

Rural and Regional Affairs and Transport Legislation Committee
ANSWERS TO QUESTIONS ON NOTICE
Supplementary Budget Estimates October 2009
Infrastructure, Transport, Regional Development and Local Government

Question No.: ISTP 01

Division/Agency: Infrastructure and Surface Transport Policy

Topic: Tasmanian Freight Equalisation Scheme processing backlog

Hansard Page: 69 (20/10/09)

Senator Abetz asked:

Senator ABETZ—What is the delay factor in processing invoices against the scheme?

Ms Riggs—Senator, I understand that many invoices are taking several weeks to process at this stage.

Senator ABETZ—And does several weeks include 10 weeks?

Ms Riggs—Several is a number bigger than two or three, I guess, Senator.

Senator ABETZ—All right. If we cannot get any greater specificity than that, and you are making work for yourself, can you take on notice how many invoices are currently awaiting assessment, how many of those have been awaiting assessment for seven days, 14 days, 21 days, 28 days, 35 days, 42 days, 49 days, 56 days—and I will get my maths right—63 days, 70 days and in excess of 70 days, please.

Ms Riggs—Senator, I will seek to discover whether those numbers are easy to extract from the system that Centrelink runs on our behalf. I will, however, indicate to you that the most recent number that I have with me in terms of claims on hand is that, as at the end of September, there were 1,655 claims on hand.

Answer:

This question is best referred to Centrelink.

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Question No.: ISTP 02

Division/Agency: Infrastructure and Surface Transport Policy
Topic: Tasmanian Freight Equalisation Scheme appeal system
Hansard Page: 71(20/10/09)

Senator O'Brien asked:

Senator O'BRIEN—So someone can make an overriding decision? Is that how the appeal system would work?

Ms Riggs—Senator, I think it would be better if I answered your question on notice. I am comfortable that there are appeal provisions built into the new ministerial directions.

Answer:

Part 7 of the draft Ministerial Directions for the operation of the Tasmanian Freight Equalisation Scheme (extract **attached**) describes the process for a review of a decision which has been made under the Ministerial Directions.

[ISTP 02 – Attachment]

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Question No.: ISTP 03

Division/Agency: Infrastructure and Surface Transport Policy

Topic: Numbers of vehicles approved for importation under the Letter of Compliance

Hansard Page: 72 (20/10/09)

Senator Bushby asked:

Senator BUSHBY—It is just a limited discussion,

Mr Hogan—I think you have rightly identified pre-1989 vehicles and vehicles under the Specialist and Enthusiast Vehicle Scheme which are processed through the Registered Automotive Workshop Scheme.

Senator BUSHBY—Yes—and personal imports?

Mr Hogan—And personal imports.

Senator BUSHBY—Was there a major change made in 2003 to introduce the RAWS process to stop the 15-year roll-in under which you could import an older car? That was 2003?

Mr Hogan—That is correct.

Senator BUSHBY—Are you able to provide me with information showing how many vehicles have been imported by each of those three methods since 2003?

Mr Hogan—I would have to take that on notice.

Senator BUSHBY—I am happy with that. In doing so, could you also let me know what vehicle models were issued with plates in respect of each of those methods?

Mr Hogan—Yes, I can.

Senator BUSHBY—Not for every car but for each particular type of car.

Mr Mrdak—That may well be a large category of vehicles. We would have to check how extensive that would be. We will make every effort.

Senator BUSHBY—I would imagine that even if you looked at every type of vehicle that was made in the world it would still only be in the hundreds and not all of them would be imported into Australia. So it is not going to be an extensive list.

Mr Mrdak—It may still require a significant use of resources. We will come back to you as to how extensive that is.

Answer:

RAWS commenced in 2002 as a replacement for the Low Volume Scheme. However, as transitional arrangements applied to the Low Volume Scheme for 12 months, exclusive operation of RAWS did not commence until 2003.

Table 1 provided below that sets out the information on vehicle numbers requested here and under Question ISTP 04. The data presented shows the number of vehicles approved for importation, rather than number of vehicles plated. To disaggregate the figures down to the level of each model would be an ineffective use of departmental resources.

In 2005 arrangements allowing the importation of vehicles 15 or more years old were replaced by arrangements allowing the importation of vehicles manufactured before 1989 (see **table 1 below**).

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The data presented has been limited to cars, motorcycles and motorscooters. Trucks, buses and trailers are also imported under the schemes mentioned, but were excluded from this question (Hansard page 71).

2009 data covers the period to 29 October 2009.

