



# Transport and Other Legislation Amendment Bill 2017

**Report No. 48, 55<sup>th</sup> Parliament**  
**Infrastructure, Planning and Natural**  
**Resources Committee**  
**July 2017**

## **Infrastructure, Planning and Natural Resources Committee**

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### **Acknowledgements**

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## Abbreviations

APACA	<i>Adult Proof of Age Card Act 2008</i>
Bill	Transport and Other Legislation Amendment Bill 2017
CPI	Consumer Price Index
Deputy Premier	Hon Jackie Trad MP, Deputy Premier, Minister for Transport and Minister for Infrastructure and Planning
guideline	road works guideline
LSA Act	<i>Legislative Standards Act 1992</i>
OFT	Office of Fair Trading
OLGR	Office of Liquor and Gaming Regulation
ORP	Office of Regulatory Policy
PACT	Protect all Children Today Inc
QCAT	Queensland Civil and Administrative Tribunal
RACQ	Royal Automobile Club of Queensland
SLC	Scrutiny of Legislation Committee
the card	DTMR adult proof-of-age card (previously known as the '18+ card')
the Code	Integrated Development Assessment System
the department /DTMR	Department of Transport and Main Roads

## Chair's foreword

This report presents a summary of the Infrastructure, Planning and Natural Resources Committee's examination of the Transport and Other Legislation Amendment Bill 2017.

The committee's task was to consider the policy outcomes to be achieved by the legislation, as well as the application of fundamental legislative principles – that is, to consider whether the Bill had sufficient regard to the rights and liberties of individuals, and to the institution of Parliament.

On behalf of the committee, I thank those individuals and organisations who lodged written submissions on the Bill. I also thank the committee's secretariat, and the Department of Transport and Main Roads.

I commend this Report to the House.



Jim Pearce MP

Chair

## Recommendations

### **Recommendation 1** **3**

The committee recommends the Transport and Other Legislation Amendment Bill 2017 be passed.

### **Recommendation 2** **8**

The committee recommends that the Deputy Premier, Minister for Transport and Minister for Infrastructure and Planning considers offering concessional discounts on the proposed *Photo Identification Card* for young people aged 15 to 17 years.

### **Recommendation 3** **12**

The committee recommends that the Deputy Premier in the second reading speech clarifies the implications of the amendments proposed in clauses 58 and 79 of the Bill.

### **Recommendation 4** **15**

The committee recommends that the department undertakes appropriate public consultation on proposed amendments to legislation.





## 1 Introduction

### 1.1 Role of the committee

The Infrastructure, Planning and Natural Resources Committee (committee) is a portfolio committee of the Legislative Assembly which commenced on 27 March 2015 under the *Parliament of Queensland Act 2001* and the Standing Rules and Orders of the Legislative Assembly.<sup>1</sup>

The committee's areas of portfolio responsibility are:

- Transport, Infrastructure and Planning
- State Development, Natural Resources and Mines, and
- Local Government and Aboriginal and Torres Strait Islander Partnerships.

The committee also has oversight responsibility for the Family Responsibilities Commission.

Section 93(1) of the *Parliament of Queensland Act 2001* provides that a portfolio committee is responsible for examining each Bill and item of subordinate legislation in its portfolio areas to consider:

- the policy to be given effect by the legislation
- the application of fundamental legislative principles
- for subordinate legislation – its lawfulness.

The Transport and Other Legislation Amendment Bill 2017 (Bill) was introduced into the House and referred to the committee on 23 May 2017. In accordance with the Standing Orders, the Committee of the Legislative Assembly required the committee to report to the Legislative Assembly by 24 July 2017.

### 1.2 Inquiry process

On 25 May 2017, the committee wrote to the Department of Transport and Main Roads (the department/DTMR) seeking advice on the Bill, and invited stakeholders and subscribers to lodge written submissions.

The committee held a public briefing with DTMR on 14 June 2017 (see Appendix B for witnesses). The committee held a second private briefing with DTMR on 23 June 2017.

The committee received two submissions (see Appendix A). Both submissions supported the Bill and as no issues were raised, the department did not provide a written response.

On 21 June 2017, the committee received a written response to questions taken on notice at the departmental briefing held on 14 June 2017. On 23 June 2017 and 29 June 2017, the committee also received supplementary information from the department.

Copies of the submissions, transcript of the briefing, and departmental advice are available from the committee's [webpage](#).

### 1.3 Policy objectives of the Transport and Other Legislation Amendment Bill 2017

The principal purposes of the Bill are to:

- enable people aged 15 to 17 years of age to obtain evidence of identity that will let them more easily engage with institutions such as banks

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<sup>1</sup> *Parliament of Queensland Act 2001*, section 88 and Standing Order 194.

- improve customer experience by ensuring that legislation is not a barrier to new technologies such as apps and online portals being adopted when applying for certain transport products and services.<sup>2</sup>

The omnibus Bill will amend a range of transport and non-transport Acts including:

- *Adult Proof of Age Card Act 2008*
- *Heavy Vehicle National Law Act 2012*
- *Liquor Act 1992*
- *Police Powers and Responsibilities Act 2000*
- *Rail Safety National Law (Queensland) Act 2017*
- *Tobacco and Other Smoking Products Act 1998*
- *Transport Infrastructure Act 1994*
- *Transport Operations (Marine Safety) Act 1994*
- *Transport Operations (Passenger Transport) Act 1994*
- *Transport Operations (Road Use Management) Act 1995*
- *Transport Planning and Coordination Act 1994*
- *Transport Security (Counter-Terrorism) Act 2008*.<sup>3</sup>

The Bill also amends subordinate legislation as a consequence of changes to primary legislation.

#### **1.4 Consultation on the Bill**

According to the explanatory notes, the department did not undertake any specific community or industry consultation on the Bill's proposed amendments.<sup>4</sup>

At the public briefing, the committee asked the department if it was aware of any issues that were raised consistently during the consultation process. The department advised:

*Nothing that we are aware of of any significance. So far we have had general support for the reforms.*<sup>5</sup>

Given the explanatory notes stated that no public consultation was undertaken, the committee questioned this response. The department clarified, by stating that consultation did occur through government agencies on some of the Bill's amendments; for example, it had sought input from the Office of Liquor and Gaming Regulation on any industry concerns in relation to the proposed amendment to the *Adult Proof of Age Card Act 2008*.<sup>6</sup>

In response to further questioning from the committee, the department provided written advice regarding the consultation undertaken on the proposed amendments to the *Adult Proof of Age Card Act 2008*, the *Transport Security (Counter-Terrorism) Act 2008*, and in relation to consultation undertaken by the National Transport Commission on the transport of dangerous goods.<sup>7</sup> The department's advice confirmed that the department only consulted with other government agencies and did not undertake any public consultation on the amendments contained in the Bill. The

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<sup>2</sup> Explanatory notes, p 1.

