

DRAFT SECOND READING SPEECH
HON MICHAEL FERGUSON, MP
ROADS AND JETTIES AMENDMENT BILL 2022

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Mister Speaker, I move that the Bill now be read a second time.

Mister Speaker, I present to the house today the Roads and Jetties Amendment Bill 2022.

This Bill seeks to ensure the *Roads and Jetties Act 1935*, as it relates to some key areas, continues to be fit-for-purpose.

Firstly, the Bill amends the Act to ensure that the Minister responsible for State roads can temporarily close State roads in all circumstances where a closure is deemed necessary, such as for the protection of the traveling public or to facilitate works.

The Bill also modernises the Act in how temporary State road closures are to be communicated and physically implemented.

Secondly, the Bill amends the Act to ensure that the powers to enter land adjoining a State road cover the full range of activities that need to be undertaken when planning, designing and delivering State road safety upgrades and maintenance.

Access to land for road-related purposes can usually be successfully negotiated with landowners, however, if access issues cannot be resolved, important safety upgrades may be delayed or technical, environmental or heritage issues might go uncovered, putting the Government at significant risk.

The Bill updates the Act to clarify that the powers of entry do not just include entry for the purposes of 'maintenance or reconstruction' of the road but also for other standard planning and design activities, such as investigations.

In developing this Bill, the Government acknowledges that matters of entry onto land must always be dealt with carefully and sensitively. The Bill sets out a clear process for entry that

ensures landowners and occupiers are dealt with respectfully and that the powers are subject to a number of requirements, including compliance with all other relevant Acts.

It is important to note that the use of these powers will always be informed by risk assessments that consider the impact on the land and any alternative options. While negotiating access to land will continue to be the preferred approach, it is critical that the Act provides access to these powers in those situations where there are no alternatives.

Finally, the Bill seeks to ensure that the State road authority is adequately equipped to manage all roadside hazards by clarifying that the powers of entry extend to taking action in relation to vegetation, structures, and land formations where there is an impact on road safety or the condition of the road.

In this respect, the use of such powers will be supported by the Department's Risk-Based Tree Management Framework which ensures that impacts on natural and cultural values are assessed against the identified risk before undertaking vegetation works and that any relevant approvals are sought.

In summary, this Bill seeks to modernise these key parts of the Act to ensure the Minister responsible for State roads can effectively manage works, activities, and hazards on the State road network. It is important for the legislation to continue to be fit-for-purpose, especially given this Government's significant investment in road and bridge upgrades and our ongoing commitment to making our roads safe.

Mister Speaker, I commend this Bill to the House.