




Speech By
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HEAVY VEHICLE NATIONAL LAW AMENDMENT BILL

 **Mr MINNIKIN** (Chatsworth—LNP) (12.14 pm): I rise to speak on the Heavy Vehicle National Law Amendment Bill 2018. At the outset I place on the record my appreciation of the member for Callide. Several weeks ago, I rode with the premier—sorry; the member for Callide, Mr Colin Boyce, who would love to be premier. One never knows. I have great faith in the member for Callide, so watch this space.

I can tell members one thing: spending two days driving around the electorate of Callide in his 1984 Mack Super Liner was truly eye opening. There is no way in the world that I would insult truck drivers or the trucking industry by saying that after two days on the road I have learnt the lay of the land, so to speak. However, after those two days I certainly had to book into the chiropractor and I have a new-found respect for the trucking industry. It really is enlightening to sit alongside a registered driver and see the condition of the roads and the amount of paperwork that the trucking industry has to do. Whilst I will speak to the bill shortly, firstly I place on the record my sincere thanks to the member for Callide, Mr Colin Boyce, who did a wonderful job.

As we are aware, the Minister for Transport and Main Roads introduced the Heavy Vehicle National Law Amendment Bill into the Queensland parliament on 1 May 2018. It was referred to the Transport and Public Works Committee for detailed consideration. Having done its work, the committee reported on 28 June this year with a recommendation that the bill be passed. Today, we will be supporting the bill. The committee made one further recommendation, that the bill be amended to include a more definitive definition of the term 'PBS', performance based standards, in the heavy vehicle national law. Basically, the recommendation is that the term in its own right be included in the section 5 definitions in the HVNL, rather than as a note within another definition.

I will comment on the objectives of the bill. The bill amends existing provisions of the heavy vehicle national law to further enhance its clarity and operability across all jurisdictions. As such, the bill contains amendments to the HVNL to implement key heavy vehicle policy initiatives to reduce complexity and improve the effectiveness of the investigation and enforcement of the HVNL. By increasing the allowed volume on certain heavy vehicles where mass is not a constraint, it also aims to improve the productivity of the road network, as well as the freight fleet.

The key amendments contained in the bill are along the following lines: firstly, strengthening investigative and enforcement powers for authorised officers, which is the third stage of the chain-of-responsibility reforms, as the minister outlined; increasing freight volumes where mass is not a constraint; transferring the load restraint performance standards from guidelines into the HVNL; provisions to streamline the court processes for the prosecution of fatigue related offences—and I am aware that other speakers from this side of the chamber may flesh out that particular point; and, furthermore, maintenance amendments to clarify a range of existing provisions. As I have said already, the LNP will not be opposing the bill before the House this afternoon, as it seeks to implement key heavy vehicle policy initiatives designed to reduce complexity and, hopefully, improve the effectiveness of the investigation and enforcement of the heavy vehicle national law.

By increasing the allowed volume on certain heavy vehicles where mass is not a constraint, the bill aims to improve the productivity of the road network, as well as the freight fleet. I highlight that point again: improve the productivity. After only two days on the road with the member for Callide, it was very apparent that this bill needs to address productivity. Time and time again, issues such as red tape, paperwork, the condition of roads and the condition of bridges, as well as issues involving compliance and inspectorial staff came through. Everything has a way of potentially eating into the heavy vehicle industry's productivity. Therefore, I am sure that anything that can be done to support the industry is welcomed by both sides of the House.

The bill also 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 the national legislation enacted first in Queensland as the host jurisdiction and then applied by participating jurisdictions.

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. Like many other industries that we have come across, the heavy vehicle industry is not immune to change. Accordingly, we will confirm the need for an independent review of the HVNL to be undertaken within the next 12 months. This legislation is designed to improve road safety, lift productivity and make enforcement less complex. It is certainly worthy of consideration and support in the House today.

I would like to make a couple of other quick comments. 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 far clearer. That will be welcomed by the industry, I am sure.

Additional information gathering powers, specifically relevant to the chain-of-responsibility offences, have been included in the bill to strengthen investigative and enforcement powers of authorised officers and to enable evidence to prove a breach beyond reasonable doubt to be collected. To ensure that 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 the HVNL or where an immediate or serious risk to a person is imminent, suitable amendments are being proposed.

Furthermore, the amendments contained in this particular bill before the House today will not only strengthen the investigative and enforcement powers for authorised officers but also allow, as has been mentioned already, an increase in freight volumes where mass is not a constraint. This is of particular concern to the heavy vehicle industry. I think most people would be aware that the HVNL is the cornerstone of the Council of Australian Governments' national heavy vehicle reform agenda and ensures the industry can operate across states without conflicting regulatory requirements. It is important legislation.

Upon commencement back in February 2014, the HVNL also established the National Heavy Vehicle Regulator, known simply as the regulator, to administer the HVNL. For all practical intents and purposes, this is meant to be a national scheme. Consultation on the development of the bill was necessarily extensive. It has been pointed out in speeches on other amendments that have come before us that Western Australia and the Northern Territory were still involved even though they do not participate directly in the scheme at this stage.

With respect to other heavy vehicle matters, we recognise that the abovementioned HVNL amendments were unanimously endorsed by the Transport and Infrastructure Council back 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. Importantly, heavy vehicle industry associations and other key stakeholders, whose input into these amendments was particularly important, were also consulted and supportive of the measures. That is why the LNP will be supporting this bill today. It is worth remembering, however, that it is generally acknowledged that the amendments do not necessarily address all areas of concern. That is why I look forward to next year when there will be a comprehensive overview of the entire act. I look forward to that.

I know that there are other speakers, particularly on this side of chamber, who come from rural electorates and are certainly across the heavy vehicle industry and are far more in tune with it than me after two days on the road with the member for Callide. The LNP recognises the vital contribution that the heavy vehicle transport industry makes to the overall national economy and our state gross product. We have always sought to introduce measures to improve productivity and the safety of those working in the sector.

It is worthwhile pointing out one other key statistic. The National Transport Commission projects that Australia's freight task will grow by around 26 per cent over the next decade. It is imperative that we build on the work done to date to ensure that the national legislation is fit for purpose in this digital age.

In closing, the LNP has always been a strong supporter of business, both large and small. We all know of the famous bumper sticker 'Without trucks Australia stops'. We have all seen them when we have been on the road. I take this opportunity to congratulate those hardworking men and women who very sadly at times put their lives on the line just to simply bring from market to place of distribution to retail sale the various goods that we sometimes take for granted. It certainly was a real eye-opener spending two days in the wonderful old 1984 Mack Super-Liner. I absolutely commend the trucking industry. We do support this bill with amendments today.