

1992–93

LEGISLATIVE ASSEMBLY OF QUEENSLAND

VOTES AND PROCEEDINGS

No. 38

FIRST SESSION OF THE FORTY–SEVENTH PARLIAMENT

THURSDAY, 26 AUGUST 1993

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1. MEETING OF ASSEMBLY

The Assembly met at 10 am pursuant to adjournment. The Speaker (The Honourable J Fouras) read prayers.

2. INQUIRY INTO THE SELECTION OF THE JURY FOR THE TRIAL OF SIR JOHANNES BJELKE-PETERSEN – REPORT OF THE CRIMINAL JUSTICE COMMISSION

Mr Speaker informed the Assembly that he had received from the Chairman of the Criminal Justice Commission the Report by the Honourable W J Carter QC on his inquiry into the selection of the jury for the trial of Sir Johannes Bjelke-Petersen.

Ordered to be printed.

3. PETITIONS

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

Mr Beanland, Dr Clark and Mr Purcell, from 68, 88 and 33 petitioners, respectively, praying that sufficient funds be provided in the 1993/94 Budget to enable State Education Department Subsidies (SEDS) to continue to provide adequate funding for community kindergartens and that extra funding be also provided for The Creche and Kindergarten Association.

Mr Nunn, from 3 petitioners, praying that the Parliament of Queensland will ensure that the Draft Management Plan to close certain beaches and/or access roads on Fraser Island be discarded.

Mr Davidson, from 2 petitioners, praying that the Parliament of Queensland will ensure that all of the beach on the Noosa North Shore be kept open to vehicular traffic.

Dr Clark, from 13 petitioners, praying that the expansion program for the Cairns International Airport be suspended until an independent study into alternative sites is carried out and that, in the interim, a curfew apply between 11 pm and 6 am.

Mr Quinn, from 75 petitioners, praying that the parents of school children are consulted about proposed changes to the Queensland education system.

Ms Robson, from 86 petitioners, praying that the Parliament of Queensland will reconsider proposed cutbacks in State school funding.

Dr Clark, from 1,211 petitioners, praying that enactment of the Wet Tropics World Heritage Protection and Management Bill be withheld pending an urgent, independent updating of the Wet Tropics World Heritage Area Management Scheme and clarification of native title.

Mr Santoro, from 1,771 petitioners, praying that the Minister for Transport will not continue with the proposed termination of passenger rail services along the Eagle Junction/Pinkenba Railway Line.

4. STATUTORY INSTRUMENT

The following statutory instruments were tabled by the Clerk—

City of Brisbane Act—

Brisbane City Council (Approval of Ordinances) Notices (Nos 6 and 7) 1993

5. GOVERNMENT PAPERS

The following papers were tabled—

(a) *Minister for Transport and Minister Assisting the Premier on Economic and Trade Development (Mr Hamill)*—

Regulating of the Driving Instruction Industry in Queensland – Issues Paper

Regulating of the Tow Truck Industry in Queensland – Issues Paper

(b) *Minister for Minerals and Energy (Mr McGrady)*—

Response to the Parliamentary Committee of Public Works Report of an inquiry into the Queensland Centre for Advanced Technologies

6. MINISTERIAL STATEMENT

Minister for Business, Industry and Regional Development (Mr Elder), by leave, made a ministerial statement relating to a review of the Retail Shop Leases Act.

Paper: Mr Elder, during his statement, tabled the following paper—
Retail Shop Leases Act Review – Position Paper – August 1993

7. MATTER OF PRIVILEGE

The Leader of the Opposition (Mr Borbidge) referred to the absence from the Chamber of the Minister for Family Services and Aboriginal Affairs.
Acting Leader of the House (Mr Braddy) informed the House that Ms Warner was in New Zealand attending a Ministerial Council meeting.

8. NOTICES OF MOTION

9. QUESTIONS

Questions were asked.

Paper: Minister for Justice and Attorney-General and Minister for the Arts (Mr Wells) tabled the following paper—
Background briefing paper on the Penalties and Sentences Act

Questions continued.

Paper: The Treasurer (Mr De Lacy) tabled the following paper—
Schedule outlining the impact of QTC performance dividend on loan terms of local authorities

Questions continued.

10. MOTOR VEHICLES SAFETY AMENDMENT BILL

Order of the day read for the adjourned debate on the motion of the Minister for Transport and Minister Assisting the Premier on Economic and Trade Development (Mr Hamill)—That the Bill be now read a second time.
Debate resumed.

Paper: Mr Hamill, during his speech, tabled the following paper—
Memorandum from the Director General, Department of Transport to the Minister for Transport regarding vehicle inspections.

Debate ensued.

Question put.

The House divided.