<sup>3</sup> Explanatory notes, p 1.

<sup>4</sup> Explanatory notes, p 6.

<sup>5</sup> Public briefing, 14 June 2017, p 5.

<sup>6</sup> Public briefing, 14 June 2017, p 5.

<sup>7</sup> Response to Questions Taken on Notice 2, 21 June 2017.

consultation undertaken by the department, with other government agencies, is detailed in the relevant sections of this report.

In relation to the other amendments, the department advised the committee that no consultation was undertaken because those amendments would not adversely impact on the public given they were clarifications of existing legislative provisions, administrative or technical in nature, consequential on other pieces of legislation, or removing redundant provisions.<sup>8</sup>

#### Committee comment

The committee is concerned that the department did not undertake any specific community or industry consultation in relation to the amendments proposed in this Bill. The committee is of the view that consultation undertaken during the committee inquiry process should not be seen as a substitute consultation process and that consultation would have allowed the department to resolve any concerns raised by the public prior to the Bill being introduced to Parliament. The committee therefore strongly recommends that in future the department undertakes public consultation on proposed amendments, no matter how minor the issues may appear.

### **1.5 Estimated cost for government implementation**

In relation to the estimated cost for government implementation, the explanatory notes state:

*Implementation costs for government will be minimal and will be met from existing budget allocations.*<sup>9</sup>

### **1.6 Should the Bill be passed?**

Standing Order 132(1) requires the committee to determine whether or not to recommend the Bill be passed.

After examination of the Bill, including the policy objectives which it will achieve and consideration of the information provided by the department and from submitters, the committee recommends that the Bill be passed.

#### **Recommendation 1**

The committee recommends the Transport and Other Legislation Amendment Bill 2017 be passed.

<sup>8</sup> Response to Questions Taken on Notice 2, 21 June 2017, p 2.

<sup>9</sup> Explanatory notes, p 3.

## 2 Examination of the Transport and Other Legislation Amendment Bill 2017

This section discusses issues raised during the committee's examination of the Bill. These issues are set out in order of appearance in the Bill.

### 2.1 Amendment of the *Adult Proof of Age Card Act 2008*

#### 2.1.1 Amendments proposed in the Bill

The DTMR currently offers an 'adult proof-of-age card' (the card), previously known as the '18+ card'. The card is available to people 18 years of age and over residing in Queensland, regardless of whether they already possess a driver licence, and is valid for up to 10 years. It is a card:

- a) *on which information may be stored electronically, and*
- b) *that—*
  - i. *contains a photo of the person to whom it is issued, and*
  - ii. *states the person's name and date of birth, indicating that the person is 18 or more, and*
  - iii. *contains a unique identifying number, and*
  - iv. *states the expiry date for the card.*<sup>10</sup>

The level of evidence required to establish an eligible person for a photo identity card is the same level of evidence required to establish an eligible person for a learner's licence and driver's licence.<sup>11</sup>

Part 2 of the Bill proposes to amend the *Adult Proof of Age Card Act 2008* to change:

- the age of eligibility for a card from 18 to 15 years
- the name of the card from an 'adult proof of age card' to a 'photo identification card', and
- the name of the Act is being changed to the *Photo Identification Card Act 2008*.<sup>12</sup>

The Bill will make consequential amendments to various other Acts to reflect the card's change of name, including:

- the *Liquor Act 1992* (clauses 42 and 43)
- the *Police Powers and Responsibilities Act 2000* (clauses 44 and 45)
- the *Tobacco and Other Smoking Products Act 1998* (clauses 48 and 49).

The Bill also make consequential amendments to various regulations to reflect the card's change of name.<sup>13</sup>

In the explanatory speech on the Bill, the Hon Jackie Trad MP, Deputy Premier, Minister for Transport and Minister for Infrastructure and Planning (Deputy Premier) explained:

*This card is a useful form of identification that the person can use to access a very broad range of goods and services. These cards are particularly useful for those people who do not hold a driver's licence. Adult proof-of-age cards are now recognised as a primary form of identification by banks, telecommunications companies and other government and non-government organisations that require evidence of identity.*

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<sup>10</sup> *Adult Proof of Age Card Act 2008*, part 2, division 1, clause 5, p 7.

<sup>11</sup> Public briefing, 14 June 2017, p 4.

<sup>12</sup> Explanatory notes, p 7.

<sup>13</sup> See the explanatory notes, amendment of subordinate legislation, pp 19-21.

*Feedback to the Department of Transport and Main Roads has indicated that a photo identification card would also be very useful for 15- to 17-year-olds. Young people often begin part-time work when they are 15 and are becoming increasingly independent. The Bill will ensure that these young people can have a recognised form of photo identification, allowing them to more easily access services such as opening a bank account.*<sup>14</sup>

### **2.1.2 Stakeholder views**

In its submission to the inquiry, Protect all Children Today Inc (PACT) expressed its support for extending the eligibility for the card to young people aged 15 to 17 years:

*We are very supportive of the objects of the Bill to amend the Transport and Other Legislation Amendment Bill 2017. We specifically express support in relation to the amendments to Adult Proof of Age Card Act 2008 which will enable young people over 15 years to obtain evidence of their identity. We further consider the renaming to Photo Identification Card provides better clarity.*<sup>15</sup>

The Royal Automobile Club of Queensland (RACQ) also agreed with the Bill's proposed amendments to the *Adult Proof of Age Card Act 2008* and supporting amendments.<sup>16</sup>

### **2.1.3 Committee consideration**

#### Consultation

In response to the committee's request for details on any consultation undertaken on the proposed amendment to the *Adult Proof of Age Card Act 2008*, the department advised:

*The amendments will allow a photo identification card to be issued for those aged 15 and over. It is an additional optional form of identification which is virtually an extension of the existing adult proof of age card and not a totally new product. Adult proof of age cards and 18+ cards will continue to be recognised as evidence of identity documents in the community. As there are no negative impacts expected as a result of these changes, and as uptake of the card is entirely voluntary, no public consultation has been undertaken up to this point.*

*Consultation has been undertaken with the Office of Regulatory Policy (ORP), the Office of Liquor and Gaming Regulation (OLGR) and the Office of Fair Trading (OFT) within the Department of Justice and Attorney-General. ORP advised that OLGR and OFT may partner with the Department of Transport and Main Roads in getting the information out to stakeholders, such as liquor licensees and the security provider industry.*

*OFT advised it has no issues with the changes because its operations will not be impacted.*

*OLGR advised that it supports the changes and that the lead-in time will allow for communication of the changes to industry. It intends to work with the Department of Transport and Main Roads on implementation.*

*The Queensland Police Service was also consulted and raised no concerns in relation to the proposed changes.*

*Further, consultation will take place with other government agencies, including the Department of Health, as part of the implementation phase. Prior to the commencement of the changes, information will be provided to industry groups, including the Queensland Hotels Association and*

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<sup>14</sup> Queensland Parliament, Record of Proceedings, 23 May 2017, p 1251.

