

MAIN ROADS AMENDMENT BILL 2015

Introduction and First Reading

Bill introduced, on motion by **Mr D.C. Nalder (Minister for Transport)**, and read a first time.

Explanatory memorandum presented by the minister.

Second Reading

MR D.C. NALDER (Alfred Cove — Minister for Transport) [10.19 am]: I move —

That the bill be now read a second time.

I am pleased to introduce the Main Roads Amendment Bill 2015. The purpose of this bill is to introduce a raft of amendments to modernise very outdated legislation and bring it in line with the powers and functions of a world-class road authority. Western Australia is the only large state with a Main Roads Act or equivalent that has not been either substantially amended or completely replaced in the last 12 years. Although there have been amendments from time to time, these have been on a piecemeal basis for individual or discrete provisions. This bill is a substantial modernisation of the entire Main Roads Act 1930 in order to broaden powers and functions to facilitate an improved and efficient delivery of highway and main road networks and road-related services.

The functions of the Commissioner of Main Roads as a road authority have changed from the time that the act was first enacted in 1930, over 80 years ago. Main Roads WA has historically been involved in all aspects of roadworks that it undertook. However, since the late 1990s virtually all road construction, improvement and maintenance works have been undertaken by independent contractors and the role that Main Roads has in road safety, network management and the regulation of traffic has evolved and expanded. As a result, the agency faces unique challenges to provide access to highways and main roads in a sustainable and efficient manner and to provide highways and main roads that will serve an ever-increasing demand well into the future. For this reason, it is essential that the legislation be amended to bestow upon the Commissioner of Main Roads the powers necessary to deliver world-class roads for a world-class state, which is the prime objective of the bill. The proposed amendments will bring the powers and functions of the Commissioner of Main Roads into alignment with those expected of a modern, world-class road authority and will facilitate the agency's current and future strategic direction in the delivery of its services. I will touch on a few key powers that the bill will provide for.

Although the commissioner has many safety-related responsibilities typical of a state road authority, road safety is not currently mentioned. There is community expectation that in providing a network of roads and related services that the overriding focus should be road safety. Consistent with the powers of a modern authority it is appropriate that the commissioner has a general power to include identifying and promoting measures to improve road safety and to reduce injuries or deaths on roads. This bill will do this.

The bill will provide that the commissioner may carry out roadside clearing of vegetation if it is necessary to protect the safety of people. The bill will provide the power to use alternative forms of contract and to enter into innovative business arrangements, such as the creation of private entities, to enable Main Roads to operate more commercially. It is advantageous for the commissioner to have the power to participate in other less conventional forms of contract and to be able to participate in commercial arrangements. The entering-into-business arrangements will be subject to both my approval and the written approval of the Treasurer.

The bill will provide for the commissioner to make recommendations to the Minister for Transport to direct local government, if required, and only after mandatory consultation, to mitigate the effects of works on local roads to minimise traffic congestion. The bill will provide for an increase in existing penalties and the power to make regulations to enable the issue of infringement notices for offences. The bill will provide the commissioner the power to facilitate the operation of road service centres and to lease land to other persons for those persons to build and operate a road service centre on that land. The bill will provide for contract levels requiring the approval of the Minister for Transport to be set out in regulations, allowing for an increase from the current level of \$500 000 to \$2 million. This bill will provide the commissioner with the power to undertake a number of activities outside the road reserve to do things such as install noise abatement measures and establish pits or quarries.

In addition, the bill provides the head of power necessary to establish a heavy vehicle charging scheme for the Perth Freight Link project. The funding of the Perth Freight Link is contingent upon a state government contribution of \$650 million, of which \$374.5 million will be recovered through a private sector contribution by way of a heavy vehicle charge. The charging scheme for the Perth Freight Link will apply only to heavy vehicles; being vehicles with a gross vehicle mass of more than 4.5 tonnes, which includes all trucks requiring a heavy vehicle driver's licence to operate. The details of the scheme and how it will operate will be set out in regulations that will be drafted in the future, pursuant to this amendment bill. I assure members that there will be

extensive consultation and discussion with the community and industry on the detail of the proposed heavy vehicle charge. The heavy vehicle charge is about sharing the benefits on a win-win basis, with the transport industry contributing to an even more effective road freight network.

This bill is the culmination of consultation with nine government agencies including, among others, the Department of Lands, the Department of Environment Regulation and Treasury, as well as transport industry groups. All members will agree that this amendment bill will improve Main Roads, and the commissioner, in its functions to provide access to main roads and highway networks and related services. The government submits that this bill will lead to improved efficiencies and delivery of services, and therefore improved productivity across the broader economy of the state. I commend this bill to the house.

Debate adjourned, on motion by **Ms S.F. McGurk**.