




Speech By
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MEMBER FOR CHATSWORTH

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HEAVY VEHICLE NATIONAL LAW AMENDMENT BILL

 **Mr MINNIKIN** (Chatsworth—LNP) (3.37 pm): As shadow minister for transport and main roads, I too take a great deal of pride in speaking to the Heavy Vehicle National Law Amendment Bill 2019. I take this opportunity to congratulate committee members on both sides, the Independents and the secretariat for the great job they have done in relation to the background work on this bill. I concur with the comments made by the minister.

The LNP has always advocated strongly for measures designed to enhance administrative efficiency, reduce the regulatory burden on industry and improve the productivity of the road freight task. Accordingly, our position is that we do not oppose the bill. I note the amendments that are being proposed, which have been foreshadowed by the minister, and we also concur with the proposed amendments.

The Transport and Public Works Committee recommended that the bill be passed. There were no other recommendations. Due to the relatively straightforward nature of the amendments, the LNP members of the committee did not provide a statement of reservation. I think I made it pretty clear when I spoke to a couple of transport bills during regional parliament in Townsville recently that my role, and the role of the LNP, is to scrutinise the legislation—in my case, as it pertains to the Transport and Main Roads portfolio—and not to simply say no for the sake of saying no. If something makes sense then we will always support it and always reserve our right to cherrypick, reading line by line each bill that is presented to the opposition. As I have already made clear, in this case we completely support the bill.

Turning to the objectives of the bill, we note that the bill will amend the Heavy Vehicle National Law Act 2010 to implement nationally agreed reforms or necessary amendments. I will speak to some of those necessary amendments because they really go to the heart of why this particular framework needs to be updated from time to time. The minister has already articulated to the House some of those particular issues.

The bill contains amendments to maintain currency, improve administrative efficiency and, very importantly, reduce complexity of the overall heavy vehicle national law. The bill will amend the heavy vehicle national law to improve the productivity of the road network and freight fleet by increasing the allowed volume on certain heavy vehicles where mass is not a constraint. From speaking to members of the industry, this is a very important amendment that will be passed by the House. Furthermore, the bill will reduce the administrative and regulatory burden for the National Heavy Vehicle Regulator and/or the heavy vehicle industry through the inclusion of a number of minor and technical amendments. Finally, the bill makes consequential amendments arising from the enactment of the Commonwealth Road Vehicle Standards Act 2018, the RVSA—we all love our acronyms—which will repeal the Commonwealth Motor Vehicle Standards Act 1989.

I will turn specifically to details of the bill. We note that the bill amends existing provisions of the HVNL to maintain currency and further enhance clarity and operability. As such, it will address a number of issues that will improve roadside enforcement, reduce the compliance burden for industry and reduce the administrative burden for the regulator. This will be achieved by a range of measures—for example,

inserting new definitions in relation to defect notices, including 'self-clearing defect notice' in the definition of 'vehicle defect notice'; and removing minor inconsistencies between major and minor defect notices and self-clearing defect notices. To people who are outside of the industry, this may not seem like a big deal, but I am sure on this particular point alone the minister would concur this is something that the industry is absolutely crying out for.

Furthermore, the bill is doing the following: allowing authorised officers to permit the use of a heavy vehicle subject to a self-clearing defect notice after the period to take corrective action has expired; recognising certain modifications to heavy vehicles approved in nonparticipating jurisdictions—they were outlined by the minister in his contribution; and removing the requirement for a road manager to identify, in a statement of reasons, all the documents relevant to a decision to grant or refuse a mass or dimension permit.

In terms of the policy objective of maintaining currency and continued application of heavy vehicle in-service standards under the RVSA, this is achieved by amendments to the following: definitions for 'ADR', 'second edition ADR' and 'third edition ADR' to preserve national vehicle standards made prior to the MVSA, under the MVSA, and those made under the RVSA; the definition of 'VIN' to include vehicle identification numbers assigned to vehicles built before the MVSA, approved under the MVSA, as well as the future vehicles approved under the RVSA; and the definition of 'modification' under section 84 to include modifications to vehicles approved under the RVSA.

The policy objective of increasing allowed volume on certain heavy vehicles where mass is not the constraint is achieved by amendments providing for the specified semitrailers to operate at 4.6 metres high under the legislation without the need for a notice or individual permit. Finally, the policy objective of improving administrative efficiency and reducing complexity is achieved by miscellaneous technical or minor amendments.