AYES 46,

Ardill	Clark	Hamill	Pearce	Sullivan T
Barton	D'Arcy	Hayward	Pitt*	Szczerbanik
Beattie	Davies	Hollis	Purcell	Vaughan
Bennett	De Lacy	Livingstone*	Pyke	Welford
Bird	Dollin	McElligott	Robertson	Wells
Bredhauer	Edmond	McGrady	Robson	Woodgate
Briskey	Elder	Mackenroth	Rose	
Budd	Fenlon	Milliner	Smith	
Burns	Foley	Nunn	Spence	
Casey	Goss W	Palaszczuk	Sullivan J	

NOES 33,

Beanland	Gamin	Johnson	Quinn	Springborg*
Borbidge	Gilmore	Laming*	Randell	Stephan
Connor	Goss J	Lester	Rowell	Turner
Cooper	Grice	Lingard	Santoro	Veivers
Davidson	Healy	Littleproud	Sheldon	Watson
Elliott	Hobbs	McCauley	Simpson	
FitzGerald	Horan	Perrett	Slack	

*Tellers

Question resolved in the affirmative.

Bill read a second time.

Bill committed on the motion of Mr Hamill.

In Committee

In the Chair: Temporary Chairman, Mr Bredhauer.
Clauses 1 to 5 agreed to.

Clause 6 (*Replacement of ss.7—15*)

An amendment proposed at page 10—

omit lines 11 to 22—

insert—

‘11. An inspector or accredited officer may exercise a power in relation to a person only if the inspector or accredited officer is wearing a recognisable uniform approved by the chief executive and first produces his or her identity card for inspection by the person.’. (*Mr Johnson*)

Debate ensued.

Question put—That the words proposed to be omitted stand part of the clause.

The Committee divided.

AYES 47,

Ardill	Comben	Hamil	Pearce	Sullivan J
Barton	D'Arcy	Hayward	Pitt*	Sullivan T
Beattie	Davies	Hollis	Power	Szczerbanik
Bennett	De Lacy	Livingstone*	Purcell	Vaughan
Bird	Dollin	McElligott	Pyke	Welford
Briskey	Edmond	McGrady	Robertson	Wells
Budd	Elder	Mackenroth	Robson	Woodgate
Burns	Fenlon	Milliner	Rose	
Casey	Foley	Nunn	Smith	
Clark	Gibbs	Palaszczuk	Spence	

NOES 34,

Beanland	Gamin	Johnson	Perrett	Slack
Borbidge	Gilmore	Laming*	Quinn	Springborg*
Connor	Goss J	Lester	Randell	Stephan
Cooper	Grice	Lingard	Rowell	Turner
Davidson	Healy	Littleproud	Santoro	Veivers
Elliott	Hobbs	McCauley	Sheldon	Watson
FitzGerald	Horan	Mitchell	Simpson	

**Tellers*

Question resolved in the affirmative.

An amendment proposed at page 12—

omit lines 16 and 17. (*Mr Johnson*)

Debate ensued.

Question put—That the words proposed to be omitted stand part of the clause.

Amendment negated.

Clause 6 agreed to.

Clause 7 (*Insertion of new Divisions 2 and 3 of Part 2A*)

An amendment proposed at page 13, after line 19—

insert—

‘(c) the checkpoint is well lit and clearly identified by the presence of uniformed officers and clearly marked official vehicles.’. (*Mr Johnson*)

Debate ensued.

Amendment negated.

An amendment proposed at page 13—

omit lines 21 and 22—

insert—

‘18C.(1) An inspector who is wearing a uniform approved by the chief executive and is travelling in a clearly marked official vehicle may require the driver of a motor vehicle to stop the vehicle other than at a checkpoint.’. (*Mr Johnson*)

Debate ensued.

Question put—That the words proposed to be omitted stand part of the clause.

The Committee divided.

AYES 48,

Ardill	Comben	Goss W	Palaszczuk	Spence
Barton	D'Arcy	Hamill	Pearce	Sullivan J
Beattie	Davies	Hayward	Pitt*	Sullivan T
Bennett	De Lacy	Hollis	Power	Szczerbanik
Bird	Dollin	Livingstone*	Purcell	Vaughan
Briskey	Edmond	McElligott	Pyke	Welford
Budd	Elder	McGrady	Robertson	Wells
Burns	Fenlon	Mackenroth	Robson	Woodgate
Casey	Foley	Milliner	Rose	
Clark	Gibbs	Nunn	Smith	

NOES 33,

Borbidge	Gilmore	Laming*	Quinn	Springborg*
Connor	Goss J	Lester	Randell	Stephan
Cooper	Grice	Lingard	Rowell	Turner
Davidson	Healy	Littleproud	Santoro	Veivers
Elliott	Hobbs	McCauley	Sheldon	Watson
FitzGerald	Horan	Mitchell	Simpson	
Gamin	Johnson	Perrett	Slack	
		*Tellers		

Question resolved in the affirmative.

