

**Rural Affairs and Transport Legislation Committee**

**ANSWERS TO QUESTIONS ON NOTICE**

Supplementary Estimates October 2010

**Infrastructure and Transport**

**Question No.:** STP 01

**Division/Agency:** Surface Transport Policy

**Topic:** Mr Leo Zussino, Chairperson, Australian Maritime Safety Authority.

**Hansard Page/s:** 13 (21/10/10)

**Senator Colbeck asked:**

**Senator COLBECK**—Can you recall whether he was a candidate suggested by the minister or a candidate suggested by the department?

**Mr Mrdak**—I would have to take that on notice. I do not think any of the three of us were involved in the process, so I will take that on notice.

**Senator COLBECK**—Can you take on notice to give me as much detail as you can around that particular appointment. If it is appropriate, can you give me some background on the qualification that came with that.

**Mr Mrdak**—Yes.

**Answer:**

The Chair was appointed in accordance with normal Government practice.

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**ANSWERS TO QUESTIONS ON NOTICE**

Supplementary Estimates October 2010

**Infrastructure and Transport**

**Question No.:** STP 02

**Division/Agency:** Surface Transport Policy

**Topic:** Heavy Vehicle Fatigue reforms

**Hansard Page/s:** 59 (21/10/10)

**Senator Williams asked:**

**Senator WILLIAMS**—As yet, have Tasmania and Northern Territory agreed to adopt the reforms?

**Ms Riggs**—The 2007 reforms?

**Senator WILLIAMS**—Yes.

**Ms Riggs**—I will have to take that on notice. I would rather take it on notice, rather than be wrong.

**Answer:**

The Tasmanian Government and the Northern Territory Government, have not yet implemented the Heavy Vehicle Driver Fatigue Reforms. They are considering implementation timeframes in their respective jurisdictions in the context of the formation of the National Heavy Vehicle Regulator.

**Rural Affairs and Transport Legislation Committee**

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Supplementary Estimates October 2010

**Infrastructure and Transport**

**Question No.:** STP 03

**Division/Agency:** Surface Transport Policy

**Topic:** Heavy Vehicle Rest Stops

**Hansard Page/s:** 60-61 (21/10/10)

**Senator Williams asked:**

**Senator WILLIAMS**—Yes, fair enough. Moving to the rest stops, can you give me an update of construction of new ones—are there more of them—the demand for them. How many are under construction now? Have you any idea how many are under construction now around Australia?

**Ms O’Connell**—There is a very significant program around heavy vehicle rest stops.

**Senator WILLIAMS**—Yes.

**Ms O’Connell**—The full program is on our website. I can either take that on notice or come back to you on the progress made with all of those rest stops around Australia.

**Senator WILLIAMS**—Let me make it simpler for you. Would it be easier for you to find out actually how many rest stops we currently have in Australia on major highways?

**Ms O’Connell**—I can take that on notice, certainly.

**Senator WILLIAMS**—I do not want to give you too much work. What I am asking is: how many do we have now on our major intercity highways and major highways, what is the forecast of how many are required, and where are we up to as far as constructing new ones? So, for example, if we currently had 1,000 around Australia and the department says, ‘We actually need 2,000, and how many are being constructed—there are 300 in between?’ So I can get an idea of how many we have, and how the growth is as far as constructing those rest stops. Would that be okay?

**Ms O’Connell**—Certainly.

**Answer:**

The Government’s Heavy Vehicle Safety and Productivity Program is funding 129 projects directly related to improving heavy vehicle drivers’ rest opportunities.

Projects include:

- 33 new Rest Areas (14 complete, 3 under construction and 16 in planning stage)
- 9 new Parking Bays (1 complete, 2 under construction and 6 in planning stage)
- 69 Rest Area upgrades (28 complete, 7 under construction and 34 in planning stage)
- 18 Parking Bay upgrades (11 complete, 1 under construction and 6 in planning stage)

In 2008, Austroads published an Audit of Rest Areas which assessed rest areas along 12,700 kilometres of mainly interstate freight routes in Australia. Along this network the Audit found a total of 1,111 rest areas comprising 78 Major Rest Areas, 292 Minor Rest Areas and 741 Truck Parking Bays.

The Audit did not quantify an optimal number of rest areas for this network. The Audit did however identify that there was a deficiency of rest opportunities on 60 per cent of this network as well as deficiencies in site facilities at existing rest areas.

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Supplementary Estimates October 2010

**Infrastructure and Transport**

**Question No.:** STP 04

**Division/Agency:** Surface Transport Policy

**Topic:** The amount of freight and vehicles moved by TT-Line.

**Hansard Page/s:** 61-62 (21/10/10)

**Senator Abetz asked:**

**Senator ABETZ**—These first few questions on behalf of my Tasmanian colleague, Senator Richard Colbeck: can we be given the figures paid as a result of the passenger vehicle movements on the TT-Line? Does the department have that?

