

***Transport and Other Legislation Bill 2023 – Sandy Bolton, MP  
for Noosa***

Thank you Mr Speaker.

The Transport and Other Legislation Bill before us amends many Acts, from the Cross River Rail Delivery Authority Act to the Transport Planning and Coordination Act, and for a variety of purposes.

First, the Bill implements a consistent safety framework across all public transport including personalised transport, by extending the general safety duty that applies to taxis and personal booked hire services to non-personal services such as buses.

The Queensland Bus Industry Council (QBIC) is concerned that the Bill is duplicating regulations causing or leading to legal unintended consequences and in their submission point to inconsistencies between the bill and the Heavy Vehicle National Law and the Work Health and Safety Act.

The department responded that the intent of the change is not to duplicate existing requirements, rather to streamline them, envisaging that only a single safety management plan would be required to satisfy requirements under all three Acts.

In response the Committee, in their only substantive recommendation, asked the department to liaise further with industry on the Bill, once passed, to strengthen industry understanding of the purpose and implications of these changes.

The question is why this was not undertaken before the bill was brought to Parliament.

Second, the Bill expands the application of careless riding offences for personal mobility device and bicycle riders from roads to all road-related areas such as footpaths and bicycle paths and requires riders to stop and provide their details in the event of a crash.

The rise of battery powered bikes and scooters has been a common sight on our streets and pathways. However, they can be intimidating with their speed, weaving in and out of walkers, causing accidents. The Royal College of Surgeons reported in their submission that data from 20 emergency departments across Queensland shows around 100 emergency department presentations from e-scooter injuries a month.

These bikes and scooters have been the source of many complaints to our office, mostly for speed and their impact of pedestrians. At the same time, adding additional modes of transport reduce unnecessary car journeys, and the impacts from. The trick is to get the right balance, with this bill a step in the right direction in efforts for greater safety.

Brisbane CBD Bicycle User Group called the new maximum fine of \$6,192 as unnecessarily over-reaction, however the department has stated that the penalty aligns with the existing penalty for driving a vehicle (other than a motor vehicle), a tram, a train, or an animal on a road without due care or attention.

RACQ in their submission said that improvements in infrastructure and greater enforcement of the rules are vital in increasing safe use of e-mobility devices. Queensland Tourism Industry Council stated that micro-mobility providers must educate users on road rules before they can use their devices, and we should create more micro-mobility only pathways incorporating safe wayfinding routes and signage specifically for these. In response Transport and Main Roads (TMR) acknowledged the need for better separate infrastructure, and we look forward to some action on this.

Third, the bill will complete the transition of heavy vehicle regulation to the Commonwealth heavy vehicle regulator, The National Heavy Vehicle Regulator or the NHVR.

While legislation and policy has already transitioned to the NHVR, the enforcement is still conducted at the State level by about 130 TMR staff who will now transition across to the NHVR on a voluntary basis, facilitated by the Bill.

The NHVR welcomed the Bill and there were no submissions opposing the change.

The NHVR might regulate the trucks, however we see nothing done to reduce the impact of unsustainable volumes of damaging heavy trucks on our Noosa hinterland roads not built for.

Combined with the dramatic increase in noise, dust, damage to infrastructure and wildlife, and risks to road users and residents. Begs the question how this could ever be allowed.

TMR regulates the roads, and while they have invested heavily to mitigate the impacts of the inappropriate volume, these works add to the angst of the communities with day and night works for long periods of time.

Currently before the courts, this situation could and should be alleviated by the commencement of an Independent Environmental Protection Agency or increased powers to the Environmental Minister to investigate the flawed Environmental Authority and Quarry Management Plan.

An Environmental Approval (EA) should deal with all the impacts of a development, including wildlife carnage, social and economic impacts, and the mental and physical health of communities, yet currently is limited to the permit area.

Instead, we have a system where no department takes responsibility for resolving the impacts being experienced, and falls way below community expectations and current standards.

It is not good enough, and we need urgently that IEPA, as well extended powers for the Minister to ensure tax payers are not footing the bill for permits issued without the appropriate protections.

In conclusion I would like to thank the Minister, Committee, the Secretariat, departmental staff and the organisations and Queenslanders who participated in the consultations, and for their examination of the Bill.