The HVNL is the cornerstone of the Council of Australian Government's national heavy vehicle reform agenda. As a single national law, it was designed to ensure that the heavy vehicle industry could operate across most of Australia without conflicting regulatory requirements. Since the HVNL passed into law back in 2012, there has been a subsequent multistage process to reduce the level of complexity and increase its overall effectiveness. Advancements in technology have also been a factor in the need for an ongoing review. The proposed legislative amendments contained in this bill are part of that important process. Legislative amendment is the most appropriate way to achieve the desired objectives of reducing complexity and improving the effectiveness of the HVNL in order to lift the productivity of the road network and freight fleet. However, road safety must always remain at the forefront of policy settings, so we must ensure that, with the operation of the heavy vehicle fleet, the protection of public safety is maintained and the risk of damaging infrastructure is carefully managed. Safety is always at the forefront.

The amendment to increase the allowed volume on certain heavy vehicles where mass is not a constraint by providing for the specified semitrailers to operate at 4.6 metres high without the need for a notice or individual permit will assist in improving the productivity of the road network and freight fleet, which is the key to reducing freight costs. This action will deliver better outcomes for the industry as well as the community overall. It is definitely a much needed reform and one that we wholly support. Importantly, this amendment is accompanied by a further amendment that provides for protecting public safety and managing risks to infrastructure caused by high-productivity vehicles.

We note that the proposed amendments were endorsed by the Transport and Infrastructure Council, the TIC—as I said, this bill is full of acronyms—in November 2018 and March this year. We recognise that, in line with the broad approach that has been fundamental in gaining support for amendments to the HVNL, the National Transport Commission and the regulator developed the amendments in close consultation with state and territory government transport and enforcement agencies. Although Western Australia and the Northern Territory are currently not participating jurisdictions, it was still important that they be consulted on the development of these amendments and for their views to be fully considered.

Here it is particularly relevant that the need for operators in Western Australia and the Northern Territory to have their vehicle modifications reassessed under national law has been removed through amendment. This means that, in the future, modifications that are approved in those jurisdictions that comply with the regulator's Code of Practice for the Approval of Heavy Vehicle Modifications will be deemed to have been approved under the national law. This is obviously very good news for operators in those particular jurisdictions.

Part 2 of the bill sets out the consequential amendments needed to the national law after the commencement of the Commonwealth's Road Vehicle Standards Act 2018, which replaces the Motor Vehicle Standards Act 1989. This will ensure that the correct reference will apply in the national law to

vehicle standards and definitions on the commencement of the new RVSA on 10 December this year, while older standards made under the Motor Vehicle Standards Act will continue to be recognised. On a reassuring note, consultation with peak transport industry organisations and other key stakeholder representatives was undertaken and the indications from these stakeholders was to support the amendments.

In relation to records, in the interests of uniformity and consistency, national heavy vehicle reform has typically been supported by all sides of politics, and this will be continued in that spirit again today. The safety and productivity benefits that can accrue from such measures are also significant. It should be noted that the approach taken to implement national heavy vehicle reforms is through the adoption of national scheme legislation, which was enacted firstly here in Queensland as the host jurisdiction and then subsequently applied to other participating jurisdictions.

However, one other area that is fundamental to achieving the above outcomes is, of course, the condition of the road network. It is in everyone's best interests for a sustainable maintenance program to be in place to ensure that our roads remain fit for purpose. I acknowledge the minister talking about the addition of new infrastructure on to the network, which of course will also be used substantially by the heavy vehicle and freight industries.

I have to also say—and this has been commented on in the past—that when considering the budget next year I hope the minister will take the following on board. As the minister would be aware, as would other members in the chamber, it was alarming to read the Auditor-General's report 2017-18 last year in relation to integrated transport planning. We agree that safety is of paramount importance. In my contribution over the last 13 minutes or so a lot of acronyms have been used; that is the nature of the bill. There are parts of it that are technical. There are parts of it that some people would have little interest in. However, people in the heavy vehicle and trucking industry will hang on these words because they know it is important that this bill receives bipartisan support. For probably the third time I will state that is what it will receive this afternoon. However, it also at least needs to be acknowledged that it was alarming to see that in June 2017 there was a \$4 billion renewal backlog for the existing road network. We know that this renewal backlog will increase to more than \$9 billion over the next decade.

I urge the minister in his deliberations and in setting next year's budget with his cabinet colleagues to absolutely take this important fact on board. At the end of the day I agree with him: safety is everyone's priority, no matter which side of the chamber one sits. Regardless of someone's colour or ideology, no-one has a mortgage on safety. I would again urge the minister to get on top of this renewal backlog on our over 33,000 kilometres of state controlled roads. At the end of the day it will directly affect the Department of Transport and Main Roads' ability to meet minimum performance targets, which compromise standards and could have consequences for both road safety and, importantly, productivity for this great state.

