Litsenburg, from 11,113 petitioners, requesting the House to not amalgamate Redcliffe City with any other local government and to consider extending Redcliffe's boundaries to surrounding area that border Moreton Bay

Mr English, from 562 petitioners, requesting the House to build a toll bridge to North Stradbroke Island via Russell Island.

Dr Flegg, from 3,757 petitioners, requesting the House to allow students in Mt Crosby, Karana Downs, Karalee and Chuwar access to Kenmore State High School and to plan for the construction of a new high school within this area.

Mr O'Brien, from 1,942 petitioners, requesting the House to strongly oppose the forced amalgamation of Douglas Shire Council.

Mr O'Brien, from 504 petitioners, requesting the House to save the Port Douglas and District Combined Clubs.

Mr Dempsey, from 281 petitioners, requesting the House to ask Main Roads to install traffic lights at the entrance to the IGA shopping complex on Queen Street, North Bundaberg.

### MINISTERIAL PAPER TABLED BY THE CLERK

The following ministerial paper was tabled by The Clerk—

*Deputy Premier, Treasurer and Minister for Infrastructure (Ms Bligh)—*

Statement of Reasons as to why the Coordinator-General has delegated to Queensland Water Infrastructure Pty Ltd the power contained in section 138(1) of the *State Development and Public Works Organisation Act 1971* in relation to the Cedar Grove Weir

### MINISTERIAL STATEMENTS ([Record of Proceedings p.2454](#))

Ministerial statements were made.

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

Report by the Service Delivery and Performance Commission titled *Report on the Review of the Department of Communities, Disability Services Queensland and the former Department of Aboriginal and Torres Strait Islander Policy*, dated April 2007

Report by the Service Delivery and Performance Commission titled *Report on Review of Purchasing and Logistics in the Queensland Government*, dated April 2007

Report by the Department of Infrastructure titled *Northern Economic Triangle Infrastructure Plan 2007-2012*

Report by the Department of Infrastructure titled *Northern Economic Triangle Progress Report*, dated August 2007

Aerial photo titled *Plan of the Gold Coast Marine Development Project*

Queensland Government publication titled *Queensland Indigenous economic development and employment - making it real*

Department of Tourism, Fair Trading and Wine Industry Development document titled *Cape York Peninsula & Torres Strait Tourism Development Action Plan*, dated July 2007

Copy of a letter, dated 7 August 2007, from Tom Gilmore to the Editor, *Atherton Tablelander* titled *Seize the initiative*

Statements continued.

Statements concluded.

### MOTION WITHOUT NOTICE – HOURS AND ORDER OF BUSINESS FOR TODAY

Leader of the House (Mr Schwarten), by leave, moved – That the House be able to meet after 10.00 pm this evening, following a dinner break from 6.30 pm to 7.30 pm.

Motion seconded by the Minister for Police and Corrective Services (Ms Spence).

Question put and agreed to.

### PUBLIC ACCOUNTS COMMITTEE – PAPER

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

*Public Accounts Committee—*

Report No 75 – Annual Report 2006-07

### REPORT

The following report was tabled—

*Mr Gibson—*

Report on overseas visit to Singapore's Newater Facilities, Pub Waterhub, SingSpring Desalination Plant from 30 April to 7 May 2007

### MINISTERIAL PAPER

The following ministerial paper was tabled—

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

Electoral Commission Queensland : Report titled *Research Report 1/2007, Queensland Election 2006 Ballot Paper Survey*

#### **NOTICE OF MOTION – DISALLOWANCE OF STATUTORY INSTRUMENT**

Mr Hopper gave notice that he will move – That the Natural Resources and Water Legislation Amendment Regulation (No. 1) 2007, (Subordinate Legislation 2007 No. 98), tabled in the Parliament on 5 June 2007, be disallowed.

#### **CRIMINAL CODE (ASSAULT CAUSING DEATH) AMENDMENT BILL** ([Record of Proceedings p.2465](#))

Member for Caloundra (Mr McArdle) presented a Bill for an Act to amend the Criminal Code and Explanatory Notes and moved – That the Bill be now read a first time.

Question put and agreed to.

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

Debate ensued.

Attorney-General and Minister for Justice and Minister Assisting the Premier in Western Queensland (Mr Shine) moved – That the debate be now adjourned.

Question put and agreed to.

#### **PRIVATE MEMBERS' STATEMENTS** ([Record of Proceedings p.2466](#))

Private Members' statements were made.