<sup>15</sup> Submission 1, p 1.

<sup>16</sup> Submission 2, p 1.

*Australian Retailers Association. Public engagement and notification will also be undertaken during the implementation phase to advise the general public of the changes.*<sup>17</sup>

At the public briefing, the department further advised it did not intend to make the card available until 2018 to allow appropriate time for all industry groups to 'be made aware and to work with us in relation to making sure they are aware of the new requirements and the new card that will be available'.<sup>18</sup>

#### Impact on the entertainment industry

At the public briefing, the committee asked the department if the proposed changes to the proof of age card are likely to impact on the work undertaken by door managers at clubs and other entertainment venues as they will no longer be able to rely on the card automatically indicating the person is over 18. The department clarified:

*... the requirements for the person on the door will be pretty much the same as apply currently for a driver's licence. As I indicated, it is possible for a 16-year-old to have a learner's licence and similarly for a 17-year-old to have a P1 driver's licence. At the moment, in checking those particular identification documents they have to look at date of birth.*<sup>19</sup>

...

*We will do a couple of little things to make sure it is quite visible. For example, we are looking at how we slightly redesign the card to ensure the date of birth is quite prominent and easy to see. Different to driver's licences, adult proof of age cards have the address on the back. There is quite a lot of space on the front of the card and we can make it fairly easy to read and understand that the person may not be 18-plus if they have one of these cards.*<sup>20</sup>

#### Card security

At the public briefing the committee asked the department if it would ensure the form of the card and the system are secure, in particular to prevent the possibility of the card being forged or copied. The department advised:

*... we made significant changes to our card system late last decade. We moved to a biometric based card with secure issue and location. We do not issue cards directly through our customer service centre network anymore. We take the photo, primarily the biometric measures, and that then is transmitted to our issuing partner, who then dispatches the cards. Both the form of the card and the system itself are highly secure. It is just about near impossible to forge and definitely would not be possible for someone working off their computer at home. That is for certain. The effort we have put in over the last 15 years to strengthen our system—it is probably one of the best in the country—makes it impossible for that to happen.*<sup>21</sup>

#### Cost of the card

The cost for a customer to acquire a card as at 1 July 2016 was \$64.40. The card is valid for 10 years and is increased annually in line with Consumer Price Index (CPI). As at 1 July 2017, the cost of a card

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<sup>17</sup> Response to Questions Taken on Notice 2, 21 June 2017, 2.

<sup>18</sup> Public briefing, 14 June 2017, p 3.

<sup>19</sup> Public briefing, 14 June 2017, pp 2-3.

<sup>20</sup> Public briefing, 14 June 2017, p 3.

<sup>21</sup> Public briefing, 14 June 2017, p 3.

increased to \$66.65.<sup>22</sup> The department advised that since 2010 it has issued over 710,000 cards, and as at 15 June 2017 there are 207,942 active cards.<sup>23</sup>

In response to a question from the committee about whether there was any additional cost to government to provide the proposed photo identity card, the department advised 'the cost of acquiring the photo identity card, which the consumer pays for, covers the cost of manufacture and systems and interaction time'.<sup>24</sup>

At the public briefing, the committee asked the department if, when pricing the card, it considered the impact of the cost to acquire a card for a young person, particularly for those who are seeking employment, or in the case where a young person may also, in due course, acquire a 'learner's permit and a green P licence'.<sup>25</sup> The department responded:

*It is not a factor that we take into account in pricing the product. We look at the cost of production and manufacture of the card to determine the original price and then it is linked to CPI from that point onwards.*<sup>26</sup>

When comparing the cost of a photo identity card in Queensland to other Australian jurisdictions, most transport authorities charge customers less for a card. For example, to acquire a card in Victoria customers are charged \$10, in South Australia customers are charged \$22, and in the Australian Capital Territory customers are charged \$6.<sup>27</sup>

In relation to the same card that is proposed to be issued in Queensland to persons aged 16 or older and valid for 10 years, the New South Wales transport authority currently charge customers significantly more at \$93. In Western Australia the transport authority charge customers \$42.50 for the card; however, the card is only valid for 5 years. Both of these jurisdictions offer concession discounts on their card to eligible concession card holders.<sup>28</sup>

The DTMR does not currently offer concession (including pensioner) discounts on licence products or the proof of age card. TransLink, however, offers a discounted fare on public transport services (50 per cent cheaper than an adult full fare) to children, students, pensioners, seniors and defence force veterans. Eligible job seekers can apply for a 50 per cent concession fare on TransLink public transport services (excluding Airtrain, travel and tourist rail services), regional *qconnect* bus services and approved regional ferry services.<sup>29</sup>

#### Committee comment

The committee believes that the current cost of \$66.65 for the proposed *Photo Identification Card* will be onerous for many young people, who are the primary beneficiaries of these amendments. The committee notes that other jurisdictions have addressed this issue by either offering a similar product at a greatly reduced cost or at a concessional rate. The committee believes that consideration should be given to offering a concessional discount on the proposed *Photo Identification Card* for young people aged 15 to 17 years.

<sup>22</sup> DTMR, <https://www.qld.gov.au/transport/licensing/driver-licensing/fees/index.html#proofofagefees>, accessed 15 June 2017.

<sup>23</sup> DTMR response to Questions on Notice, 21 June 2017.

<sup>24</sup> Public briefing, 14 June 2017, p 4.

<sup>25</sup> Public briefing, 14 June 2017, p 5.

<sup>26</sup> Public briefing, 14 June 2017, p 5.

<sup>27</sup> Sourced via the Australia Government website, <http://www.australia.gov.au/content/proof-of-age-card>, accessed 20 June 2017.

