

LEGISLATIVE ASSEMBLY OF QUEENSLAND

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

# **VOTES AND PROCEEDINGS**

# NO. 36 - WEDNESDAY, 22 AUGUST 2007

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#### ABSENCE OF THE SPEAKER

The Clerk informed the House of the absence of Mr Speaker for this morning's session and advised that the Deputy Speaker (Mr J M English) will take the Chair as Acting Speaker.

The Honourable Member for Keppel was nominated by Mr Acting Speaker as Deputy Speaker.

#### **MEETING OF THE ASSEMBLY**

The Assembly met at 9.30 am, pursuant to adjournment. The Acting Speaker (Mr J M English) read prayers.

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

# PRIVILEGE – MATTER RAISED – LOCAL GOVERNMENT REFORM (Record of Proceedings p.2725)

Premier and Minister for Trade (Mr Beattie) rose on a matter of privilege.

#### PETITIONS

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

Ms Lee Long, from 482 petitioners, requesting the House to allow the four Tableland Councils to continue to serve their shires in their existing forms.

Mr Dempsey, from 1,238 petitioners, requesting the House to establish a public pedophile register stating the names of convicted child sex offenders and the areas in which they live.

Mr Gibson, from 348 petitioners, requesting the House to instigate additional CityTrain services to and from Gympie.

Mr Malone, from 1,010 petitioners, requesting the House to remove the former Sarina State Preschool Centre from the public disposal list.

## MINISTERIAL STATEMENTS (Record of Proceedings p.2726)

Ministerial statements were made.

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

Copy of a media release, dated 22 August 2007, from the Queensland Water Commission titled *Support for Purified Recycled Water* 

Queensland Government document, dated August 2007, titled *Building tomorrow's Queensland today: Key projects for South-East Queensland* 

Statements continued.

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

Report by the Deputy Premier, Treasurer and Minister for Infrastructure pursuant to s3.6.9 of the *Integrated Planning Act 1997* in relation to the call in of a development application for The Edge, and appendices

Document, dated August 2007, by the Office of Urban Management, titled South East Queensland Regional Plan 2005-2026: Implementation Guideline No. 6 – Rural Precinct Guidelines

Statements continued.

Paper. Minister for Transport and Main Roads (Mr Lucas) tabled the following paper-

Copy of a media release, dated 17 August 2007, by Engineers Australia Queensland Division titled *Bridge engineering standards high* 

Questions continued.

# PRIVILEGE – MATTER RAISED – MINISTER FOR NATURAL RESOURCES AND WATER AND MINISTER ASSISTING THE PREMIER IN NORTH QUEENSLAND (Record of Proceedings p.2740)

Mr Hopper rose on a matter of privilege suddenly arising and undertook to write to the Acting Speaker on the matter.

Statements resumed. Statements concluded.

### NOTICE OF MOTION - LOCAL GOVERNMENT REFORM

Leader of the Opposition (Mr Seeney) gave notice that he will move – That this Parliament ensure that, in the event of the amalgamation of Councils—

- 1. communities be allowed to appeal the decision to the Electoral Commission;
- 2. a no disadvantage test be conducted so that ratepayers can be assured that-
  - Rates will not rise above the CPI;
  - Council services will not be withdrawn or lessened; and
  - There will be no local job losses for Council staff delivering services.

#### Distinguished visitors—

Mr Acting Speaker informed the House of the presence in the Gallery of members of a Commonwealth Parliamentary Association delegation from the United Kingdom. The leader of the delegation is the Right Honourable Kevin Barron MP and the other members of the delegation are Lord Alf Dubs, Ms Anne Moffat MP, Mr Edward O'Hara MP and the Right Honourable Sir John Stanley MP, together with delegates' partners and Mr Terry Sullivan, a former Member of the Queensland Parliament.

Mr Acting Speaker advised that permission had been granted for photographs of the delegation to be taken in the Gallery.

## QUESTIONS WITHOUT NOTICE (Record of Proceedings p.2741)

Questions without notice were asked.

