



## HEAVY VEHICLE NATIONAL LAW

### New South Wales Class 3 Port Botany Freight Container Exemption Notice 2019 (No.1)

#### 1 Purpose

- (1) This Notice provides an exemption from prescribed mass requirements for certain configurations of eligible heavy vehicles transporting freight containers within the Greater Sydney area.

*Note: This Notice operates in conjunction with the New South Wales Class 3 Port Botany Container Transportation Mass Exemption Notice 2019 Operator's Guide that is published by the National Heavy Vehicle Regulator (NHVR). This Guide contains important information under this Notice, such as routes and other operational requirements.*

*This Notice allows vehicles to operate up to axle mass limits the same as those prescribed under Concessional Mass Limits (CML). However, a vehicle operating under this Notice is not operating under CML and is not required to meet other conditions of CML. To be clear, a vehicle operating under this Notice is a Class 3 vehicle operating under the mass exemptions and conditions contained in this instrument.*

#### 2 Authorising Provision

This Notice is made under section 117 of the Heavy Vehicle National Law (HVNL).

#### 3 Title

This Notice may be cited as the *New South Wales Class 3 Port Botany Freight Container Exemption Notice 2019*.

#### 4 Commencement

This Notice commences 2 December 2019.

#### 5 Expiry

This Notice expires on 1 December 2024.

#### 6 Definitions

In this Notice—

***New South Wales Class 3 Port Botany Container Transportation Mass Exemption Notice 2019 Operator's Guide ("the Guide")*** means the document of that name published by the NHVR, and as amended from time to time.

***Prescribed Stevedore's Terminal*** means a cargo terminal prescribed in the Guide.

## **7 Application**

- (2) This Notice applies to vehicles carrying one or more shipping containers to or from a Prescribed Stevedore's Terminal.
- (3) This Notice applies to a vehicle or combination that falls into one of the following categories:
  - (a) a rigid truck; or
  - (b) a prime mover and semi-trailer combination that has an overall length not exceeding 19 metres; or
  - (c) a B-double that has an overall length not exceeding 26 metres.
- (4) A vehicle to which this section applies is an eligible vehicle.

*Note: This section specifically does not include truck and dog trailer combinations, and truck and pig trailer combinations.*

## **8 Exemption – Prescribed Mass Requirements**

- (1) An eligible vehicle is exempt from the following prescribed mass requirements corresponding to the eligible vehicle's type in Schedule 1 of the Heavy Vehicle (Mass, Dimension and Loading) National Regulation (the Regulation):
  - (a) Section 2 – Mass limits for a single vehicle or combination;
  - (b) Section 4 – Mass limits for a single axle or axle group; and
  - (c) Section 5 - Mass limits relating to axle spacing generally.
- (2) These exemptions only apply to the extent provided under an applicable mass condition under this Notice.

## 9 Conditions - Mass Limits

- (1) An eligible vehicle operating under this Notice must not exceed the axle mass limits specified in Table 1.

**Table 1 Conditional upper mass limit table for axles**

Description	Maximum Allowable Mass (t)
<b>Steer Axles</b>	
A non-complying steer axle	6.0
A complying steer axle	6.5
<b>Tandem axle group</b>	
Tandem axle group fitted with single tyres on all axles —	
(a) if the section width of the tyres is less than 375mm	11.5
(b) if the section width of the tyres is 375mm or more but not more than 450mm	13.8
(c) if the section width of the tyres is more than 450mm	14.5
Tandem axle group fitted with single tyres on 1 axle and dual tyres on the other axle or axles	13.5
Tandem axle group fitted with dual tyres on all axles	17
<b>Tri-axle group</b>	
Tri-axle group on a vehicle fitted with—	
(a) single tyres with section widths of less than 375mm on all axles; or	15.5
(b) single tyres with section widths of less than 375mm on some axles and dual tyres on the other axles	
Tri-axle group on a vehicle fitted with—	
(a) single tyres with section widths of at least 375mm on all axles; or	21.0
(b) dual tyres on all axles; or	
(c) single tyres with section widths of at least 375mm on some axles and dual tyres on the other axles	

- (2) If a vehicle has an axle group not described as an eligible axle group in Table 1 of this Notice, the mass on the ineligible axle group must not exceed general mass limits prescribed in Schedule 1 of the Regulation.

*Note: The mass limits in Table 1 are the same as those for CML as set out in Schedule 2 of the Heavy Vehicle (Mass Dimension and Loading) National Regulation. However, a vehicle operating under this Notice is not operating under CML, and must comply with the conditions of this Notice and not the conditions of Schedule 2 of the Regulation.*

*Dog trailers and pig trailers are not permitted under this Notice, so references to these vehicles are removed in Table 1.*

## 10 Conditions - Approved Routes

- (1) An eligible vehicle operating under this Notice may operate on stated routes and areas set out in the Guide.
- (2) A vehicle must comply with any vehicle, road and travel conditions that apply a stated route or area prescribed under this section.

*Note: The routes and areas set out in the Guide are existing networks for which operations under this Notice have been approved. These networks may allow general access, as though the vehicle were a compliant vehicle, or access for normally compliant restricted access vehicles (such as networks for compliant B-Doubles).*

## 11 Conditions – Telematics

- (1) An eligible vehicle operating under this Notice must be enrolled in and compliant with the Road Infrastructure Management (RIM) application, which is a certified Intelligent Application Program maintained by the Transport Certification Australia (TCA).

## 12 Conditions – Australian Design Rules

- (1) An eligible vehicle operating under this Notice must be fitted with the following safety systems:
  - (a) **Lane departure warning systems** compliant with *UN ECE 130 Uniform provisions concerning the approval of motor vehicles with regard to the Lane Departure Warning System (LDWS)*; and
  - (b) **Emergency braking systems** compliant with *UN ECE R131 Uniform provisions concerning the approval of motor vehicles with regard to the Advanced Emergency Braking Systems (AEBS)*; and
  - (c) **Vehicle braking systems** consistent with *Australian Design Rule 35/03 – Commercial Vehicle Brake Systems*; and
  - (d) **Electronic stability control systems** compliant with *Australian Design Rule 35/06 – Commercial Vehicle Brake Systems*; and
  - (e) If the vehicle is a combination, **trailer braking systems** compliant with *Australian Design Rule 38/03 – Trailer Brake Systems*.

Peter Caprioli  
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