**Ms Riggs**—Just let me check, please.

**Senator ABETZ**—And if it is not readily available, if you can take it on notice, but if you do have it readily available that would assist.

**Ms Riggs**—I am sorry. I have come with Tasmanian Freight Equalisation Scheme numbers but I appear not to have brought passenger—

**Senator ABETZ**—The Bass Strait passenger vehicle equaliser.

**Ms Riggs**—Just the year to date paid?

**Senator ABETZ**—That was a general question, whether we can be given the figures, if we can. If you can give us the figures for 2005, 2006, 2007, 2008, 2009 and 2010.

**Ms Riggs**—Can I make them the financial years?

**Senator ABETZ**—Yes. Financial year is fine.

**Ms Riggs**—Thank you, Senator.

**Senator ABETZ**—And how much is being paid in globo and whether that in globo figure can then be reduced to the numbers of vehicles, because, if I understand it—

**Ms Riggs**—So total outlays for numbers of vehicles for each of those financial years.

**Senator ABETZ**—Yes. The total outlays and then the number of vehicles to which that applies and, similarly with the Tasmanian Freight Equalisation Scheme, if you are able to identify—I am not sure that you necessarily can—those that used the TT-Line as to the amount of payments made for freight movers who use the TT-Line, and I imagine that might not be available but, if it is, for those same five or six financial years, and if you can provide us the in globo figure. Then—I am not sure how you measure it per tonne, per cubic metre, whatever your standard measurement is—if you could advise that as well.

**Ms Riggs**—Some measurement of the quantity of freight.

**Senator ABETZ**—Yes.

**Ms Riggs**—But only interested in what is moved on TT-Line.

**Answer:**

The attached table (Attachment A) shows the number and type of vehicles assisted by the Bass Strait Passenger Vehicle Equalisation Scheme and carried by TT-Line. The amount of freight carried by TT-Line could not be determined because data on carriers is not collected by Centrelink.

**STP 04 - Attachment A**

**Rural Affairs and Transport Legislation Committee**

**ANSWERS TO QUESTIONS ON NOTICE**

Supplementary Estimates October 2010

**Infrastructure and Transport**

**Question No.:** STP 05

**Division/Agency:** Surface Transport Policy

**Topic:** Consultations with the ABS

**Hansard Page/s:** 62-63 (21/10/10)

**Senator Abetz asked:**

**Senator ABETZ**—Right. Thank you. So has Mr Motha ever been the beneficiary of, let's say, an ABS workshop or training or anything of that nature as to how to interpret the ANZSIC classifications, or does Mr Motha take it upon himself to believe that he understands the classifications sufficiently?

**Ms Riggs**—Mr Motha consults with his staff who have had some experience in working with the classification and who, as I said, if they need to, will talk to staff of the Australian Bureau of Statistics.

**Senator ABETZ**—Yes. One of the difficulties is you do not know what you do not know and, therefore, people may well be personally satisfied that they know but, unless they have been given a bit of training or some indication by the ABS of some of the nuances or other issues that might be involved, they might unwittingly make an incorrect call in relation to classification. So I suppose that is what I am seeking to explore with you, Ms Riggs.

**Ms Riggs**—I do not believe that Mr Motha has personally undertaken extensive training with the Bureau of Statistics in interpretation of the classification.

**Senator ABETZ**—Right. And what about his—what term did you use?

**Ms Riggs**—Staff.

**Senator ABETZ**—What about the staff that would assist him or advise him in relation to that? Chances are they would be more at the coalface on the day-to-day decision making and making recommendations to Mr Motha. What about them? Take it on notice if you do not know.

**Ms Riggs**—I think that would be better.

**Answer:**

Mr Motha's staff have not had formal training from the ABS on the Australian and New Zealand Standard Industrial Classification (ANZSIC). However, his staff have extensive experience in using and interpreting several systems of classification and frequently consult with ABS staff on the interpretation and application of the ANZSIC.

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**Infrastructure and Transport**

**Question No.:** STP 06

**Division/Agency:** Surface Transport Policy

**Topic:** Heavy Vehicle Work Diaries

**Hansard Page/s:** 69 (21/10/10)

**Senator Williams asked:**

**Senator WILLIAMS**—Eight, yes. Ms Riggs, just in relation to work diaries, is it still the case that in South Australia and Victoria, on a typical 12-hour day, if you work within 100 kilometres of home or your base, you do not have to fill a work diary in?

**Ms Riggs**—Several of the jurisdictions make an exemption from having to fill in a work diary for either being only within 100 kilometres of home base, or I think in Queensland it is 200 kilometres. Quite frankly, I do not have the list with me of which jurisdictions have the 100-kilometre allowance. I will take that on notice.