Paper. Leader of the Opposition (Mr Seeney) tabled the following paper— Copy of a photo captioned *Kevin Rudd and Garry Parr – Fresh Ideas for Hinkler* 

Questions continued.

Paper: Leader of the Liberal Party (Dr Flegg) tabled the following paper— Copy of a memo, dated 15 August 2007, from Mary Kelaher, Senior Director, Human Resources Branch, titled Your Rights at Work Campaign

Questions continued.

And the Premier and Minister for Trade (Mr Beattie) having exhausted the time allocated for answering a question without notice—

### **MOTION – PREMIER BE FURTHER HEARD**

Leader of the House (Mr Schwarten) moved – That the Premier be further heard. Question put. The House divided.

#### AYES 51-

Barry Beattie Bligh Bombolas Boyle Choi Croft Darling Fenlon	Finn Fraser Gray Hayward Hoolihan Jarratt Jones Keech Kiernan	Lavarch Lawlor Lee Lucas Male * McNamara Mickel Miller Moorhead	Mulherin Nelson–Carr Nolan * Pearce Purcell Reeves Reilly Roberts Robertson	Schwarten Shine Smith Spence Stone Struthers Sullivan Van Litsenburg Wallace	Weightman Welford Wells Wendt Wettenhall Wilson
NOES 28—					
Copeland Cripps Cunningham Dempsey Elmes *	Flegg Foley Gibson Hobbs Hopper	Horan Johnson Knuth Langbroek Lee Long	Lingard Malone McArdle Menkens Messenger	Nicholls Rickuss * Seeney Simpson Springborg	Stevens Stuckey Wellington
Tellers *					

Question agreed to.

Questions resumed.

*Paper.* Minister for Police and Corrective Services (Ms Spence) tabled the following paper— Graph showing numbers of police leaving the Queensland Police Service 1999-2000 to date

Questions continued.

Paper: Mrs Stuckey tabled the following paper—

Letter, dated 1 August 2007, from the Office of the Minister for Child Safety to Mrs Stuckey

Questions continued.

Questions concluded.

#### MINISTERIAL STATEMENT (Record of Proceedings p.2752)

A ministerial statement, by leave, was made.

Papers: Premier and Minister for Trade (Mr Beattie), during his statement, tabled the following papers-

Copy of an advertisement for Ted O'Brien, Liberal for Brisbane

Copy of an advertisement for Bob Manning

Copy of an advertisement for Wendy Creighton, Liberal for Forde

#### MOTION – AMENDMENT OF SESSIONAL ORDERS (Record of Proceedings p.2753)

Leader of the House (Mr Schwarten), by leave, altered the terms of the Notice of Motion Standing in his name in accordance with alteration 2 circulated in his name, *viz*—

#### ALTERATION TO THE NOTICE OF MOTION STANDING IN THE NAME OF THE LEADER OF THE HOUSE

Omit 5. and insert:

- "5. Insert new Sessional Order 3.(1):
  - 3.(1) A member who is not a Minister may introduce a Bill during time set aside in the Order of Business for Private Members' Statements. In such a case the Member introducing the Bill may either:
    - (a) speak on the Bill for the time allotted each member (two minutes) and then incorporate the remainder of their second reading speech, so long as the speech has been shown to the Speaker in accordance with Standing Order 25(2); or
    - (b) speak for a maximum of 15 minutes, in which case any time spoken in excess of the time normally allotted (two minutes) shall:
      - in the case of a non-government Member, be deducted from the time normally allocated to non-
        - Government Members in the total time allocated for Private Members' Statements; or
      - in the case of a government Member, be deducted from the time normally allocated to government Members in the total time allocated for Private Members' Statements;
    - (c) speak for any time remaining for:
      - in the case of a non-government Member, the time normally allocated to non-Government Members in the total time allocated for Private Members' Statements; or

in the case of a government Member, the time normally allocated to government Members in the total time allocated for Private Members' Statements"

Mr Schwarten moved – That the Sessional Orders of the 52<sup>nd</sup> Parliament be amended in accordance with the amended amendment circulated in his name, viz-