#### **QUESTIONS WITHOUT NOTICE** ([Record of Proceedings p.2468](#))

Questions without notice were asked.

*Papers:* Minister for Transport and Main Roads (Mr Lucas) tabled the following papers—

Copy of a Liberal Party poster

Copy of an article from the *Northside Chronicle* dated 21 June 2006, titled *Clash over crossings*

Copy of a letter, dated 12 October 2005, from Mr Lucas to the Leader of the Liberal Party (Dr Flegg) relating to the western Brisbane transport network investigation

Pages from the website of Bruce Flegg, downloaded on 9 August 2007, titled *Flegg's first 12 months in the job*

Transcript from the 18:00 news on ABC 612 Brisbane, dated 14 May 2007

Transcript from the Drive program on ABC 612 Brisbane, dated 14 May 2007

Questions continued.

*Paper:* Minister for Police and Corrective Services (Ms Spence) tabled the following paper—

Document by the Queensland Police Union of Employees detailing rates of pay in the proposed EBA5

Questions continued.

Questions concluded.

#### **MINISTERIAL STATEMENTS** ([Record of Proceedings p.2480](#))

Ministerial statements, by leave, were made.

*Papers:* Deputy Premier, Treasurer and Minister for Infrastructure (Ms Bligh), during her statement, tabled the following papers—

Copy of a document titled *Gold Coast City Council Local Law No. 10 (water carriers)*

Copy of a document titled *Gold Coast City Council Local Law Policy No. 10 (water carriers)*

Copy of Ms Bligh's letter to councils relating to the use of town water by water carriers to fill rainwater tanks

Statements continued.

Statements concluded.

## MINISTERIAL PAPERS

The following Ministerial papers, by leave, were tabled—

*Minister for Local Government, Planning and Sport (Mr Fraser)—*

Amendments to the Local Government Reform Implementation Bill to be moved by Mr Fraser during consideration in detail

Explanatory Notes for Mr Fraser's amendments to the Local Government Reform Implementation Bill

## APPROPRIATION (PARLIAMENT) BILL AND APPROPRIATION BILL ([Record of Proceedings p.2483](#))

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

Question put and agreed to.

Bills read a third time.

Ms Bligh moved – That the long titles of the Bills be agreed to.

Question put and agreed to.

## LOCAL GOVERNMENT REFORM IMPLEMENTATION BILL ([Record of Proceedings p.2483](#))

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.

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

Minutes of the general meeting of the Calliope Shire Council held at the Calliope Chambers on 15 June 2007

Debate continued.

*Paper:* Minister for Public Works, Housing and Racing (Mr Schwarten), during his speech, tabled the following paper—

Document outlining the history of local government areas in Queensland

Debate continued.

*Papers:* Mr Lawlor, during his speech, tabled the following papers—

Copies of various media articles relating to the Maroochydore Shire Council

Debate continued.

*Papers:* Mr Elmes, during his speech, tabled the following papers—

Copies of various media articles and other documents relating to the Noosa Shire Council and proposed amalgamations of local authorities

Debate continued.

*Papers:* Mr Springborg, during his speech, tabled the following papers—

Copy of documents relating to results of surveys by Thomas Direct Pty Ltd relating to proposed amalgamations involving Stanthorpe and Inglewood Shires

Copy of extracts from *Local Government Act 1993*

Debate continued.

*Paper:* Ms Stone, by leave, during her speech, tabled the following paper—

Copy of an article from the *Albert and Logan News*, dated 10 August 2007, titled *Logan – where to now?*

Debate continued.

*Papers:* Mr Wellington, during his speech, tabled the following papers—

Bundle of documents making submissions relating to proposed amalgamations of local authorities

Letter, dated 7 August 2007, from Colleen Brady, Secretary, Montville Village Association Inc to Mr Wellington MP relating to iconic status for the Montville/Flaxton area

Debate continued.

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

Letter, dated 16 July 2007, from P Ruddick, Divisional Returning Officer, Division of Capricornia (Australian Electoral Commission) to a certain person relating to their application for electoral enrolment

Debate continued.

*And the House having continued to sit till 12 midnight—*

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FRIDAY, 10 AUGUST 2007

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Debate continued.

Leader of the House (Mr Swarten) moved – That the debate be now adjourned.

Question put – That the debate be now adjourned.

The House divided.

AYES 54—

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

NOES 28—

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

*Tellers \**

Question agreed to.

