




Speech By
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TRANSPORT OPERATIONS (MARINE SAFETY-DOMESTIC COMMERCIAL VESSEL NATIONAL LAW APPLICATION) BILL; TRANSPORT OPERATIONS (MARINE SAFETY) AND OTHER LEGISLATION AMENDMENT BILL

 **Mr POWER** (Logan—ALP) (9.22 pm): I am pleased to have the opportunity to speak on the Transport Operations (Marine Safety) and Other legislation Amendment Bill 2015. I have been following the work of the committee as they went through the process of calling for submissions and held a public hearing. Fellow members should not feel that the limited number of responders limited the bill, as I am told it was the quality of the responses and submissions that added to the quality of the deliberations by the committee. I thank the members of the committee who have done their task on this bill.

We well know that maritime vessels can be designed to be best suited to either a river, bay or open ocean purpose; however, we know that there is also a crossover of use between these maritime environments. We know that shipping, especially commercial shipping, needs regulation. They do not need differences in regulation, however small, between these two environments.

With considerably more consultation and discussion, in 2012 the Commonwealth government passed the Marine Safety (Domestic Commercial Vessel) National Law Act 2012 and this law is seeking to be passed to make seamless interaction and harmonisation with the national law. There are times when this parliament may wish to respond to specific Queensland conditions and to strike out in their own direction despite the national law. However, in the case of shipping this is not the case and harmonisation and complementarity will make the process of operating shipping in Queensland waters easier for those concerned.

It does this by the clear legal transfer of responsibility to the national law, clearing any ambiguity about which law could take precedence in a particular maritime environment. This is a product of negotiation between the states and the Commonwealth at the Council of Australian Governments. That reflects that this is a joint decision of all of the states, the Commonwealth and the territories.

Even the ACT has some maritime environment due to the quirk in our Constitution that insisted that our national capital have a port leading to the non-contiguous boundaries of the Australian Capital Territory through the port at the Jervis Bay territory. That is the type of malapportionment of boundaries that would make an old Nat making a redistribution submission proud.

After passing the national law the consensus was that some 95 per cent of vessels operating in Queensland were completely controlled by the operation of the national law. This is because the nature of our constitutional arrangements mean that the Commonwealth cannot regulate those vessels that are owned directly by individuals, sole traders, partnerships and other entities that are non-corporate in nature and other vessels that commercially operate completely within inland waters, such as eel fishers for the export market or seafood harvesting vessels. I am informed that there are nine commercial vessels and six operators. Through this harmonisation process we may see more operators able to enter the field.

I note that the member for Ipswich so interestingly let us know about the history of inland shipping on the Brisbane and Bremer rivers. I can hardly let it go without making some reference to the history of inland shipping and the opening up of the Logan region through the Logan River.

As early as 1826 the commandant of the penal settlement, Captain Logan, made note of the importance of the Logan River, noting that it was 'navigable by the largest class of colonial vessels for 80 miles and running through the finest tract of land I have seen in this or any other country'. However correct Captain Logan was about the river that would later be named after him, he perhaps could have paid more attention to his personal safety as it was on these journeys of exploration that he was killed by persons unknown. The Logan River, like the Albert, became the highway of the time and a variety of vessels thrived on the river by the 1860s. No doubt if this traffic still existed it would be regulated under these laws.

Less clear would be the most simple of boats that floated the Logan River during this period. Some were simple barges that had no sail or motor and, loaded with cane or other goods, simply floated with the tide. As the tide changed they tied the barge to the bank seeking to wait and ride the next tide further up or down the river. These punts had no engines, were loaded by hand and had even primitive oars for simple manoeuvres. I find it unlikely that the drafters of the 2012 national law envisaged such vessels. Yet these punts took up to 30 tonnes of cargo slowly up and down the river.

Passengers plied the Logan River on a variety of first cutters and later steam-driven craft such as the *Amy*, *Louisa*, *Leonie*, *Diamond*, *Tadorna*, *Radjah* and the famous *Maid of Sker*. Indeed, some of these also operated on the Brisbane and Bremer rivers. Some were side paddle-steamers while others were prop-driven. The survey for navigation purposes was undertaken in 1871. From its mouth to Maclean in my own electorate it was mapped and obstacles removed. There was even a wharf built at Maclean 39 miles from the mouth of the river near today's Maclean Bridge north of Jimboomba.

One historical vessel that would indeed be difficult for the national act to regulate would be the SS *Walrus*. The member for Lockyer knows the details. The SS *Walrus* was before 1884 a floating, moveable—presumably to avoid detection—still that cooked up a primitive rum from local sugar cane that was sold up and down the river. At this point, I think of the member for Lockyer in his current guise floating up and down the river on such a floating still, selling rum at riverside towns. Today's Beenleigh rum is the finest and oldest rum in Queensland and is the land based and legal successor to the rum produced on the river.

The Beenleigh rail line and the Beaudesert line and the Undullah-Rathdowney line eventually replaced the river traffic. Today we rely more on the Logan Motorway and the Mount Lindesay Highway. I was pleased today to be able to speak with the minister about the Mount Lindesay Highway and the more than \$10 million investment the Palaszczuk government has made in safety.

I hope that this act will be used to regulate successfully any renegade shipping such as the Logan River's infamous floating still. I commend this vital harmonisation of our maritime laws to the House.