CEMENT CONCRETE & AGGREGATES AUSTRALIA

5 December 2025

National Transport Commission
Melbourne VIC

Submitted via: hvnlteam@ntc.gov.au

HVNL statutory instruments consultation

Cement Concrete & Aggregates Australia (CCAA) welcomes the opportunity to provide feedback on the four draft statutory instruments issued as part of the Heavy Vehicle National Law (HVNL) reforms:

- Draft Ministerial Guidelines for Heavy Vehicle Accreditation.
- Draft Safety Management System (SMS) Standard.
- Draft Standard for Alternative Compliance Hours (SACH).
- Draft National Audit Standard (NAS).

CCAA is the voice of the Australian cement, concrete and extractive (CCA) industries - sectors that rely on safe, practical, and efficient heavy vehicle operations to support construction, infrastructure, and economic activity across Australia.

CCA sectors account for approximately 38% of national road freight by tonnes and around 20% of national tonne-kilometres - reflecting a high-volume, high-frequency, short-haul freight profile that places significant operational demand on road networks despite shorter travel distances (source: CSIRO 2025 TRANSIT data).

While CCAA supports the objectives of a more nationally consistent, risk-based accreditation framework, our review has identified a series of issues that require refinement within the four statutory instruments themselves to ensure the new framework is practical, proportionate and commercially sustainable.

Key Issues Requiring Change in the Four Statutory Instruments

a) Accreditation must not become an enforcement mechanism.

The draft framework may allow audit reports, Safety Management System (SMS) documentation and internal records to be used as evidence in enforcement or executive due diligence actions. This undermines transparency, discourages participation and contradicts the intent of a risk-based, improvement-focused system. Clear safeguards are needed.

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b) Subcontractor obligations exceed Chain of Responsibility principles.

The proposed requirement for operators to accept "full responsibility" for subcontractor compliance is inconsistent with legal influence-and-control boundaries and impractical for multi-operator supply chains.

c) Auditing requirements are excessively prescriptive.

The mandated 6–7-month audit, combined with uniform audit scope, creates unnecessary burden. A genuine risk-based audit model - scaled by operator size, complexity and demonstrated performance - is preferred.

d) The SMS definition of "fitness to drive" is overly broad and inconsistent with the Austroads Assessing Fitness to Drive (AFTD) standard.

Operators cannot identify non-observable medical, psychological or cognitive impairments. Obligations must be aligned with the AFTD standard, limited to observable indicators, and supported by clearer guidance.

e) Fatigue risk settings do not reflect the operational realities of early-start industries.

The draft fatigue matrix treats early-morning starts the same as late-night finishes, contrary to established fatigue science and long-standing industry practice.

Additional Matters for Consideration

These issues sit outside the four instruments but meaningfully affect implementation of the overall framework:

f) Productivity settings require further attention

The shift to 20-metre combinations is modest, and broader opportunities - such as updated prime-mover configurations, harmonised PBS access and modernised road-train lengths - remain unaddressed.

g) Competitive distortions may emerge between accredited and non-accredited operators

Under the proposed mass settings (GML to CML), non-accredited operators may access meaningful productivity benefits without corresponding compliance obligations.

h) Enforcement imbalance risks undermining operator confidence

Limited on-road enforcement allows non-compliant operators to gain commercial advantage while accredited operators face higher compliance costs.

i) PBS process improvements must continue

While PBS streamlining is positive, further acceleration of assessment pathways is required.

j) Alignment with CLOCS-A is increasingly necessary

To avoid duplicated evidence requirements and unnecessary audit burden, closer alignment and potential mutual recognition should be explored.

k) Recent penalty increases may impact driver retention

Steep penalties for administrative or low-risk documentation errors risk discouraging workforce participation, especially among subcontractors and small operators.

The full CCAA submission, setting out these issues in detail, is provided overleaf.

