

TRANSPORT AND OTHER LEGISLATION AMENDMENT BILL (NO. 2)

First Reading

Hon. RG NOLAN (Ipswich—ALP) (Minister for Transport) (3.05 pm): I present a bill for an act to amend the Adult Proof of Age Card Act 2008, the Anti-Discrimination Act 1991, the Coastal Protection and Management Act 1995, the Coastal Protection and Management Regulation 2003, the Criminal Code, the Electrical Safety Act 2002, the Electrical Safety Regulation 2002, the Electricity Act 1994, the Environmental Protection Regulation 2008, the Explosives Regulation 2003, the Judicial Review Act 1991, the Land Act 1994, the Maritime Safety Queensland Act 2002, the Mineral Resources Act 1989, the Nature Conservation (Wildlife Management) Regulation 2006, the Right to Information Act 2009, the South Bank Corporation Act 1989, the Sustainable Planning Act 2009, the Transport Infrastructure Act 1994, the Transport Infrastructure (Ports) Regulation 2005, the Transport Infrastructure (Rail) Regulation 2006, the Transport Legislation Amendment Act 2007, the Transport (New Queensland Driver Licensing) Amendment Act 2008, the Transport Operations (Marine Pollution) Act 1995, the Transport Operations (Marine Pollution) Regulation 2008, the Transport Operations (Marine Safety) Act 1994, the Transport Operations (Marine Safety) Regulation 2004, the Transport Operations (Passenger Transport) Act 1994, the Transport Operations (Passenger Transport) Regulation 2005, the Transport Operations (Road Use Management) Act 1995, the Transport Operations (TransLink Transit Authority) Act 2008, the Transport Planning and Coordination Act 1994, the Transport Planning and Coordination Regulation 2005, the Transport Security (Counter-Terrorism) Act 2008, the Transport (South Bank Corporation Area Land) Act 1999, the Urban Land Development Authority Act 2007 and the Workplace Health and Safety Regulation 2008 for particular purposes. I present the explanatory notes, and 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.

Tabled paper: Transport and Other Legislation Amendment Bill (No. 2) 2010.

Tabled paper: Transport and Other Legislation Amendment Bill (No. 2) 2010, explanatory notes.

Second Reading

Hon. RG NOLAN (Ipswich—ALP) (Minister for Transport) (3.05 pm): I move—

That the bill be now read a second time.

This bill will deliver three significant reforms. First, it will better facilitate the development of infrastructure to deal with the challenges of a growing population. Specifically, it will deliver a clear legislative framework for the Gold Coast Rapid Transit project—a project that will literally transform the Gold Coast. Second, the bill will strengthen protection of the marine environment by providing tougher powers to Maritime Safety Queensland. Particularly, we will increase penalties for marine pollution.

Third, the bill will amend legislation to create a robust port planning regime for the future, maintain Queensland Rail as a passenger focused government owned corporation and establish QR National as a proud, Queensland based company. In addition to these significant reforms, the bill also includes a range of amendments designed to improve the clarity and effectiveness of legislative requirements.

The government has a proud record of investing in infrastructure to improve the public transport system. The increasing complexity of projects, advancing technology, complex urban footprint, and the scale of capital investment means that legislation needs amendment to facilitate delivery through, for example, public-private partnerships. We are on the threshold of engaging in a public-private partnership for the delivery of the Gold Coast Rapid Transit project, which will transform the city of the Gold Coast.

The Gold Coast Rapid Transit light rail system is expected to take 75,000 cars per day off the coastal strip by 2016. Consistent with the government's commitment to reducing emissions from household fuel consumption by one-third by 2020, the Gold Coast Rapid Transit is projected to reduce local greenhouse gas emissions by 114,000 tonnes within the first 10 years of its operation.

Amendments to transport acts to facilitate the delivery of this and other transport infrastructure projects throughout the state specifically:

- enable the state to enter into an operator franchise agreement under a public private partnership for light rail;
- strengthen mechanisms to protect transport infrastructure and the safety of the community and users of the system; and

- enhance the ability of the state to manage the interface between transport land and surrounding areas for the protection of the public, other landowners and state interests.