<sup>28</sup> Sourced via the Australia Government website, <http://www.australia.gov.au/content/proof-of-age-card>, accessed 20 June 2017.

<sup>29</sup> DTMR, <https://www.translink.com.au/tickets-and-fares/concessions>, accessed 15 June 2017.

## Recommendation 2

The committee recommends that the Deputy Premier, Minister for Transport and Minister for Infrastructure and Planning considers offering concessional discounts on the proposed *Photo Identification Card* for young people aged 15 to 17 years.

## 2.2 Alternative ways for customers to apply for certain transport products and services

### 2.2.1 Amendments proposed in the Bill

Amendments in clauses 32 and 80 of the Bill propose to remove the requirement in the *Adult Proof of Age Card Act 2008* and the *Transport Operations (Road Use Management) Act 1995* for customers to apply on an approved form for certain transport products and services. A new part 5 in the *Adult Proof of Age Card Act 2008* and a new part 5B in the *Transport Operations (Road Use Management) Act 1995* will be introduced to allow customers to transact with the department in any of the following ways:

- if there is an approved form, or
- if an alternative way has been made available by the chief executive, or
- if there is no approved form or alternative way – in writing.<sup>30</sup>

The Bill proposes that the chief executive may, by publishing a notice on the department's website, approve an alternative way in which a person may make an application or similar transaction.<sup>31</sup> The chief executive may also, by publishing a notice on the department's website, state any requirements with which an applicant must comply for making the application. However, the amendments expressly provide that the chief executive cannot require information to be given other than that which is reasonably necessary for the application process.<sup>32</sup>

The Deputy Premier outlined that the department had recently introduced initiatives to enhance its customer service experience, including 'new online services, introducing e-correspondence for registration renewal notices and reminders and a range of mobile apps to assist customers go about their business'.<sup>33</sup>

In its opening statement at the public briefing, the department provided details on these recently introduced initiatives:

*The amendments in this Bill are part of a larger project aimed at minimising the amount of paperwork required to undertake various transactions. Earlier this year, regulation amendments were made to remove the legislative requirement to use an approved form when applying for a driver's licence or to register a vehicle. Following on from this, a targeted trial commenced last week at two TMR customer service centres in Toowoomba where customers will be able to undertake those transactions verbally, reducing the need to complete long forms. This Bill continues the process by removing the need to use an approved form from various transactions under the Transport Operations (Road Use Management) Act and the Adult Proof of Age Card Act. As you can imagine, these reforms have the potential to save customers significant time and effort and to greatly enhance their interactions with the department.*<sup>34</sup>

<sup>30</sup> Explanatory notes, pp 10 and 16.

<sup>31</sup> Explanatory notes, pp 9 and 16.

<sup>32</sup> Explanatory notes, pp 10 and 16.

<sup>33</sup> Queensland Parliament, Record of Proceedings, 23 May 2017, p 1252.

<sup>34</sup> Public briefing, 14 June 2017, p 2.



### 2.2.2 Stakeholders views

PACT stated in its submission that it supported the new application process:

*The simplification of the application process and introduction of new technologies and flexibility is also considered favourably by PACT.*<sup>35</sup>

RACQ stated in its submission it supported the removal of the requirement that 'certain applications be made only on approved forms or in writing, and allow these applications to be made using other forms, including those that are not in writing'.<sup>36</sup>

### 2.3 Amendment of the *Heavy Vehicle National Law Act 2012*

Clauses 40 and 41 of the Bill proposes a minor amendment to the *Heavy Vehicle National Law Act 2012* by inserting new section 43A to clarify the head of power for the specification of fees payable for a matter under the Heavy Vehicle National Law (Queensland). This will mean that fees under the national law can be specified in a regulation.

### 2.4 Amendment of the *Rail Safety National Law (Queensland) Act 2017*

Clause 47 of the Bill proposes a minor amendment to section 3 (Definitions) of the *Rail Safety National Law (Queensland) Act 2017* to delete a redundant definition 'local regulation'.<sup>37</sup>

### 2.5 Amendment of the *Transport Infrastructure Act 1994* and of the *Transport Operations (Road Use Management) Act 1995* (Transportation of dangerous goods)

#### 2.5.1 Amendments proposed in the Bill

Legislation governing the transportation of dangerous goods by road and rail in Queensland is based on nationally-developed model legislation for adoption by state jurisdictions. Transportation of dangerous goods by air is governed by federal legislation. The classification, numbering and labelling system for dangerous goods is consistent across all modes of transport.<sup>38</sup>

As a result of nationally agreed amendments, this Bill proposes amendments to the *Transport Infrastructure Act 1994* and the *Transport Operations (Road Use Management) Act 1995*.

Clauses 58 and 79 of the Transport and Other Legislation Amendment Bill 2017 make an amendment to legislation governing the transportation of infectious substances. The amendment removes any technical argument that an exemption available for the transport of small quantities of dangerous goods could also be available for the transport of infectious substances.<sup>39</sup>

Clause 58 of this Bill proposes to amend section 440(2)(b) to provide that the exemption from the application of chapter 14 only applies to the transport of a load of dangerous goods on a rail vehicle if:

- the dangerous goods are not, and do not include, infectious substances of United Nations division 6.2, and
- the total quantity of each type of dangerous goods in the load is less than the quantity prescribed by regulation for that type.

The explanatory notes outline:

*Clause 58 makes an amendment to section 440 to clarify the head of power for the exemption that applies to the carriage of small quantities of dangerous goods on a rail vehicle. It does this*

<sup>35</sup> Submission 1, p 1.

<sup>36</sup> Submission 2, p 2.

<sup>37</sup> Transport and Other Legislation Amendment Bill 2017, p 33.

<sup>38</sup> DTMR, supplementary information provided on 23 June 2017.

<sup>39</sup> Response to Question on Notice, 14 June 2017, p 1.

*by expressly stating that the exemption does not apply to dangerous goods that are classified as infectious substances according to the United Nations classification system for dangerous goods. The amendment also updates the head of power for the exemption so that it aligns with the latest version of the Australian Dangerous Goods Code. As the code no longer specifies the small exempt quantities by reference to when 'inner package' marking is required, these words have been removed by this clause. The amendment however does not alter the substance of the exemption.*<sup>40</sup>

Clause 79 of the Bill proposes to amend section 151 of the *Transport Operations (Road Use Management) Act 1995* to make the same amendment in relation to the carriage of small quantities of dangerous goods on a vehicle. The amendments would therefore preserve the existing exemption for the carriage of small quantities of specified dangerous goods but specifically exclude infectious substances.