**Answer:**

South Australia and Victoria have implemented the provisions from the model law in relation to this matter. These provisions provide that heavy vehicle drivers would not normally be required to complete a work diary if they work less than twelve hours per day and work within 100 kilometres of their base.

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Supplementary Estimates October 2010

**Infrastructure and Transport**

**Question No.:** STP 07

**Division/Agency:** Surface Transport Policy

**Topic:** Heavy Vehicle Industry Advisory Group Membership

**Hansard Page/s:** 71 (21/10/10)

**Senator Williams asked:**

**Senator WILLIAMS**—Ms Riggs, could you briefly tell me what this industry advisory group is made up of?

**Ms Riggs**—About eight, 10 or a dozen—I am happy to put the names—

**Senator WILLIAMS**—Transport organisations?

**Ms Riggs**—Yes, transport operators, those interested in the transport industry and a couple of users of the trucking industry, so they are not representative. They are 10 or 12 individuals who know and use the trucking industry, so they are either operators or whatever. They bring a good industry view to the project office.

**Senator WILLIAMS**—Could you take on notice for me whether anyone in that advisory group is from livestock transport and the grains transport please?

**Ms Riggs**—They are not representative of any particular organisation, so I will not necessarily know what their background is. Perhaps it would be better if I took on notice giving you a list of the names of the members of that group.

**Answer:**

The list of members of the Industry Advisory Group is below. Mr Jones and Mr Swart are involved in livestock or grain transport, and Mr Halton's company provides executive services to the Australian Livestock Transporters Association.

| Member             | Position   |
|--------------------|--|
| Mr Ian King        | Chairman, Geraldton Port Authority                       |
| Mr Paul Orton      | Chair, NSW Business Chamber                              |
| Mr David Simon     | Managing Director, Simon National Carriers               |
| Mr Shane Falkiner  | Compliance Manager Asia Pacific, Linfox Logistics        |
| Mr Eric Willemse   | National Operations Manager, Woolworths                  |
| Mr Bart Jones      | Hampton Transport  |
| Mr Craig Luxton    | Deluxe Transport   |
| Mr Phillip Porter  | National Logistics Manager, Australian Paper             |
| Mr Michael Swart   | Wildman River Stock Contractors Pty Ltd                  |
| Mr Philip Halton   | Director, PLM Consulting Services Pty Ltd                |
| Mr Tony Sheldon    | National Secretary, Transport Workers Union of Australia |
| Mr Ingilby Dickson | Vice President - Transport and Logistics, BHP Steel      |
| Mr Phillip Crook   | General Manager - Group Corporate Affairs<br>Toll Group  |

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**Infrastructure and Transport**

**Question No.:** STP 08

**Division/Agency:** Surface Transport Policy

**Topic:** : Overall allowable heavy vehicle width in New South Wales and Queensland

**Hansard Page/s:** 73 (21/10/10)

**Senator Macdonald asked:**

**Senator IAN MACDONALD**—Are you able to tell me the difference between New South Wales and Queensland in allowable width?

**Mr Mrdak**—I would have to come back to you, Senator, if that is okay. I do not have that with me.

**Answer:**

Australian Design Rule (ADR) 43, Vehicle configuration and dimensions, specifies vehicle dimensions. ADRs are administered on the powers the Australian Government has under the *Motor Vehicle Standards Act 1989*, by the Department of Infrastructure and Transport. ADR 43/04 at clause 6.5.1 states that the ‘Overall Width’ of any motor vehicle or trailer must not exceed 2,500 mm.

This width dimension is supported in national model law developed by the former National Road Transport Commission which provides for heavy vehicles to have a maximum operating width limit of 2.5 metres for general access. Both Queensland and NSW apply the 2.5 metre width rule for general access.

Heavy vehicles seeking to operate over this width can only do so as ‘permitted vehicles’. Permits are issued by the state or territory road authorities with consideration of dimensions of the freight and the suitability of the route, taking into account other special ‘local’ circumstances. For example, NSW allowed by permit, in drought affected areas only, 2.83 metre wide loads of hay. NSW is now moving more towards enforcing industry compliance with the 2.5 metre width limit for all types of heavy vehicle. In Queensland hay can be carried up to 4.6 metres high under the current Drought Assistance package. There is no provision to permit extra width over 2.5 metres.



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**Question No.:** STP 09

**Division/Agency:** Surface Transport Policy

**Topic:** Mr Leo Zussino, Chairperson, Australian Maritime Safety Authority

**Hansard Page/s:** 74-75 (21/10/10)

**Senator Macdonald asked:**

**Senator IAN MACDONALD**—In the questions you had this morning—I was not here—did you take on notice the rationale for the appointment of someone who could have a conflict of interest to this position?