Data for Older Vehicle imports in 2005 includes both vehicles imported under arrangements allowing the importation of vehicles 15 or more years old and pre 1989 vehicles.

Table

Scheme	2003-2009 Total
Letter of Compliance	172
Personal Import	13771
Older Vehicle	74182
RAWS	42066
Grand Total	130191

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Question No.: ISTP 04

Division/Agency: Infrastructure and Surface Transport Policy

Topic: Numbers of vehicles imported under the Letter of Compliance scheme

Hansard Page: 72 (20/10/09)

Senator Bushby asked:

Senator BUSHBY—Thank you

Mr Hogan—Can I just add one to the list of ways you might import a used vehicle. The other way is through the letter of compliance scheme. That is if a letter of compliance can be provided by the vehicle manufacturer to certify that the vehicle met relevant Australian design rules at the time of manufacture.

Senator BUSHBY—That would be mainly used by companies to bring in cars for evaluation, would it, or is it more widely used than that?

Mr Hogan—No, it is generally used by private individuals.

Senator BUSHBY—Can I have the information on that as well then?

Mr Hogan—Yes, certainly.

Answer:

This information is included in the answer to ISTP 03.

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Question No.: ISTEP 05

Division/Agency: Infrastructure and Surface Transport Policy

Topic: Policy considerations for operation of vehicle imports schemes

Hansard Page: 72-73 (20/10/09)

Senator Bushby asked:

Senator BUSHBY—What are the policy considerations behind the decision—and I am happy for you to take this on notice, because I think it will probably take longer to answer than the time I have—to restrict the importation of used private vehicles into Australia? In answering that question, I acknowledge the need to maintain safety aspects of vehicles, but I am more interested in the policy considerations that restrict the importation of cars that do, or could with appropriate modifications, meet appropriate ADRs but still could not be imported. So I am interested in what keeps those cars out other than safety considerations. I am happy for that to be taken on notice.

Mr Hogan—I will take that on notice.

Senator BUSHBY—In terms of cars that are imported that were made prior to 1 January 1989, what safety considerations are they required to meet when they come into the country?

Mr Hogan—As well as meeting federal legislation, they are subject to state registration requirements.

Senator BUSHBY—In terms of federal legislation, what requirements do they need to meet? I am not sure of the answer to this. Is it the ADRs that applied as at the date of manufacture of that car? What standards are they required to meet?

Mr Hogan—No, they are just pre-1989 vehicles.

Senator BUSHBY—So, if they do not have side intrusion bars, they do not have to have them fitted?

Mr Hogan—That is right.

Senator BUSHBY—In terms of a car imported through the RAW process, what safety modifications are required to be made to the special enthusiast vehicle?

Mr Hogan—They must meet applicable Australian design rules.

Senator BUSHBY—When providing me with the policy, can you also advise me why there are higher safety requirements for a post-1989 car that comes in as a specialist enthusiast vehicle than for cars that were made prior to 1989?

Mr Hogan—Yes, I can.

Answer:

Policy considerations relating to imported used vehicles and establishment of RAWs are set out in the Second Reading Speech and Explanatory Memorandum for the Motor Vehicle Standards Amendment Bill 2001.

The import arrangements for pre 1989 vehicles replaced arrangements allowing importation of vehicles that were 15 or more years old and therefore represented an increase in stringency.

Explanation of this change, and the differences between arrangements for pre 1989 vehicles and RAWs, is provided in the Explanatory Statement and Regulation Impact Statement for the Motor Vehicle Standards Amendment Regulations 2005 (No. 1).

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Question No.: ISTP 06

Division/Agency: Infrastructure & Surface Transport Policy

Topic: National Transport Strategy

Hansard Page/s: Written Question

Senator Macdonald asked:

National Transport Strategy

1. How much has been expended to date on the development of the national transport strategy?
2. What is the current status of the national transport strategy?
3. What are the projected costs of implementing the national transport strategy?

Answer:

1. The development of national transport initiatives is core work of the Department and as such, is not separately tracked.
2. Details of the status of national transport initiatives can be found in the Communiqués of the Australian Transport Council meetings of 29 February 2008, 2 May 2008, 7 November 2008, 22 May 2009, 6 November 2009 and the communiqué of the Council of Australian Governments' meeting of 2 July and 7 December 2009.
3. Refer to answer 1.

