

20 March 2020

National Heavy Vehicle Regulator  
PO Box 492  
Fortitude Valley QLD 4006

**Attention: NHVR Draft Heavy Vehicle Productivity Plan**

The Australian Logistics Council (**ALC**) welcomes the opportunity to comment on the *Draft Heavy Vehicle Productivity Plan 2020-25* (the Plan).

ALC is the peak national body representing major companies participating in the freight logistics industry with a policy focus on delivering enhanced supply chain efficiency and safety.

Freight does not stop at state borders, which means that ALC's members bring a national perspective to how legislation is implemented.

ALC believes that there is value in the development of the draft productivity plan as one of the drivers that originally led to the development of the Heavy Vehicle National Law (HVNL) was the improvement of productivity in the Australian heavy vehicle sector.

ALC believes that the promotion of industry productivity and efficiency in the road transport industry should remain one of the key objectives of the HVNL<sup>1</sup>, a point made in ALC's submission to the HVNL Review being conducted by the National Transport Commission (the HVNL Review).<sup>2</sup>

As such, ALC commends the NHVR for developing a plan designed to enhance productivity and agrees with the high-level direction and goals of the Plan.

ALC also concurs with the caution contained in the Plan recognising that its terms may need amendment depending on changes made to the HVNL flowing from the NTC Review. One area where this could be necessary is if an amended HVNL makes clear when and how data can be used for the purposes of the National Law.

The greatest boon to productivity will flow from the increased gazettal of routes. ALC supports the actions taken thus far by NHVR and road managers and supports efforts to continue identifying suitable routes (and categories of vehicles) that can conveniently be granted access by Gazette notice.

This will help to give early effect to the findings of the OSOM review, as well as expedite the modernisation of the PBS approval process.

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<sup>1</sup> Paragraph 3(c) of the HVNL

<sup>2</sup> One option mooted through the Review is to remove productivity as an objective of the HVNL, and instead focus the Law more exclusively on safety.

ALC also agrees that the steps proposed to build the capabilities of local government should be implemented.

### **Summary of Recommendations**

1. The Plan should be amended to encourage the development of appropriate SMS' by operators, which could be based on the templates developed by NHVR.
2. The Plan should be amended to use the term 'social licence' to provide greater clarity to what it intends to achieve in regard to community awareness initiatives
3. The Plan should make clear that the Australian Privacy Principles will need to be complied with generally, and in particular when access to data that has not been de-identified is being sought.
4. The Plan should clearly indicate an intention of the NHVR to participate in the development of the National Freight Data Hub so both industry and government can (subject to conditions) gain access to data so decisions can be made that can enhance productivity outcomes.
5. The Plan should contain an action item requiring the NHVR to publish (on a periodic basis) a list of locations where the Regulator has determined the efficient use of heavy vehicles has been impacted as a result of the operation of a local planning instrument.

## Enhancement of Productivity through the Operation of a Safe Workplace

In its October 2019 paper addressed to the Transport and Infrastructure Senior Official's Committee (TISOC) called *Making a Modern Heavy Vehicle National Law*<sup>3</sup>, ALC advocated for the creation of a National Operating Standard that would require the development of a safety management system (SMS) for an operator's business.

Encouraging operators to have business systems designed to ensure heavy vehicles are properly maintained and safety laws are followed should mean the fleet available to carry freight from origination point to destination is operating at maximum capacity, thus enhancing productivity.

**Recommendation 1: The Plan should be amended to encourage the development of appropriate SMS' by operators, which could be based on the templates developed by NHVR.<sup>4</sup>**

## Building Community Understanding of Road Freight and Heavy Vehicles

ALC notes the intention of the NHVR to partner with Austroads, the Commonwealth Government and state and territory authorities to develop best practice approaches and tools that improve community acceptance and understanding of road freight and heavy vehicles.<sup>5</sup>

ALC members report an increasing need to develop a 'social licence' to allow larger (albeit safer) PBS vehicles to operate on roads shared with the public.

**Recommendation 2: The Plan should be amended to use the term 'social licence' to provide greater clarity to what it intends to achieve in regard to community awareness initiatives.**

ALC supports the development of social licence and freight awareness initiatives by the NHVR with the assistance of industry.

## Sharing of Data and Analytics

ALC notes that the Plan actively encourages the NHVR to acquire and share data and analytics on road assets and heavy vehicle movements. It is further noted that data can be used for planning access and safety purposes and can be provided from numerous sources.

ALC generally agrees with this proposition, as the use of the best available data should enhance decision making.

<sup>3</sup> <http://www.austlogistics.com.au/wp-content/uploads/2019/10/TISOC-Submission-Making-a-Modern-Heavy-Vehicle-National-Law.pdf>

<sup>4</sup> <https://www.nhvr.gov.au/taxonomy/term/150>

<sup>5</sup> Objective 3, Goal 3

That is why in its submission to the HVNL Review, ALC calls for heavy vehicles to carry equipment compatible with standards made under the National Telematics Framework in circumstances set out in the Law, with the operator retaining ownership and control of any data, and its use being subject to the operation of Australian Privacy Principles.

**Recommendation 3 - The Plan should make clear that the Australian Privacy Principles will need to be complied with generally, and in particular when access to data that has not been de-identified is being sought.**

ALC also notes the development of a National Freight Data Hub is being pursued as part of the National Freight and Supply Chain Strategy.

**Recommendation 4 - The Plan should clearly indicate an intention of the NHVR to participate in the development of the National Freight Data Hub so both industry and government can (subject to conditions) gain access to data so decisions can be made that can enhance productivity outcomes.**

## Planning Policy and Heavy Vehicles

ALC strongly agrees with the goal to support the Commonwealth Government and jurisdictional road authorities to encourage government planning departments to adopt policies and update planning schemes and design standards to support modern heavy vehicles.

In an October 2019 paper addressed to TISOC called *The National Freight and Supply Chain Strategy: From Ambitions to Outcomes*<sup>6</sup> ALC said:

*As ALC has consistently pointed out, many of the challenges facing freight logistics operators today – including road congestion, urban encroachment on freight facilities and the inadequate supply of logistics lands – have their genesis in poor planning. These challenges reflect the fact that freight movement is considered a far lower priority in many planning regimes than residential and commercial development.*<sup>7</sup>

**Recommendation 5 - To aid those in charge of planning instruments, the Plan should contain an action item requiring the NHVR to publish (on a periodic basis) a list of locations where the Regulator has determined the efficient use of heavy vehicles has been impacted as a result of the operation of a local planning instrument.**

<sup>6</sup> <http://www.austlogistics.com.au/wp-content/uploads/2019/10/TISOC-NFSCS-From-Ambitions-to-Outcomes.pdf>

<sup>7</sup> Page 3

Again, ALC is pleased to be given the opportunity to provide a submission to the National Heavy Vehicle Regulator's Draft Productivity Plan.

Should you wish to discuss this submission further, I can be contacted at [Kirk.Coningham@austlogistics.com.au](mailto:Kirk.Coningham@austlogistics.com.au).

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Kirk Coningham', with a long horizontal flourish extending to the right.

**Kirk Coningham OAM**  
Chief Executive Officer