**ACTING CHAIR**—I am not sure that is a question the CEO can answer.

**Senator IAN MACDONALD**—No. I am talking to Mr Mrdak and Senator Carr.

**Senator Carr**—There are rules that govern conflict of interest. There were the rules that were in place when you were a minister. I have no doubt they were the rules in place when you made recommendations to the cabinet or through the various processes of government for appointments. They have not changed.

**Senator IAN MACDONALD**—I am not talking about people's political affiliation.

**Senator Carr**—This is not about politics. This is a straight question regarding the process by which this department and the government deal with even perceptions of conflicts of interest. The officers have explained what has happened in this particular circumstance. That is consistent with the practice across the government. It is consistent with the practice, as I understand it, that has been established protocol in the Commonwealth of Australia for a very, very long time.

**Senator IAN MACDONALD**—This particular appointment—as I say, forgetting political affiliations— does have this possibility of conflict between Mr Zussino's role in Gladstone and his role as chair of the Maritime Safety Authority. I am just wondering—you can give me the answer now, but I suspect you will have to take it on notice—if you could tell me if this was considered before the appointment was made and, if so, what was the result of that consideration?

**Senator Carr**—I presume that these questions were considered. However, I will take it on notice and we will just double-check the situation.

**Answer:**

Mr Zussino's role as the Chief Executive Officer of Gladstone Ports Corporation and the relationship to the role as Chair of the Australian Maritime Safety Authority was considered before the appointment. Mr Zussino was appointed on 10 November 2008.

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**Question No.:** STP 10

**Division/Agency:** Surface Transport Policy

**Topic:** Mr Leo Zussino, Chairperson, Australian Maritime Safety Authority

**Hansard Page/s:** Written Question

**Senator Colbeck asked:**

- 1) Can AMSA indicate when the current chair was appointed?
- 2) On whose advice was he appointed? Did the Minister approve this appointment?
- 3) What representations were made by members of the government with regard to this appointment, if any?

**Answer:**

- 1) The current AMSA Chairperson was appointed on 10 November 2008.
- 2) The Chair was appointed in accordance with normal Government practice. Yes.
- 3) There is no record on Departmental files of representations by members of the Government.

**Rural Affairs and Transport Legislation Committee**

**ANSWERS TO QUESTIONS ON NOTICE**

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**Infrastructure and Transport**

**Question No.:** STP 11

**Division/Agency:** Surface Transport Policy

**Topic:** Review of Disability Standards for Accessible Public Transport

**Hansard Page/s:** Written Question

**Senator Boyce asked:**

A 5 yr review of disability access standards on public transport was to be conducted under section 34 of the Disability Discrimination Act 1992 and a final report produced in 2007. That didn't happen and in 2008 a *draft report* was instead created.

- 1) Why has this happened?
- 2) Has the final report been completed?
- 3) And if those answers are yes, why has it not yet been made public.
- 4) Why has it taken over 3+ years to produce or not to produce it?

**Answer:**

- 1) From the outset the Australian Government's intention was that a draft report be released prior to a final report in order to allow interested stakeholders a further opportunity to put forward their views.
- 2) 3) and 4). The final report is currently with the Government for consideration

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**ANSWERS TO QUESTIONS ON NOTICE**

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**Infrastructure and Transport**

**Question No.:** STP 12

**Division/Agency:** Surface Transport Policy

**Topic:** Vehicle Standard on Pedestrian Safety

**Hansard Page/s:** Written Question

**Senator Heffernan asked:**

In the answer given by the Department of Infrastructure and Transport to the Rural and Regional Affairs and Transport Legislation Committee during Budget Estimates May 2010, no. ISTP 02.

The answer stated:

The Department is developing a draft Regulatory Impact Statement (RIS) to consider adoption of an international vehicle standard on pedestrian safety. The draft RIS will also consider requirements for the fitting of bullbars. (Post market requirements for bullbars are regulated by states and territories. The draft RIS will be issued for public comment shortly.

In light of this answer ISTP02:

- 1) Has the draft RIS been completed?
- 2) When will it be completed?
- 3) Has it been issued for public comment?
- 4) Is so when?
- 5) If not, when will it be issued for public comment?
- 6) Is the Government planning to ban the fitting of bullbars now or at any stage in the future?

**Answer:**

The draft Regulation Impact Statement (RIS) was released for public comment on 13 January 2011. There is a three month consultation period ending 15 April 2011.

The Australian Government is not planning to ban the fitting of bull bars now or at any stage in the future.

The RIS includes proposed standards for bull bars. These standards aim to maintain performance including against animal strikes, while not undercutting the gains from applying the pedestrian safety standards to vehicles.