



10 July 2019

National Transport Productivity Reform
Productivity Commission
LB2, Collins Street East
MELBOURNE VIC 8003

Dear Commissioners,

National Transport Productivity Reform)

The Local Government Association of Queensland (LGAQ) appreciates the opportunity to provide comment on the *National Transport Productivity Reform Issues Paper* (Issues Paper).

Further to discussions held on Wednesday 3 July 2019, please find attached LGAQ's responses to selected questions posed within the Issues Paper. These responses focus on the capability and capacity development required to support councils fulfil their role in improving the safety and productivity of the local freight network in Queensland.

If there is a need for further information or clarification of LGAQ's responses, please feel free to contact Mr Scott Britton, Lead – Roads, Transport and Infrastructure telephone on 1300 542 700.

Yours sincerely,

Sarah Buckler PSM
GENERAL MANAGER - ADVOCACY

July 2019

Productivity Commission Inquiry into National Transport Regulatory Reform

Issues Paper

Submission



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1. Executive Summary

The local government sector is a key provider and manager of infrastructure including community facilities, roads and bridges, stormwater management, water supply and treatment. The infrastructure and services provided by councils support the operation of regional economies and the communities they sustain.

Councils are under constant pressure to increase the number and expand their range of services, including as a result of rising community expectations, increasing demands from other levels of government and changes in standards and legislation. In relation to the latter, recent national transport regulatory reforms are no different in this regard. As a result of these reforms, the role of local government in facilitating infrastructure access has been elevated. The legislative compulsion to undertake such roles has placed additional responsibilities upon constrained council resources without recompense.

While local governments recognise their critical role in responding to the growing freight task, councils face a delicate balancing act between the need to improve productivity by increasing heavy vehicle access and their responsibility to preserve the local network for all road users all within the constraint of available funding.

Recognising the challenges faced by councils in meeting these additional responsibilities, the Local Government Association of Queensland (LGAQ) has partnered with the National Heavy Vehicle Regulator (NHVR) to provide the necessary assistance to councils as they strive to fulfil their role in improving the safety and productivity of the local freight network. The LGAQ's approach, and the collective effort of Queensland councils in responding to these challenges, has been recognised in recent inquiries and, as a result, its replication has been recommended for other jurisdictions.

Noting other reviews into heavy vehicle regulation are occurring in parallel, the LGAQ urges the Productivity Commission give due consideration to the capability and capacity needs of local government in supporting the implementation of national transport regulatory reforms. Such consideration should include the capability and capacity of local government to fulfil its role while considering the potential for technology, including mandatory data provision, to guide better decision-making.

2. The Local Government Association of Queensland

The Local Government Association of Queensland is the peak body for local government in Queensland. It is a not-for-profit association established solely to serve councils and their needs. The LGAQ has been advising, supporting and representing local councils since 1896, allowing them to improve their operations and strengthen relationships with their communities. The LGAQ does this by connecting councils to people and places; supporting their drive to innovate and improve service delivery through smart services and sustainable solutions; and delivering them the means to achieve community, professional and political excellence.

The LGAQ welcomes the opportunity to comment and provide feedback on the Productivity Commission's (referred to as the Commission hereafter) National Transport Regulatory Reform Issues Paper. If there is a need for further information or clarification of any of LGAQ's responses, please feel free to contact:

- Mr Scott Britton, Lead – Roads, Transport and Infrastructure via scott_britton@lgaq.asn.au
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- Mr Robert Chow, Project Manager – Heavy Vehicle Access via robert_chow@lgaq.asn.au
- Both may alternatively be contacted via telephone on 1300 542 700.

The LGAQ agrees to this submission being published on the Productivity Commission’s website.

3. LGAQ Policy

The LGAQ’s Policy Statement 2018¹ is a definitive statement of the collective voice of local government in Queensland. This statement identifies the position of local government in relation to a number of key issues.

The key positions of local government as relevant to the Commission’s Inquiry, are highlighted below.

8.1.1 Funding Assistance

8.1.1.2 Local government has a right and responsibility to control, develop and maintain roads, and is entitled to an equitable share of federal and state road funds for this purpose.

8.1.5 Freight and Heavy Vehicle Management

8.1.5.1 Recognising that the majority of freight tasks start and finish on a local government-controlled road, councils play a critical role in responding to the growing freight task.

8.1.5.3 Local government is committed to working with Federal and State Governments to develop strategic freight routes, and to address impediments to accessing the locally controlled network.