CCAA encourages the NTC and NHVR to refine the draft instruments in line with these recommendations to ensure the final accreditation framework enhances safety while remaining practical, proportionate, and commercially viable for operators of all sizes.

CCAA remains committed to collaborating with the NTC, NHVR and jurisdictions to support a smooth and effective transition to the new framework.

CCAA also records concern regarding the consultation process. The statutory documents were released on 3 November, with submissions due by 1 December - less than four weeks to analyse four substantial, interrelated and technically complex instruments. This timeframe was inadequate for meaningful consultation. CCAA requests that future consultations adopt a minimum six-week period consistent with better-practice regulation.

Should officials wish to discuss this matter, please contact CCAA's Industry Policy Director, Mr David Rynne via [redacted] and [redacted]

Yours sincerely

[Signature removed]

MICHAEL KILGARIFF
Chief Executive Officer

About CCAA

CCAA is the voice of the $15 Billion heavy construction materials industry representing cement manufacturers, concrete suppliers, and extractive operators throughout Australia.

Our members range from large global companies to SMEs and family operated businesses and are engaged in the quarrying of sand, stone and gravel, the manufacture of cement and the supply of pre-mixed concrete.

These businesses service local, regional, and national construction and infrastructure markets to meet Australia's building and construction needs through the provision of roads, railways, bridges, ports, airports, hospitals, schools, and footpaths.

Full CCAA submission

Response to consultation on Four Draft Heavy Vehicle Statutory Instruments:

- Draft Ministerial Guidelines for Heavy Vehicle Accreditation
- Draft Safety Management System (SMS) Standard
- Draft Standard for Alternative Compliance Hours (SACH)
- Draft National Audit Standard (NAS)

1. Introduction

Cement Concrete & Aggregates Australia (CCAA) welcomes the opportunity to provide feedback on the four draft statutory instruments released by the National Transport Commission (NTC) and the National Heavy Vehicle Regulator (NHVR).

CCAA represents Australia's cement, concrete and aggregates (CCA) industries - sectors that rely heavily on safe, efficient and practical heavy vehicle operations. CCAA supports well-designed, risk-based regulatory reform. However, the draft instruments present significant operational, administrative and commercial impacts that require careful consideration and refinement.

The CCA sector performs one of Australia's largest road freight tasks. Recent analysis of CSIRO TRANSIT data shows CCA freight has a unique operational profile that differentiates it sharply from the broader road freight sector:

- CCA fleets carry 26% more tonnes per trailer than the national freight average.
- CCA trip distances are 19% shorter, and trip durations 16% shorter, than the Australian freight average.
- CCA's cost performance is extremely efficient, with 68% lower cost per payload tonne and 41% lower cost per tonne-kilometre than the national average.
- The sector accounts for 39% of all annual tonnes moved on Australian roads and 21% of the national tonne-kilometre road freight task.
- CCA freight represents 22% of total national road freight transport costs, reflecting the essential nature of quarry, cement and concrete movements to every construction and infrastructure market.

A full profile of the CCA road freight industry is provided at **Attachment 1.**

2. General Cross-Cutting Issues (Across All Four Instruments)

2.1 Misuse of Accreditation Evidence and the Need for Legislative Safeguards

CCAA is concerned that the proposed HVNL reforms fundamentally alter the purpose and operation of heavy vehicle accreditation by shifting it from a voluntary, improvement-based safety program to a mechanism that may generate evidence for enforcement action. This represents a major structural change with significant and unintended consequences for operator confidence, transparency, safety culture and participation in accreditation.

2.1.1 Accreditation is being transformed from a safety tool into an enforcement mechanism

Under the existing NHVAS accreditation framework, audits are designed to:

- verify systems and processes;
- identify non-conformances;
- support continuous improvement;
- provide operators time to rectify issues, and
- deliver high-level assurance to the Regulator.

