



Speech by

**Mr W. BAUMANN**

**MEMBER FOR ALBERT**

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Hansard 16 March 2000

### **TRANSPORT LEGISLATION AMENDMENT BILL**

**Mr BAUMANN** (Albert—NPA) (5.30 p.m.): I rise to contribute to the debate on the Transport Legislation Amendment Bill. I am particularly interested in the proposed amendments to the Transport Infrastructure Act 1994 and, therefore, will restrict my comments to a number of the provisions which have a specific application to my electorate of Albert.

Clause 25 provides, among other things, for a head of power dealing with the management of waterways. The management structure proposed in this Bill relates to the making of a waterway transport management plan which must be approved by the Governor in Council and become subordinate legislation. The matters which are to be regulated by waterways management plans are set out in clause 31, which establishes a new Schedule 1A.

The matters specified under this Schedule are: the mooring and anchoring of watercraft; the types of craft that may use certain places or infrastructure and how long they may remain; regulating the living on board of craft; regulating the recreational activities of waterways; regulating the nuisance caused by the operation of watercraft; a levy upon marina owners for a contribution towards dredging and maintenance of public marine infrastructure; the appointment of authorised persons and their powers; the issuing of directions under a waterway management plan; the protection of infrastructure; and the recovery of expenses.

At the outset I say that this legislation is supported by the coalition. It is long overdue. The Minister and the shadow Minister would know that the operation of watercraft, in particular personal watercraft, otherwise known as jet skis, has been a source of continual irritation for residents along waterways throughout the State but in particular in areas such as the Broadwater and the Coomera and Nerang Rivers.

There are also a number of other problem matters which this legislation will regulate, particularly matters such as the mooring of craft, living on board and the nuisance that can be caused by the use of watercraft. This Bill also provides for a consultation process required prior to the introduction of a management plan for a particular area.

My first concern is that quite a number of the safety issues that relate to the operation of watercraft are regulated by the Marine Safety Act. I refer in particular to speed limits for vessels, which can create a very real impact on the amenity of people who live in the vicinity of waterways. I understand also that the waterway transport management plan will be able to regulate the type of activity that may be undertaken by the rider of, say, a jet ski but it will not be able to regulate the speed at which the activity may be undertaken. I know that the Minister has another meeting going on the side at the moment, but hopefully he will have heard what I just said.

**Mr Bredhauer:** I have one of your National Party colleagues making representations to me. Don't accuse me of not listening. I am trying to do the right thing by one of your colleagues.

**Mr BAUMANN:** Keep up the good work, then, Minister. I have several other matters for you to give consideration to as I proceed.

**Mr DEPUTY SPEAKER** (Mr Reeves): I ask the member to address the Bill and speak through the Chair.

**Mr BAUMANN:** I will speak through the Chair, and I have no difficulty dealing with the Bill. I just seek some attention from the Minister.

**Mr DEPUTY SPEAKER:** You are speaking to the Chair, not to the Minister.

**Mr BAUMANN:** Absolutely, Mr Deputy Speaker. You are right again, of course.

Now that I have the Minister's undivided attention, I point out that this will mean there will have to be a close affinity between the waterway transport management plan and the Marine Safety Act. I seek the Minister's assurance—now that I have his full attention I am sure I will get that—that the formulation of a management plan under this legislation will also be accompanied by a review of the speed limits and associated safety regulations which are to apply in a management area.

At present, for example, in many of the areas controlled by speed limits the limits apply only to vessels longer than a certain length. To my best recollection, that length is six metres in most cases. This means that smaller craft appear to be at liberty to disturb other users of an area with unreasonable speeds which cause wash, noise and at times accidents. The Minister would be very well aware that some of those boats under six metres in length can weigh anything between two and four tonnes and, depending on the speed they are driven, cause quite considerable wash and quite considerable erosion. In particular areas such as boat ramps, where people are loading and unloading, they also cause some anxiety and drama, if not accident and injury.

Of particular concern to many local residents in my electorate with waterfront homes on the Coomera River in the Sanctuary Cove/Coomera Shores area in particular is the speed of those craft under the six-metre limit. These vessels are operating in the area I spoke of in a very constrained waterway and are causing safety concerns.

The area of concern includes a number of craft moored to fixed or floating jetties, users of that very popular boat ramp that is situated at Coomera Shores and the many cross-river ferry passengers who travel between Coomera Shores and the Sanctuary Cove Marine Village just across the way. Those passengers use the floating public jetty facility. It is a very beautiful facility that has been installed to provide access to that service.

As a result of the concerns for safety in this area, there is mounting pressure to consider a special speed zone for all vessels operating in what could be defined as an appropriate distance from these public and private facilities. I have had some conversation with Mr Russell Witt of the Maritime Office on the Gold Coast in relation to this problem. I feel certain that he is looking forward to this legislation passing through the House and to making use of some of the regulations to deal with the problems I raise. I would like the Minister to confirm in his speech in reply to the debate that regulations under this legislation will enable situations such as the one I have outlined to be remedied.

One of the acknowledged problems with the existing legislation is lack of effective enforcement. I note that this legislation provides for the appointment of authorised persons and their powers. I ask the Minister to advise this House whether it is intended to appoint additional staff to administer the regulation of these waterway transport management plans or whether we will be a bit like Peck's Paste and stretch it that little bit further.