**MOTION WITHOUT NOTICE – LOCAL GOVERNMENT REFORM IMPLEMENTATION BILL – REMAINING STAGES** ([Record of Proceedings p.2583](#))

Leader of the House (Mr Swarten), by leave, moved – That under the provisions of Standing Order 159, and notwithstanding anything contained in standing and sessional orders, the following time limits apply to enable the Local Government Reform Implementation Bill to be passed through its remaining stages at this day's sitting—

- (a) Conclusion of all second reading speeches, except the Minister in reply by 1.30 am;
- (b) Conclusion of second reading by 1.50 am;
- (c) Consideration in detail to be completed by 3.50 am;
- (c) Third reading by 3.55 am; and
- (d) Long Title agreed to by 4.00 am.

If consideration of the Bill has not been completed by the times specified, Mr Speaker shall put all remaining questions necessary to pass the Bill, including clauses, schedules and any amendments to be moved by the Minister in charge of the Bill en bloc, without further amendment or debate.

Motion seconded by the Minister for Local Government, Planning and Sport (Mr Fraser).

Debate ensued.

*And the Leader of the House having been called by the Deputy Speaker—*

Mr Lingard moved – That the Leader of the House be not heard.  
The House divided.

AYES 28—

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

NOES 54—

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

*Tellers \**

Question negatived.

Debate ensued.

Question put – That the motion be agreed to.

The House divided.

AYES 55—

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

NOES 28—

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

*Tellers \**

Question agreed to.

**LOCAL GOVERNMENT REFORM IMPLEMENTATION BILL** ([Record of Proceedings p.2586](#))

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.

*And the time allocated for the second reading debate having expired—*

Question put.

The House divided.

## AYES 54—

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

## NOES 28—

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

*Tellers \**

Question agreed to.

Bill read a second time.

*Consideration in detail—*

Clause 1 (Short title)—

The following amendment was proposed by Mr Hobbs—

At page 8, line 4, 'Reform Implementation'—

*omit, insert—*

*'Community Destruction'.*

Debate ensued.

Question put – That Mr Hobbs' amendment be agreed to.

The House divided.

## AYES 28—

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

## NOES 52—

<i>Attwood</i>	<i>Finn *</i>	<i>Kiernan</i>	<i>Moorhead</i>	<i>Roberts</i>	<i>Wallace</i>
<i>Barry</i>	<i>Fraser</i>	<i>Lavarch</i>	<i>Mulherin</i>	<i>Schwarten</i>	<i>Weightman</i>
<i>Beattie</i>	<i>Gray</i>	<i>Lawlor</i>	<i>Nelson–Carr</i>	<i>Scott</i>	<i>Welford</i>
<i>Bligh</i>	<i>Hayward</i>	<i>Lee</i>	<i>Nolan</i>	<i>Shine</i>	<i>Wells</i>
<i>Bombolas</i>	<i>Hinchliffe</i>	<i>Lucas</i>	<i>O'Brien</i>	<i>Smith</i>	<i>Wendt</i>
<i>Boyle</i>	<i>Hoolihan</i>	<i>Male *</i>	<i>Palaszczuk</i>	<i>Spence</i>	<i>Wettenhall</i>
<i>Choi</i>	<i>Jarratt</i>	<i>McNamara</i>	<i>Pearce</i>	<i>Stone</i>	<i>Wilson</i>
<i>Croft</i>	<i>Jones</i>	<i>Mickel</i>	<i>Reeves</i>	<i>Sullivan</i>	
<i>Fenlon</i>	<i>Keech</i>	<i>Miller</i>	<i>Reilly</i>	<i>Van Litsenburg</i>	

*Tellers \**

Question negatived.

Clause 1, as read, agreed to.

Clause 2, as read, agreed to.

Clause 3 (Amendment of s 18 (Declaration of classes of local government areas))—

Debate ensued.

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

Transcript from ABC Tropical North Breakfast Program, dated 6 August 2007, with Dr John Rolfe, Professor for Regional Economic Development, Central Queensland University regarding council amalgamations

Debate continued.

Question put – That Clause 3, as read, stand part of the Bill.

The House divided.

AYES 52—

Attwood	Finn *	Kiernan	Moorhead	Roberts	Wallace
Barry	Fraser	Lavarch	Mulherin	Schwarten	Weightman
Beattie	Gray	Lawlor	Nelson–Carr	Scott	Welford
Bligh	Hayward	Lee	Nolan	Shine	Wells
Bombolas	Hinchliffe	Lucas	O'Brien	Smith	Wendt
Boyle	Hoolihan	Male *	Palaszczuk	Spence	Wettenhall
Choi	Jarratt	McNamara	Pearce	Stone	Wilson
Croft	Jones	Mickel	Reeves	Sullivan	
Fenlon	Keech	Miller	Reilly	Van Litsenburg	

NOES 28—

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

Tellers \*

Question agreed to.