The *Pacific Adventurer* incident and *Shen Neng 1's* grounding east of Great Keppel Island highlight the importance of robust national and state marine pollution legislation.

The bill amends the Transport Operations (Marine Pollution) Act 1995 to provide greater protection for Queensland's marine and coastal environments. Given the magnitude and complexity of such incidents, legislation will be strengthened to ensure Maritime Safety Queensland is empowered to respond effectively and that penalties are appropriate. Penalties already apply where a ship has spilled oil, oil residue, noxious liquid or jettisoned harmful substances, such as containerised cargo, into Queensland coastal waters. However, they do not adequately reflect the potentially catastrophic consequences for Queensland's economy or marine environment.

The bill increases penalties for these offences to a maximum of \$500,000 for an individual and \$10 million for a body corporate. These financial penalties are the equal toughest in the country. They reflect the government's commitment to protecting Queensland's pristine marine environment and send a message to the thousands of ship crews who pass through Queensland waters that nothing but the greatest attention to safety and care will be tolerated.

026

Authorised officers will have greater powers to act when a pollution risk is identified, and to ensure that appropriate action is taken to address risks before a ship is allowed to operate again. The bill will improve Maritime Safety Queensland's access to corporate information when investigating the causes of marine pollution incidents.

The Transport Operations (Marine Safety) Act 1994 will be amended to give shipping inspectors powers to direct ships with non-compliant safety equipment to return to port or to an area for which their equipment is compliant. The bill facilitates the framework into the future for the commercial restructure of the Port of Brisbane, Abbot Point Coal Terminal and QR Ltd's above-rail coal and freight business and below-rail coal network.

New provisions will be included in transport legislation to protect Queensland's interests following the divestment of these entities. Specifically, the Transport Infrastructure Act 1994 will be amended to require QRNational to maintain its headquarters in Queensland. A 15 per cent shareholding cap will be imposed on any one person or entity or their associates owning shares in QRNational.

For the Port of Brisbane, major amendments in the bill relate to setting a solid planning regime under the Transport Infrastructure Act 1994 applicable to the port. Port operators have a range of statutory powers under this act. This bill amends the existing regime in relation to port charging and control powers to take into account that the Port of Brisbane will be managed by a private sector entity. Currently, the Transport Infrastructure Act provides a planning regime for strategic port land. The bill will establish a modified framework for the Port of Brisbane to reflect that the port operator will not be a government entity.

The amendments also include provisions relating to state toll road corridor land declarations. Recent transport legislation amendment bills have introduced nationally consistent transport legislation for heavy vehicles, including legislation for driver fatigue, speeding and overloading. This bill introduces a wider range of enforcement measures and court based orders for heavy vehicle offences, based on the national heavy vehicle compliance and enforcement reform package approved by the Australian Transport Council. The new measures and orders will provide more options to transport inspectors and police officers when enforcing heavy vehicle laws.

Combined with existing penalties and demerit points they are designed to help reduce the number of offences committed by heavy vehicle drivers and other parties in the chain of responsibility, and improve road safety for all road users. These amendments are supported by the transport industry, transport union and freight customers and will play an important role in ensuring professional and efficient road transport.

There are many important amendments in this bill that are vital for managing growth in our state. I commend this bill to the House.

Debate, on motion of Ms Simpson, adjourned.

~~MINES AND ENERGY LEGISLATION AMENDMENT BILL~~

~~Second Reading~~

~~Resumed from p. 1459, on motion of Mr Robertson~~

~~That the bill be now read a second time.~~

~~Mrs MILLER (Bundamba - ALP) (3.12 pm): I rise in support of the Mines and Energy Legislation Amendment Bill. I reluctantly support this bill due to the amendments to the Coal Mining Safety and Health Act 1999 and the Mining and Quarrying Safety and Health Act 1999. In my view, it is a shame~~