#### AMENDMENT OF SESSIONAL ORDERS

- 1. In Sessional Order 1.(b) under 9.30am 10.30am (each day)-, omit: "Private Members' Bills (Introductions) Private Members' Statements" 2. In Sessional Order 1.(b) omit: "11.30am – 1.00pm (Wednesday and Thursday)— Government Business" and insert: "11.30am - 12.00pm (Wednesday)-Private Members' Statements (Leader of the Opposition or nominee having first call)" "12.00pm – 1.00pm (Wednesday)— Government Business" "11.30am - 1.00pm (Thursday)-Government Business' 3. In the Heading to Sessional Order 3, omit:
- "Debate of"
- Renumber Sessional Order 3.(1) as 3.(2) and renumber Sessional Order 3.(2) as 3.(3) 4.
- Insert new Sessional Order 3.(1): 5.
  - 3.(1) A member who is not a Minister may introduce a Bill during time set aside in the Order of Business for Private Members' Statements. In such a case the Member introducing the Bill may either:
    - speak on the Bill for the time allotted each member (two minutes) and then incorporate the remainder of their (a) second reading speech, so long as the speech has been shown to the Speaker in accordance with Standing Order 25(2); or
    - speak for a maximum of 15 minutes, in which case any time spoken in excess of the time normally allotted (b) (two minutes) shall:
      - in the case of a non-government Member, be deducted from the time normally allocated to non-Government Members in the total time allocated for Private Members' Statements; or
      - in the case of a government Member, be deducted from the time normally allocated to government Members in the total time allocated for Private Members' Statements;
    - (c) speak for any time remaining for:
      - in the case of a non-government Member, the time normally allocated to non-Government Members in the total time allocated for Private Members' Statements; or
      - in the case of a government Member, the time normally allocated to government Members in the total time allocated for Private Members' Statements".

Motion seconded by the Premier and Minister for Trade (Mr Beattie).

#### Debate ensued.

Question put – That the motion be agreed to. The House divided.

#### AYES 53-

Attwood Barry Beattie Bligh Bombolas Boyle Choi Croft Cunningham	Darling Fenlon Finn * Foley Fraser Gray Hayward Hinchliffe Jarratt	Jones Kiernan Lavarch Lawlor Lee Lee Long Lucas McNamara Miller	Moorhead Mulherin Nelson–Carr Nolan * Pearce Purcell Reeves Reilly Roberts	Robertson Schwarten Scott Shine Smith Spence Stone Stone Struthers Sullivan	Van Litsenburg Wallace Weightman Welford Wellington Wendt Wettenhall Wilson
NOES 24—					
Copeland Cripps Dempsey Elmes	Flegg Gibson Hobbs Hopper	Horan Johnson Knuth Langbroek	Lingard Malone McArdle Menkens	Messenger Nicholls Rickuss * Seeney	Simpson Springborg Stevens * Stuckey

Tellers \*

Question agreed to.

#### GAMBLING LEGISLATION AMENDMENT BILL (Record of Proceedings p.2763)

Deputy Premier, Treasurer and Minister for Infrastructure (Ms Bligh) presented a Bill for an Act to amend Acts administered by the Deputy Premier, Treasurer and Minister for Infrastructure and Explanatory Notes and moved - That the Bill be now read a first time.

Question put and agreed to. Ms Bligh moved – That the Bill be now read a second time. Debate ensued. Mr McArdle moved – That the debate be now adjourned. Question put and agreed to.

# **REVENUE AND OTHER LEGISLATION AMENDMENT BILL (NO. 2)** (Record of Proceedings p.2765)

Deputy Premier, Treasurer and Minister for Infrastructure (Ms Bligh) presented a Bill for an Act to amend Acts administered by the Treasurer and Explanatory Notes and moved – That the Bill be now read a first time. Question put and agreed to.

Ms Bligh moved – That the Bill be now read a second time. Debate ensued. Mr McArdle moved – That the debate be now adjourned. Question put and agreed to.

### URBAN LAND DEVELOPMENT AUTHORITY BILL (Record of Proceedings p.2766)

Deputy Premier, Treasurer and Minister for Infrastructure (Ms Bligh) presented a Bill for an Act for the development of land in particular parts of the State, and for related purposes and Explanatory Notes and moved – That the Bill be now read a first time.