The LNP is taking a bipartisan approach today. We are also proud of the contribution that we have made in this particular area of public policy. The LNP recognises the vital contribution that the heavy vehicle transport industry makes to the overall national economy not to mention our own great state's economy. We have always sought to introduce measures designed to improve the productivity and safety of those working in this wonderful sector, and at the end of my contribution I will speak a little bit more about a recent event that I attended with the minister.

Furthermore, the LNP has long been an acknowledged supporter of business, large and small, especially family businesses such as in the trucking industry where significant capital investment has been made. I have said it in the past and I will repeat it: small business is indeed in our DNA. Queensland has played an active role in the heavy vehicle national laws, and both sides of politics have generally been supportive of the measures and aims of the overall law. Notwithstanding the amendments that were supported by all jurisdictions, the bill continues along the well-worn legislative path. Accordingly, the LNP would favour an independent review of the overall legislative framework so that some fresh thinking can be brought to the challenges and opportunities facing the industry.

I was delighted with some of the approaches taken by what I would say—and I think I can make the statement being 54 years of age—is that younger generation coming through into the industry. There was an award ceremony that I will touch on a bit later in my contribution. The talent that was on display that is coming into the heavy vehicle and trucking industry is quite outstanding in terms of the innovative ways they are looking at some of the age-old problems in the trucking industry. It is a very exciting space. I am absolutely delighted with the influx, particularly of young women, into what I think would probably best be described as traditionally a bit of a blokey industry. That is changing and I think it is a very good thing. It is a great thing to be able to look at some of the age-old industry challenges from a different perspective. At the end of the day safety does not discriminate. We need to make sure

that the framework of this industry is not looked at just because bureaucrats say it needs to be looked at; it needs to be grasped with both hands and used as an opportunity to encourage a fresh way of thinking about the challenges and the opportunities in the trucking industry.

The recent jewel in the crown of the heavy vehicle road network is undoubtedly the Toowoomba Second Range Crossing, a 41-kilometre, grade separated, dual carriageway bypass and partial ring-road constructed to the north and west of Toowoomba. It was one of the largest inland road projects in Australia and something that all Queenslanders should be proud of regardless of where they live, or whether they will ever use it because it will still go very much to the heart and soul of adding to gross state product.

The project has been spoken about for decades, but it took a state LNP government in partnership with the federal coalition government to make it happen. I would urge the minister to work, wherever practicable, with federal colleagues regardless of their particular political persuasion. The funding agreement was confirmed back on 31 January 2014—joint funding of \$1.6 billion on an 80-20 basis. Following funding being secured and planning completed, a contract was awarded to Nexus Infrastructure to design, construct and maintain the Toowoomba Second Range Crossing. Construction commenced back in April of 2016 and, as we all know, it opened with much fanfare, as it should have, to traffic on Sunday, 8 September this year. It is a major milestone in the infrastructure network in this great state.

The obvious benefits are: improved travel times, avoidance of up to 18 sets of lights—although if my friend the member for Toowoomba North were beside me he would probably yell out 21 sets of lights so I am open to being proven wrong there; whether it is 18, 19 or 21 sets of lights, it is still a magnificent improvement—improved freight efficiency; a reduction in vehicle operating costs; safer and less congested routes; and a huge improvement to productivity.

In fact, I look forward to joining the member for Callide to once again ride in his 1984 Mack Superliner like I did last year when I spent a few days with him riding throughout the Callide electorate, feeling in my back as well as seeing firsthand the condition of the road for heavy vehicles. I think my discs are only just starting to come good now. The next trip in his magnificent 1984 Mack Superliner with an 18-speed crash gearbox, which I absolutely fell in love with, will be a drive from Toowoomba down to Dinmore for a cattle run, obviously using the new Toowoomba Second Range Crossing. I am really looking forward to it and hearing that wonderful air brake in action again with its characteristic muffling sound. Without trucks Australia stops.

Mr Krause interjected.

Mr MINNIKIN: I take the interjection from the member for Scenic Rim. Without trucks we all know Australia stops. I salute all those hardworking men and women who work in the heavy vehicle industry. I thoroughly enjoyed attending the recent QTA—Queensland Trucking Association—awards dinner, which I attended along with the Minister for Transport and Main Roads. I think there would be complete bipartisan agreement with this: the passion and innovation on display that night truly was incredible. It was a great night and the industry has our full support. The LNP will support this bill with amendments and acknowledges that there is a compelling need to build on the important work done to ensure that the national legislation is fit for purpose in this, the digital age.