

Clean Economy Jobs, Resources and Transport Committee

Report No. 8, 57th Parliament

Subordinate legislation tabled between 11 April 2024 and 20 May 2024

1 Aim of this report

This report summarises the committee’s findings following its examination of the subordinate legislation within its portfolio areas tabled between 11 April 2024 and 20 May 2024. It reports on any issues identified by the committee relating to the policy to be given effect by the legislation, fundamental legislative principles and lawfulness. It also reports on the compliance of the explanatory notes with the *Legislative Standards Act 1992*.¹

The report identifies any issues identified by the committee in its consideration of the human rights certificate[s] tabled with the subordinate legislation.²

2 Subordinate legislation examined

No.	Subordinate legislation	Date tabled	Disallowance date*
30	Proclamation - Gas Supply and Other Legislation (Hydrogen Industry Development) Amendment Act 2023 (commencing remaining provisions)	16 April 2024	21 August 2024
31	Gas Supply Amendment Regulation 2024	16 April 2024	21 August 2024
32	Petroleum and Gas (Production and Safety) Legislation Amendment Regulation 2024	16 April 2024	21 August 2024
34	Transport Operations (Marine Safety) (Riverston Bay Marine Zone) Amendment Regulation 2024	16 April 2024	21 August 2024
36	Heavy Vehicle National Legislation Amendment Regulation 2024	16 April 2024	21 August 2024

*Disallowance dates are based on proposed sitting dates as advised by the Leader of the House. These dates are subject to change.

3 Committee consideration of the subordinate legislation

The committee did not identify any issues regarding the policy, consistency with fundamental legislative principles, the lawfulness of the subordinate legislation or non-compliance with the *Human Rights Act 2019* (HRA).

The committee considers the explanatory notes tabled with the subordinate legislation comply with the requirements of section 24 of the LSA and that the human rights certificates tabled with the

¹ *Legislative Standards Act 1992*, Part 4.

² *Human Rights Act 2019*, s 41.

subordinate legislation provide a sufficient level of information to facilitate understanding of the subordinate legislation in relation to their compatibility with the HRA.³

4 Proclamation - Gas Supply and Other Legislation (Hydrogen Industry Development) Amendment Act 2023 (commencing remaining provisions)

The Proclamation made under the *Gas Supply and Other Legislation (Hydrogen Industry Development) Amendment Act 2023* fixes a commencement date of 4 April 2024 for remaining provisions of the *Gas Supply and Other Legislation (Hydrogen Industry Development) Amendment Act 2023*.⁴

5 Gas Supply Amendment Regulation 2024

The Gas Supply Amendment Regulation 2024 (SL No. 31) amends the Gas Supply Regulation 2007 to omit references to ‘processed natural’ gas and insert references to a ‘covered’ gas in provisions relating to:

- the grounds on which a distributor can disconnect the premises of a customer
- reconnection of a customer’s premises
- compensation for failure to disconnect or reconnect.⁵

The explanatory notes state that a ‘covered gas’ is defined as a primary gas or primary gas blend and includes processed natural gas, hydrogen, biomethane, synthetic methane, or a gas prescribed by regulation that is suitable for consumption.⁶ The amendments in SL No. 31 are designed to ensure the consumer protection provisions of the Gas Supply Regulation 2007 will give effect to, and are consistent with, the *Gas Supply and Other Legislation (Hydrogen Industry Development) Amendment Act 2023*.⁷

6 Petroleum and Gas (Production and Safety) Legislation Amendment Regulation 2024

The Petroleum and Gas (Production and Safety) Legislation Amendment Regulation 2024 (SL No. 32) amends the Petroleum and Gas (General Provisions) Regulation 2017 and the Petroleum and Gas (Safety) Regulation 2018 to enable the expansion of the petroleum and gas pipelines framework to hydrogen carriers and makes consequential amendments to better align with the National Gas (Queensland) Law.⁸

7 Transport Operations (Marine Safety) (Riverston Bay Marine Zone) Amendment Regulation 2024

The Transport Operations (Marine Safety) Riverston Bay Marine Zone Amendment Regulation 2024 (SL No. 34) amends the Transport Operations (Marine Safety) Regulation 2016 (Marine Safety Regulation) to establish a marine zone over the waters of Riverston Bay.⁹ The requirement for the

³ *Human Rights Act 2019*, s 41.

⁴ SL No. 30, explanatory notes, p 1.

⁵ Gas Supply Regulation 2007, ss 43, 47, 48.

⁶ SL No. 31, explanatory notes, p 1.

⁷ SL No. 31, human rights certificate, p 1.

⁸ SL No. 32, explanatory notes, p 1.