Question put and agreed to. Ms Bligh moved – That the Bill be now read a second time. Debate ensued. Mr McArdle moved – That the debate be now adjourned. Question put and agreed to.

### STATUTE LAW (MISCELLANEOUS PROVISIONS) BILL (Record of Proceedings p.2769)

Order of the day read for the adjourned debate on the motion of the Leader of the House (Mr Schwarten) – 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 3, as read, agreed to. Schedule (Amended Acts)— The following amendments were proposed by Mr Schwarten— At page 37, lines 13 to 19 *omit.* At page 38, lines 7 and 8 *omit.* At page 39, lines 13 to 18 and 22 *omit.* Debate ensued. Question – That Mr Schwarten's amendments be agreed to – put and agreed to.

Consideration in detail completed-

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

# JUSTICE AND OTHER LEGISLATION AMENDMENT BILL (Record of Proceedings p.2771)

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.

Debate ensued.

Debate adjourned on the motion of Mr McArdle.

### LOCAL GOVERNMENT AMENDMENT BILL (Record of Proceedings p.2772)

Minister for Local Government, Planning and Sport (Mr Fraser) presented a Bill for an Act to amend the *Local Government Act 1993* and Explanatory Notes and moved – That the Bill be now read a first time.

Question put and agreed to. Mr Fraser moved – That the Bill be now read a second time. Debate ensued. Mr McArdle moved – That the debate be now adjourned. Question put and agreed to.

## JUSTICE AND OTHER LEGISLATION AMENDMENT BILL (Record of Proceedings p.2772)

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.

Debate ensued.

Debate adjourned on the motion of Mr Shine.

### MOTION – LOCAL GOVERNMENT REFORM (Record of Proceedings p.2798)

Leader of the Opposition (Mr Seeney) moved – That this Parliament ensure that, in the event of the amalgamation of Councils—

- 1. communities be allowed to appeal the decision to the Electoral Commission;
- 2. a no disadvantage test be conducted so that ratepayers can be assured that—
  - Rates will not rise above the CPI;
  - Council services will not be withdrawn or lessened; and
  - There will be no local job losses for Council staff delivering services.

Motion seconded by Mr Hobbs.

Debate ensued.

The following amendment was proposed by the Minister for Local Government, Planning and Sport (Mr Fraser)—

That all words after 'Parliament' are deleted and the following words inserted: notes

- the phenomenal, nation leading growth occurring in Queensland
- that referendums are not held to determine state and federal boundaries
- that rates have always been determined by local governments in Queensland without interference from the State
- that Queensland needs stronger councils to guarantee the provision of future services and infrastructure; and
- the legislated protection for council employees through the transition to Queensland's stronger system of local government; and further
- affirms its commitment to implementing the new boundaries as determined by the independent Local Government Reform Commission.

Amendment seconded by the Premier and Minister for Trade (Mr Beattie). Debate ensued.

#### Distinguished visitors-

Mr Speaker informed the House of the presence in the Gallery of visitors from the Gyeonggi Provincial Assembly of South Korea.

#### Debate resumed. Question put – That Mr Fraser's amendment be agreed to. The House divided.

#### AYES 50-

Attwood Barry Beattie Bligh Bombolas Boyle Choi Croft Darling	English Fenlon Finn Fraser Gray Hayward Hayward Hinchliffe Hoolihan Jarratt	Jones Keech Kiernan Lavarch Lawlor Lee Lucas Male * McNamara	Mickel Miller Moorhead Mulherin Nolan * Pearce Purcell Reilly Roberts	Robertson Scott Shine Smith Stone Struthers Sullivan Van Litsenburg Wallace	Weightman Welford Wendt Wettenhall Wilson
NOES 27— Copeland	Foley	Johnson	Malone	Rickuss *	Stuckey
Cripps Cunningham Dempsey Flegg	Gibson Hobbs Hopper Horan	Knuth Langbroek Lee Long Lingard	McArdle Menkens Messenger Nicholls	Seeney Simpson Springborg Stevens *	Wellington

Tellers \*

Question agreed to. Question put – That the motion, as amended, be agreed to. The House divided.