The Bill makes no change in regard to the carriage of infectious substances in small quantities but rather clarifies potential ambiguity in relation to labelling.

The amendments remove the reference to 'inner package' as the latest version of the Australian Dangerous Goods Code no longer specifies the small exempt quantities by reference to when 'inner package' marking is required. DTMR advised that this amendment does not alter the substance of the exemption.<sup>41</sup>

### **2.5.2 Committee consideration**

In response to the committee's request for clarification of the definition of 'infectious substances' referred to in clause 58 and 79 of the Bill, the department advised:

*They are identified by reference to United Nations [UN] division 6.2 which is the United Nations classification for infectious substances. Division 6.2 from the Recommendations on the Transport of Dangerous Goods—Model Regulations (the UN Model Regulations) produced by the United Nations Subcommittee of Experts on the Transport of Dangerous Goods is attached.*<sup>42</sup>

*The definition of infectious substances in the attachment provides that infectious substances are substances which are known or are reasonably expected to contain pathogens. Pathogens are defined as micro-organisms (including bacteria, viruses, rickettsiae, parasites, fungi) and other agents such as prions, which can cause disease in humans or animals.*

*This definition and the classification of infectious substances in the attachment are replicated in the Australian Code for the Transport of Dangerous Goods by Road & Rail (Section 2.6.3 through to 2.6.3.6.2). This code must be complied with by all those involved in the transportation of dangerous goods by road or rail in Australia.*<sup>43</sup>

The committee sought further information on the consultation undertaken by the National Transport Commission on the transport of dangerous goods. The department advised:

*The amendments in clauses 58 and 79 are based on a nationally-agreed amendment to the model legislation. Public consultation was conducted by the National Transport Commission (NTC) during the preparation of the equivalent amendment to the national model legislation. This was done through the publication on the NTC's website as part of a package of amendments to the national model legislation. This publication sought public submissions between 6 August 2013 and 2 September 2013.*

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<sup>40</sup> Explanatory notes, p 12.

<sup>41</sup> Explanatory notes, p 16.

<sup>42</sup> For the attachment, see response to questions on notice 1, 21 June 2017.

<sup>43</sup> Response to Question on Notice 1, 21 June 2017, p 1.

*The NTC document Explanation of Transport of Dangerous Goods Laws Amendment Package No. 2 September 2013 (available at [www.ntc.gov.au](http://www.ntc.gov.au)) did not record any public submissions being received in relation to the amendment that is being adopted in clauses 58 and 79. The amendment clarifies that infectious substances are not intended to be captured by the exemption relating to the carriage of small quantities of dangerous goods. As this is simply an amendment to clarify existing requirements and reflect operational practice, industry will not be impacted by the amendment. This is because the rules for the transportation of infectious substances are already well understood across industry and there is no evidence of non-compliance with those rules.*

*Given the consultation undertaken by the NTC, no Queensland-specific public consultation was undertaken.<sup>44</sup>*

The committee also asked the department to provide background information on the relationship between federal and state legislation in regard to the transportation of dangerous goods. The department advised:

*The National Transport Commission document, Explanation of Transport of Dangerous Goods Laws Amendment Package No. 2 2013, provides an outline of the amendments in that package. The 'Forward' to that document is attached.<sup>45</sup>*

*As stated in the attachment, the nationally-developed model legislation on which Queensland dangerous goods legislation is based, is in turn 'heavily based' on the UN Model Regulations. As indicated above, these UN Model Regulations cover the transportation of dangerous goods generally, including by road, rail, air and sea. As also stated in the attachment, during the development of the national amendments, representatives from organisations responsible for regulating dangerous goods transport by air and sea were also involved.*

*The Department of Transport and Main Roads therefore has confidence that the development of the rules relating to the transport of dangerous goods by road and rail in Queensland has been done in an integrated manner. Specifically, the development has taken into account intermodal transport considerations.<sup>46</sup>*

The committee requested a further private briefing from the department on 23 June 2017 to clarify the amendments in regard to the transportation of small quantities of infectious substances. The department provided the following written advice in relation to the transportation of infectious substances:

- infectious substances are pathogens such as bacteria, viruses or fungi that can cause diseases in humans and animals
- the classification, numbering and labelling system for dangerous goods requirements for the transport of infectious substances will not change as a result of the proposed amendments
- operators that transport infectious substances already have to comply with all the rules associated with the transport of dangerous goods to ensure that samples are not compromised during transport and maintain the health and safety of humans and animals, and
- there are some substances that are considered to be too dangerous to be transported including those listed in Appendix A of the Australian Dangerous Goods Code.<sup>47</sup>

<sup>44</sup> Response to Question on Notice 2, p 2.

<sup>45</sup> For attachment, see Response to Questions Taken on Notice 3, 21 June 2017.

<sup>46</sup> Response to Questions Taken on Notice 3, 21 June 2017, pp 1-2.

<sup>47</sup> DTMR supplementary information provided on 23 June 2017, Response to Questions Taken on Notice 3, 21 June 2017, pp 1 to 2, and DTMR supplementary information provided on 29 June 2017, p 1.

At the end of the private briefing, the committee still had concerns in regard to the implications of the amendments proposed in clauses 58 and 79 of the Bill and the manner in which the department sought to clarify these amendments. The department provided further written advice including:

- details on infectious substances categories
- table relating to marking of inner packages
- small quantity exemption relating to the transport of dangerous goods by road or rail
- changes to the small quantities table in the Code.<sup>48</sup>

### **Recommendation 3**

The committee recommends that the Deputy Premier in the second reading speech clarifies the implications of the amendments proposed in clauses 58 and 79 of the Bill.

## **2.6 Amendment of the *Transport Infrastructure Act 1994***

Clauses 50 to 57 of the Bill propose to amend the *Transport Infrastructure Act 1994* to clarify the process to allow the DTMR to carry out consultation on behalf of the Minister with a local government, railway manager or light rail manager prior to making a relevant declaration, revocation or designation or entering into a road franchise agreement.

