




Speech By
Hon. Mark Bailey

MEMBER FOR MILLER

Record of Proceedings, 26 November 2019

**TRANSPORT LEGISLATION (DISABILITY PARKING AND OTHER MATTERS)
AMENDMENT BILL**

Introduction

 **Hon. MC BAILEY** (Miller—ALP) (Minister for Transport and Main Roads) (3.06 pm): I present a bill for an act to amend the Rail Safety National Law (Queensland) Act 2017, the State Penalties Enforcement Regulation 2014, the Traffic Regulation 1962 and the Transport Operations (Road Use Management) Act 1995 for particular purposes. I table the bill and the explanatory notes. I nominate the Transport and Public Works Committee to consider the bill.

Tabled paper: Transport Legislation (Disability Parking and Other Matters) Amendment Bill 2019 [2121](#).

Tabled paper: Transport Legislation (Disability Parking and Other Matters) Amendment Bill 2019, explanatory notes [2122](#).

I am pleased today to introduce the Transport Legislation (Disability Parking and Other Matters) Amendment Bill 2019. The main purpose of the bill is to expand the Disability Parking Permit Scheme to include persons with a vision impairment who are legally blind.

In speaking to this bill, I acknowledge that the member for Hinchinbrook introduced a private member's bill to the House on 16 October this year which also proposes to amend the eligibility criteria for the Disability Parking Permit Scheme. I will not, however, speak further on that matter as the bill is before a committee.

The Queensland Disability Parking Permit Scheme currently provides various parking concessions to people with certain mobility impairments. That includes, of course, being able to access disability parking spaces at a range of locations such as shopping centres, medical facilities, train stations and entertainment venues. These parking bays ensure that permit holders can access convenient and wider parking spaces that allow them to go about their daily business.

Under the current scheme, eligibility for a disability parking permit is based on the applicant's functional ability to walk. Therefore, people with a vision impairment are not eligible unless they also have an impairment that impacts on their functional ability to walk. The intent of this bill is to expand the scheme to include those people who are legally blind—whether on a permanent or temporary basis—recognising the unique challenges that persons with a vision impairment face.

Vision impairment will be defined as legal blindness, consistent with the term 'permanent blindness' in the Commonwealth government's Social Security Guide under the Social Security Act 1991. This is the definition currently used by TransLink to determine eligibility for the Vision Impairment Travel Pass and sets an appropriate criterion for the provision of government assistance. This also assists our health professionals to make clear determinations on eligibility.

Using this definition, it is estimated that there will be approximately 14,400 new applicants for a permit—which represents only a 7.5 per cent increase on the current scheme membership. This expansion is not expected to have a substantial impact on the availability of disability parking spaces. What can impact the availability of those parking bays, however, is people who do not hold a permit and unlawfully occupy these parking spaces, thereby depriving those with a genuine need. To address this concern, the bill increases the current penalty for illegally parking in a disability parking space from \$266 to \$533—a doubling of the fine. In the five years to 30 April 2019, police officers in Queensland issued over 7,500 fines to people who illegally parked in a disability parking space. This figure is only a fraction of the fines issued for this offence, as local governments issue the majority of parking fines in this regard. I recognise that local governments set their own penalty amounts and these vary across Queensland, but setting a higher penalty recognises the seriousness of illegally parking in a disability parking space. I note that a considerable number of local governments take the state law as their own.

While people may think they are only going to be a few minutes when they use a disability parking space illegally, it effectively means that a person who truly needs to access a space may be forced into a situation where they have to abandon their outing altogether or try and navigate unsafely among traffic. For persons with a vision impairment, walking through traffic lanes to reach their destination is dangerous. The person with a vision impairment and a sighted guide must walk two abreast, which means that one of them may be exposed to car park traffic if they cannot get a disability parking space. Also, persons with a vision impairment who have a guide dog need the extra space to get the guide dog out of the car so they can fit the harness in the safety of a parking bay. It is expected that the prospect of a \$533 fine will dissuade people from unlawfully using these valuable parking spaces. The penalty itself is only one element of deterrence, and for this reason a range of targeted measures will be deployed. The Department of Transport and Main Roads will work with local governments and relevant Queensland government agencies to improve education and communication to support awareness of the penalty increase and deter the misuse of disability parking bays.

The amendments proposed in this bill are intended to improve the lives of Queenslanders who are permanently or temporarily legally blind and will assist in ensuring that members of the public recognise the importance of leaving disability bays vacant for members of the public who hold a disability parking permit. To ensure that the proposed changes are delivering the intended benefits, a post-implementation review will be conducted 12 months after commencement.

Of course, ensuring that people with disabilities have access to transport facilities is not just about disability parking spaces. An holistic approach is needed to improve accessibility. The Palaszczuk government's commitment includes our New Generation Rollingstock passenger trains, and accessibility upgrades are being made to a number of train stations. The \$335 million upgrades to the new generation trains will deliver the most accessible rail fleet Queensland has seen. The upgrades include, for example, two accessible toilets, a 10 per cent increase in circulation space inside the toilet modules and increasing the number of priority seats from 24 to 88 per six-car train set. The first upgraded trains will be in service next year, with the entire fleet upgraded and in service by 2024. Along with train upgrades we are rolling out a station upgrade program which will make it easier for commuters with a disability. The upgrades are part of a \$57 million boost to the Palaszczuk government's \$300 million Station Accessibility Upgrade Program.

The changes in this bill and the accessibility upgrades to trains and stations demonstrate the Palaszczuk government's commitment to creating a future where Queenslanders with a disability have the same access to opportunities as every other Queenslander. The government is also committed to the Passenger Transport Infrastructure Investment Program, valued at over \$536 million over the next four years. Projects include: the rollout of Braille and tactile stop numbers and QR codes at bus stop signs; a \$2.7 million lift to Queen Street bus station platform 2, which was completed in August of this year, and new help phones for the Queen Street bus station. I would like to say thank you to all those involved in this process. There have been other ministers and other agencies, and I acknowledge the Minister for Disability Services, the Attorney-General and their staff and departments for all of their assistance to this point.

The bill also makes a minor amendment to ensure that where a person no longer meets the eligibility criteria for a disability parking permit, if necessary there is a ground for amending, suspending or cancelling that permit. For other kinds of approvals such as vehicle registration, an explicit regulation-making power is being included in the Transport Operations (Road Use Management) Act 1995 to recognise that regulations may also prescribe grounds for amending, suspending or cancelling approvals. Finally, the bill amends Queensland's rail safety legislation. The amendments are technical in nature and will remove definitions of level crossing and rail or road crossing from that legislation. The effect of that is that the definitions contained in the rail safety national law will apply in Queensland, ensuring a consistent national approach. I commend the bill to the House.

First Reading

Hon. MC BAILEY (Miller—ALP) (Minister for Transport and Main Roads) (3.15 pm): I move—

That the bill be now read a first time.

Question put—That the bill be now read a first time.

Motion agreed to.

Bill read a first time.

Referral to Transport and Public Works Committee

Mr DEPUTY SPEAKER (Mr McArdle): In accordance with standing order 131, the bill is now referred to the Transport and Public Works Committee.