



Speech by

**Mr W. BAUMANN**

**MEMBER FOR ALBERT**

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Hansard 18 November 1998

**TRANSPORT LEGISLATION AMENDMENT BILL (No. 2)**

**Mr BAUMANN** (Albert—NPA) (12.13 p.m.): As the shadow Minister for Transport and Main Roads has indicated, the Opposition proposes to support this Bill, which amends a number of pieces of transport legislation. I would like to get some assurances from the Minister on some of the proposed amendments. For example, the Opposition supports the delegation of powers to local authorities regarding the abandonment of vehicles, which was mentioned by the previous speaker, and vehicles left in dangerous positions. This particular problem has been a difficulty for local authorities since time immemorial. Previously, to handle the problem appropriately has required a great deal of time and effort on the part of police officers, whose time could have been better spent protecting our community by apprehending law-breakers.

I note that the delegation of power relating to this problem follows consultation with the QLGA and that it has supported assuming this role. One of the reasons that the police had problems with the existing arrangements was the difficulty of identifying who was the legal owner of some of these abandoned vehicles. I think it is only fair to assume that the staff of the local authorities will have even more difficulty with the identification process as, presumably, they will not have access to the same information as does the Police Service. While I am on the topic of cooperation with the Police Service, I hope that arrangements will be put in place to ensure that the Police Service will be notified of any vehicles that are removed by local authorities so that the police do not end up chasing stolen vehicle reports for vehicles that were removed under these provisions. In relation to these matters, I have been given to understand that protocols will be put in place regarding the liaison between the Police Service and the local authority. I seek the Minister's clarification on those arrangements that will be put in place.

Other amendments facilitate the entry onto properties by appropriate persons who are carrying out investigations concerning the potential for future rail corridors. Although I support these amendments, I find it surprising that these provisions are limited to rail corridors because in this very Bill we are considering special powers being given to the Deputy Premier and Minister for State Development and Minister for Trade concerning miscellaneous transport infrastructure. I suggest to the Minister that it may now be time to consider it appropriate to be less restrictive in confining these powers only to rail corridors and expanding the definition so that it is more generic—something like transport corridors, not just rail projects. Although I understand that specific powers are given under the miscellaneous transport infrastructure legislation, these do not appear to adequately address the question of access to properties for the assessment of these corridors.

I think that it would be appropriate for a consistent process regarding notices of intention that could, if necessary, address the question of appeals across the whole infrastructure development legislative framework. In relation to this Bill, that was identified by the Scrutiny of Legislation Committee. The shadow Minister advises me that there is transport legislation due to expire in the new year and that this is an issue that the Minister may care to consider at that time.

I note that the new section 79G deals with matters of compensation and/or rectification regarding loss or damage arising from entry onto the land. I also note that if these compensation arrangements cannot be agreed, the Bill makes provision for the matter to be decided by a court with the jurisdiction to allot the amount of compensation paid. That seems to be a redundant provision

because I think that entitlement would be available to the land-holder regardless. Perhaps the Minister could clarify that point for me.

Another matter about which I am concerned relates to the qualification of "within a reasonable time" in the Bill. That phrase attaches itself to these arrangements and creates another grey area that will need some more definite interpretation. I seek the Minister's assurance that this qualification does not diminish a person's usual entitlements in the types of cases about which we have spoken.

The amendments to the Transport Operations (Passenger Transport) Act deal with the definitions concerning charter operation by buses and the separate and important role played by taxis as part of a public transport system. I trust that these amendments will be effective in overcoming the problems that have arisen in Cairns in particular. The Minister would be well aware of those problems. As the Minister knows also, minibuses have been advertising and operating as taxis without being bound by any of the community obligations that are imposed upon taxi licensees by Queensland Transport and, for that matter, nor have they been subject to the licence fees associated with the purchase of those taxi licences. In this instance, the operator was warned from the outset that this type of operation was not in accordance with the intent of the legislation and that the Government had every intention of ensuring protection of the taxi industry.

While we agree that these amendments are appropriate, I fear that they will only address the symptoms and that they indicate that there is an underlying problem in Cairns and, for that matter, any other major tourist area of the State where there is a strong demand for various forms of public transport. Part of the problem could be that only one taxi company operates in that area. Perhaps there should be an examination of ways of encouraging competition in the areas where only one company dominates a particular area.

**Mr Bredhauer:** Are you advocating competition in the taxi industry?

**Mr BAUMANN:** No, but I am very hopeful that the Minister will manage his portfolio in a far better fashion than some of his predecessors.

**Mr Robertson** interjected.

**Mr BAUMANN:** I mentioned Government predecessors. Perhaps the member needs to pay a little attention to his hearing.

I am not convinced that the contract system that was introduced by the Goss Labor Government is conducive to fostering competition or cooperation in the public transport market. In particular, I refer to the cooperation between operators that is necessary to deliver the intermodal and integrated services that are demanded by today's commuters. Commuters are forcing the department to recognise that things need to be amended. If legislation prevents the successful integration and intermodalling of some of the services that should be available to commuters—and supposedly we do such things in the best interests of the travelling public—commuters can present suggested amendments to the Minister. As the Minister gets a real grasp of the abundant public transport problems that exist, perhaps he will make some recommendations of his own. This area will benefit from the Minister's further attention.

Like the shadow Minister, I bring to the attention of the House the great work that is being done on the Gold Coast Highway by Bob Higgins, the major projects manager, and his team. They and the contractors that they work with deserve all the credit and recognition that we can give them. They are managing to construct a massive piece of infrastructure despite the traffic that continues to use that road, and they are doing it with a minimum of fuss. My electorate probably contains the major portion of that construction and I am very well aware of the problems as they arise. I am very appreciative of the fact that Bob Higgins and his team deal with those problems very professionally.

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