## **2.7 Amendment of the *Transport Operations (Marine Safety) Act 1994***

Clauses 59 to 62 of the Bill propose to amend the *Transport Operations (Marine Safety) Act 1994* to ensure that vessels which are not regulated under the Commonwealth's *Marine Safety (Domestic Commercial Vessel) National Law Act 2012* continue to be appropriately regulated under Queensland legislation.<sup>49</sup>

## **2.8 Amendment of the *Transport Operations (Passenger Transport) Act 1994***

### **2.8.1 Amendments proposed in the Bill**

The Bill proposes to make the following minor amendments to the *Transport Operations (Passenger Transport) Act 1994*:

- clauses 64 and 65 will for safety and security reasons limit the information about a transit officer to be included in a written report given to a person detained by a transit officer
- clause 66 will clarify that the powers of an authorised person to use reasonable force extend to an area adjacent to public transport infrastructure
- clauses 68 to 70 will clarify when a person may be automatically refused driver authorisation.<sup>50</sup>

### Clauses 64 and 65

Clause 64 of the Bill proposes to amend section 112 of the *Transport Operations (Passenger Transport) Act 1994* to include that an identity card issued to an authorised person must contain a unique identification number.

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<sup>48</sup> DTMR supplementary information provided on 29 June 2017.

<sup>49</sup> Explanatory notes, p 2.

<sup>50</sup> Explanatory notes, pp 2 to 3.

Clause 65 of the Bill proposes to amend section 129I to require only the transit officer's unique identification number be included in the written report which is given to a person detained by a transit officer.<sup>51</sup>

#### Clause 66

Clause 66 of the Bill proposes to make a minor amendment to section 143AHA of the *Transport Operations (Passenger Transport) Act 1994* to clarify that the powers of an authorised person extend to an area adjacent to public transport infrastructure.

Currently, section 143AHA (2) provides that where a person does not obey the direction, the authorised person may use force that is reasonable to get the person to leave. The amendment to insert a new subsection (2A) makes it clear that the power of the authorised person extends beyond the public transport infrastructure to an area adjacent to the public transport infrastructure. The explanatory notes explain that if the authorised person was to cease using force immediately upon leaving the public transport infrastructure (for example on a bus or a light rail platform), this may leave the alleged offender being released to an unsafe location.<sup>52</sup>

For consistency with the amendment to section 143AHA in clause 66, clause 67 of the Bill proposes to amend section 143AHB relating to the power to require the person to leave or not enter public transport infrastructure if the person is contravening a civil banning order or exclusion order.<sup>53</sup>

#### Clauses 68 to 70

Driver authorisation is a qualification that must be obtained and maintained by a driver of a vehicle providing a public passenger service to operate the vehicle while providing the service (for example, taxi and rideshare drivers).

Clauses 68 to 70 of the Bill proposes to clarify the offence of attempted rape of an adult as a Category A driver disqualifying offence.

Clause 68 inserts a chapter 13, part 19 to provide transitional provisions for the treatment of the new category A driver disqualifying offence. Although the Bill will not cancel a person's driver authorisation where they have been convicted of the new category A driver disqualifying offence before the commencement of the Bill, the person's driver authorisation continues only for the term of their current authorisation (up to 5 years – see section 25(1) of *Transport Operations (Passenger Transport) Regulation 2005*). The person will then be ineligible for a renewal of their driver authorisation.

Clause 69 amends schedule 1A (driver disqualification offences) by removing the unintended qualification that the offence needed to be committed against a child in order for it to be considered a category A driver disqualifying offence. Excluding people with a conviction for attempted rape, regardless of the age of the victim, from driving vehicles providing public passenger services is considered justified on safety grounds due to the gravity and nature of this offence.

Where a person who has been convicted of a category A driver disqualifying offence before the commencement of this section and has an entitlement to have a driver authorisation granted or renewed under a decision of the chief executive or the Queensland Civil and Administrative Tribunal (QCAT) under a review of the decision of the chief executive, their entitlement for a grant or renewal is extinguished.<sup>54</sup>

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<sup>51</sup> Explanatory notes, p 13.

<sup>52</sup> Explanatory notes, p 14.

<sup>53</sup> Explanatory notes, p 14.

<sup>54</sup> Explanatory notes, p 14.

### 2.8.2 Stakeholder view

In relation to the proposed transitional provisions for the treatment of the new category A driver disqualifying offence, PACT stated its support in its submission to the committee:

*We further agree there is justification to exclude people with a conviction for attempted rape, from driving vehicles which provide public passenger services as this will assist in providing greater safety and protection to vulnerable child and adult Queenslanders.*<sup>55</sup>

### 2.8.3 Committee consideration

At the public briefing the committee raised a concern regarding the transitional provisions for the treatment of the new category A driver disqualifying offence. In particular, the committee was concerned that the Bill does not cancel the driver authorisation of a person who has been convicted under category A (a driver-disqualifying offence) before the commencement of the Act and therefore the person then is only ineligible for the renewal of the driver authorisation. The committee asked the department why the person would not have their driver authorisation cancelled immediately if it was discovered they were convicted of that offence. The department provided the following advice:

*Those amendments have been drafted that way in terms of potential fundamental legislative principles. Doing it the way that you described may raise issues about natural justice and the department is confident, based on criminal history of current holders of driver authorisations that no person who has been convicted of attempted rape has been issued with a driver authorisation; therefore, it is very unlikely that existing rights of individuals will be impacted. This was a way, as we worked through the drafting process with Parliamentary Counsel, of mitigating that, but a search of our records shows that no-one who has been convicted of attempted rape holds a driver authorisation.*<sup>56</sup>

The department also reassured the committee that if there was a future charge or conviction it would be dealt with under the legislation and the department would take immediate action to suspend or cancel the driver authorisation.<sup>57</sup>

## 2.9 Amendment of the *Transport Planning and Coordination Act 1994*

Clauses 84 to 91 and 93 to 94 of the Bill propose a number of administrative amendments to the *Transport Planning and Coordination Act 1994* to provide a more effective process for working with local governments undertaking road works, enabling the DTMR to mitigate the impacts on scheduled passenger services, and will remove the requirement to declare a prescribed transit node and clarify that the value of works does not affect the compensation payable for the resumption of land.

## 2.10 Amendment of the *Transport Security (Counter-Terrorism) Act 2008*

### 2.10.1 Amendments proposed in the Bill

In the explanatory notes, DTMR advised that since the *Transport Security (Counter-Terrorism) Act 2008* was introduced, the security environment has evolved and the security information that the department obtains and shares has increased.<sup>58</sup>

To mitigate against the risk of any misuse of secure information that is administered under the *Transport Security (Counter-Terrorism) Act 2008*, the Bill proposes to make the following amendments to the Act:

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<sup>55</sup> Submission 1, p 1.

