



Speech by

**Mr ROB MITCHELL**

**MEMBER FOR CHARTERS TOWERS**

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Hansard 25 August 1999

### **ROAD TRANSPORT REFORM BILL**

**Mr MITCHELL** (Charters Towers—NPA) (12.44 p.m.): As the shadow Minister has indicated, the coalition proposes to support this legislation, which makes way for the adoption of a nationally uniform transport legislation framework. It is very appropriate that we are considering this legislation today because, unfortunately, we are facing a disturbing increase in the number of road fatalities in Queensland. At the moment the road toll comprises 14 deaths more than at this time last year. This year, 177 lives have been sacrificed to our communities' commitment to the motor vehicle.

It is unfortunate that a number of these deaths have resulted from incidents involving heavy vehicles. It is worth mentioning, though, as was emphasised by the member for Gregory, that many of the provisions in the legislation introduced by the Minister have been initiated by the road transport industry in an effort to improve the safety of heavy vehicles.

All too often, however, it seems that road conditions play a part in heavy vehicle accidents in particular. On many occasions I have stressed my concern about road conditions in the Charters Towers electorate, especially with the increase in heavy traffic due mainly to the mining industry and stock being transported along the highway. The road is noted to be full bitumen but it has narrow sections. I have stressed on many occasions that it is dangerous. I add my voice to those of the Minister, the shadow Minister and the many others asking the Commonwealth to increase funding for our roads. We know that it is somewhere in the vicinity of \$400m and—

**Ms Struthers:** Have you written to him?

**Mr MITCHELL:** Yes, I have.

**Ms Struthers** interjected.

**Mr MITCHELL:** I forget, but we are not going to get it at this stage. I know that the shadow Minister has also made personal representations. I, the Minister, the shadow Minister and others hope that the money is forthcoming.

I am also concerned that the forthcoming Beattie Budget will bring about a reduction in road funding in Queensland in real terms. I certainly hope that is not the case. The people of rural and remote Queensland are already very apprehensive that we will see a shift in funding away from those areas in the State that desperately need basic trafficable roads just to be able to go about their daily lives, let alone allow the development of commerce, which the previous speaker spoke about at length.

I am fully aware of the problems that the Minister faces in his own electorate in respect of roads. I have travelled some of the roads in his electorate a couple of times over the last four or five years, and they are terrible. But a lot of other roads are in the same condition. I could mention the mail contractor in the Minister's electorate who had to resort to delivering mail on horseback. I could also mention the criticism by the recently elected senator from north Queensland about the state of the roads in that area. I will not go any further with these examples. I know that the Minister knows about these instances and I will not spend any more of the time of the House on them.

There are some shocking roads in the Minister's electorate. I am sure that the Minister is doing his best to beat off the Treasury hounds to protect or enhance road funding in Cook. I ask the Minister to use the same amount of influence in respect of the rest of rural and remote Queensland.

As the Minister will be aware, present road funding priorities are set out in a five-year road implementation program. I believe that is a good system. The purpose of this program spanning five years is to allow local authorities in particular to plan their work programs to use their work forces effectively. It is important that this program does remain in Main Roads budgets. I am sure that the Minister will be aware that any dramatic change to this program can have a significant impact on local communities.

I acknowledge the reality that the next edition of the roads implementation program will reflect the priorities of the Beattie Labor Government. I certainly hope that there are not many changes, because a lot of work has been put into this good program. I am quite happy with the situation in my electorate. If the funding keeps coming, in that five-year period we will eventually get to all of our roads. I caution the Minister, however, that his administration will be judged on this program and on its impact on rural and regional Queensland in particular.

I note that this legislation includes enhanced provisions for enforcement in areas such as speeding and overloading of heavy vehicles. Again I acknowledge that many of these provisions have been initiated by the road transport industry itself, but there is one aspect of speed and heavy vehicles on which I often get adverse comments. Many vehicles these days carry signage from other jurisdictions that they are speed limited at 100 kilometres per hour, yet I have received many complaints that these vehicles are clearly capable of speeds well in excess of these limits. And by that I do not mean just downhill. Some of those heavy vehicles out there are very speedy.

By far the most intimidating aspect of heavy vehicle usage relates to the drivers following other vehicles too closely, although this does not relate only to heavy vehicle drivers. Some of these "terrorists", as some heavy vehicle drivers call them—tourists— cause a lot of difficulties for heavy vehicle drivers. I know that there are a whole lot of reasons that tailgating occurs, including motorists not appreciating—

**Mr McGrady:** That is not an attack on the tourists, is it?

**Mr MITCHELL:** In some respects, yes, but not as long as they learn the conditions of the road. I gave a speech on tourists just yesterday. We need more of them, but they need to take care on some of our roads. Motorists do not appreciate the need for heavy vehicles to maintain their momentum. I have experienced this on many occasions on some roads, especially the Gregory Developmental Road north and south of Charters Towers.

For about 18 months I tried to get some signs erected along narrow stretches of bitumen to let tourists know what the road conditions are like, and in the past two months those signs have been erected. In the last two weeks, I have travelled on the Gregory Developmental Road twice, and I notice that those signs have had an effect. People towing caravans and those in motor vans are actually pulling over to the side of the road and giving heavy vehicles more leeway. Because of the width of many roads, drivers of heavy vehicles encounter difficulties when they have to get over into the soft dirt at the side of the road, especially when carrying a load of cattle, and this can have drastic consequences. So it is pleasing to see that motorists are heeding those signs that I requested about 18 months ago. I hope that they serve their purpose until those roads are widened.