Importantly, audit findings, internal documentation and corrective-action processes are not routinely used as evidence for infringement, prosecution or executive due diligence actions. This separation between improvement and enforcement is essential for encouraging openness, transparent reporting and genuine system enhancements.

The draft statutory instruments, combined with the *HVNL Amendment Bill 2025,* substantially change this model. The proposed framework appears to allow:

- detailed audit reports;
- safety documentation;
- SMS records;
- incident registers;
- internal investigations;
- risk registers, and
- subcontractor oversight records,

to be used directly as evidence of alleged breaches, including in actions against directors under the new executive due diligence obligations.

This represents a profound shift from a supportive accreditation program into a form of regulatory evidence-gathering. Such a shift is inconsistent with best-practice safety regulation in aviation, rail, maritime and major hazard facilities, where it is recognised that organisations will not disclose weaknesses if doing so creates prosecutorial risk.

2.1.2 Negative impacts on transparency, participation and safety outcomes

If accreditation evidence can be used for enforcement purposes, the incentives for operators change dramatically. Instead of fostering frank disclosure and continuous improvement, the model may unintentionally drive behaviours that reduce transparency, including:

- reluctance to fully disclose non-conformances to auditors;

- sanitised or incomplete evidence provided during audits;
- avoidance of documenting internal investigations or improvement items;
- reduced willingness to participate in accreditation programs, and
- defensive rather than proactive safety management.

Safety regulators globally recognise that systems relying on voluntary disclosure cannot function when participants fear legal exposure. If operators perceive accreditation as a liability rather than a safety tool, participation will decline and audit quality will suffer - eroding, rather than strengthening, public safety outcomes.

2.1.3 Increased legal risk for directors and auditors

Under the proposed executive due diligence provisions, directors and senior officers may face personal liability where audit evidence reveals:

- unresolved non-conformances;
- gaps in SMS implementation;
- inconsistencies in subcontractor oversight, and
- governance or resourcing deficiencies.

This creates disproportionate legal exposure, especially where such records were generated in good faith as part of an improvement process. Independent auditors also face heightened risk, given the requirement to lodge audit reports within 28 days, increasing the likelihood that raw, uncontextualised findings reach the Regulator.

The risk of accreditation evidence being used as a prosecutorial tool places unsustainable pressure on operators, directors, auditors and subcontractor networks alike.

CCAA recommends:

CCAA recommends that the statutory instruments be revised to ensure accreditation remains a safety improvement mechanism, not a source of incriminating evidence. This will require:

1. Explicit legislative protection preventing accreditation audits, SMS documentation and internal safety records from being used for enforcement except in cases of wilful misconduct or imminent and serious danger.
2. Safe-harbour provisions for operators and directors who participate in accreditation and demonstrate genuine continuous improvement.
3. A clear distinction between improvement-focused audits and enforcement-focused audits.
4. Assurance from NHVR that accreditation evidence will not be used to reverse the burden of proof or deny natural justice.

5. Guidance clarifying the boundaries of what may and may not be used for compliance action.

6. A review of auditor obligations and timelines to ensure they do not inadvertently increase operator or auditor legal exposure.

Without these protections, the proposed framework risks undermining operator confidence, reducing participation, and weakening - not strengthening - the safety outcomes the HVNL reforms seek to achieve.

2.2 Transition timeframes must be clearly communicated and sufficient

The draft instruments do not specify commencement dates or transitional arrangements. Regulatory engagement indicates a possible commencement around **mid-2026**, but no formal timing has been communicated.

Given the scale of changes - including new accreditation obligations, expanded auditing, SMS refinements, subcontractor oversight processes, workforce training and changes to commercial arrangements - clear and realistic transition timeframes are essential. Operators, particularly small businesses and subcontractor fleets, require sufficient lead time to understand and implement the final requirements safely and sustainably.

CCAA recommends:

- Providing early, definitive advice on commencement timing.
- Establishing a transition period of at least 18–24 months from commencement.

