



Speech by

Rachel Nolan

MEMBER FOR IPSWICH

Hansard Wednesday, 14 March 2007

MOTION: DISALLOWANCE OF STATUTORY INSTRUMENT

Ms NOLAN (Ipswich—ALP) (8.31 pm): I rise to speak against the disallowance motion moved this evening by the member for Gregory. In listening to the debate tonight it is very clear that the issue at hand is the heavy vehicle fatigue penalty changes. I am more than willing to accept that the member for Gregory and—

Mr Johnson interjected.

Ms NOLAN: Sure.

Mr Johnson interjected.

Ms NOLAN: I thank the member for Gregory for his generous assistance, but I understand the point. There is, nonetheless, a principle that underlies that which is about managing fatigue and therefore road safety. If the member would just let—

Mr Johnson interjected.

Ms NOLAN: I understand that the member for Gregory and other members opposite have a great deal of experience and insight into the transport sector. It is appropriate that that should be acknowledged, just as it should appropriately be acknowledged that the government has made a number of changes over a period of time with a view to managing fatigue, managing hours on the road and improving road safety in trucking and other industries. Clearly the government is seeking to make additional changes in that regard with a view to further improving road safety. In this debate that is the side on which I quite unreservedly fall.

The point I want to make is not about the minutiae of that aspect of the disallowance motion. The point that I want to make in speaking tonight is that the regulation that the opposition is seeking to disallow actually contains many more amendments than the heavy vehicle fatigue penalty changes. By disallowing this regulation there are other important amendments that would also be lost. In total, the regulation contains amendments to 12 regulations. I would like to briefly run through those other key changes that would also fall victim should this disallowance motion be successful.

The amendments to the Transport Operations (Passenger Transport) Regulation 2005 extend the expiration of the transitional provision that preserves existing guidelines issued under the regulation by the chief executive about the type, age and use of vehicles to provide public passenger services for which operator accreditation is required.

Under the Transport Operations (Passenger Transport) Standard 2000 public transport operators whose vehicles comply with the guidelines are deemed to have vehicles of a suitable type and age to provide the relevant service. It is proposed to transfer these guideline provisions to the standard or the regulation later this year. It is essential that they are retained until this transfer occurs. The bottom line is if that if this regulation was disallowed and those guidelines not retained we could potentially have, for example, substandard buses, including school buses, operating on Queensland roads.

An amendment to the Integrated Planning Regulation 1998 clarifies the development exemption for community infrastructure for various types of transport infrastructure. Specifically, the amendment omits certain land types, thereby exempting all aspects of development for the maintenance, repair, upgrading or duplication of rail, bus, light rail and other miscellaneous transport infrastructure.

The Transport Operations (Road Use Management—Accreditation and Other Provisions) Regulation 2005 has been amended to ensure that certain provisions do not sunset prior to their transfer to the primary legislation. The provisions that I refer to are sections 108 to 115, which relate to moving vehicles on or from prescribed roads, and sections 118, 119 and 121, which relate to certain functions and powers of authorised officers. These provisions are absolutely essential to the effective enforcement of transport legislation as well as the preservation of our road infrastructure. They must remain in place until they are relocated to the act down the track.

Another amendment of significance is to the Transport Operations (Road Use Management—Vehicle Standards and Safety) Regulation 1999. This amendment increases the maximum speed capability of a road train prime mover to 100 kilometres an hour to allow industry operators to achieve dual capability by being able to switch from road trains to B-doubles and semitrailers without the road train prime mover speed-rating restriction of 90 kilometres an hour. This measure is clearly of significant benefit to transport operators, including the rural transport operators with whom the member for Gregory is connected and whose position he is purporting to put forward tonight.

As I mentioned earlier, the regulation contains amendments to 12 regulations. While many of the amendments appear to be quite minor and do not involve any change in policy, they are still important if we are to have robust law in Queensland. I think it must be considered that there would be a serious unintended consequence of accepting this disallowance motion which might, as I have suggested, leave us with older and more dangerous school buses on the road that may hinder the industry whose views the member for Gregory puts forward—for instance, the change to speed limits for road trains—and which might affect planning changes in terms of busways, light rail and other matters.

On that basis, I do not think it is reasonable for us to disallow the whole lot—to throw out the baby with the bathwater. On that basis, I strongly oppose the motion to disallow the regulation.