

Australian Capital Territory

Road Transport (General) (Garbage and waste disposal) Exemption 2013 (No 1)

Disallowable instrument DI 2013–54

made under the

Road Transport (General) Act 1999, section 13 (Power to exclude vehicles, persons or animals from road transport legislation)

EXPLANATORY STATEMENT

This instrument is made under section 13 of the *Road Transport (General) Act 1999* (the Act), which allows the Minister to exclude vehicles, persons or animals from the operation of the road transport legislation, or a provision of that legislation, by disallowable instrument. Under section 13 (1) of the Act, an exclusion operates in the circumstances or places declared in the instrument.

The purpose of the instrument is to allow the driver of a garbage or waste disposal truck to drive the wrong way along Astrolabe Street, Red Hill, which is a one-way street, to collect waste or garbage from houses on that street. The exemption applies only on Fridays, which is the garbage and waste collection day for that street, between 7:00am and 4:30pm.

The exemption is granted because of changed traffic arrangements to Astrolabe Street which made it a one-way street. Garbage or waste disposal trucks currently operating in the ACT are not able to collect garbage or waste bins from the right side of the truck. As a result, some residents in Astrolabe Street have been required to place their garbage and waste bins on the opposite side of the street. This exemption will allow drivers of garbage or waste disposal trucks to drive the wrong way down the street to collect waste or garbage, avoiding the need for residents to place their bins on the opposite side of the street from their property.

Clause 2 provides that the instrument commences on 9 May 2013.

Clause 3 declares that Australian Road Rules 98 (which requires drivers on a length of road to which a one-way sign applies to only drive in the direction indicated by the arrow on the sign) and 100 (which provides that a driver must not drive past a no entry sign) do not apply to the driver of a garbage or waste disposal truck on Astrolabe Street, Red Hill, while collecting rubbish or waste on Fridays between 7:00am and 4:30pm.

Clause 3 (2) provides that the exemption only applies if the driver is displaying a flashing light, and the driver is acting safely. This clause reflects Australian Road

Rule 313A (Exemption for garbage truck drivers etc), which says that another law may provide that a provision of the Australian Road Rules does not apply to the driver of a garbage or waste disposal truck if the driver is collecting garbage or waste, the driver is unable to comply with the relevant provision, the truck is displaying a flashing light, and the driver is acting safely.

Clause 4 provides that the instrument expires on 8 May 2016.