

~~create digital signatures using digital certificates which comply with the Australian government's secure 'gatekeeper' regime. The rules and requirements established in the bill are necessary so that Queensland businesses and the public can have confidence in the e-conveyancing system and to ensure the continued security and integrity of the Torrens freehold land register. The rules also recognise that allowing solicitors to sign on behalf of their clients in this new environment requires new measures to ensure that dealings with land interests have been properly authorised.~~

~~The bill also amends the Land Title Act 1994, which provides the legislative framework for the Torrens system of freehold land title in Queensland. The Land Title Act prescribes requirements for document preparation and related matters which until now have applied to paper documents. The amendments will ensure that those requirements are satisfied for electronic documents lodged under the national law. The amendments also provide for a rendered image of the digital document to be used for certain purposes—for example, when a copy of a registered document is required.~~

~~Similar amendments are made to the Land Act 1994, which contains provisions for documents and registers relating to non-freehold land tenures, such as leases, from the state. Initially, national e-conveyancing will not cater for non-freehold land dealings. However, these amendments are being made to keep consistency with the provisions for freehold land and with a view to the possibility of non-freehold transactions being included later.~~

~~This bill delivers on the Newman government's commitment to streamlining processes in relation to land tenure. We are simplifying, streamlining and cutting red tape to make it easier for businesses and individuals to do business in Queensland. I commend the bill to the House.~~

First Reading



~~Hon. AP CRIPPS (Hinchinbrook—LNP) (Minister for Natural Resources and Mines) (3.02 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.~~

Referral to the Agriculture, Resources and Environment Committee

~~Madam DEPUTY SPEAKER (Mrs Cunningham): Order! In accordance with standing order 131, the bill is now referred to the Agriculture, Resources and Environment Committee.~~

POLICE POWERS AND RESPONSIBILITIES (MOTOR VEHICLE IMPOUNDMENT) AND OTHER LEGISLATION AMENDMENT BILL

Introduction



~~Hon. JM DEMPSEY (Bundaberg—LNP) (Minister for Police and Community Safety) (3.03 pm): I present a bill for an act to amend the Police Powers and Responsibilities Act 2000 and the Corrective Services Act 2006 for particular purposes, and to make consequential amendments of the act mentioned in the schedule. I table the bill and the explanatory notes. I nominate the Legal Affairs and Community Safety Committee to consider the bill.~~

Tabled paper: Police Powers and Responsibilities (Motor Vehicle Impoundment) and Other Legislation Amendment Bill 2012.

Tabled paper: Police Powers and Responsibilities (Motor Vehicle Impoundment) and Other Legislation Amendment Bill 2012, explanatory notes.

~~I am pleased to introduce the Police Powers and Responsibilities (Motor Vehicle Impoundment) and Other Legislation Amendment Bill 2012. The bill fulfils the government's commitment to introduce the toughest anti-hooning laws in the nation.~~

~~This bill amends chapter 4 of the Police Powers and Responsibilities Act 2000. This chapter provides two schemes for the impoundment and forfeiture of motor vehicles—namely, the type 1 and type 2 vehicle impoundment schemes. The type 1 vehicle impoundment scheme applies to a range of traffic offences commonly associated with hooning. The type 2 vehicle impoundment scheme applies to offences such as unlicensed and unregistered driving. This government has recognised the community's concerns about hoon drivers and has acted to address this menace.~~

~~This bill increases the impoundment sanctions for type 1 offences to 90 days impoundment for a vehicle used to commit the first offence and forfeiture of the vehicle if another type 1 offence is committed within five years. This bill includes 'evade police' and 'high end speeding' as type 1 and type 2 vehicle related offences respectively. The nature of these offences warrants inclusion into the vehicle~~

impoundment schemes and highlights this government's commitment to stop inappropriate driving behaviour.

The bill also increases impoundment sanctions for the type 2 vehicle impoundment scheme. The new impoundment and forfeiture sanctions will be:

- a seven-day impoundment period when a second type 2 vehicle related offence is detected;
- an automatic 90-day impoundment upon the detection of a third type 2 vehicle related offence within five years; and
- automatic forfeiture of the vehicle used to commit a fourth or subsequent type 2 vehicle related offence within five years.

The bill will also improve the operational and administrative efficiency of the type 1 and type 2 vehicle impoundment schemes. Both impoundment and forfeiture processes will operate administratively rather than through a court application. Currently, for a vehicle to be impounded for three months or forfeited to the state, an application must be made to a court for an order that a vehicle be impounded or forfeited. By allowing vehicles to be impounded or forfeited automatically, considerable savings for both the police and the courts are made through:

- reducing the time taken by police officers in preparing court applications; and
- reducing court time required to consider applications.

There is a range of other amendments in this bill that provide for more efficiency savings. For instance, traffic infringement notices will be allowed to be issued to offending drivers rather than restricting the vehicle impoundment scheme to proceedings normally started by a notice to appear or an arrest. This allows a defendant to elect to pay the fine rather than appearing in court and results in productivity savings for both the QPS and the courts.

This bill also gives police officers more flexibility in the way that they can deal with vehicles used to commit impoundment offences. Currently, impounded motor vehicles can only be towed and stored at a holding yard. This does not work for regional areas that have no tow trucks or holding facilities to store impounded vehicles. This bill provides police with a number of alternative impoundment options including:

- clamping;
- removal of number plates; and
- the issue of vehicle production notices

These options allow impoundment sanctions to be applied regardless of the differing circumstances that may exist across Queensland.