Clause 4, as read, agreed to.

Clause 5 (Insertion of new ch 3, pt 1B)—

The following amendment was proposed by Mr Hobbs—

At page 9, line 11 to page 46, line 23—

*omit, insert—*

**'Part 1B Parliament's response to report of Local Government Reform Commission**

**'159Z Purpose of pt 1B**

'The purpose of this part is to provide for how the reform commission recommendations are to be dealt with.

**'159ZA Application of pt 1B**

'(1) This part does not apply to the Brisbane City Council.

'(2) This part applies to Torres Strait Islander local governments.

**'159ZB Definitions for pt 1B**

'In this part—

**composition**, of a local government, means the number of councillors, including the mayor, of the local government.

**existing local government area** means a local government area as in existence on the commencement of this section.

**reform commission recommendation** means a recommendation of the reform commission included in the reform commission report.

**reform commission report** means the report of the reform commission under part 1A, given to the Minister under a letter of 27 July 2007.

**significant change** means any change to a local government that would give effect to a reform commission recommendation and that is, or that is in substance, any of the following—

- (a) the abolition of its local government area and its inclusion in the area of a new local government area;
- (b) the inclusion in its local government area of a part of another local government area;
- (c) the exclusion from its local government area of a part of its local government area.

**'159ZC 2008 quadrennial elections to proceed on current boundaries**

'(1) The 2008 quadrennial elections for all local governments must proceed on the basis of the local government area boundaries in existence on the commencement of this section.

'(2) However, the elections must be held on 15 March 2008 instead of 29 March 2008 as otherwise provided for in section 269(2).

**'159ZD Consideration of recommendations of the reform commission by referendum**

'(1) This section applies to a local government if it would be affected by the implementation of a significant change.

'(2) A referendum must be held in the whole of the local government area on the question on whether the significant change should be implemented.

'(3) Part 1, division 7 applies to the holding of the referendum as if it were, under that division, a compulsory referendum to be held in relation to a commission's proposed determination of a reviewable local government matter.

'(4) The referendum must be held in conjunction with the 2008 quadrennial elections for the local government.

**'159ZE Implementation of significant changes approved by referendum**

'(1) A regulation may be made under this part to implement a significant change if all local governments affected by the significant change have approved the change by a referendum held for the purposes of this part.

'(2) The regulation may include the implementation of other matters related to the significant change, including the division arrangements and composition of local governments, if the local governments affected by the significant change have been consulted on the matters.

'(3) The 2012 quadrennial elections must be conducted as if the significant change and related matters had been implemented, but the change and other matters do not take effect until the conclusion of the elections.'.

Debate ensued.

Question put – That Mr Hobbs' amendment be agreed to.

The House divided.

**AYES 28—**

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

**NOES 52—**

<i>Attwood</i>	<i>Finn</i>	<i>Kiernan</i>	<i>Moorhead</i>	<i>Roberts</i>	<i>Wallace</i>
<i>Barry</i>	<i>Fraser</i>	<i>Lavarch</i>	<i>Mulherin</i>	<i>Schwarten</i>	<i>Weightman</i>
<i>Beattie</i>	<i>Gray</i>	<i>Lawlor</i>	<i>Nelson-Carr</i>	<i>Scott</i>	<i>Welford</i>
<i>Bligh</i>	<i>Hayward</i>	<i>Lee</i>	<i>Nolan *</i>	<i>Shine</i>	<i>Wells</i>
<i>Bombolas</i>	<i>Hinchliffe</i>	<i>Lucas</i>	<i>O'Brien</i>	<i>Smith</i>	<i>Wendt</i>
<i>Boyle</i>	<i>Hoolihan</i>	<i>Male *</i>	<i>Palaszczuk</i>	<i>Spence</i>	<i>Wettenhall</i>
<i>Choi</i>	<i>Jarratt</i>	<i>McNamara</i>	<i>Pearce</i>	<i>Stone</i>	<i>Wilson</i>
<i>Croft</i>	<i>Jones</i>	<i>Mickel</i>	<i>Reeves</i>	<i>Sullivan</i>	
<i>Fenlon</i>	<i>Keech</i>	<i>Miller</i>	<i>Reilly</i>	<i>Van Litsenburg</i>	

*Tellers \**

Question negated.