3. Instrument-Specific Issues and Recommendations

3.1 Draft Ministerial Guidelines for Heavy Vehicle Accreditation

3.1.1 Subcontractor (Lessor/Owner Drivers) obligations

Under existing Chain of Responsibility (CoR) law, operators must take reasonable steps to ensure subcontractors comply with the HVNL. This includes verifying licensing and roadworthiness, ensuring subcontractors understand safety requirements, managing scheduling and loading risks, and maintaining reporting pathways. These obligations are bounded by an operator's influence and control, not responsibility for the internal management systems of independent subcontractors.

The draft Guidelines significantly extend these obligations by requiring operators to:

- accept "full responsibility" for subcontractor vehicle compliance (s.11(c));
- demonstrate continuous SMS conformance for subcontractor operations;
- treat subcontractor vehicles as if they were part of the operator's fleet, and
- maintain systems implying ongoing oversight of subcontractor drivers.

It is impractical for a guideline to imply an operator has that level of control over the operation of an independent legal entity and are expectations that exceeds the CoR's "reasonable practicability" standard.

These expectations exceed CoR's "reasonable practicability" standard and may force operators to discontinue using subcontractors.

CCAA recommends:

- Clarify operators are responsible for **verifying**, not controlling, subcontractor compliance.
- Remove the requirement for the applicant taking "full responsibility" for a subcontractor's compliance with accreditation standards and substitute with the requirement that an operator has in place a system to ensure, so far as is reasonably practicable, the compliance with relevant accreditation requirements by a subcontractor.
- Tailor evidence requirements to reflect legal distinctions.
- Ensure obligations align with CoR's influence-and-control boundaries.

3.1.2 Audit frequency and intensity

The Guidelines mandate an entry audit, a 6–7-month compliance audit, and a pre-expiry audit. For operators with multiple depots, quarries, batching plants, large driver workforces, diverse fleets and subcontractor networks, these requirements represent a substantial and ongoing administrative burden.

Each audit requires:

- auditor access across multiple sites;
- evidence for large driver cohorts (licensing, training, fatigue, daily checks);
- maintenance evidence for dispersed fleets;
- subcontractor oversight documentation, and
- SMS evidence across varied operating environments.

Combined with CLOCS-A or project-specific audits, these requirements create a duplicated, resource-intensive audit burden, without clear evidence that repeated early-cycle audits improve safety outcomes.

Given that the NHVR intends to adopt a risk-based approach when assessing operator suitability for accreditation and determining accreditation outcomes, CCAA questions why the same approach is not applied to the auditing framework. If operators are to be assessed and accredited based on risk, then the frequency, scope and intensity of audits should similarly be risk-based, rather than prescribed on a fixed schedule.

Extending the risk-based philosophy to audits would ensure regulatory effort is focused where it delivers the greatest safety benefit, while reducing unnecessary burden on operators with strong safety performance.

A genuine risk-based model would include:

- lower audit frequency for consistently compliant operators;
- targeted audits activated by risk indicators;
- scaled audit scope reflecting operator size, complexity and risk exposure;
- streamlined renewal audits for strong performers;
- use of digital verification tools where appropriate, and
- mutual recognition of equivalent audits (e.g., CLOCS-A).

CCAA recommends:

- Replace the mandatory 6–7-month audit with a risk-triggered audit.
- Adopt a tiered audit schedule enabling low-risk operators to move directly from entry audit to renewal.
- Scale frequency and scope to operator complexity and demonstrated safety performance.
- Recognise equivalent audit frameworks.
- Ensure alignment with stated risk-based principles.

3.2 Draft Safety Management System (SMS) Standard

3.2.1 Clarity and practicability of "fitness to drive" requirements

The draft SMS Standard imposes an overly broad, undefined obligation.

