



CORANGAMITE SHIRE

Corangamite Shire Submission

National Transport Commission

Easy Access to suitable routes (National Heavy Vehicle Law) June 2019

Council understands that through this issues paper, the NTC is seeking views on how access arrangements can be better regulated in a new HVNL to achieve:

- access arrangements that optimise the use of infrastructure, vehicles and resources;
- access decisions that apply as broadly as possible;
- quicker, simpler access decision-making; and
- clear responsibility and accountability.

As a local government authority, Council is responsible for over 2,200kms of roads and is a key conduit to reviewing, assessing and authorising permitted access on behalf of the National Heavy Vehicle Regulator who then liaises directly with the applicant.

Council welcomes the opportunity to have input into the issues paper concerning *Easy Access to suitable routes* under the National Heavy Vehicle Law.

Introduction

Corangamite Shire Council is a large rural municipality located in south-west Victoria. The Shire covers approximately 4600 square kilometres extending from the Twelve Apostles coastline to the historic town of Skipton near Ballarat. The Shire's eastern boundary is Lake Corangamite and it extends to the west of Terang. Our lush hinterland has fertile grasslands, internationally recognised wetlands, volcanic cones and rolling hills, which forms the basis of an important agricultural industry. Corangamite Shire is home to 16,133 residents.

The Shire economy is characterised by a significant agriculture and manufacturing sector, with the dairy industry at its core. The dairy sector includes businesses across agriculture (dairy farming) and manufacturing (butter and dairy product manufacturing and milk and cream processing), reflecting a strength of the region in food production and food processing.

Agriculture is the largest industry within the Corangamite Shire employing 2,023 people, representing 30% of employment in the Corangamite Shire, as well as contributing \$397.1 million in economic output and \$189.5 million in value added. Corangamite Shire provides 47% of the milk production in the region of which makes up 24% of Australia's milk supply and 27% of Australia's dairy exports.

Tourism is another substantial industry in Corangamite which is growing significantly. More than 2.6 million visitors visit the region, and this is expected to double by 2026 and increase substantially thereafter.

Wind and solar energy projects are well established in neighbouring municipalities there are increasingly instances where projects are crossing boundaries and access from heavy vehicles is prevalent. In our case, gas companies are established or establishing off our coastline involving heavy vehicle access for construction.

Response

Question 1: Why do access decision timeframes vary so significantly? To what extent does the HVNL cause or allow access decision delays?

Council resources are required to authorise access consent. Larger Councils are likely to be more resourced than smaller Councils; yet the volume of truck movements, for example in our case, is extensive.

The tasks associated with the approval process have increased particularly with duplication of some processes due to the constraints of the online portal system.

Lack of direct contact / communication with the case operator impedes complex requests; with road managers required to contact NHVR via online case query request.

Question 2: Most road managers can grant consent within seven days. Given this is the case, should we reduce the 28-day timeframe currently in the HVNL? Should we introduce a mechanism to deal with a nil response?

The reduction in 28-day timeframe is not supported as this approach does not take into the account the complexities of the different requests. Council has incurred increases in the number of requests for access at a Higher Mass Limit, as such the road geometry and structures often need to be assessed in order to ensure the capacity of the road and bridge is suitable to meet the request. For example, Council has just approved HML on 35 roads within the Council boundaries from 68.5t to 71.5t and 78.5t however delays in providing a permit occurred due to the extensive assessment process required to protect Council's assets and the need to see Council approval for the HML increase (Council Policy).

This being said, seeking extensions beyond 28 days has been simple and should continue, particularly if the timeframe is to be reduced.

A nil response should be managed directly between the case operator and the road manager. Access should not be automatically granted to ensure any risks or safety for users are considered.

Question 3: Is vehicle classification useful? Does the new HVNL need a vehicle classification system and, if so, should it be different from the current system?

The vehicle classification is supported and considered essential for approvals. It needs to be kept current and revised with changes to vehicle designs.

Question 4: What are the challenges road managers face under the HVNL access decision-making framework? Which road managers do it well, and why? Why are some road managers struggling with access?

Council's resources to assess the adequacy of its assets are limited. The increase in demand for larger and heavier vehicles are impacting on Council's resources. Council staff lack expertise to undertake structural assessments of bridges and therefore access can be impeded or decision making delayed. In our circumstances the initial applicant with a HML for a particular route has been required to cover the cost of the structural engineer assessment.

Question 5: Should the law allow for external review of access decisions?

Council considers the NHVR already provide stringent oversight of the decisions to grant access or not. Where Council has had to refuse a permit, the NHVR have expected extensive justification to validate the refusal.

Council would query if this is a matter of law or if NHVR regulations are the adequate mechanism for ensuring justification for decisions.

