


~~processor keeps a register of written agreements with broiler growers that are supplying that processor with broiler chickens.~~

~~As we transition from a statutory committee, I would like to thank the chicken meat processors and growers for providing their support for the direction we have taken in establishing an industry owned and industry controlled non-statutory body. The two sectors of the industry have requested that the committee retain a provision for an independent chairperson, and this bill supports that request. The bill provides for a framework for an orderly transition of the assets and liabilities of the committee to a replacement industry owned and industry controlled non-statutory body, with the committee to establish the replacement non-statutory body. The amendments will require that, in future, chicken meat industry supply agreements state a process for dispute resolution rather than relying on a resolution process detailed in the act. It is not appropriate for the new corporate entity to have a role in disputes resolution. However, in effectively transitioning industry arrangements away from a regulated environment, there is merit in assuring that existing and future supply agreements contain commercial contract standards for dispute resolution.~~

~~This bill also inserts an explicit review clause into the act. There will be a further review required within 10 years to ensure the act's relevance. I commend the bill to the House.~~

First Reading

~~ **Hon. TS MULHERIN** (Mackay—ALP) (Minister for Agriculture, Food and Regional Economies) (12.08 pm): I move—~~

~~That the bill be now read a first time.~~

~~Question put—That the bill be now read a first time.~~

~~Motion agreed to.~~


~~Bill read a first time.~~

~~**Mr DEPUTY SPEAKER** (Mr O'Brien): Order! In accordance with standing order 131, the bill is now referred to the Environment, Agriculture, Resources and Energy Committee.~~

017

HEAVY VEHICLE NATIONAL LAW BILL

Message from Governor

~~ **Hon. A PALASZCZUK** (Inala—ALP) (Minister for Transport and Multicultural Affairs) (12.09 pm): I present a message from Her Excellency the Governor.~~

~~The Deputy Speaker read the following message—~~

~~MESSAGE~~

~~HEAVY VEHICLE NATIONAL LAW BILL 2011~~

~~*Constitution of Queensland 2001, section 68*~~

~~I, PENELOPE ANNE WENSLEY, Governor, recommend to the Legislative Assembly a Bill intituled—~~

~~A Bill for an Act providing for the adoption of a national law regulating the use of heavy vehicles.~~


~~(sgd)~~

~~GOVERNOR~~

~~Date: 15 NOV 2011~~

~~*Tabled paper:* Message, dated 15 November 2011, from Her Excellency the Governor recommending the Heavy Vehicle National Law Bill.~~

Introduction and Referral to the Transport and Local Government Committee

~~ **Hon. A PALASZCZUK** (Inala—ALP) (Minister for Transport and Multicultural Affairs) (12.10 pm): I present a bill for an act providing for the adoption of a national law regulating the use of heavy vehicles. I table the bill and explanatory notes. I nominate the Transport and Local Government Committee to consider the bill.~~

~~*Tabled paper:* Heavy Vehicle National Law Bill.~~

~~*Tabled paper:* Heavy Vehicle National Law Bill, explanatory notes.~~

~~I am pleased to introduce the first Heavy Vehicle National Law Bill. This is the first piece of legislation from a major reform process that will transform regulation of the heavy vehicle industry in Australia. It has been a long-term goal of the Australian, state and territory governments, along with the heavy vehicle industry, to work towards greater harmonisation in heavy vehicle regulation.~~

~~The Council of Australian Governments, known to many as COAG, is driving a national program of micro-economic reforms in a range of sectors to produce single regulatory environments for the~~

Australian economy. The reforms aim to improve productivity and international competitiveness and reduce compliance burdens for business and workers, making it easier to operate across state borders.

In July 2009, as part of the national reforms to deliver a seamless national economy, COAG agreed to establish a National Heavy Vehicle Regulator to administer a national body of law to govern the regulation of all heavy vehicles. This recognises the importance of national consistency in heavy vehicle law and regulations and the huge contribution made by the transport industry to the national economy and the fact that the majority of the freight task in Australia cross state and territory borders. Preliminary estimates indicate that the net benefits to Queensland from the establishment of the regulator and the national law are approximately \$1.47 billion in present value terms over a 22-year period.

In recognition of Queensland's positive working relationship with industry and our strong support and adoption of previous national heavy vehicle model laws, Queensland was named host jurisdiction for this regulatory reform in February 2010. This meant Queensland would help lead implementation of the regulator reform in conjunction with the regulator project office, the National Transport Commission and all jurisdictions.

Queensland will be the first state to introduce the new national heavy vehicle law that will ensure a safer and more productive heavy vehicle industry. The COAG endorsed intergovernmental agreement for this reform requires national law legislation to be passed by the Queensland parliament by 31 March 2012.

In the past, the heavy vehicle industry was governed and regulated by a dozen model laws that had been nationally approved over the last two decades. Despite being introduced with the best of intentions, these model laws often lacked conformity as jurisdictions would often adapt the model laws to suit their individual needs and concerns.