The following amendments were proposed by Mr Fraser—

At page 29, after line 16—

*insert—*

'(3) The appointment may be made by way of seconding an employee of a local government required to be represented on the committee to the role of interim chief executive officer.'

At page 29, line 17, '(3)'—

*omit, insert—*

'(4)'

At page 29, lines 23 to 25—

*omit.*

At page 30, lines 11 and 12—

*omit, insert—*

'(a) a representative of each union whose members include employees of a local government required to be on the local transition committee; and'.

At page 30, after line 18—

*insert—*

'(4) In this section—

**union** means an employee association registered as an organisation under the *Industrial Relations Act 1999*.'

At page 45, lines 5 and 6, 'under chapter 6, part 2'—

*omit.*

At page 45, line 18, ', despite chapter 6, part 2,'—

*omit.*

At page 45, after line 25—

*insert—*

'(2A) If the poll mentioned in subsection (2) is to be conducted under chapter 6, part 2, the subsection applies despite that part.'

At page 46, after line 4—

*insert—*

**'conduct a poll**, means—

- (a) conduct a poll under chapter 6, part 2; or
- (b) take any action to request, arrange, assist, facilitate or cause a poll to be conducted by the Australian Electoral Commission or any other entity.

*Example of action to arrange a poll to be conducted—*  
advertise that the poll is to be conducted

**poll**, other than for a poll conducted under chapter 6, part 2, includes referendum and plebiscite, and any process similar to a poll, referendum or plebiscite.'

Debate ensued.

*And the time allocated for consideration of the remaining stages of the Bill having expired—*

Question put – That Clauses 5 to 22, the Schedule and Mr Fraser's amendments be agreed to, *viz—*

Clause 5—

At page 29, after line 16—

*insert—*

'(3) The appointment may be made by way of seconding an employee of a local government required to be represented on the committee to the role of interim chief executive officer.'

At page 29, line 17, '(3)'—

*omit, insert—*

'(4)'

At page 29, lines 23 to 25—

*omit.*

At page 30, lines 11 and 12—

*omit, insert—*

'(a) a representative of each union whose members include employees of a local government required to be on the local transition committee; and'

At page 30, after line 18—

*insert—*

'(4) In this section—

**union** means an employee association registered as an organisation under the *Industrial Relations Act 1999*.'

At page 45, lines 5 and 6, 'under chapter 6, part 2'—

*omit.*

At page 45, line 18, ', despite chapter 6, part 2,'—

*omit.*

At page 45, after line 25—

*insert—*

'(2A) If the poll mentioned in subsection (2) is to be conducted under chapter 6, part 2, the subsection applies despite that part.'

At page 46, after line 4—

*insert—*

**'conduct a poll**, means—

- (a) conduct a poll under chapter 6, part 2; or
- (b) take any action to request, arrange, assist, facilitate or cause a poll to be conducted by the Australian Electoral Commission or any other entity.

*Example of action to arrange a poll to be conducted—*  
advertise that the poll is to be conducted

**poll**, other than for a poll conducted under chapter 6, part 2, includes referendum and plebiscite, and any process similar to a poll, referendum or plebiscite.'

New Clauses 5A and 5B—

The following amendment was proposed by Mr Fraser—

At page 46, after line 23—

*insert—*

**'5A Amendment of s 160 (Procedures before exercise of certain powers)**

'Section 160(2), after paragraph (a)—

*insert—*

'(aa) the power is proposed to be exercised because of a contravention of section 159ZY(1); or'

**'5B Amendment of s 164 (Dissolution of local government)**

Section 164(1)(a), after 'unlawfully'—

*insert—*

', including by contravening section 159ZY(1);.'

Clause 19 (Insertion of new schs 1A-1C)

The following amendment was proposed by Mr Fraser—

At page 71, entry for Toowoomba, column 4, before 'divided'—

*insert—*

'area not'.

At pages 71 and 72, entries for Gold Coast, Ipswich, Logan and Mornington, column 3, 'LGTA'—  
omit, insert—  
'LGRB'.

At page 75, line 16, 'Beaudesert Shire'—  
omit, insert—  
'Gold Coast City'.

The House divided.