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Question No.: ISTP 07

Division/Agency: Infrastructure & Surface Transport Policy

Topic: Government Response to Rebuilding Australia's Coastal Shipping Industry

Recommendations

Hansard Page/s: Written Question

Senator Macdonald/Nash asked:

Coastal Shipping Inquiry recommendations

I refer to the report Rebuilding Australia's Coastal Shipping Industry: Inquiry onto Coastal Shipping Policy and Regulation tabled in October 2008 by the Standing Committee on Infrastructure, Transport, Regional Development and Local Government. As you will be aware this report made several recommendations regarding competitiveness of the Australian industry, training of maritime employees and the need review some existing legislation.

1. Have the recommendations of that report been considered to date?
2. If yes, which of the recommendations have been considered?
3. Which of the recommendations are yet to be considered?
4. What is the timeframe for the Government to consider the report in detail?
5. What is the status of Recommendation 2 calling on a 2000 review of the Navigation Act 1912 be completed and amendments made to Part VI of the Act?
6. What is the status of Recommendation 10 recommending the establishment of one national maritime training authority?
7. What discussions have been held with the Department of Education, Employment and Workplace Relations in relation to this investigation?
8. If no discussions have taken place, when will they take place?

Answer:

The Government is considering all recommendations from the Standing Committee's report. A response to the recommendations has not yet been finalised. To assist the preparation of the response the Department has engaged in discussions with a range of stakeholders, including the Department of Education, Employment and Workplace Relations.

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Question No.: ISTP 08

Division/Agency: Infrastructure & Surface Transport Policy

Topic: Budget allocation

Hansard Page/s: Written Question

Senator Nash asked:

What is the current budget allocation to the Infrastructure and Surface Transport policy department?

Answer:

The current 2009-10 budget allocation as at 30 November 2009 for the Infrastructure and Surface Transport Policy Division is \$16.748 million.

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Question No.: ISTP 09

Division/Agency: Infrastructure & Surface Transport Policy

Topic: Land transport regulations

Hansard Page/s: Written Question

Senator Nash asked:

I have mentioned in the place before the baffling and contradictory land transport regulations that impose such a significant burden on business and impede the efficient movement of goods throughout the nation.

- 1 Do you accept that the cost to Australia's economy of inconsistent transport laws is about \$2.4 billion per year?
- 2 Is it still correct that in New South Wales, rigid semi-trailers and B Doubles may be loaded to a width of 2.83 metres only but in next door Victoria, these trucks can be loaded to three metres?
- 3 Is it true that a farmer in Victoria who loads his truck with hay as wide as legally possible would be in breach of the law if he drove into New South Wales?
- 4 Are you aware of any other bizarre anomalies like this?

Answer:

- 1 The Productivity Commission found in 2007 that improvements to the efficiency of the road and rail freight industry including more streamlined regulation, could deliver as much as \$2.4 billion to annual GDP.
- 2 Yes.
- 3 Yes.
- 4 Yes.

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Question No.: ISTP 10

Division/Agency: Infrastructure & Surface Transport Policy

Topic: Higher Mass Limit Implementation

Hansard Page/s: Written Question

Senator Nash asked:

- 1 How is the rollout of approved routes for trucks with Higher Mass Limit road-friendly suspensions, going?
- 2 What is New South Wales up to with this reform?

Answer:

- 1 HML networks have been rolled out by all jurisdictions.
- 2 In NSW, the HML network has been expanded from approximately 2,000 km in 2006 to a current 14,000 km.

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Question No.: ISTP 11

Division/Agency: Infrastructure & Surface Transport Policy

Topic: Road transport regulations

Hansard Page/s: Written Question

Senator Nash asked:

What is the Government doing about sorting out the frustrating State-based variations in road transport regulations?

Answer:

In July 2009, the Council of Australian Governments agreed to establish a national heavy vehicle regulator and a national body of law to regulate all vehicles over 4.5 gross tonnes. Implementation is being overseen by the Australian Transport Council on behalf of all governments.

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Question No.: ISTP 12

Division/Agency: Infrastructure & Surface Transport Policy

Topic: National rail safety regulation

Hansard Page/s: Written Question

Senator Nash asked:

I refer to the establishment of the Heavy Vehicle Regulator.

I understand that the Regulatory Impact Statement looking at this issue – A National Framework for Regulation, Registration and Licensing of Heavy Vehicles, dated April 2009 proposed that the Heavy Vehicle Regulator be established by the end of 2010. Apparently that date has slipped.

1. Is it true that the Australian Transport Ministers in its Joint Communiqué of 22 May 2009 moved the date out to 2013?
2. When will it be established?
3. What powers will it have?
4. What progress has been made by the department in establishing the Heavy Vehicle Regulator?
5. I see that in the answers the department gave to my Questions on Notice in the Budget Estimates last May 2009, NTS 03 and NST 04, you simply could not advise me of any details of this Regulator, except that it will require legislation. Well, it is now October. Presumably you will have some progress to report. What sort of legislation will be required?
6. Will this body require any referral of powers by the States?