In these days of road rage, I believe that it is appropriate for me to merely remind some of our professional drivers that they are the public image of the road transport industry and that they need to be sympathetic to the image that they present. I appreciate the plight of heavy vehicle owners and drivers, because it is a very competitive market out there, especially in the stock cartage sector, and they have an important need to keep those wheels rolling just to make a living and to keep their heads above water.

Over the past few weeks, I have had discussions with many livestock operators in the west about the undercutting of prices— especially with Government subsidised rail transport—for trucking cattle to export markets and abattoirs. Rail has been quoted as carting for about 65c per deck per kilometre, compared with \$1 for road transport. That is the minimum that they can charge to cover their transport costs or overhead costs.

**Mr Bredhauer:** They should use rail wherever they can.

**Mr MITCHELL:** No. We still have to keep the industry viable out there. People have been in that business for a long time. We cannot shun them just because rail is undercutting their prices. They are a big industry in many of our small towns. The Minister should rethink that a little. It is getting harder by the day for them to compete on this unlevel playing field. The existence of a Government subsidised entity makes it harder for people to use road transport. There are at least three or four carters in my electorate who are struggling and will struggle even further. The Minister needs to rethink that. I am very concerned about the future of many of those road transport carriers. I would not like to think that the Minister is pushing more and more for rail transport, as he just indicated. We have to think of the livelihood of many families and others who have been in those areas for a long time.

**Mr Bredhauer:** I'm thinking of the people who get killed on the roads in traffic accidents, too.

**Mr MITCHELL:** The Minister has got it wrong.

There is no doubt that addressing the chain of responsibility identified in this legislation will also assist in making it easier for professional drivers to remain professional in the way they interact with other motorists.

I am also concerned that this legislation does make transport operators responsible for the actions of others. I accept—as does the industry—that they have to be accountable for the consequences of their actions and, for that matter, any directions that they give. What I am uncomfortable about is the extent to which someone can be responsible for someone else's actions. Most heavy vehicle drivers are very courteous. They look for motorists, and they are always indicating or signalling to them when it is safe for them to overtake. They are responsible in their driving, and people should be aware of that. Many people who drive on our roads are not aware of the road conditions or the traffic signalling done by drivers of heavy vehicles.

The shadow Minister raised the hypothetical case of someone deliberately setting out to destroy someone else's business. There is no doubt that this would be an extreme circumstance. But let us not kid ourselves; these cases can occur. One has only to look at the actions of some persons during recent industrial disputes to understand what can occur.

Having expressed these reservations, I nonetheless support the provisions of this legislation because I know that it has the strong support of the transport industry. However, I seek assurances from the Minister that he is satisfied that there are appropriate protections in place, and I hope that I do not have to remind him of them in the future.

In common with the shadow Minister, I am also concerned that the change to the definition of a road has massive implications to a raft of legislation in this State. Again, my particular concern is the implication in regional and remote Queensland. I note, however, that the proposed definition of a road requires that it is developed for, or has as one of its main uses, the driving of a motor vehicle. I must say that I am not confident that some of the so-called roads around the State will meet this definition, let alone some of the tracks and trails that are regularly used by the Queensland taxpayers. I, too, await the Minister's explanation of how the rule of law will prevail over some of this country without passing yet another level of administration on to local government without appropriate resources.

The Scrutiny of Legislation Committee of this House has quite rightly expressed concern about the scope of the regulation-making power under the legislation, and I concur with that concern. I am concerned that the Minister is writing a blank cheque for the bureaucracy, although I am advised by the shadow Minister—and, I am sure, by the present Minister—that they are all honourable people. I do not want to knock them, because I know that a couple of them are here and they do a wonderful job. My concern stems from the fact that the regulation-making powers are very broad but that, in addition, we will not see the Queensland version of the national regulations until quite late in the year.

I note that, in his second-reading speech, the Minister has assured Queenslanders that there will be an extensive communication campaign to ensure that drivers are well aware of these changes. I remind the Minister that the clock is ticking and there is not much time left before the regulations will need to be submitted—which I presume will need to be done before any advertising is done at all. That does not leave the Minister much time in which to let all drivers know what this new legislation will provide. I know that the changes are fairly minimal, but I propose to close my remarks by impressing upon the Minister the importance of getting this communication campaign going as soon as possible and as widely as possible to all drivers right across Queensland, not just those along the eastern seaboard. We have to get the message to all the people who use those roads.

**Mr Bredhauer:** I'm from the Government. I'm here to help you.

**Mr MITCHELL:** I certainly hope that is the case, because sometimes the consultation processes do not reach very far at all. I have been there and done that, and nothing happens. Consultation is supposed to be widespread.

**Mr Bredhauer:** What about under your lot?

**Mr MITCHELL:** A fair few things have happened under this Government, which I can relate to the Minister on another occasion.

The coalition is looking forward to the Minister's responses to the matters raised. And provided that the Minister is able to provide satisfactory responses—and I might add that I was not very happy with one of his responses about road transport operators in the west, and he should rethink that, because not every death or every accident on the roads is caused by heavy vehicles—

**Mr BREDHAUER:** I rise to a point of order. I never said that. I find it offensive, and I ask the member to withdraw that.

**Madam DEPUTY SPEAKER (Ms Nelson-Carr):** Order! The member will withdraw the comment.

**Mr MITCHELL:** I withdraw. Provided the Minister is able to provide a satisfactory response—

**Mr Bredhauer:** I never said anything of the sort.

**Mr MITCHELL:** The Minister should rethink his thoughts about the road transport operators in rural and regional Queensland. All drivers and commuters must be responsible for their actions on the roads. That extra signage in my electorate will let tourists in particular know exactly what to expect on those roads. I like to see tourists in my electorate. But if they are going to run into trouble because they do not know what the road conditions are like out there, that will be detrimental.

As the shadow Minister has already indicated, the Opposition intends to support this important legislation.

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