

**CORRESPONDENCE
COVERSHEET**
Office of the Hon Minister Simon OBrien MLC
Minister for Transport; Disability Services

Title Letter regarding Road Traffic (Vehicles) Bill 2009 Compliance and Enforcement Legislation

Author Mitchell, Bill
Organisation WA Local Government Association

Correspondence Number:
29-11950

Date Received 16/02/2010 Date Due 2/03/2010



| MINISTERIAL OFFICE | | REFER TO | ACTION REQUIRED | |
|-------------------------------------|----------------------------------|---|--|--|
| | | AGENCY | | |
| <input type="checkbox"/> | MINISTER | | <input checked="" type="checkbox"/> DRAFT REPLY FOR MINISTER | |
| <input type="checkbox"/> | CHIEF OF STAFF | DSC | DRAFT REPLY FOR STAFF _____ | |
| <input type="checkbox"/> | PPA – TONY | PTA | DRAFT REPLY FOR PREMIER | |
| <input type="checkbox"/> | PPA – KEETHA | <input checked="" type="checkbox"/> DoT | REDRAFT | |
| <input type="checkbox"/> | PPA – BRETT | MAIN ROADS | BRIEFING/MEETING/SPEECH NOTES | |
| <input type="checkbox"/> | PPA – STEVE | PORT AUTHORITY: | DIRECT REPLY | |
| <input type="checkbox"/> | POLICY ADVISER- NICHOL | | INFORMATION | |
| <input type="checkbox"/> | POLICY OFFICER – PTA - LP | | NOTING | |
| <input type="checkbox"/> | POLICY OFFICER – Main Roads - AO | | NFA/COMPLETED | |
| <input checked="" type="checkbox"/> | POLICY OFFICER – DoT - UC | | OTHER: | |
| <input type="checkbox"/> | POLICY OFFICER – DoT - AW | | | |
| <input type="checkbox"/> | PARLIAMENTARY LIAISON OFFICER | | | |
| <input type="checkbox"/> | MEDIA ADVISER | | | |
| <input type="checkbox"/> | EXECUTIVE OFFICER | | | |
| <input type="checkbox"/> | APPOINTMENT SECRETARY | OTHER MINISTER: | ACKNOWLEDGEMENT | YES <input checked="" type="checkbox"/> NO |
| | | | ACKNOWLEDGEMENT SENT | 171211048 |

URGENT ROUTINE

CROSS REFERENCE _____

MINISTERIAL OFFICER ⑩

16/2/10

| Policy | Date | Comments |
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| Minister's Comments | | |
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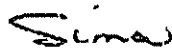


16 February 2010

Our Ref: WP:BM 05-006-03-0004

Hon Simon O'Brien MLC
Minister for Transport; Disability Services
13th Floor Dumas House
2 Havelock Street
WEST PERTH WA 6005

Dear Minister



**ROAD TRAFFIC (VEHICLES) BILL 2009
'COMPLIANCE AND ENFORCEMENT' LEGISLATION**

In December 2009 the Department of Transport released for comment the *Road Traffic (Vehicles) Bill 2009* for further consultation, specifically related to the 'compliance and enforcement' provisions contained within the Bill, for your consideration before introduction to Parliament.

The WA Local Government Association (WALGA) has consulted with Local Governments and sought their feedback regarding the proposed legislation and likely impact on Local Government assets.

Following consultation, this matter was considered by the WALGA State Council for a decision to be adopted by the Association. The following resolution was endorsed by State Council at its meeting of 5 February 2010, and is provided for your consideration.

Resolution:

That Local Government:

- 1. does not condone the illegal overloading of vehicles;**
- 2. supports an amendment to the Road Traffic (Vehicles) Bill 2009 to enable the continued use of a concessional mass loading scheme of up to 10% for grain, from paddock to grain receival points, with penalties for non compliance in order to support rural agricultural communities; and**

Local Government House
15 Altona Street
West Perth WA 6005
PO Box 1544
West Perth WA 6872
Telephone: (08) 9213 2000
Facsimile: (08) 9322 2611
Email: info@walga.asn.au
Website: www.walga.asn.au

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WALGA

- 3. request that the State Government further consult the Local Government Sector on any proposed amendments to the Road Traffic (Vehicles) Bill 2009 before introduction to Parliament, as well as on any future mass concessional loading schemes following the Main Roads WA review of the success of the 2009/2010 Harvest Mass Management Scheme.**

This resolution supports the introduction of Compliance and Enforcement Legislation, with an amendment to enable the continued use of concessional mass loading scheme, for up to 10% for grain only, and only between paddock and grain receival points.

State Council, in its deliberations, acknowledged that support for a concessional mass loading scheme for grain is at the expense of additional damage to the road network. However Local Governments also recognised the difficulties facing grain farmers in determining the weight of their load, acknowledging the less than ideal weighing conditions available in the farm paddock.

This position very much focuses around aligning the legislation with the State Government's Harvest Mass Management Scheme, already in operation, which has been supported by Local Government.

Western Australia is facing many transport challenges, and the State Government is considering major changes to deal with the State's freight task.

The ongoing review of the grain freight rail lines as well as the newly released discussion paper on a Simplified Vehicle Mass Management Scheme, foreshadow potential major changes to the freight practices in WA. These changes have the potential to substantially affect Local Government and the communities they represent, as well as substantially increase costs of road maintenance and repair, and potentially contribute to increased serious injuries and road deaths.

The issue of increased freight being carried on road, both with regard to increased weights and increased road trips, are a serious concern for Local Governments, and will continue to generate considerable discussion and debate across the Sector.

Local Government wishes to be consulted on these policies, as they are developed, so they can contribute their expertise as the largest asset manager of roads in the State. Local Government can be an active partner in improving freight transport strategies, and must be considered in the policy development process

The Association looks forward to working with you in the coming year to address Western Australia's freight challenges.

Yours faithfully

A handwritten signature in black ink, appearing to read 'W. Mitchell', written over a horizontal line.

W. (Bill) Mitchell AM JP
President
C. Department of Transport