#### AYES 50-

Attwood Barry Beattie Bligh Bombolas Boyle Choi Croft Darling	English Fenlon Finn Fraser Gray Hayward Hinchliffe Hoolihan Jarratt	Jones Keech Kieman Lavarch Lawlor Lee Lucas Male * McNamara	Mickel Miller Moorhead Mulherin Nolan * Pearce Purcell Reilly Roberts	Robertson Scott Shine Smith Stone Struthers Sullivan Van Litsenburg Wallace	Weightman Welford Wendt Wettenhall Wilson
NOES 27— Copeland Cripps Cunningham Dempsey Flegg	Foley Gibson Hobbs Hopper Horan	Johnson Knuth Langbroek Lee Long Lingard	Malone McArdle Menkens Messenger Nicholls	Rickuss * Seeney Simpson Springborg Stevens *	Stuckey Wellington

Tellers \*

Question agreed to.

Motion agreed—

That this Parliament notes-

- the phenomenal, nation leading growth occurring in Queensland;
- that referendums are not held to determine state and federal boundaries;
- that rates have always been determined by local governments in Queensland without interference from the State;
- that Queensland needs stronger councils to guarantee the provision of future services and infrastructure; and
- the legislated protection for council employees through the transition to Queensland's stronger system of local government; and further
- affirms its commitment to implementing the new boundaries as determined by the independent Local Government Reform Commission.

# NATURAL RESOURCES AND WATER LEGISLATION AMENDMENT REGULATION – MOTION FOR DISALLOWANCE (Record of Proceedings p.2810)

Mr Hopper, pursuant to notice, moved – 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.

Motion seconded by Mr Johnson.

Debate ensued.

*Paper.* Leader of the Opposition (Mr Seeney), during his speech, tabled the following paper— Copy of the speaking list for the debate on the disallowance motion

Debate continued. Question put. The House divided.

#### AYES 26-

Copeland Cripps Cunningham Dempsey Flegg	Gibson Hobbs Hopper Horan Johnson	Knuth Langbroek Lee Long Lingard Malone	McArdle Menkens Messenger Nicholls Rickuss *	Seeney Simpson Springborg Stevens * Stuckey	Wellington
NOES 51—					
Attwood Barry Bligh Bombolas Boyle Choi Croft Darling Fenlon	Finn Fraser Gray Hayward Hinchliffe Hoolihan Jarratt Jones Keech	Kiernan Lavarch Lawlor Lee Lucas Male * McNamara Mickel Miller	Moorhead Mulherin Nolan * Pearce Pitt Purcell Reeves Reilly Roberts	Schwarten Scott Shine Smith Spence Stone Struthers Sullivan Van Litsenburg	Wallace Weightman Welford Wendt Wettenhall Wilson

Tellers \*

Question negatived.

#### CIVIL LIABILITY (GOOD SAMARITAN) AMENDMENT BILL (Record of Proceedings p.2828)

Order of the day read for the adjourned debate on the motion of the Leader of the Opposition (Mr Seeney) – That the Bill be now read a second time.

Debate ensued.

Debate adjourned on the motion of the Attorney–General and Minister for Justice and Minister Assisting the Premier in Western Queensland (Mr Shine).

### ADJOURNMENT (Record of Proceedings p.2830)

Acting Leader of the House (Mrs Keech) moved – That the House do now adjourn. Debate ensued.

Paper. Mr Rickuss, during his speech, tabled the following paper—

Copy of an invitation to the Greenbank Pre School to the opening of the Kele Effluent Wastewater Treatment system

Debate continued.

Paper: Mr Wellington, during his speech, tabled the following paper— Extract from Hansard on 11 October 2006, pages 21 to 25

Debate continued.

Question put and agreed to.

The House adjourned at 10.25 pm.

# ATTENDANCE

# The following Members were present—

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

M F REYNOLDS SPEAKER N J LAURIE CLERK OF THE PARLIAMENT

BY AUTHORITY GOVERNMENT PRINTER, QUEENSLAND