AYES 52—

<i>Attwood</i>	<i>Finn</i>	<i>Kiernan</i>	<i>Moorhead</i>	<i>Roberts</i>	<i>Wallace</i>
<i>Barry</i>	<i>Fraser</i>	<i>Lavarch</i>	<i>Mulherin</i>	<i>Schwarten</i>	<i>Weightman</i>
<i>Beattie</i>	<i>Gray</i>	<i>Lawlor</i>	<i>Nelson—Carr</i>	<i>Scott</i>	<i>Welford</i>
<i>Bligh</i>	<i>Hayward</i>	<i>Lee</i>	<i>Nolan *</i>	<i>Shine</i>	<i>Wells</i>
<i>Bombolas</i>	<i>Hinchliffe</i>	<i>Lucas</i>	<i>O'Brien</i>	<i>Smith</i>	<i>Wendt</i>
<i>Boyle</i>	<i>Hoolihan</i>	<i>Male *</i>	<i>Palaszczuk</i>	<i>Spence</i>	<i>Wettenhall</i>
<i>Choi</i>	<i>Jarratt</i>	<i>McNamara</i>	<i>Pearce</i>	<i>Stone</i>	<i>Wilson</i>
<i>Croft</i>	<i>Jones</i>	<i>Mickel</i>	<i>Reeves</i>	<i>Sullivan</i>	
<i>Fenlon</i>	<i>Keech</i>	<i>Miller</i>	<i>Reilly</i>	<i>Van Litsenburg</i>	

NOES 28—

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

*Tellers \**

Question agreed to.

*Consideration in detail completed—*

Question put – That the Bill, as amended, be now read a third time.

The House divided.

AYES 52—

<i>Attwood</i>	<i>Finn</i>	<i>Kiernan</i>	<i>Moorhead</i>	<i>Roberts</i>	<i>Wallace</i>
<i>Barry</i>	<i>Fraser</i>	<i>Lavarch</i>	<i>Mulherin</i>	<i>Schwarten</i>	<i>Weightman</i>
<i>Beattie</i>	<i>Gray</i>	<i>Lawlor</i>	<i>Nelson—Carr</i>	<i>Scott</i>	<i>Welford</i>
<i>Bligh</i>	<i>Hayward</i>	<i>Lee</i>	<i>Nolan *</i>	<i>Shine</i>	<i>Wells</i>
<i>Bombolas</i>	<i>Hinchliffe</i>	<i>Lucas</i>	<i>O'Brien</i>	<i>Smith</i>	<i>Wendt</i>
<i>Boyle</i>	<i>Hoolihan</i>	<i>Male *</i>	<i>Palaszczuk</i>	<i>Spence</i>	<i>Wettenhall</i>
<i>Choi</i>	<i>Jarratt</i>	<i>McNamara</i>	<i>Pearce</i>	<i>Stone</i>	<i>Wilson</i>
<i>Croft</i>	<i>Jones</i>	<i>Mickel</i>	<i>Reeves</i>	<i>Sullivan</i>	
<i>Fenlon</i>	<i>Keech</i>	<i>Miller</i>	<i>Reilly</i>	<i>Van Litsenburg</i>	

NOES 28—

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

*Tellers \**

Question agreed to.

Bill, as amended, read a third time.

Question put – That the long title of the Bill be agreed to.

The House divided.

**AYES 53—**

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

**NOES 28—**

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

*Tellers \**

Question agreed to.

**SPEAKER'S STATEMENT – PARLIAMENTARY STAFF**

Mr Speaker made the following statement—

'Honourable Members—

Before anyone leaves the chamber, I would like to make a comment before I call the Leader of the House. I take this opportunity to thank the staff of the Parliament. I want to particularly thank our Hansard reporters, who have had a very rugged three days. They have been here with us til this particular time and they are here for the Adjournment debate as well. There are seven Hansard reporters, two supervisory reporters and of course our Chief Reporter. Yesterday was an incredibly busy day with the Appropriation Bills. A hurried five-minute speech is actually very hard for our reporters—more so than a 20-minute full speech because of the rapidity of Members speaking at that particular time. Can we thank our Hansard reporters and all the other staff.

**SPECIAL ADJOURNMENT**

Leader of the House (Mr Schwarten) moved – That this House at its rising do adjourn until 9.30 am on Tuesday, 21 August 2007.

Question put and agreed to.

**ADJOURNMENT** ([Record of Proceedings p.2618](#))

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

Debate ensued.

Question put and agreed to.

The House adjourned at 4.39 am.

**ATTENDANCE**

The following Members were present—

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

**M F REYNOLDS  
SPEAKER**

**N J LAURIE  
CLERK OF THE PARLIAMENT**