<sup>56</sup> Public briefing, 14 June 2017, p 3.

<sup>57</sup> Public briefing, 14 June 2017, p 3.

<sup>58</sup> Explanatory notes, p 5.

- clause 96 proposes to increase the maximum penalty for a breach of confidentiality under the Act from 60 penalty units to a maximum penalty of 200 penalty units
- clause 97 provides for a five-year periodic review of the Act to ensure the legislation remains appropriate and effective.<sup>59</sup>

### 2.10.2 Committee consideration

In response to the committee's request for details on any consultation undertaken on the proposed amendments to the *Transport Security (Counter-Terrorism) Act 2008*, the department advised:

*... external consultation was not considered necessary for the proposed amendment to section 61 of the Transport Security (Counter-Terrorism) Act 2008 (the Act) as the Department of Transport and Main Roads procured PricewaterhouseCoopers Australia (PwC) to conduct a review of the Act in 2013, and prepare a report to be tabled in Parliament. The purpose of the 2013 PwC review of the Act was to assess the implementation of the Act, and the effectiveness and efficiency with which it achieves its objectives, namely to reduce the risks arising out of terrorist acts against Security-Identified Surface Transport Operations.*

*As part of the regulatory review process, PwC conducted targeted consultation with relevant surface transport operators, industry bodies and representatives from federal and Queensland Government agencies.*

*Consultation was used to inform the assessment of the benefits and costs associated with the operation of the Act. The PwC report recommended that the Act be further reviewed in five years' time to ensure it continues to achieve its objectives in the most efficient way.<sup>60</sup>*

### 2.11 Consultation

During this inquiry, the committee became deeply concerned that departmental consultation undertaken on the Bill was superficial and inadequate. The committee considers that meaningful consultation with all stakeholders was not undertaken. The committee therefore reiterates the comments made in section 1.4 of this report and recommends that the department undertakes appropriate public consultation on proposed amendments to legislation.

#### Recommendation 4

The committee recommends that the department undertakes appropriate public consultation on proposed amendments to legislation.

<sup>59</sup> Transport and Other Legislation Amendment Bill 2017, p 59.

<sup>60</sup> Response to Questions Taken on Notice 2, 21 June 2017, p 2.

### **3 Compliance with the *Legislative Standards Act 1992***

#### **3.1 Fundamental legislative principles**

Section 4 of the *Legislative Standards Act 1992* (LSA) states that ‘fundamental legislative principles’ are the ‘principles relating to legislation that underlie a parliamentary democracy based on the rule of law’. The principles include that legislation has sufficient regard to:

- the rights and liberties of individuals, and
- the institution of Parliament.

The committee has examined the application of the fundamental legislative principles (FLP) to the Bill. The committee brings the following to the attention of the House.

##### **3.1.1 Rights and liberties of individuals**

Section 4(2)(a) of the LSA requires that legislation has sufficient regard to the rights and liberties of individuals.

##### Amendments proposed in the Bill

As set out in the explanatory notes, clause 68 inserts chapter 13, part 19 to provide transitional provisions.

New section 217 allows transitional provisions for the treatment of a category A driver disqualifying offence. Section 217(4) provides that a new category A driver disqualifying offence means an offence that is a category A disqualifying offence but, immediately before the commencement, was not a category A disqualifying offence. It further provides that generally speaking, new category A driver disqualifying offences relate to attempted rape of an adult.

Section 217(1) applies if a person has been convicted of a new category A driver disqualifying offence before the commencement. Pursuant to section 217(2), if a person has applied for the grant or renewal of driver authorisation before the commencement which has not been finalised, then the application is terminated on commencement.

Section 217(2)(a)(i) provides that if a person has applied for the grant or renewal of driver authorisation before commencement and the application has not been finalised, then the application is terminated on commencement.

Pursuant to section 217(2)(b), if a person has applied for an internal or external review of a decision of the chief executive in relation to a refusal to grant or renew driver authorisation, and the review has not been decided on commencement, the application for review is taken to have been withdrawn on the commencement. Similarly, section 217(2)(c) provides that if immediately before commencement, the person has an entitlement to have driver authorisation granted or renewed under a decision of the chief executive or QCAT (under a review of the decision of the chief executive), the entitlement is extinguished on the commencement.

##### Potential FLP issues

Clause 68 will impact on the actions taken by a person before commencement by terminating an application made to the chief executive and/or QCAT. It may be argued that an individual who has made an application before commencement would have a reasonable expectation that their application would be dealt with pursuant to the legislation in place at that time, and not legislation which is applied retrospectively by the transitional provisions contained in clause 68. This potentially breaches section 4(3)(g) of the LSA which provides that legislation should not adversely affect rights and liberties, or impose obligations retrospectively. Strong argument is required to justify an adverse effect on rights and liberties, or imposition of obligations, retrospectively.

The explanatory notes advised that the intention of clause 68 is to clarify the offence of attempted rape as a category A driver disqualifying offence:



*Excluding people with a conviction for attempted rape, regardless of the age of the victim, from driving vehicles providing public passenger services is considered justified on safety grounds due to the gravity and nature of this offence.*

*The policy is also consistent with the government's original intention and with the fundamental principle under the Transport Operations (Passenger Transport) Act 1994 that children and other vulnerable members of the community must be protected. These proposed amendments simply restore the position prior to the 2011 amendments and are consistent with the original policy intent.<sup>61</sup>*

#### Committee consideration

Clause 68 will affect the actions taken by an individual before commencement by terminating applications they have already made to the chief executive and/or QCAT. While the retrospective application of the transitional provisions is a potential FLP breach, the committee notes that the intent of the clause is to exclude all persons who have been convicted of attempted rape from providing public passenger services. Given that the transitional provisions are in the public interest with community protection in mind, the committee considers that sufficient regard has been given to fundamental legislative principles in this instance.

#### **3.1.2 Scrutiny of the Legislative Assembly**

Section 4(4)(b) of the LSA considers whether the Bill sufficiently subjects the exercise of a proposed delegated legislative power (instrument) to the scrutiny of the Legislative Assembly.

#### Amendments proposed in the Bill

Clause 85 amends section 8C of the *Transport Planning and Coordination Act 1994* to replace the Code for the Integrated Development Assessment System (the Code) with a road works guideline (guideline).

Section 8C(1)(a) applies in relation to road works to be carried out on a local government road if the road forms part of a route used for a public passenger service and is identified in a road works guideline.