Clause 3.1 – Fitness to drive requires operators to ensure mechanisms are in place to confirm that a driver is:

- "appropriately licensed", and
- "fit to perform safety-related tasks," including having:
    - "physical and mental health,"
    - being free from fatigue, and
    - not impaired by alcohol, drugs, or illness.
      (Draft SMS Standard, Standard 3.1).

While these factors are important, the obligation is expressed at a level of generality that creates uncertainty and imposes expectations beyond an operator's practical capability and legal authority.

In particular:

- "Fit to perform safety-related tasks" is broad and undefined.
- "Physical and mental health" is an expansive concept that could include a wide range of internal conditions or states that operators cannot detect.
- "Impairment … by illness" is also open-ended and may include undisclosed medical conditions not observable to an employer.

This creates compliance ambiguity, especially in environments with remote, decentralised or subcontractor-based workforces.

Why the current formulation is impractical

Operators cannot reasonably identify or assess many categories of potential impairment. In real-world operations:

Operators can reasonably assess:

- observable fatigue symptoms;
- visible physical illness or injury;
- alcohol or drug impairment;
- unsafe or erratic behaviour;
- compliance with licence and medical review requirements, and
- driver self-reporting of known conditions.

Operators cannot reasonably assess:

- internal psychological, emotional or cognitive states;
- undisclosed medical or neurological conditions;
- medication interactions or side-effects;
- invisible or episodic impairments (e.g., early cognitive decline, blood-sugar fluctuations, seizure risk), and
- medical complexities outside the competence of supervisors or dispatchers.

The draft Standard does not distinguish between *observable* and *non-observable* conditions, creating an obligation that is effectively unmeetable.

The Austroads Assessing Fitness to Drive (AFTD 2022) framework clarifies where medical responsibility sits.

This standard is the nationally recognised medical and licensing framework for determining whether a person is medically fit to drive.

AFTD explicitly provides that:

- fitness-to-drive is assessed by health professionals, not employers;
- licensing authorities, not operators, make medical fitness decisions;
- regular medical reviews and self-reporting obligations are the primary mechanisms for managing health-related risk, and
- assessments must consider medical evidence, diagnostic criteria, functional tests, and condition-specific thresholds.

The draft SMS Standard does not incorporate these distinctions, leading to a potential inconsistency between:

- a medical model (AFTD), which places responsibility on the driver, doctor and licensing authority, and
- an operational model (draft SMS Standard), which risks shifting medical decision-making onto operators who have neither the expertise nor authority to perform it.

This is also inconsistent with the Chain of Responsibility (CoR) influence-and-control principle, which requires that parties are only held accountable for matters they can reasonably control.

What is needed for practicable compliance

To ensure the SMS Standard can be implemented consistently, safely, and without imposing medical responsibilities on operators, the Standard should:

1. Define “fit to perform safety-related tasks” by reference to observable indicators and the AFTD framework.
2. Strengthen driver self-reporting obligations, as recognised in AFTD.
3. Provide guidance on observable “red flag” indicators, rather than internal states.
4. Include safe-harbour protections for operators who act reasonably based on the information available.
5. Differentiate expectations for subcontractor drivers, where direct supervision and daily observation are limited.
6. Provide NHVR-issued examples, checklists and decision tools aligned with AFTD and CoR.

CCAA recommends:

CCAA recommends that the draft SMS Standard be amended to:

- Limit operator obligations to impairment that is observable or reportable, such as fatigue, intoxication, and visible physical illness.
- Align fitness-to-drive expectations with the AFTD medical framework, recognising that medical fitness assessments must be performed by qualified practitioners.
- Clarify that operators are not responsible for diagnosing medical or psychological conditions, consistent with CoR influence-and-control principles.
- Provide clear NHVR guidance and tools to support practical application in diverse operational environments.
- Clarify expectations for subcontractor and remote operations, where continuous direct oversight is not feasible.