Should the NTC pursue an external merits review mechanism Council would not support any cost implications for the road manager.

Question 6: Have we covered the issues with access under the current HVNL accurately and comprehensively? If not, what else should we consider?

There is no system to deal with roads that do not have a designated road manager. Council is the responsible road authority for those roads listed in Council's Register of Public Roads. Where access has been sought on roads that are not Council's and have been referred to state government authority, and subsequently rejected, it has been expected that Council will then authorise the permit request. These situations have occurred in relation to roads within National Park. This has significantly delayed time for permits and absorbed significant amount of Council staff time to justify.

Question 7: How can the new HVNL work, most likely with other reforms, to best support optimised use of our transport assets and vehicles?

Corangamite Shire has significant and growing agricultural and tourism industries which means there is a myriad of vehicle types, vehicle sizes and driver ability, such as milk tankers, tractors, cattle trucks, grain and log trucks, harvesters, school buses and residents, local and international tourists in light vehicles and coaches all sharing the road.

We need a road network that matches the technical capacity of the vehicles using it. In particular the network needs to cater for the current and future freight task and the future requirements for larger, heavier and more efficient Higher Productivity Freight Vehicles but recognising that many of the same roads cater to 'other' vehicles.

A recent study Barwon South West Regional Dairy Supply Chain Study highlights the key demand by the dairy industry for an appropriate road network.

This study has identified the supply chain routes and infrastructure works required to maximise the productivity benefits in the short term. As structures are one of the constraining factors and can unlock large efficiency gains, addressing bridges and structures in the first instance is a priority and then road condition upgrades. Funding enabling infrastructure is essential.

This study also identifies an industry network of routes. Extending a preapproved network to support specific industries could assist with optimising freight access. E.g. grain and timber

Question 8: How can the new HVNL expand as-of-right access and generalise access authorisations? Can we remove time limits for notices, for example?

In the situation where requests for permits are for identical, or less, scenarios than what has already been approved e.g. vehicle size, capacity, road segment; there would be an advantage for as-of-right access to be granted. This would reduce administration of approvals and be more efficient for the applicant. There would however need to be the ability for the permit to be reviewed if the conditions of the road were to deteriorate.

Many roads are not fit for purpose. They were built many years ago for vehicles of the time and do not necessarily provide right structures and strengthen to support heavy vehicles and the various vehicle configurations available now.

Heavy vehicle combinations and axle configurations vary by company; the criteria for assessing roads suitability would need to be accommodated.

Council has a legal responsibility under the Road Management Act 2004 for providing a safe road for users and therefore are liable. An as-of-right could put at jeopardy Council's liability.

Question 9: Do we have the right tools to implement access decisions? How can we modernise the tools for access authorisations?

The online portal software needs attention.

Whilst Council recognises it is a benefit for HV access across state and municipal boundaries, there are issues with processing localised requests particularly where there are multiple agencies required to approve routes, and one agency has approved and the other wishes to amend it; the request is closed, and the process must start again. This duplicates the effort by administrators, doubles the time and delays the decision.

Question 10: How can the new HVNL accelerate access decisions? Is a proactive approach possible?

- More intuitive software to deal with multiple agency input into a request.
- Include details of case operators on permit requests to provide a direct point of contact – currently a request query is required to be submitted.
- Preapproval of industry specific network for as of right access

Question 11: How should the new HVNL implement access decision-making? Should it specify process and roles? What role is there for the operator? What improvements to access decision-making can be made?

Inclusion of a field to collect information on the 'purpose or reason' for access would expedite timeframe for response to requests in some instances.

Question 12: How do we reach consistent and predictable risk-based access decision-making? How can we make sure decision-making is transparent and fair?

Establishing a consistent criterion for asset assessments of different vehicle classifications would streamline assessments by road managers / operators and ensure consistent rationale for feedback to NHVR.

Extending a preapproved network to support specific industries and using as-of right access for requests where the same (or less) scenario has already been considered and authorised by road managers.

Question 13: How do we best share the risk management responsibilities between parties with a role in heavy vehicle access?

The largest risk to Council in the role in heavy vehicle access is in ensuring adequate protection to Council's assets and the road safety of all users. This involves asset assessments and as indicated earlier, engineering assessments of structures are beyond capacity of Council staff. Funding to support assessments would assist with managing these risks associated with access.

Question 14: How do we manage the accountability of parties with a role in heavy vehicle access?

Council agrees that road managers should retain accountability for the roads they manage.

Establishing consistent approach to assessment criteria and providing appropriate training and education for assigned road managers with authority to approve or otherwise permits, would ensure transparent accountability for decision making and reduce local road manager time in having to justify to NHVR representatives, who are not on the job or on site.