




Speech By
Stephen Bennett

MEMBER FOR BURNETT

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HEAVY VEHICLE NATIONAL LAW AMENDMENT BILL

 **Mr BENNETT** (Burnett—LNP) (12.50 pm): At the outset, I would like to acknowledge the trucking industry. It has been demonstrated over my time in this House that both sides of parliament think these national heavy vehicle reforms are important. We have to acknowledge those small business people across the nation who provide such an essential service in moving large volumes of freight. There is sometimes frustration, but when we enact laws in this place we must be thinking about safety. With these policy initiatives, we will remove complexity and improve effectiveness and enforcement around the new laws.

I want to talk a bit later about the reforms that are needed. I ask the House to consider what is happening in high-value irrigated agriculture parts of the state, in particular, with harvesters and agricultural vehicles moving around regional Queensland. I would like to keep the focus on that issue, and I have raised it many times in this place.

By increasing the allowed volume on certain vehicles where mass is not a constraint, it also aims to improve the productivity of the road network. A good example of this that we hope will be enacted is with the cane harvest, which is currently on in my part of the world. It is about the number of bins that can be put on these heavy vehicles. It is about productivity and decreasing the number of truck movements on our roads. With that comes safety. It is also about sustainability for these farms.

I note that the bill inserts a provision into that part of the act that governs the application of the HVNL in Queensland. This provision will streamline court processes for the prosecution of fatigue related offences. It should be noted that the approach taken to implement national heavy vehicle reform is through adoption of national legislation that was first enacted in Queensland as host jurisdiction and then applied by participating jurisdictions. I did note the member for Traeger's comments about fatigue management, but all of us need to feel safe when we are on the roads, particularly with heavy vehicle movements being so prevalent. We are talking about predominantly regional and remote Queensland.

While generally supportive of the bill, we note the constantly changing operating environment and the importance of continual improvement in the regulatory framework for the heavy vehicle industry. We need to make sure we get the heavy vehicle industry right and we need to keep reviewing it. I note that there is a review in 12 months. That is very important and appropriate.

The committee recommended that the bill be passed. One further recommendation was that the bill be amended to include a more definitive definition of the term 'performance based standards' in the heavy vehicle law. Basically, the committee recommended that the term be included in section 5. We know about the objectives of the bill. The bill amends existing provisions of the HVNL to enhance its clarity and operability. The bill contains amendments to implement key heavy vehicle policy initiatives to reduce complexity and improve effectiveness, as has been stated. It is also about improving those productivity issues that I spoke about, particularly in my part of the world where the road network as well as the freight network is integral to providing services and products from farm and to market.

The key amendments of the bill are: strengthening investigative and enforcement powers, which we support; increasing freight volumes where mass is not a constraint, which is another good initiative; transferring load restraint performance standards from guidelines to the HVNL; provisions to streamline court processes for the prosecution of fatigue offences; and maintenance amendments to clarify a range of existing provisions.

This legislation is designed to improve road safety, lift productivity and make enforcement less complex so it is worthy of consideration by all members in this House. Removing the enforceable load restraint performance standards from the load restraint guide and placing them in the HVNL is a practical example of both a road safety measure as well as making the restraint obligations for loads carried on heavy vehicles more clear and concise.

Additional information-gathering powers, specifically relevant to chain-of-responsibility offences, have been included in the bill to strengthen investigative and enforcement powers. We cannot for one minute think that any erosion of those provisions would be accepted. To ensure agencies have the appropriate powers to achieve the objectives of the HVNL such as where an authorised officer has a reasonable belief that a fleet or class of vehicles does not comply with HVNL, or where an immediate or serious risk to a person is imminent, suitable amendments are proposed. We support them.

The amendments contained in the bill will not only strengthen investigative and enforcement powers for authorised officers but also allow an increase in freight volumes. The HVNL is the cornerstone of the Council of Australian Governments' national heavy vehicle reform agenda and ensures industry can operate across state borders without conflicting requirements. All of us in this place would like to see more national legislation across our borders to remove duplication—and, in some cases, 'triplication'—and, more importantly, those regulatory burdens that come always at a cost to small business.

Upon commencement in February 2014, the HVNL also established the regulator to administer the HVNL. For all practical purposes, this is a national scheme so consultation on the development of the bill was necessary. I note that Western Australia and the Northern Territory are still involved although they do not participate in the scheme. For all intents and purposes, the east coast of Australia is fully on board and so are we. With respect to heavy vehicle matters, we recognise that the abovementioned HVNL amendments were unanimously endorsed by the Transport and Infrastructure Council in November 2017 after jointly being developed by the National Transport Commission and the National Heavy Vehicle Regulator in consultation with state and territory agencies and enforcement agencies.

It is worth mentioning that it is generally acknowledged that the amendments do not necessarily address all areas of concern with the national heavy vehicle law, so this needs to form part of a further discussion in a review of the act. Of course, we mentioned earlier that constant review and scrutiny of this legislation is welcomed.

The reform agenda of the HVNL has been a multi-staged process over several years. This bill is primarily focused on streamlining certain enforcement provisions. These amendments reinforce the need for a fundamental overhaul of the HVNL to ensure that it takes full advantage of technological advancements made in a digital economy. I note the member for Hervey Bay's contribution. It is important that we acknowledge dash cam and all of the other technological advancements we have now at our fingertips. We should be using those to their full advantage.

That said though, there is talk about digital disruption that can happen, particularly taking our mind off the road. Digital disruption is transforming the world in commerce and industry. We would support a fundamental overhaul of the HVNL to put more contemporary arrangements in place. In this regard, some innovative thinking is needed on how the potential improvements in safety and productivity in the transport sector can be leveraged to the advantage of the industry and ultimately the safety of our community.

I will take this opportunity to highlight some local Bundaberg region issues that continue to cause us concern and I ask that these items be dealt with as soon as possible. The national harmonisation process that has all the states abiding by the same laws must become a reality. There is currently the absurd situation where Queensland is the only state that continues to require the use of police as escorts for national heavy vehicle movements across our road network. We need to consider what the cost of this is to the transport industry and those small mum-and-dad businesses, particularly around the Bundaberg region. This could be as simple as moving a harvester from one part of the farm to another part of their farm on the other side of the road, or it could even be a contract harvesting business moving it down the road.

There is another issue we find in Queensland. The processing of permits for vehicles over four metres wide to travel on our roads is still a concern, especially around time lines on approvals for permits. I am hearing that 90 per cent are within six days; however, for the other 10 per cent, it can take

up to 56 days for a permit to be issued. There needs to be acknowledgement that agriculture harvesting machines are not the same as, say, mining equipment that travel on the same roads, back and forward, day in, day out. That is easy to give a permit to those regular transporters but, as I alluded to before, those harvesters need to go when they are called and where they are called and it can be on any road at any time.

I highlight the importance of these road safety and productivity measures within this legislation. I again highlight the need for those vehicles over four metres to be dealt with in future legislation. This is about productivity. It is about those small business men and women, particularly in the Burnett and Bundaberg regions, who rely on those permits to be issued in a timely manner. It is still an issue, as I have raised before.