



HEAVY VEHICLE NATIONAL LAW

Victoria Class 3 Heavy Vehicle Livestock Carrier (Goats) Mass Exemption (Notice) 2015 (No. 2)

Revocation

This notice revokes and replaces the *Victoria Class 3 Heavy Vehicle Livestock Carrier (Goats) Mass Exemption (Notice) 2015 (No. 1)*.

Purpose

1. The purpose of this notice is to exempt a stated category of class 3 heavy vehicles from the mass requirements prescribed in Schedules 1 to 5 of the *Heavy Vehicle (Mass, Dimension and Loading) National Regulation* (the National Regulation).

Note –

The Heavy Vehicle National Law provides that a heavy vehicle is a class 3 heavy vehicle if it, together with its load, does not comply with a prescribed mass requirement or prescribed dimension requirement applying to it and is not a class 1 heavy vehicle. The *National Class 2 Heavy Vehicle 4.6m High Livestock Carrier Authorisation (Notice) 2014 (No. 1)* authorises the use of livestock carriers from 4.3 to 4.6 metres in height in the areas or routes, during the hours on the days and subject to the conditions set out in that notice. This instrument is an exemption that declares that certain livestock carriers that are up to 4.6 metres high are exempt from all of the prescribed mass requirements prescribed under the Heavy Vehicle National Law, subject to compliance with the conditions set out in this notice.

Authorising Provision

2. This notice is made under section 117 of the Heavy Vehicle National Law as in force in each participating jurisdiction (the HVNL).

Title

3. This notice may be cited as the *Victoria Class 3 Heavy Vehicle Livestock Carrier (Goats) Mass Exemption (Notice) 2015 (No. 2)*.

Commencement

4. This notice commences on the date of its publication in the Commonwealth Gazette.

Expiry

5. This notice expires on 24 May 2020.

Definitions

6. Unless otherwise stated, words or expressions used in this notice have the same meanings as in the HVNL or regulations made under the HVNL.
7. In this notice—

livestock carrier (goats) means a heavy vehicle that is—

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- a) a 6 axle articulated vehicle or a 9 axle B-double; and
- b) up to 4.6 metres high; and
- c) built to carry goats.

Application

- 8. This notice applies to livestock carriers (goats).
- 9. This notice applies in Victoria.

Exemption from prescribed mass requirements

- 10. This notice exempts livestock carriers (goats) from the mass requirements prescribed in schedules 1 to 5 of the National Regulation, provided that they comply at all times with the conditions set out in this notice.

Areas or routes

- 11. A livestock carrier (goats) operating under this notice may use any route designated as being available under the livestock scheme for the transportation of goats for that category of vehicle on a map published at www.vicroads.vic.gov.au/business-and-industry/heavy-vehicle-industry/heavy-vehicle-map-networks-in-victoria.

Conditions

- 12. The driver and operator of a livestock carrier (goats) must comply with the conditions set out in Schedule 1 and Schedule 3 of the *Victoria Class 3 Heavy Vehicle Livestock Carrier Mass Exemption (Notice) 2014 (No.1)* except as varied by this notice.
- 13. The number of decks used to transport goats must not exceed 4.
- 14. In addition to the conditions mentioned above, the driver and operator of a livestock carrier (goats) operating on a route in a local council area mentioned in column 1 of Table 1 of Schedule 1 must comply with the conditions set out opposite that local council area in column 2.

Note—

Nothing in this notice exempts the driver or operator of a livestock carrier (goats) from complying with legislation regulating the use of heavy vehicles including but not limited to:

- a) compliance with dimension limits in the HVNL;
- b) compliance with traffic signs;
- c) compliance with vehicle standards in the HVNL; and
- d) compliance with lawful directions of authorised officers.

Dated 5 June 2015



Sal Petrocchio
Chief Executive Officer
National Heavy Vehicle Regulator

Schedule 1 - Local Council Access Conditions

Table 1

Column 1 - Local council area	Column 2 - Conditions
Mornington Peninsula Shire Council	<p>Any person operating under this exemption accepts responsibility for any damage arising in connection with the use of a vehicle operating under this notice and indemnifies Mornington Peninsula Shire against any liability arising from the use of the vehicle/s.</p> <p>The shortest route to delivery point from nearest State managed arterial road is to be travelled, to minimise damage to local roads.</p> <p><i>Note—</i></p> <p>Mornington Peninsula Shire maintains a vegetation clearance of 3.75m on roads (excluding 'A' class roads); this will need to be considered for vehicles that require a greater clearance.</p>