With this bill we will now have one single national law to be adopted in a consistent manner in every jurisdiction as template law, with the exception of Western Australia, which is planning to mirror the legislation. All jurisdictions will pass legislation to ensure the national law, as enacted by Queensland, is effectively applied as law in their own jurisdiction.

The national law will provide provisions to create a single national regulator and give the regulator authority to perform all regulatory functions for Australia's heavy vehicle industry, with the exception of administering a national heavy vehicle driver licence and the harmonisation of dangerous goods laws. The regulator will commence operations on 1 January 2013 and will be responsible for administering the new law for heavy vehicles on matters such as registration, mass and loading, fatigue management, vehicle standards, and compliance and enforcement.

This new national law includes provisions to create a national regulator that will have responsibility and authority to perform all the regulatory duties for Australia's heavy vehicle industry. The regulator will commence operations on 1 January 2013 and will be responsible for administering the new law for heavy vehicles on matters such as registration, mass and loading, fatigue management, and compliance and enforcement. The national law will apply to all heavy vehicles over 4.5 tonnes, with the exception of heavy vehicle driver licensing.

As Queensland had diligently applied the previous model laws, the only significant new inclusions for Queensland from previous model legislation are the provisions necessary to create the regulator as a separate corporate entity, including human resourcing, financial controls and governance structures.

Queensland has only varied from previous national model laws where necessary to cater for the unique nature of operations in the state or Criminal Code requirements. There are few policy changes required to bring Queensland completely in line with the national legislation. In determining how to approach the task, the Australian Transport Council determined that in developing the national law the focus would be squarely on consolidating the previous model laws and not substantially reviewing existing policy positions.

The basic objective driving the introduction of the uniform national heavy vehicle law was to achieve the 'same outcome in the same circumstances' across all jurisdictions and to reduce the legal and administrative costs of compliance. In order to ensure this goal did not lead to an increase in the regulatory burden on operators, a regulation impact statement was produced for national consultation on this reform. The purpose of this rigorous national consultation process was to explore the potential impact of the national law and to provide an opportunity for governments and industry to comment on the reform.

Due to the extremely complex nature of combining a dozen pieces of heavy vehicle legislation, it was necessary to split the national law into two separate bills. The bill introduced today contains the vast majority of the legislation the regulator will administer and establishes the regulator itself. A second bill will be introduced in mid-2012, which will contain a range of technical amendments and policy refinements.

Enshrining the bulk of the agreed legislation within COAG time frames will allow the corporate structures of the regulator to be established from July 2012, as required. It also sends a clear signal to stakeholders that governments are committed to the regulator reform. This approach will also maximise the opportunity for other jurisdictions to draft and enact the legislation within agreed time lines.

Critical to the success of the regulator reform was industry consultation and engagement. An early priority of the regulator board was to establish an industry advisory group in October 2010. Industry have been actively consulted and have worked with jurisdictions to devise a forward work program. The forward work program will address policy and technical issues in the second amendment bill, as well as matters to be addressed following implementation of the regulator.

Other mechanisms were adopted to ensure that consultation and engagement was broad ranging and reached out to communities and industry, including face-to-face meetings and public forums in key regional centres.

The regulator will provide a platform for industry and governments to adopt a unified approach based on evidence and applied to all aspects of heavy vehicle regulation. As an independent entity, the regulator has the potential to assist with identifying issues and trends and ascertain measures that will meaningfully improve safety, promote more productive and innovative arrangements, and make customer service more efficient.

The regulator will enable owners and operators to conduct heavy vehicle business with governments at one place. For example, this one-stop shop will allow registration renewals and the issue of access permits to be coordinated through a single point of contact, cutting down on unnecessary costs and time for operators.

At the moment heavy vehicle operators and drivers need to comply with different regulations in each state and territory they drive through. For example, an interstate operator taking freight from Townsville to Melbourne would need to contact and receive access approvals from three state jurisdictions—jurisdictions that could potentially apply their own specific access requirements. These different requirements create extra cost, red tape and confusion.

The regulator will facilitate negotiations with asset owners across jurisdiction borders and local governments to ensure that a single permit with a simplified set of operating conditions for all participating jurisdictions is issued. Queensland operators will be able to contact one central regulatory agency for advice on logbooks, escort requirements for wide loads, or to gain access permits on their long cross-border journeys south or west. I cannot stress enough how positively this new, simplified approach to transport regulation is being received by the hardworking owners, operators and drivers of Queensland's freight industry.

Queensland has a long history of working with industry to find practical solutions to operational realities. This has resulted in the implementation of a number of local productivity initiatives to suit Queensland conditions, which vary from productivity initiatives implemented in other jurisdictions.


A good example of this is the Grain Harvest Management Scheme. This scheme recognises the inherent difficulties of transporting a bulk commodity where varying moisture contents and densities can prevent an accurate load calculation. The Grain Harvest Management Scheme relieves this element of uncertainty by providing scheme participants with a certain amount of flexibility above normal mass limits. Through the use of agreed administrative processes and compliance activities, industry and my Department of Transport and Main Roads can ensure the conduct of an efficient grain harvest and protection of road infrastructure.