8.1.5.4 Local government is committed to working with the National Heavy Vehicle Regulator and other regulatory agencies to ensure that heavy vehicle reforms benefit councils.

8.1.5.5 Local government requires simplified and transparent heavy vehicle permit approval processes.

8.1.5.9 While local government acknowledges that technologies are being developed to improve route and impact monitoring of heavy vehicles, councils require access to Intelligent Access Program data and better information on the impact of high mass limits, performance-based standards and multi-combination vehicles on varying pavements through braking, traction and horizontal forces.

4. Responses to questions in the Issues Paper

The LGAQ encourages the Commission to consider individual submissions made by LGAQ’s members and acknowledges individual responses may vary considering local circumstances and individual community expectations.

Responses to selected Issues Paper questions

While not specifically answering all questions posed in the Commission’s Issues Paper (many of which the LGAQ is not in a position to answer), responses are provided in relation to selected questions as follows:

¹ Available at: <http://www.lgaq.asn.au/documents/10136/48c73637-4038-46e1-91a0-535a16e367dd>

In light of the other reviews relating to heavy vehicles where do you think the Commission could best add value to the policy and reform agenda?

The LGAQ, along with the Australian Local Government Association and other state-based local government associations, is actively participating in the National Transport Commission's (NTC) review of the Heavy Vehicle National Law (HVNL). The LGAQ is also a member of the NTC's HVNL Review 'Design Team' working group.

The LGAQ suggests that the Commission, in considering the "implementation and development of the national regulators", pay attention to the capability and capacity development needs of local government in responding to demands imposed by higher levels of government through what is ultimately increased regulatory burden.

Are the national transport regulators working effectively with local governments?

National Heavy Vehicle Regulator

In May 2016, the LGAQ and the National Heavy Vehicle Regulator (NHVR) signed a Memorandum of Understanding (MOA) to improve the safety and productivity of the local road freight network in Queensland. Under this MOA, the LGAQ has established, with funding support from the NHVR, a full-time position to support Queensland councils develop capability to meet their responsibilities under the HVNL. This includes supporting councillors and council officers in understanding the use of notices, pre-approvals and other aspects of managing heavy vehicle access to the local road network. Through this arrangement, the LGAQ and NHVR have also partnered with other industry associations, such as the Crane Industry Council of Australia, to assist with the provision of appropriate guidance to councils (support materials, co-facilitation of workshops and pre-approval/notice development).

An example of the success of this arrangement is the increased level of council participation under the *National Class 1 Special Purpose Vehicle Notice* (SPV Notice). The level of Queensland council participation under the SPV notice as at June 2016 (immediately prior to commencement of the dedicated position) compared with the current situation is shown at Appendix 1. An interstate (eastern seaboard) comparison of current council participation is shown at Appendix 2. The progress made by Queensland councils has resulted in reduced permit turnaround timeframes, with a significant volume of low-risk permit applications transitioning to pre-approvals and notices.

The LGAQ's approach to assisting councils was recognised in the Final Report of the *Review of Oversize Overmass (OSOM) Access Arrangements* in September 2018². Included within the 38 Recommendations, was the following recommendation (34g):

NHVR to replicate the Local Government Association of Queensland (LGAQ) model for funding Heavy Vehicle Access Liaison Officers, to work with Local Government to deliver proactive approaches for OSOM access.

Office of the National Rail Safety Regulator

The Office of the National Rail Safety Regulator (ONRSR) commenced regulation of rail safety in Queensland from 1 July 2017. Prior to ONRSR's commencement in Queensland, the LGAQ worked

² Available at: https://www.infrastructure.gov.au/vehicles/vehicle_regulation/files/Oversize_Overmass_review_September_2018_FINAL_REPORT_sans_appendices.pdf

closely with the Department of Transport and Main Roads to facilitate the establishment of rail interface agreements. The LGAQ has had little interaction with ONRSR to date.

Does the current regulatory framework achieve an appropriate balance between local and national interests? Issues here might include the level of truck traffic on local roads or the reservation of corridors for future freight traffic. Are decisions made by the right level of government?

The freight task typically starts and ends on a local government-controlled road. While the LGAQ and Queensland councils are supportive of improving the efficiency and coordination of the freight network and supporting access to the first and last mile links in the supply chain, the current and projected freight task poses a number of critical challenges to local government in relation to community expectations, road standards and funding. The current regulatory framework provides an appropriate mechanism through which councils can facilitate access via the hierarchy of instruments (eg, individual permit, pre-approval for permits and finally as-of-right notices) across its road network while balancing community expectations and other considerations (eg, school drop off and pick up times).