Another improvement made by this bill focuses on the release of motor vehicles that have been impounded by police. To mitigate concerns that some members of the community may have about the impact of automatic impoundment and forfeiture, the bill provides a mechanism whereby the usual driver or owner of an impounded or immobilised vehicle may apply to the commissioner for its release in certain circumstances.

The commissioner has five business days to decide if a vehicle should be returned to an applicant, allowing vehicles to be returned to persons in appropriate circumstances and within reasonable timeframes. An aggrieved applicant may appeal the commissioner's decision not to return an impounded vehicle.

Finally, the bill amends the Corrective Services Act 2006 by providing that remanded prisoners may only be classified as maximum or high security. This reduces red tape and aligns with the Department of Community Safety's commitment to redirect resources to front-line services.

This bill sends the strongest message to those hoons who think they can use our roads as a racetrack. If you are a hoon, police will impound your vehicle. Police will clamp your car. If you still don't get the message that hooning on our streets is unacceptable, police will crush your car. The community has had enough and this government will protect Queenslanders by taking hooning vehicles off our roads. I commend the bill to the House.

First Reading



Hon. JM DEMPSEY (Bundaberg—LNP) (Minister for Police and Community Safety) (3.09 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.

Referral to the Legal Affairs and Community Safety Committee

Madam DEPUTY SPEAKER (Mrs Cunningham): Order! In accordance with standing order 131, the bill is now referred to the Legal Affairs and Community Safety Committee.

~~GOLD COAST WATERWAYS AUTHORITY BILL~~

~~Resumed from 30 October (see p. 2186).~~

~~Second Reading~~



~~**Hon. SA EMERSON** (Indooroopilly LNP) (Minister for Transport and Main Roads) (3.09 pm): I move—~~

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

~~I would like to thank the Transport, Housing and Local Government Committee for its consideration of the Gold Coast Waterways Authority Bill 2012. The committee considered the policy merits of the bill and its consistency with fundamental legislative principles. Following detailed consideration of the bill, the committee recommended that the bill be passed without amendment. The government is very pleased with the committee's recommendation. This further supports our aim to involve the local community in decision making to ensure Gold Coast waterways are managed for the benefit of locals, boaties, fishers and tourists in a sustainable and environmentally sensitive manner.~~

~~The principal objectives of this bill are to promote partnerships between government and the Gold Coast community to improve access and infrastructure for Gold Coast waterways; ensure government policies and programs are aligned with community needs and expectations; and promote the sustainable use and development of Gold Coast waterways for a range of maritime industries, tourism and recreational activities. The bill also paves the way for new high quality, safe and modern designed, power assisted bicycles to be used in Queensland and repeals two pieces of obsolete legislation.~~



~~**Ms TRAD** (South Brisbane ALP) (3.10 pm): I rise to contribute to the debate on the Gold Coast Waterways Authority Bill 2012. At the outset I want to state that the opposition will not be opposing this legislation. However, I do want to make some comments regarding the proposed structure and operation of the new Gold Coast Waterways Authority, or GCWA. The bill also repeals two pieces of redundant legislation and alters the definition of a bicycle in the Transport Operations (Road Use Management) Act of 1995 to allow for regulations to allow pedelecs, a type of electric bicycle, to be authorised for use in Queensland. I will talk more about these additional amendments later, but I want to begin by discussing the past management of the Gold Coast waterways.~~

~~The waterways on the Gold Coast are one of Queensland's best natural assets. We are blessed to have such a beautiful recreational waterway on our doorstep. The Gold Coast waterways are extremely popular with local boaties as well as with people from right across South East Queensland and northern New South Wales who visit the Gold Coast to enjoy them. The report of the Transport, Housing and Local Government Committee, the THLGC, as well as the submission from Marine Queensland highlighted the popularity of the Gold Coast waterways and the significant levels of ownership of recreational watercraft on the Gold Coast. The marine industry is also an important part of the Gold Coast's economy because it is a base for recreational boating. That high level of use of an environmental asset requires careful management.~~

~~The first incarnation of the Gold Coast Waterways Authority was established by the Gold Coast Waterways Authority Act of 1979. It operated until it was abolished in 1990. In 2010 the previous Labor government established the Gold Coast Waterways Steering Committee, which brought together state government, Gold Coast City Council and the boating industry peak body, Marine Queensland, for a collaborative approach to the management of the waterways. It is now proposed that the steering committee will be replaced by a modified and less powerful version of the old Gold Coast Waterways Authority. Before I talk about the structure of the new Gold Coast Waterways Authority, I want to talk about its proposed powers.~~

~~The Gold Coast Waterways Authority will be responsible for developing a Gold Coast waterways strategy and pursuant to the Transport Infrastructure Act of 1994, managing public marine facilities and the use of waterways within its area of jurisdiction, which is the waterways within the Gold Coast LGA. The GCWA will be responsible for exercising certain functions under the Transport Operations (Marine Safety) Act of 1994, including setting up and maintaining aids to navigation; maintaining the whole Gold Coast waterways network; monitoring and managing the operation and activities of ships; and monitoring and managing abandoned, stranded, sunk or wrecked ships. Additionally, the GCWA will be responsible for exercising certain functions under the Transport Operations (Marine Pollution) Act of 1995, including dealing with the discharge of ship sourced pollutants into coastal waters, the provision of reception facilities and the recovery of discharge expenses.~~