An amendment proposed at page 13—
line 24—

insert the word “substantially” before the word “comply”, and in line 25
omit the words “in every respect”. (Mr Johnson)

Question put—That the word proposed to be inserted be so inserted.
Amendment negated.

An amendment proposed at page 14, after line 15—
insert—

“(c) the checkpoint is not well lit and clearly identified by the presence of uniformed
officers and clearly marked official vehicles.” (Mr Johnson)

Question put—That the words proposed to be added be so added.
Amendment negated.

Clause 7 agreed to.

Clauses 8 to 11 agreed to.

Schedules 1 and 2 agreed to.

Bill to be reported without amendment.

Deputy Speaker Mr Palaszczuk resumed the Chair.

Bill reported without amendment.

Mr Hamill, by leave, moved – That the Bill be now read a third time.

Question put.

The House divided.

AYES 48,

Ardill	Clark	Gibbs	Nunn	Spence
Barton	Comben	Goss W	Pearce	Sullivan J
Beattie	D'Arcy	Hamill	Pitt*	Sullivan T
Bennett	Davies	Hayward	Power	Szczerbanik
Bird	De Lacy	Hollis	Purcell	Vaughan
Bredhauer	Dollin	Livingstone*	Pyke	Welford
Briskey	Edmond	McElligott	Robertson	Wells
Budd	Elder	McGrady	Robson	Woodgate
Burns	Fenlon	Mackenroth	Rose	
Casey	Foley	Milliner	Smith	

NOES 34,

Beanland	Gamin	Johnson	Perrett	Slack
Borbidge	Gilmore	Laming*	Quinn	Springborg*
Connor	Goss J	Lester	Randell	Stephan
Cooper	Grice	Lingard	Rowell	Turner
Davidson	Healy	Littleproud	Santoro	Veivers
Elliott	Hobbs	McCauley	Sheldon	Watson
FitzGerald	Horan	Mitchell	Simpson	

*Tellers

Question resolved in the affirmative.

Bill read a third time and passed.
Title agreed to.

11. BRISBANE CASINO AGREEMENT REGULATION 1993 – MOTION FOR DISALLOWANCE

Deputy Leader of the Coalition (Mrs Sheldon), pursuant to notice, moved—That Brisbane Casino Agreement Regulation 1993 tabled in the Parliament on 12 May 1993 be disallowed.

Debate ensued

Question put.

The House divided.

AYES 31,

Beanland
Borbidge
Connor
Cooper
Davidson
Elliott
FitzGerald

Gamin
Gilmore
Goss J
Grice
Healy
Hobbs
Horan

Johnson
Laming*
Lingard
Littleproud
McCauley
Mitchell
Perrett

Quinn
Randell
Rowell
Santoro
Simpson
Slack
Springborg*

Stephan
Veivers
Watson

NOES 46,

Ardill
Barton
Beattie
Bennett
Bird
Braddy
Bredhauer
Briskey
Budd
Burns

Casey
Clark
D'Arcy
Davies
De Lacy
Dollin
Edmond
Elder
Fenlon
Gibbs

Hamill
Hayward
Hollis
Livingstone*
McElligott
McGrady
Mackenroth
Milliner
Nunn
Pearce

Pitt*
Power
Purcell
Pyke
Robertson
Robson
Rose
Smith
Spence
Sullivan J

Sullivan T
Szczzerbanik
Vaughan
Welford
Wells
Woodgate

*Tellers

Question resolved in the negative.

12. ADJOURNMENT

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

Question put and passed.

The House adjourned at 5.44 pm.

13. ATTENDANCE

The following Honourable Members were present—

Ardill
Barton
Beanland
Beattie
Bennett
Bird
Borbidge
Braddy
Bredhauer
Briskey
Budd
Burns
Campbell
Casey
Clark
Comben

Connor
Cooper
D'Arcy
Davidson
Davies
De Lacy
Dollin
Edmond
Elder
Elliott
Fenlon
FitzGerald
Foley
Gamin
Gibbs
Gilmore

Goss J
Goss W
Grice
Hamill
Hayward
Healy
Hobbs
Hollis
Horan
Johnson
Laming
Lester
Lingard
Littleproud
Livingstone
McCauley

McElligott
McGrady
Mackenroth
Milliner
Mitchell
Nunn
Palaszczuk
Pearce
Perrett
Pitt
Power
Purcell
Pyke
Quinn
Randell
Robertson

Robson
Rose
Rowell
Santoro
Sheldon
Simpson
Slack
Smith
Spence
Springborg
Stephan
Stoneman
Sullivan J
Sullivan T
Szczzerbanik
Turner

Vaughan
Veivers
Watson
Welford
Wells
Woodgate

J FOURAS
Speaker

R D DOYLE
The Clerk of the Parliament