Does local government have the resources, access to data and expertise needed to process access applications efficiently, evaluate the impact of road access decisions on the supply chain, or to take into account broader demographic and technological shifts?

Ongoing issues with attraction and retention of suitably qualified engineering staff results in a loss of knowledge at the local level meaning that the task of assisting councils with capability development is an ongoing exercise. While significant progress has been through LGAQ's arrangement with the NHVR, the LGAQ is concerned that progress may cease, or even be eroded, without dedicated support over the coming years particularly considering the prospect of an entirely revised legislative framework once the NTC's review of the HVNL is complete.

Access to data, whether it be through mandatory telematics or other sources, will not only provide assurances that any imposed conditions are complied with but also aid the planning, delivery and maintenance of appropriate road corridors utilised by heavy vehicle operators. Local land use planning and regional level transport planning considerations should also be noted, especially in the context of broader implications of local access decisions.

If not, what options might be available to support local governments to perform these functions?

As noted above, the mandated provision of telematics data and/or data from other sources will enable councils to, considering broader land use and road network planning contexts, plan, deliver and maintain a road network that is not only fit for purpose with respect to the freight task but also meets community expectations.

Has the involvement of local government in heavy vehicle access approvals contributed to efficiency improvements or better investment decisions?

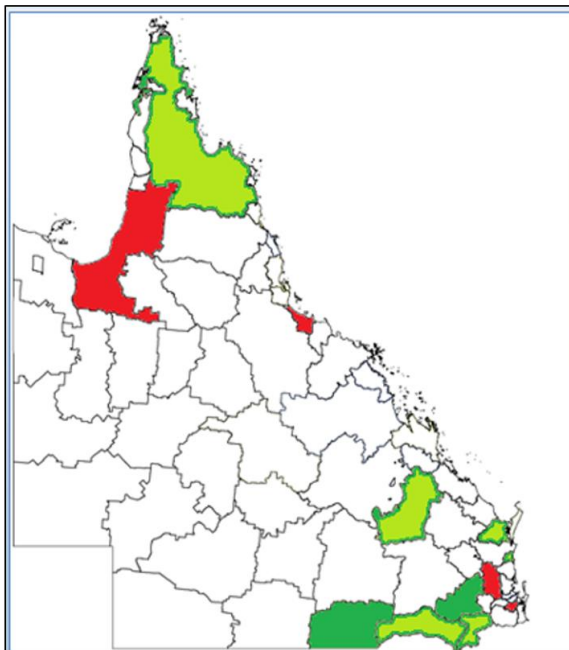
LGAQ's work to support councils has ultimately led to individual councils being empowered to make appropriate access decisions for their local road network considering available funding, condition of existing infrastructure, its capacity to support heavy vehicle movements along and community expectations.

Where access via pre-approvals or notices have been granted, this represents an 'unlocking' of existing infrastructure capacity. Furthermore, councils have been empowered to make better informed funding applications through various funding programs, such as the Bridges Renewal Program, not only to maintain existing levels, but also aid network enhancement for increased levels of access.

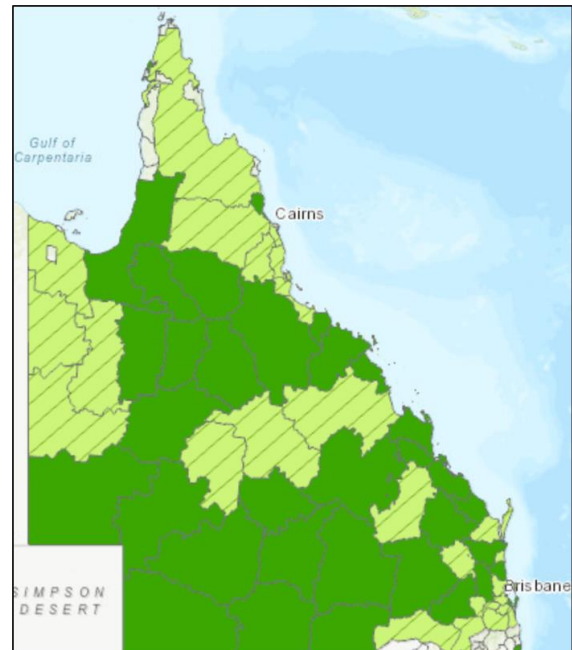
What practical changes would lead to more effective regulatory arrangements involving local government approval processes?