Section 8C(2) provides that a person undertaking road works for the local government area in which the road is situated must comply with the road works guideline. Pursuant to section 8C(4), a road works guideline means a guideline made under section 8E.

Clause 87 amends section 8E and requires the chief executive to give a copy of the guidelines, and any amendment of the guidelines, to every affected local government and to publish the road work guidelines on the department's website.

#### Potential FLP issues

##### *Appropriate delegation of legislation*

In requiring a person to comply with a guideline rather than a code, it is arguable that clause 85 breaches section 4(4)(b) of the LSA which provides that a Bill should subject a delegated legislative power to sufficient scrutiny by the Legislative Assembly.

The Office of the Queensland Parliamentary Counsel (OQPC) Notebook states that:

*The issue of whether delegated legislative power is sufficiently subjected to the scrutiny of the Legislative Assembly often arises when the power to regulate an activity is contained in a guideline or similar instrument that is not subordinate legislation and therefore is not subject to parliamentary scrutiny.<sup>62</sup>*

<sup>61</sup> Explanatory notes, p 4.

<sup>62</sup> OQPC, Fundamental Legislative Principles: *The OQPC Notebook*, p 155.

The Scrutiny of Legislation Committee (SLC) commented adversely on provisions allowing matters, which might reasonably be dealt with by regulation, to be processed through some alternative means that does not constitute subordinate legislation and therefore is not subject to parliamentary scrutiny. In considering the appropriateness of delegated matters being dealt with through an alternative process, the SLC considered:

- the importance of the subject dealt with
- the practicality or otherwise of including those matters entirely in subordinate legislation
- the commercial or technical nature of the subject matter, and
- whether the provisions were mandatory rules or merely to be had regard to.<sup>63</sup>

The explanatory notes acknowledged the potential FLP breach and provided the following justification:

*The guideline will have two main purposes. Firstly, it will clarify the Department of Transport and Main Roads' notification requirements in relation to proposed road works that will impact passenger services. Secondly, it will replace the Code with the guideline which will include references to the Department of Transport and Main Roads Technical Manuals. Also, the guideline will set out the routes to which section 8C applies for the purposes of requiring notification; as well as setting out the technical specifications.*

*The local councils will need to notify the Department of Transport and Main Roads in writing about the road works. The Department of Transport and Main Roads intends to work collaboratively with local councils in the development and finalisation of the guideline and in relation to proposed changes to the guidelines in future. These guidelines need to be flexible as they will be subject to change, for example, due to new routes or changes to existing routes. It is in the public interest to ensure that these guidelines maintain the required flexibility to respond to impacts on public passenger services to ensure minimal impact to continuity of services for the public.*

*The use of the guideline is the most appropriate tool for this. The guideline will need to be approved by a delegate of the chief executive and will be published on the Department of Transport and Main Roads' website.<sup>64</sup>*

#### Committee consideration

The committee noted that clause 87 requires the chief executive to provide a copy of a guideline and/or an amended guideline, to an affected local government. Further, a guideline made pursuant to clause 8C must also be published on the department's website. Given the transparency required and the technical nature of the guidelines, the committee considered that sufficient regard has been given to fundamental legislative principles in this instance.

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<sup>63</sup> OQPC, Fundamental Legislative Principles: *The OQPC Notebook*, p 155.

<sup>64</sup> Explanatory notes, p 4.

### 3.2 Table of proposed amended offence provisions

Clause	Offence	Proposed maximum penalty
85	<p><b>Amendment of <i>Transport Planning and Coordination Act 1994</i></b></p> <p><b>Replacement of s 8C (Impact of road works on local government road)</b></p> <p>(1) This section applies in relation to road works to be carried out on a local government road if—</p> <p>(a) the road forms part of a route used for a public passenger service and is identified in a road works guideline; or</p> <p>(b) the road forms part of a route identified in a passenger transport implementation strategy or program under the <i>Transport Operations (Passenger Transport) Act 1994</i>; or</p> <p>(c) the works will do either of the following while they are carried out or when they are finished—</p> <p>(i) restrict or limit access to public passenger transport infrastructure;</p> <p><i>Example for subparagraph (i)— the temporary diversion of a bus route</i></p> <p>(ii) result in the removal of public passenger transport infrastructure.</p> <p><i>Example for subparagraph (ii)— the temporary removal of a bus stop</i></p> <p>(2) A person undertaking road works for the local government for the local government area in which the road is situated must comply with the road works guideline.</p> <p>(3) If, before the road works are undertaken, the local government knows the works will restrict or limit access to a public passenger service or public passenger transport infrastructure while they are undertaken, the local government must notify the chief executive about the works—</p> <p>(a) in writing; and</p> <p>(b) at least 21 days before the works start.</p> <p>(4) In this section— <b>road works guideline</b> means a guideline made under section 8E for this section.</p>	10 penalty units
96	<p><b>Amendment of <i>Transport Security (Counter-Terrorism) Act 2008</i></b></p> <p><b>Amendment of s 57 (Confidentiality)</b></p> <p>Section 57(1), penalty, ‘60 penalty units’ — <i>omit, insert—</i></p>	200 penalty units

### **3.3 Explanatory notes**

Part 4 of the *Legislative Standards Act 1992* requires that an explanatory note be circulated when a Bill is introduced into the Legislative Assembly, and sets out the information an explanatory note should contain, that is, provide a reasonable level of background information and commentary to facilitate understanding of the Bill's aims and origins.

#### Committee comment

The committee is of the view that the explanatory notes did not provide the level of detail and contain a reasonable level of background information and commentary to sufficiently explain the proposed amendments and their implications.

## Appendix A – List of submissions

Sub #	Submitter
001	Protect All Children Today Inc
002	RACQ

## **Appendix B – List of witnesses at public departmental briefing – 14 June 2017**

### **Department of Transport and Main Roads**

- Mr Mike Stapleton, Deputy Director-General, Customer Services, Safety and Regulation Division
- Mr Andrew Mahon, Executive Director (Transport Access & Use)
- Mr Matt Longland, Deputy Director-General, TransLink Division
- Mr Peter Milward, General Manager, Passenger Transport Integration
- Ms Suzanne Rose, Executive Director, Service Policy
- Mr Tom Orr, Director, Corridor Management and Protection
- Mr Tony Cheng, Manager (Legislation Reform)
- Mr Don Bletchley, Chief, Transport Network Security and Resilience
- Ms Amy David, Acting Policy Advisor, Transport Network Security and Resilience
- Mr John Wroblewski, General Manager (Transport Regulation)