Answer:

1. No.
2. In July 2009 the Council of Australian Governments agreed that a single national heavy vehicle regulator will be established to regulate all vehicles over 4.5 gross tonnes. It further agreed that the national regulator should be fully established by the end of 2012.
3. The Council of Australian Governments has agreed that a single national heavy vehicle regulator will regulate all vehicles over 4.5 gross tonnes.
4. The Department has established the Heavy Vehicle Regulatory Taskforce Branch to work on the Council of Australian Governments' decision to implement a single national heavy vehicle regulator and national regulation.
5. The Council of Australian Governments has agreed that national laws will be achieved through a state-based template law model.
6. No.

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Question No.: ISTP 13

Division/Agency: Infrastructure & Surface Transport Policy

Topic: Heavy vehicle regulatory reform

Hansard Page/s: Written Question

Senator Nash asked:

1. How many departmental officials are there working on heavy vehicle regulatory reform?
2. Is there a dedicated section or branch?
3. What seniority is the person in charge of your Heavy Vehicle Regulation Taskforce?
4. Is it correct that the person in charge of this Taskforce is a Director?
5. What is the budget of the area in your department devoted to heavy vehicle reform?
6. How many meetings have they conducted?
7. With whom? Which organisations?

Answer:

1. 2. and 3. Following COAG's decision of 2 July 2009 a Heavy Vehicle Taskforce was established. It comprises three elements:
 - a Heavy Vehicle Steering Committee chaired by a Deputy Secretary of the Commonwealth Department of Infrastructure, Transport, Regional Development and Local Government and comprising Chief Executive Officers or senior executive representatives of each state and territory jurisdiction to oversee and guide the reforms;
 - a Heavy Vehicle Team of middle level officials from all jurisdictions undertaking particular development and implementation tasks; and
 - a Heavy Vehicle Regulatory Taskforce Branch of the department.
4. No.
5. The 2009/10 budget for the Branch is \$1.021 million.
6. The Heavy Vehicle Steering Committee or Heavy Vehicle Team have met on 15 occasions since the Council of Australian Governments' July 2009 decision to proceed with reforms, to develop key governance issues that will underpin the national system.
7. See answer to 1, 2 and 3 above.

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Question No.: ISTP 14

Division/Agency: Infrastructure & Surface Transport Policy

Topic: Establishing a national heavy vehicle regulator

Hansard Page/s: Written Question

Senator Nash asked:

1. What are the attitudes of the States towards a Heavy Vehicle Regulator?
2. Are they prepared to refer powers?
3. What model are you looking at – referral of powers, template legislation, model legislation?
4. What will be the legislative basis of this Regulator?
5. What powers will this Regulator have?

Answer:

1. The Council of Australian Governments has agreed to establish a national heavy vehicle regulator.
2. 3. and 4. The Council of Australian Governments has agreed that national laws will be achieved through a state-based template law model.
5. The national regulator will administer national heavy vehicle laws.

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Question No.: ISTP 15

Division/Agency: Infrastructure & Surface Transport Policy

Topic: National rail safety regulation

Hansard Page/s: Written Question

Senator Nash asked:

1. When will we see a National Rail Safety Regulator?
2. I notice in the Joint Communiqué dated 22 May 2009 from the Australian Transport Council that COAG commits to establish a National Rail Safety Regulator by 2013.
3. I notice that in COAG communiqué dated 2 July there is no reference to this body – just a commitment to ‘develop a national rail safety regulatory system’.
4. Does this mean the Government is stepping back from this reform?
5. Will the Government meet its commitment to establish this body by 2013?
6. When will it happen?
7. What will the powers of this body be?
8. I understand that according to the Annual Review of Regulatory Burdens on Business, dated 15 September 2009 states, on page 245, that conflicting and duplicated rail safety regulation costs the rail industry \$42 million per year.
9. This is clearly unacceptable. What is the Government doing to set up common rail safety regulation so that Australia may actually have a national rail system?

Answer:

1. to 5. The Council of Australian Governments (COAG) has agreed that South Australia will host the National Rail Safety Regulator.
6. COAG has agreed to consider in 2011 a National Partnership Agreement for establishing the National Rail Safety Regulator from 2013.
7. to 9. The Regulatory Impact Statement considered by COAG in July 2009 will be available shortly on the Department of Infrastructure, Transport, Regional Development and Local Government website.