As noted above, access to improved data, including funding programs to enable the collection of other data, will support effective council decision-making and improved local government approval processes.

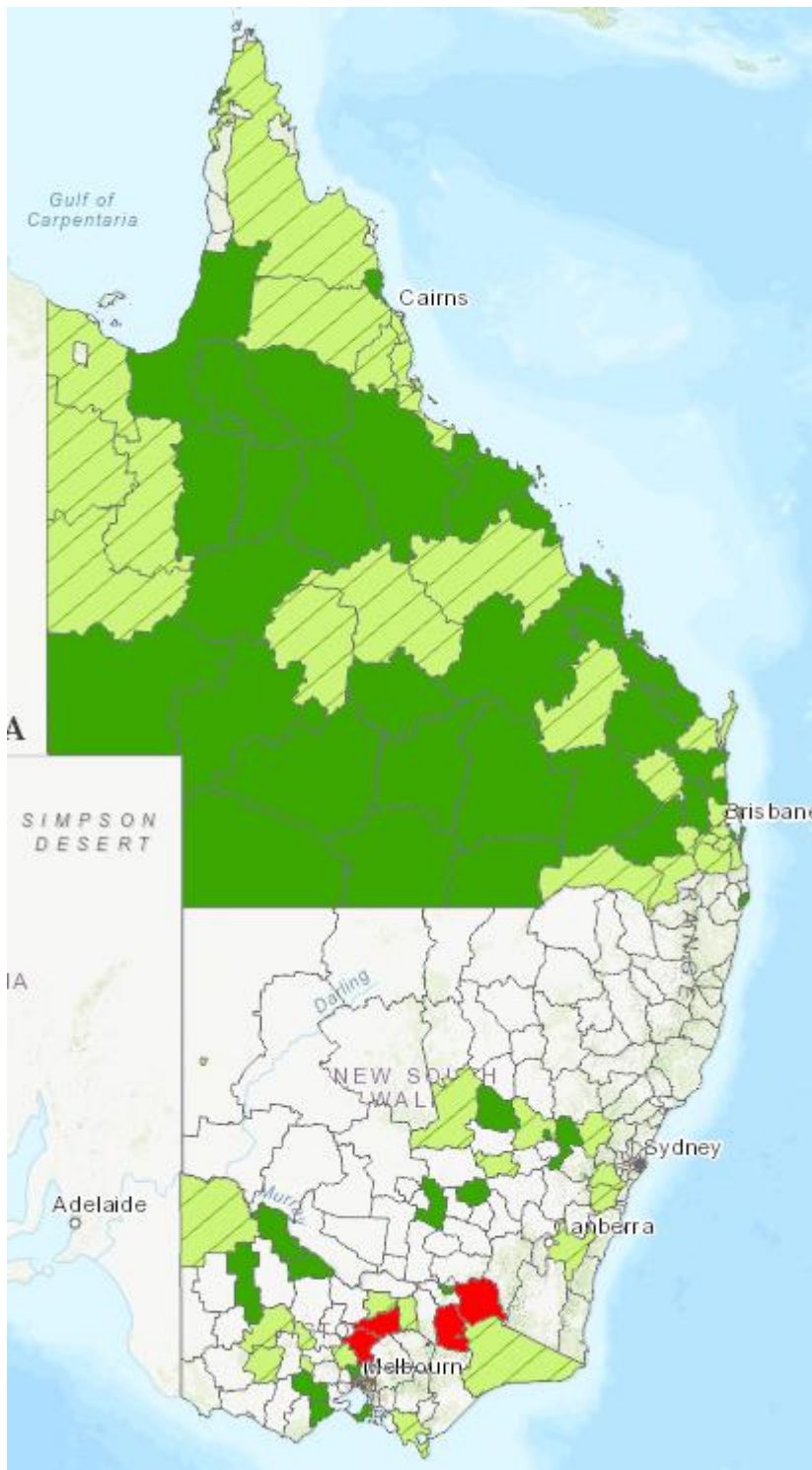
June 2016



November 2018



White	No response to consent request
Light Green with Green Stripe	Access Granted (with Restrictions)
Dark Green	Access Granted (with no Restrictions)
Red	Access Refused – individual permit required



Source: <http://nhvr.maps.arcgis.com/apps/StoryMapBasic/index.html?appid=4e0cb25a7cd24b15a2c5595f5b78ccdd&extent=111.3767,-43.5139,179.1843,-12.5937>