

DRAFT SECOND READING SPEECH

HON JEREMY ROCKLIFF MP

Roads and Jetties Amendment (Works in Highways) Bill 2019

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

Madam Speaker, I present to the house today the *Roads and Jetties Amendment (Works in Highways) Bill 2019*, which amends the *Roads and Jetties Act 1935*.

The State Government is responsible for managing over three and a half thousand kilometres of State highways. Keeping the State highway network operating safely and efficiently is of vital importance, and managing the works undertaken on State highways by third parties is a key part of this role.

The purpose of this Bill is to allow the Crown to better manage works undertaken on State highways by third parties by expanding the powers available under the *Roads and Jetties Act* to deal with incomplete, substandard and informal works.

Currently section 16 of the *Roads and Jetties Act* enables third parties to apply for a permit to undertake works on State highways. Examples of the types of works commonly completed include the building of a vehicular access by property owners who needs to access their property via a State highway and also, but are not limited to, maintenance, pathways, vegetation management, fencing, structures, footpath, kerb and channeling and services connections.

While in most cases these works are completed satisfactorily, there are cases where these works remain incomplete or are of a substandard nature. This most commonly occurs with respect to vehicular access works. These incomplete works have the potential to become a safety risk to road users and a financial risk to the Government.

Currently the Minister responsible for State highways has insufficient powers to address the problem of incomplete or substandard works he or she can only require that the third party cease the works or remove them altogether and restore the pavement to the original condition.

The Bill addresses these shortcomings by broadening the scope of the Minister's powers under section 16 of the Roads and Jetties Act to:

- require the works to be completed by the responsible person to specified standards and within the required timeframe
- where works are incomplete, impose additional conditions, remove or amend any conditions on a permit holder after consent has been given for the works
- require a structure or other works to be upgraded where the Minister is of the opinion that the works are not satisfactory
- require a responsible person to cease erecting or placing a structure or doing other works where any condition of the consent has not been complied with
- arrange for the completion of the works and for the costs to be recovered from the responsible person where the works are not completed to the required standards or within the required timeframe.

The Minister will only arrange for the completion of the works following a written notice to the responsible person requiring the incomplete works to be completed by a nominated date, being not less than 60 days.

Madame Speaker, the Bill also deals with the issue of informal vehicular accesses on a State highway. These commonly occur where a property owner has been accessing their property via a State highway without there being a constructed and approved access in place. This amendment will ensure that access onto the State highway is via a safe location and constructed in a manner that ensures the safety of road users.

Madam Speaker, I commend this Bill to the House.