

## SECOND READING SPEECH

### THE HON DAVID LLEWELLYN, MINISTER FOR ENERGY AND RESOURCES

#### *Forestry Amendment Bill 2009*

**Mr Speaker,**

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

I am pleased to present to the House today the *Forestry Amendment Bill 2009*.

The principal purpose of this Bill is to keep state forests open to the public, while also ensuring that the network of forestry roads can continue to be used for forestry operations.

Mr Speaker, Forestry Tasmania currently manages an extensive network of around 7,000 kilometres of forestry roads on state forest.

These roads are constructed for the principal purpose of providing access to working forests for the purposes of harvesting and regenerating forestry coupes. The construction of this road network is

funded by Forestry Tasmania through income received from the sale of wood products. Accordingly, the roads are Forestry Tasmania assets.

As a general rule, Forestry Tasmania also allows the public to use these forestry roads for recreational purposes.

In the past, it has been assumed forestry roads were private roads. However, because Forestry Tasmania allows the public to use these roads, they are in fact regarded as Public Streets, as defined in Section 3 of the *Traffic Act 1925*. Accordingly, the same regulatory regime for public roads also applies to the vast majority of forestry roads.

In 1996, all states and territories adopted a nationally agreed standard for vehicle mass and dimension. Like the other jurisdictions, Tasmania provides exemptions for vehicles that fall outside these mass and dimension limits to use public streets, where those streets have been assessed as suitable. In particular, Tasmania provides exemptions through a Gazette Notice and permit system to allow High Productivity Vehicles and Higher Mass Limit Vehicles to use public streets under this system.

High Productivity Vehicles include many types of vehicles used by forest contractors, such as B-Doubles.

Given that forestry roads were incorrectly assumed to be private roads, High Productivity Vehicles have been operating on the state forest road network without it having been assessed, and without the necessary exemptions having been granted. In order to retain access for both the public and HPVs on state forest under the current regulatory regime, it would be necessary to install road furniture, such as armco railings, guide posts and signage, on forestry roads.

Mr Speaker, it would simply be impractical for Forestry Tasmania to upgrade its network of forestry roads to meet the established route standards for High Productivity Vehicles. This undertaking would be prohibitively expensive – all for roads that, in many cases, are only used by heavy vehicles for a period of a few months every 30 years or so.

To overcome the technicality, the easy solution would have been to close the network of forestry roads to the public. However, this would not be consistent with the principle of promoting public use of state forests.

As Forestry Tasmania is the owner of the network of forestry roads, it is best placed to determine which of those roads may be safely used by High Productivity Vehicles and Higher Mass Limit Vehicles.

As the road owner, Forestry Tasmania is also best placed to determine when public access to particular roads should be restricted, to ensure that public safety is maintained during forestry operations.

Mr Speaker, the proposed amendments to the Forestry Act will achieve these objectives.

They will allow Forestry Tasmania to:

- assess the safe use of forestry roads by the public;
- determine the mass and dimension of the heavy vehicles that may use forestry roads; and
- close forestry roads, or sections of forestry roads, to the public.

It is important to note that this proposed amendment secures public access to state forest, except where there is an unacceptable risk. It will ensure that public safety on state forest roads is improved, by helping to ensure that potentially dangerous public access to areas in use by heavy vehicles is avoided.

It is also important to note that all other road and traffic laws will continue to apply to forestry roads.

Mr Speaker, I commend the Bill to the House.