



Speech by

Ms Grace Grace

MEMBER FOR BRISBANE CENTRAL

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TRANSPORT AND OTHER LEGISLATION AMENDMENT BILL

Ms GRACE (Brisbane Central—ALP) (3.34 pm): I rise to support the Transport and Other Legislation Amendment Bill 2008 and, in so doing, note that the legislative changes included in this bill will bring about a number of reforms to improve the transport and industrial relations sectors. I want to firstly touch on the issue of safety and say that of course safety on our transport system is paramount for the government, and it is therefore most relevant that this bill introduces new powers for TransLink transit officers at the same time that the government is making record investments to meet Queensland's current and future transport challenges. The commitment to public transport safety and security is paramount, and this is mainly due to the firm belief that the public in Queensland expects, and indeed deserves, to travel in a safe and secure environment.

This bill contains three main initiatives to improve public transport safety and security, and I will go through those three initiatives. Firstly, TransLink transit officers will have their current powers extended beyond the railways to all other TransLink services. This will mean that the whole of the TransLink public transport network will now be covered, enabling the very important work of TransLink transit officers to be undertaken on all elements of public transport, therefore of course making it much safer for the travelling public. Secondly, TransLink transit officers will work in partnership with police and will be given extra powers to detain people who commit particular offences so that they can be handed over to the police. It is great to see that this cooperative approach is being embarked upon. Thirdly, the bill gives the power to the courts to exclude from public transport people who have committed certain offences on the public transport system.

I indeed support the extension and the use of these powers, particularly so in all of the other areas of public transport. Buses and busways, stations and car parks, interchanges, ferries and ferry stations will all now be covered. This is also in recognition of the need to have these areas safe and secure, just like our railroads are.

I also welcome the inclusion of provisions relating to reasonable force for fare evaders and troublemakers in relation to a vast number of offences that are included in this bill. This will give these officers the ability to deal with serious offences which may also happen from time to time. For example, I do not think we are going to be making police officers out of these officers, with arrest powers, but we are giving them the ability to detain for further action by the police in cases such as committing assault, assault relating to stealing, wilful damage or sexual offences. It is imperative that we give these powers in order for the police to then come along and assist these officers with what they need to do.

The bill incorporates safeguards, checks and balances and ensures that the transit officers will only be allowed to use these powers after undergoing a high-level assessment and training process. It is imperative that that is included in the bill, and it is good to see that the minister has ensured that if we give these powers they are going to be handled in a responsible and able manner. Transit officers must successfully complete the assessment process before they can be appointed as an authorised person and then be able to use these detention powers. The extension of powers is also necessary to enforce court orders that may ban certain persons from using public transport, and allowing them to be detained and handed over to the police for breaching a court order is a practical and sensible step in the right direction.

I now want to turn my attention to the open roads initiative which is also included in this bill, because it allows the government to tackle traffic congestion head-on and is also a key priority of this government. The legislation gives officers the ability to confidently and quickly deal with stricken vehicles and other objects that may be causing an obstruction or hazard on our roads. Amendment to the Transport Operations (Road Use Management) Act 1995 and the Police Powers and Responsibilities Act 2000 will strengthen the ability of officers to remedy congestion-making hazards on our roads.

This is mainly due because in the past there has been an uncertainty regarding the extent of powers to clear roads of disabled vehicles, spilled cargo or other hazards that may find themselves on our roads. These hazards were often left until consent to remove them could be obtained. We know that when these hazards are on the road the prime objective is to get them off the road and make the road safe as soon as possible. Obviously, in order to stop the congestion, we need to give the officers the confidence that they can go ahead with their duties. I think the minister is really on the right track in ensuring that these hazards are not left lying around and that we give the officers the ability to do their job to clear the roads and make them safe.

I also fully support and endorse the amendments contained in this bill that further tackle the issue of heavy vehicle driver fatigue. In terms of safety on our roads, I think this is definitely a step in the right direction. As we all know in this House, the proper and sophisticated management of fatigue by heavy vehicle drivers is essential for road safety not only for the drivers but also for all road users.

As a package, I fully support the amendments and the new regulation that encourages all parties—and I stress all parties—in the road freight industry to improve and continue to manage driver fatigue issues in a robust and proactive manner. For example, we hope that this will ensure—and I am sure the legislation will bring this about—that drivers carry appropriate fatigue management documentation. The bill gives authorised officers limited powers to require heavy vehicle drivers to take certain action in certain circumstances and, for example, if we find that heavy vehicle drivers have been driving for too long, to order them to immediately take a rest break. The bill will also ensure that heavy vehicles are appropriately and safely loaded. Having now the open roads policy by which we can clear the roads of hazards, it is important that we also put into practice measures to ensure that these things do not fall onto our roads in the first place. It is good to see that proactive management of how heavy vehicles are loaded will also take place. That reinforces that all parties in the chain of responsibility take appropriate action and steps to ensure the safety of drivers and the users of our roads. It is important that they are aware and address all issues relating to driver fatigue. In these situations, the reasonable steps defence is most important and appropriate.

Under this legislation you cannot have the situation where a driver wants to do the right thing but obviously the employer is not allowing that driver to do the right thing because of the unnecessary and undue demands that are being put on the driver to deliver goods within a specific time period. Equally, if the employer gives ample time, then it is up to the driver to manage that time appropriately so that driver fatigue and making the roads less safe for those users is not something that they are participating in.

I would like to further note the changes the bill makes to the Building and Construction Industry (Portable Long Service Leave) Act 1991, which relate to the capping of weekly payments in order to ensure the viability and security of these benefits for all building workers. Portable long service leave in the building industry is a success story of this government. It has given workers in that industry long service leave entitlements that they never had before. I commend the minister for taking the necessary steps to ensure that all workers benefit from the portable long service leave provisions.

In conclusion, I also support the changes to the WorkCover legislation that are encapsulated in this bill which will now allow the lodgement of certain forms by telephone. Having had extensive experience in this area, I know how important it is for some workers, who cannot physically or are unable to lodge a claim form in person, to be able to do that. It is much easier for those workers to do it by telephone. I believe this is a most sensible amendment. This bill now allows the lodgement of certain approved forms by telephone or by another way acceptable to the receiver of the forms. This amendment will cut red tape, expedite claim decision times and put in place administrative efficiencies which, in turn, is good news for the most vulnerable in our workplace community, injured workers, and their families. It will help them through these hard times. I commend the bill to the House.