**Mr Bredhauer:** Nothing like Peck's Paste.

**Mr BAUMANN:** I am relieved to have the assurance from the Minister that we will not be making it go quite the distance of Peck's Paste.

**Mr Hegarty:** As long as you are a happy little vegemite.

**Mr BAUMANN:** That indeed will be of assistance.

I understand that a management plan has already been drafted for the Gold Coast area. I would like the Minister to give the House an example of how these plans will work. How many additional staff will be appointed to administer that Gold Coast plan? I would also like to know what steps will be taken to inform the waterway users of the requirements of these management plans. Can the Minister please advise about the communication strategies that will be employed and, just as importantly, whether a budget allocation will be made to promote those particular plans?

I am informed that the Minister proposes to introduce an amendment to the Transport Operations (Marine Pollution) Act to defer the provision for the fitting of toilet and holding tanks to existing craft over 10 metres in length. I agree with the deferment of this requirement because, even if the holding tanks are fitted—or retro-fitted in this instance—there is a lack of appropriate pump-out facilities even in such heavily used areas as the Broadwater and the southern bay areas. I suggest to the Minister that the department needs to look at the provision of these facilities at public marinas and other heavily used areas such as South Stradbroke Island.

I would like to turn to the courtesy coach industry. I support the concerns expressed by the shadow Minister in relation to the restricted driver authorisations proposed for the courtesy coach industry. The Minister would be aware that I have some background in the passenger transport industry

and I am concerned that there are both safety and property issues involved in respect of operators being able to authorise backpackers to drive buses.

There is one final issue which I would like to raise, and that relates to the implications of limited access roads. In this instance I am referring to the magnificent M1 motorway which is nearing completion. The construction of the Pacific Motorway was made possible by the Borbidge coalition Government. I must not allow the current Minister to take all the honour and glory for the construction of the motorway. As we are all aware, the previous Labor administration agonised for some time over the provision of an alternate highway. Thanks to the decisive actions of the coalition Government and its Minister for Transport, we have been able to deliver this magnificent highway to the travelling public. The current Minister is only too happy to open all the overpasses and take the credit for their construction.

Businesses which are situated alongside the motorway are faced with considerable difficulties with signage. Even though we have myriad problems in this regard, I would like to refer in particular to the directional signage relating to the tourist facilities at Sanctuary Cove and Hope Island. The Minister would be aware of the various petitions which have been tabled in the House in relation to this matter. The Minister would be also aware that the interchange at the Sanctuary Cove intersection has been totally relocated.

Sanctuary Cove Marine Village is a major tourist attraction which hosts more than 2 million visitors each year. The corporate logos of Dreamworld and Movie World have been placed on the highway in an effort to identify the necessary exits. The jabiru would provide excellent signage to enable tourists to find their way to Sanctuary Cove and other attractions in the Hope Island area.

Perhaps the Minister could explain to us in his reply just how he sees these provisions working. He might also explain to the House why we need to have special provisions in relation to backpackers. We have plenty of Queenslanders who would love to be qualified to drive tourists around our State. The Minister comes from north Queensland. I remember an incident a few years ago where a serious accident, involving loss of life, occurred at Smithfield. On this occasion, a minibus collided with another vehicle. I believe the minibus was driven by a person of Asian origin. The driver was probably driving on an international licence—and that is quite legal—but some backpackers have difficulties with the English language and, thus, could have problems with roadside signage.

Recently, the Minister was in attendance at a site on the Stapylton/Jacobs Well Road just off the M1 motorway. Part of the Stapylton/Jacobs Well Road suffered bad damage during the construction of the motorway. I am told that the Minister is aware of the problem.

**Mr Bredhauer:** Margaret Keach brought it to my attention, not the local member.

**Mr BAUMANN:** I believe that, if the Minister cares to go back through his records, he will find that the regional officer has been dealing with the issue for some months.

**Mr Bredhauer:** It was the good work of Margaret Keach that brought it to my attention.

**Mr BAUMANN:** I was going to give the Minister credit for bringing it forward, but I have no doubt that the decision was made well before he knew anything about it. I accept that the decision has been taken to bring forward the upgrading of that section of the road, and that is appreciated by all concerned.

There are some dairy farmers left in the area. Henry Hester and his wife have cattle crossing that particular piece of road morning and night because the dairy sheds are located on one side of the road and the grazing area is on the other. With the upgrading of this road, I believe it would be an intelligent move to provide an underpass to enable the cattle to travel under the highway.

**Government members** interjected.

**Mr BAUMANN:** May I seek the protection of the Chair against these persistent interjections?

**Mr DEPUTY SPEAKER** (Mr Reeves): Order! The member for Springwood! The member for Gregory!

**Mr BAUMANN:** Thank you for your protection, Mr Deputy Speaker. Mr Hester has requested that this matter be given some consideration. Significant work will be required on the upgrading of that particular section of the road. The natural topography will lend itself to an underpass being constructed. I thank the Minister and his officers for the briefing which was provided to members of the Opposition on this legislation. I look forward to hearing the Minister's response to the matters I have raised this afternoon.