



Speech by

**Mrs LIZ CUNNINGHAM**

**MEMBER FOR GLADSTONE**

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Hansard 25 August 1999

### **ROAD TRANSPORT REFORM BILL**

**Mrs LIZ CUNNINGHAM** (Gladstone—IND) (5.25 p.m.): I thank the Minister for the advice and information on the Road Transport Reform Bill that he made available to my office. I appreciate the information given to my staff and me. In common with all electorates, the road network is critical to my electorate. Some would say that the Gladstone area has had its road network studied to death, but we still have issues of concern that need remedying.

I formally commend the Minister's officers in our region. In relation to the intersection of the Benaraby road with the road into Gladstone, where there has been a number of fatalities, a public meeting was organised by some residents at Boyne Island. That meeting was attended by some of the Minister's officers, who were both constructive and well informed. The police also offered their perspective and provided some very practical information on why the police have trouble policing that intersection for people contravening the traffic regulations. At the end of the night, we reached some very clear resolutions to the problem. They were not the big picture resolution, but they were fairly easy to achieve. The Minister's officers were very quick to implement them. Provided there is time to test those changes before there is another serious incident, I think it will be shown that the department has responded in a very timely and efficient manner. I congratulate the current Minister and the previous Minister; those officers have been a delight to work with.

As I said, our area is a heavy industry region and the road network is very important. I wish to endorse some comments that have been made today by other speakers. Wherever it is possible for any commodities, not necessarily only bulk commodities, to be transferred by rail, that is an option that should be pursued more rigorously. In my region and also in others there is road haulage that would be better directed to rail. I assume that the only reason for not doing that is that there is an argument about upfront costs versus long-term benefits.

For example—and this is an historical issue now—I cite the trees that go to Austicks from the Boyne Valley. This issue surfaced before the time of this Minister. There was discussion initially that they should go on the rail network from the Taragoola line, but they did not; they are transported by road. That commodity should have gone on rail. Most of the people in the local authority area at Calliope agreed with that. That did not occur, but it is certainly something that I and many others in the community would endorse.

We have a couple of very important road networks. On the Boyne Valley road, which is currently the subject of a study with the Water Board—and I commented on that yesterday—low-cost seals have been used over time. That community has found those very beneficial. To date the roads have stood up to the loads that they have been carrying, and the community can see some real improvements to the quality of its road network. I commend the Minister for that program.

The other road that is in dire need of some work is the Dawson Highway. Money has been allocated to the section within the Calliope township but, for many years now, there has been a problem from Calliope township out to the range. At times the surface is just about turned upside down with extended dry periods and then wet, which causes problems with the bitumen seal and heavy transport travelling across it. That is a road that continues to need some money expended on it. If all 89 of us got up to speak, we would all have roads in our electorates about which we could say the same thing, but I do commend that road to the Minister for his consideration.

The other road that I mentioned earlier on is the Gladstone-Benaraby road. There have been a number of fatalities on that road, particularly on the T-junction corner. At the meeting that we had that afternoon, the police were able to point out that the majority of the problem had been caused through driver error. Again, I do commend the Minister and his officers for the work that has been done in relation to signage and reductions in speeds, etc. I think that will go a long way to reducing the number of incidents. There was a reduction in speed and very small signs were put up. People would drive through and not even realise that the speed had been reduced. Unfortunately, before the efficiency of that change could be tested, there was another serious accident. The community saw that the changes were not effective. One hopes that this time the changes will have time to take effect before there are any more incidents.

There are just a couple of issues in the Bill that I would like to raise with the Minister. Subsection 26 extends the time allowed for a defendant to appear from three days to not less than 14 days. This is stated in a couple of places in the Bill, and I commend the Minister for that. Often times if a person who wants to appear in a case—particularly if they are the aggrieved party—is not advised in time for them to be able to make that appearance, they feel quite frustrated and angry about that inability. Allowing the extra time I think will ensure that witnesses, as well as anyone else attached to the case, have the opportunity to attend, and I commend the Minister for that.

Clause 17 talks about notice of alleged offences. This is the ability for local authorities to attach infringement penalties to minor traffic offences. I just seek clarification from the Minister. It is my understanding that in certain circumstances a local government will be able to attach a dollar penalty—a penalty value—to an infringement. I seek a formal response as to what constraints will be placed on local government not to exceed what people would see as a fair fine for the infringement. Within the explanation that I have received, there does not appear to be any constraint. I just wonder what constraint will be placed on local government to ensure that the penalty does not, in the view of the community, exceed the seriousness of the offence. Some local authorities are very good, but some are accused at times of overstepping the mark when it comes to imposing fines, etc. I would be interested to know what constraint may be placed on the local authority in that instance.

The other issue that I want to raise is in relation to clause 21, which amends section 49.

**Madam DEPUTY SPEAKER** (Dr Clark): Order! Usually it is in the Committee stage that we get into this sort of detail.

**Mrs LIZ CUNNINGHAM:** I am sorry, I have to disagree. I ask questions of the Ministers and they respond in their replies. I would clarify that by saying that sometimes the answers mean that the members go to the Office of Parliamentary Counsel for amendments.

Section 49 talks about the fact that, if an ASA certificate is produced for a radar speed detection device stating that that radar device is not defective, that certificate is deemed to be effective for 12 months after the certificate is issued. I wonder what constraint might be placed on the operators of these radar machines to ensure that, if rough handling or some other mishap occurs, they are obligated to ensure that the operation of the radar device has not been affected. Sometimes there is rough handling, the equipment could be dropped, etc. One might wonder whether the equipment could be faulty but still be able to be operated under a certificate issued within the 12-month period.

Clause 23 states that a person who applies to be a children's crossing attendant has to write a report or a certificate outlining their criminal history. It says that the chief executive may request a report. Is that a discretion on the part of the chief executive? They are not obligated in every instance, I take it, to get a criminal history—only if there is an issue or circumstance that creates a concern or question in the chief executive's mind. It is in clause 23.

**Mr Bredhauer:** If a person indicated they had a previous criminal history, if it was for something which caused the chief executive to seek further information, that is what they would do. If it was for something totally unrelated to the work that a school crossing supervisor does, they may not need to get further details.

**Mrs LIZ CUNNINGHAM:** The circumstance that I was thinking of was different in that, if a person applying to be a crossing attendant did not have a criminal history or did have a criminal history and put "none", could the chief executive exercise a discretion and clarify that? I know that this person contacts children in the open, but they do form a relationship with the child, too, which is probably where the concern arises as regards this person's criminal history.

The only other issue that I wanted to raise with the Minister about this Bill is in relation to clause 35, which amends section 78.

**Madam DEPUTY SPEAKER** (Dr Clark): Order! I have actually consulted with the Clerk, who has confirmed my ruling. In this instance, I will let the member continue her speech. Perhaps she might like to give that consideration in future and seek clarification for herself.

**Mrs LIZ CUNNINGHAM:** The only other issue that I wanted to raise was the fee that is to be charged for approved motorcycle rider training. Concerns were raised in my electorate about this mandatory training. Unless control is kept on the upper limit of the fee, it could place it out of the reach of many people attempting to get a motorcycle licence. I understand that an upper limit is proposed and human nature being what it is, that is what will be charged. However, that fee should not get to the point at which it precludes people from getting a motorcycle licence simply because they cannot afford the training fee. It was a concern that was expressed to me, and I pass that concern on to the Minister.

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