3.3 Draft Ministerial Standard for Fatigue Alternative Compliance Hours - Fatigue Risk Matrix

3.3.1 Fatigue risk settings do not accommodate early-start industries

The Draft Ministerial Standard contains a fatigue-risk classification matrix that assigns higher fatigue likelihood to shifts ending between 00:00 and 06:00. While this logic is appropriate for late-night work or extended waking periods, the matrix does not distinguish between:

- a driver finishing a long shift in the early morning after prolonged wakefulness (high risk), and
- a driver starting work early morning after adequate sleep (low risk).

Construction materials supply chains - including concrete batching, quarrying and cement delivery - depend on early-morning dispatch, with many drivers commencing between 3:30–5:00am. These early starts are not equivalent to late-night finishes from a fatigue-risk perspective.

Early starts vs late finishes

Established fatigue science shows:

- The circadian low (approx. 02:00–05:00) produces significant impairment only when combined with extended prior wakefulness.
- A driver who has just woken into this period after a full sleep opportunity experiences far lower biological fatigue risk than a driver concluding a long shift during the same timeframe.
- Treating all work occurring between 00:00–06:00 as homogeneous is inconsistent with validated circadian research and practical experience in early-start industries.

Risk of misclassification

If applied literally, the matrix may:

- incorrectly classify early-start operations as medium- or high-risk;
- require unnecessary documentary justification;
- impose avoidable compliance burden, and
- misrepresent the actual fatigue profile of the construction materials sector.

CCAA recommends:

- Clearly distinguish between shifts ending and shifts starting in the 00:00–06:00 window.
- Incorporate sleep opportunity, prior wakefulness, and shift duration into the fatigue-risk scoring.
- Recognise early-start operating models as low risk where supported by evidence.
- Provide industry-specific examples to ensure consistent interpretation.

4. Broader Policy Considerations

4.1 Productivity opportunities not fully realised

The shift from 19m to 20m is modest. Broader productivity reforms - such as increased road-train lengths, harmonised PBS access, and modern prime-mover configurations - remain unexplored.

4.2 Competitive distortions and future productivity settings

CCAA acknowledges the regulator's position that the proposed prescriptive reforms – GML to CML and shift to 20 metre combinations - reflect safe outcomes demonstrated through PBS operations over more than a decade, and that migration of proven PBS configurations into prescriptive law has long been anticipated.

However, when combined with existing mass settings, these changes risk reducing incentives for accreditation while enabling non-accredited operators to access meaningful productivity benefits under CML without correspondingly robust compliance systems.

Meanwhile, accredited operators face increased auditing, documentation and system requirements. This creates competitive distortion, particularly in sectors such as construction materials transport.

While CML is not directly linked to PBS, broader productivity settings should reward operators who invest in safer, cleaner and more productive vehicles.

PBS remains essential for high-productivity combinations such as 8-, 9- and 10-axle truck-and-dog combinations operating up to 68.5 tonnes. Sustaining strong PBS incentives

supports safety, reduces truck movements and contributes to emissions reduction objectives.

4.3 Enforcement imbalance

Limited enforcement allows non-compliant operators to gain commercial advantage while accredited operators bear higher compliance costs.

4.4 PBS approval pathways

Ongoing PBS streamlining reforms are welcome, but further improvements are needed to make the process faster, clearer and more practical for operators.

NHVR should continue reducing assessment duplication, improving timeframes and expanding simplified pathways for proven designs so that PBS remains an efficient and attractive route for safer, more productive vehicles. Continuous improvement will be essential to keep pace with growing PBS uptake.

4.5 Duplication with CLOCS-A and the need for practical alignment

CCAA notes that many construction materials operators are increasingly required by major project clients to comply with CLOCS-A (Construction Logistics and Community Safety – Australia) in addition to their statutory obligations under the NHVL.

CLOCS-A is a voluntary, industry-led framework focused on improving safety in construction logistics and reducing risks to vulnerable road users.