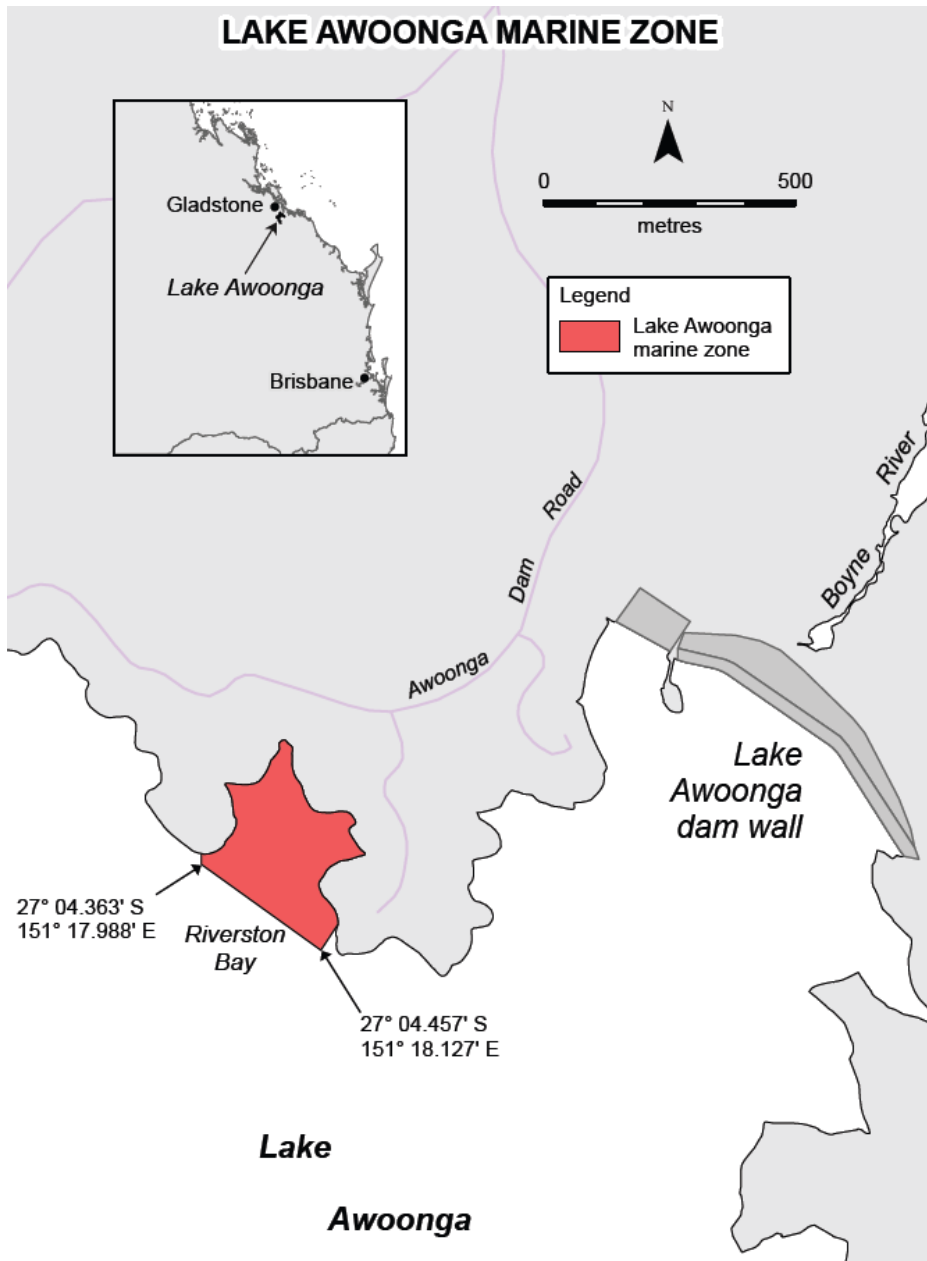
⁹ SL No. 34, s 1.

Riverston Bay marine zone is that persons must not operate a ship powered by an engine within the marine zone unless an exemption applies.¹⁰

The explanatory notes state that the new marine zone addresses the safety risks posed by motorised ships to swimmers and users of non-motorised watercraft within the waters of Riverston Bay.¹¹ Further, the explanatory notes advise that ‘potential impacts on motorised ship users have been mitigated by the establishment of a new boat ramp and two boat loading pontoons outside of the marine zone, ensuring these users have continued access to the majority of Lake Awoonga.’¹²

A map showing the Lake Awoonga Marine Zone and Riverston Bay is contained below.

Map 1: Lake Awoonga Marine Zone¹³



¹⁰ SL No. 34, ss 2, 3.

¹¹ SL No. 34, explanatory notes, p 2.

¹² SL No. 34, explanatory notes, p 3.

¹³ Department of Transport and Main Roads, correspondence, 28 May 2024.

8 Heavy Vehicle National Legislation Amendment Regulation 2024

The Heavy Vehicle National Legislation Amendment Regulation 2024 (SL No. 36) amends the Heavy Vehicle (Mass, Dimension and Loading) National Regulation and the Heavy Vehicle (Vehicle Standards) National Regulation. The amendments are to align the Heavy Vehicle National Law (HVNL) with the Australian Design Rules (ADR) Safer Freight Vehicles package, specifically to:

- increase overall vehicle width from 2.50m to 2.55m for heavy motor vehicles (excluding buses) fitted with safer freight vehicle technology
- exclude certain safety technologies and features when measuring the width and length of a vehicle.¹⁴

9 Recommendation

The committee recommends that the House notes this report.



Kim Richards MP

Chair

June 2024

Clean Economy Jobs, Resources and Transport Committee

Chair	Ms Kim Richards MP, Member for Redlands
Deputy Chair	Mr Pat Weir MP, Member for Condamine
Members	Mr Bryson Head MP, Member for Callide
	Ms Joan Pease MP, Member for Lytton
	Mr Les Walker MP, Member for Mundingburra
	Mr Trevor Watts MP, Member for Toowoomba North

¹⁴ SL No. 36, explanatory notes, p 1.