A further example is Queensland allowing access for innovative multicomination vehicles on designated routes in Queensland through the use of multicomination guidelines. These high-productivity combinations are safer than comparable sized road trains and provide greater efficiency as fewer trips are required to complete the same freight task.

The national law will allow for existing local productivity initiatives such as these to continue, with an added benefit to industry being that the regulator will assess the benefits of applying local productivity initiatives across other jurisdictions.

In conclusion, Queensland can be rightly proud of the role we have played in developing heavy vehicle regulation over the past few decades. That commitment to ease the burden on industry and improve safety continues with the national heavy vehicle regulator reform. I wish to finish by acknowledging the incredible amount of work put into this reform by the national regulator project office, the National Transport Commission, all jurisdictions, industry organisations, unions, and in particular members of my department for their ongoing commitment to this reform.

First Reading

 **n. A PALASZCZUK** (Inala—ALP) (Minister for Transport and Multicultural Affairs) (12.20 pm): I move—

That the bill be now read a first time.

Question put—That the bill be now read a first time.

Motion agreed to.

Bill read a first time.


Mr DEPUTY SPEAKER (Mr O'Brien): Order! In accordance with standing order 131, the bill is now referred to the Transport and Local Government Committee.

WEAPONS AMENDMENT BILL

Second Reading

~~Resumed from 8 September (see p. 2022), on motion of Mr Roberts~~

~~That the bill be now read a second time.~~

~~ **Mrs CUNNINGHAM** (Gladstone Ind) (12.21 pm): I rise to speak to the Weapons Amendment Bill 2011. Every time one of these bills is presented to parliament, there is a reaction in the community. I am sure I, along with other members, have received correspondence, particularly from current licensed weapons owners who have expressed concerns. I will get to some of those soon.~~

~~The genesis of the weapons legislation that curbed ownership of weapons was the Port Arthur massacre. I was a member of this parliament at the time of that debate. It certainly generated in the community one of the biggest responses, then and since, in relation to the community's response to the proposed restrictions. One of the issues that was faced at that time was dealing with people who had weapons who for various, particularly medical, reasons should, for either a short period of time or perhaps permanently, not be able to have ownership of weapons. I do not believe that issue has to this date been addressed, and it is not addressed in this bill, either.~~

~~We must come to that point in time, particularly when it involves domestic violence, when people who are unwell for a variety of reasons have the opportunity to own weapons curtailed for the period of their illness, whether that is a short or a long term issue. That responsibility in great measure would fall to the medical fraternity, but I believe it would address the gap in the legislation that exists in relation to the ownership of weapons.~~

~~In the last year there have been 49,000 incidents of domestic violence, and I would be surprised if many of those have occurred by registered weapons owners. Again, I refer to the proposal some years ago for a prohibited persons register. That issue was never properly pursued and I believe it should be. It would answer the concern about licensed weapons owners who, for health or behavioural reasons, should not have access to weapons.~~

~~This bill, as have other weapons amendment bills, will not address the issue of illegal weapons ownership. It will put further constraints on honest weapons owners. There are many articles in newspapers telling of drug busts by the police. The articles consistently relate that the bust occurred and they found cash and illegal firearms. Again, this legislation will not address the issues in relation to illegal weapons ownership.~~

~~There are a number of matters in the bill that I wish to speak to. Then I want to put on the record some, certainly not all, of the concerns that have been raised with me by licensed weapons owners. The bill deals with the use of weapons including artillery at RSL clubs and at other memorials. I think our remembrance of Anzac Day and Armistice Day is growing in the community. I am sure everybody has noticed that in their electorates—and I welcome it. I think the only way to remember the price of war is to also remember the price of peace. This bill reinforces the need to permanently incapacitate weapons that are used or displayed at these RSL clubs.~~

~~The bill also talks about the possession of a knife in a public place or in a school. I certainly do not believe there is any justification for a student to have a knife in a school environment. I believe that each school would have policies in place with or without this legislation to prohibit that. This legislation talks about possession of a knife in a public place for genuine religious purposes, and it gives an example of a Sikh who may possess in a public place a knife known as a kirpan. I ask the minister whether there is going to be a requirement for that knife to be blunted or whether they will be carrying that sharp in a public place. I notice that a reasonable excuse to carry a knife for religious reasons does not include in a school environment, and I welcome that.~~

~~The bill also deals with the possession of laser pointers. We know that over time there have been incidents where laser pointers have been used mischievously. It is always sad to see something that is a potentially valid use of equipment curtailed because a handful of people use the equipment wrongly. However, I believe these are fairly powerful laser pointers and therefore they have the potential to create a great deal of harm.~~

~~Clause 28 deals with retrospectivity for the declaration concerning Serco. I ask the minister to clarify if there will be any implications with the passing of this clause in terms of validation of action taken~~