Although CLOCS-A and the proposed NHVL accreditation framework address different primary risk domains, they share substantial common elements, including:

- safety governance;
- driver competence and training;
- subcontractor oversight;
- vehicle maintenance systems;
- incident and hazard reporting, and
- documentation and audit requirements.

For operators who must comply with both systems, these overlaps mean that the same underlying evidence and safety processes are being assessed through different audit pathways

CCAA considers it important that the NHVR and industry work together to ensure the two frameworks are aligned wherever feasible, with the aim of:

- minimising duplication;
- reducing administrative burden;

- enabling operators to demonstrate compliance in a streamlined, efficient and consistent manner, and

- avoiding the need for two separate, largely non-overlapping audit processes.

Given the strong commonalities in required evidence, there is significant opportunity for mutual recognition, shared evidence modules, or coordinated audit approaches.

4.5 Penalties and driver retention impacts

The recent HVNL amendments introduce substantial increases to penalties for both operators and drivers[1]. While strong sanctions are appropriate for serious safety risks, several of the largest increases apply to offences that are administrative or documentation-related, where mistakes are often unintentional and not linked to unsafe behaviour.

Actual financial impacts

The new maximum penalties and infringement amounts include:

- False or misleading transport documentation
  – Maximum penalty increases from $10,000 to $20,000.

- False or misleading work diary entries / falsifying or destroying work records
  – Maximum penalty increases from $10,000 to $20,000.

- Failure to carry a work diary
  – Maximum penalty increases from $6,000 to $10,000.
  – Infringement amount rises from approximately $800 to over $1,300.

- Operator obligation to ensure driver compliance
  – Maximum penalty increases from $6,000 to $10,000.

- Minor administrative work diary errors (e.g., missing state or location entry, incomplete daily record)
  – Infringement amounts remain significant, typically $200–$530,
  with maximum penalties generally around $1,500–$4,000 depending on the clause.

Although many administrative offences have had small decreases in their statutory maximums, they still carry non-trivial infringements and remain strict liability offences. These penalties fall predominantly on drivers and subcontractors who manage documentation under time pressure across multiple sites each day.

Implications for the workforce

These increases occur amid a chronic national driver shortage. Large fines for record-keeping mistakes - particularly those not associated with fatigue or safety risk - can discourage new entrants and place additional financial stress on existing drivers and owner-drivers. This may undermine broader efforts to stabilise and grow the heavy vehicle workforce.

[1] HVNL Penalties Review - Summary of Proposed Penalty Changes.pdf

CCAA recommends:

Given the penalty levels are now fixed in legislation, CCAA recommends that the NHVR and jurisdictions focus on proportionate implementation:

- Apply enforcement in a risk-based, graduated manner, prioritising warnings and corrective actions for low-risk administrative errors.
- Issue clear guidance distinguishing serious misconduct from inadvertent documentation mistakes.
- Provide transitional education and support, particularly for subcontractors and owner-drivers.
- Monitor driver workforce impacts and adjust enforcement practices if unintended consequences emerge.

5. Conclusion

CCAA supports the objective of a nationally consistent, risk-based accreditation framework. However, as drafted, the instruments introduce unnecessary duplication, disproportionate compliance and audit burdens, obligations that exceed CoR principles, and penalty settings that may discourage driver participation.

CCAA encourages the NTC and NHVR to refine the instruments consistent with the recommendations in this submission and remains willing to work collaboratively to ensure the reforms improve safety while remaining practical, proportionate and sustainable

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Attachment 1: Australian Road Freight Transport – National and Jurisdictional Metrics (All Commodities vs Construction-Materials Sector)

AUSTRALIAN ROAD FREIGHT TRANSPORT (ALL VS CCA INDUSTRY)

		QLD	NSW	VIC	TAS	SA	NT	WA	TOTALS
Total road freight transport (all commodities)	Annual trailers	5,055,681	6,042,728	4,645,434.48	709,414.53	1,425,384.64	203,814.61	4,770,479.32	**22,852,936**
	Annual tonnes	98,580,869	121,600,672	92,278,274	13,997,706	30,652,553	3,986,519	104,953,792	**466,050,385**
	Tonne kilometres (billion t kms)	25.55	24.75	14.51	2.71	6.54	1.50	30.75	**106.3**
	Tonnes/trailer (average)	16.3	16.9	16.5	16.7	16.9	14.8	16.9	**16.4**
	Avg Trip Distance (km) (average)	144.4	104.8	83.8	99.5	101.0	154.8	147.9	**119.5**
	Avg Trip Duration (hrs) (average)	1.6	1.2	1.0	1.1	1.2	2.2	1.6	**1.4**
	Cost per payload tonne ($) (average)	$ 54.54	$ 36.76	$ 26.30	$ 39.82	$ 30.66	$ 82.49	$ 41.32	**$ 44.55**
	Cost per tonne km ($) (average)	$ 0.38	$ 0.35	$ 0.38	$ 0.38	$ 0.39	$ 0.43	$ 0.39	**$ 0.38**
	Total transport costs ($)	$ 2,698,907,482	$ 2,525,813,332	$ 1,456,155,721	$ 297,111,881	$ 593,587,827	$ 105,670,530	$ 3,300,406,952	**$ 10,977,653,725**
CCA sector only (clinker, cement, rock, sand, gravel & concrete commodities only)	Annual trailers	2,022,394	3,286,747	2,080,274.13	175,877	463,663.01	125,347.71	734,768.68	**8,889,072**
	Annual tonnes	41,517,152	67,572,576	42,535,712	3,835,877	9,738,726	2,568,172	15,140,055	**182,908,270**
	Tonne kilometres (billion t kms)	7.79	5.18	2.20	0.61	1.91	0.97	3.47	**22.1**
	Tonnes/trailer (average)	20.5	20.4	20.3	21.6	20.4	21.1	20.4	**20.7**
	Avg Trip Distance (km) (average)	91.7	76.6	49.4	79.5	97.9	185.1	110.2	**98.6**
	Avg Trip Duration (hrs) (average)	1.1	0.9	0.6	1.0	1.2	2.6	1.2	**1.2**
	Cost per payload tonne ($) (average)	$ 16.62	$ 13.49	$ 8.64	$ 9.86	$ 12.57	$ 19.69	$ 15.12	**$ 13.71**
	Cost per tonne km ($) (average)	$ 0.23	$ 0.24	$ 0.27	$ 0.25	$ 0.22	$ 0.17	$ 0.20	**$ 0.23**
	Total transport costs ($)	$ 689,963,087	$ 911,558,853	$ 367,546,025	$ 37,806,364	$ 122,379,407	$ 50,575,278	$ 228,984,359	**$ 2,408,813,373**
CCA/Total	Annual trailers	40%	54%	45%	25%	33%	62%	15%	**39%**
	Annual tonnes	42%	56%	46%	27%	32%	64%	14%	**39%**
	Tonne kilometres (billion t kms)	30%	21%	15%	23%	29%	65%	11%	**21%**
	Total transport costs ($)	26%	36%	25%	13%	21%	48%	7%	**22%**
CCA +/- % (compared to total averages)	Tonnes/trailer (average)	26%	20%	23%	29%	21%	42%	21%	**26%**
	Avg Trip Distance (km) (average)	-36%	-27%	-41%	-20%	-3%	20%	-25%	**-19%**
	Avg Trip Duration (hrs) (average)	-35%	-23%	-35%	-15%	2%	15%	-23%	**-16%**
	Cost per payload tonne ($) (average)	-70%	-63%	-67%	-75%	-59%	-76%	-63%	**-68%**
	Cost per tonne km ($) (average)	-39%	-31%	-28%	-34%	-44%	-60%	-48%	**-41%**

Source: CSIRO Transport Network Strategic Investment Tool (2025 data)