

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Budget Estimates May 2006

Transport and Regional Services

Question: MLT 01

Division/Agency: Maritime and Land Transport

Topic: Commonwealth's Revenue from Fuel Excise and Investment in Roads

Hansard Page: 86 (22/05/06)

Senator O'Brien asked:

Senator O'BRIEN—How much does the Commonwealth collect in fuel excise?

Mr Mrdak—In total?

Senator O'BRIEN—Yes.

Mr Mrdak—I would have to give you an exact figure. It is in the Budget Papers. Do you mean for heavy vehicles or for all vehicles?

Senator O'BRIEN—For all vehicles.

Mr Mrdak—I would have to take that on notice and get a figure from the Treasury Papers.

Senator O'BRIEN—Does the Commonwealth spend as much money on roads each year?

Mr Mrdak—There is no direct relationship between the Commonwealth revenue through fuel excise—that has been a key point Ministers have made clear—and the investment in roads.

Senator O'BRIEN—Perhaps you could provide those two figures together on notice—the amount collected and the amount spent?

Mr Mrdak—The amount collected in total fuel excise and the amount spent by the Commonwealth in the coming year?

Senator O'BRIEN—In the current year.

Mr Mrdak—In the current year on road investment.

Senator O'BRIEN—It is a bit hard to know what you are going to collect in the coming year.

Mr Mrdak—I think Treasury have got some estimates but I will get you the best available figures on what current revenue is being collected through fuel excise and what our current road expenditure is.

Answer:

Budget Paper 1 indicates (pages 5-16) that estimated excise revenue from petroleum and other fuel products in 2005-06 will be \$13,740 million, including \$7,280 million for petrol and \$6,240 million for diesel. Note that this includes excise collected from fuel that was not used in vehicles for on-road purposes. Also, the figures do not take account of the expenditure incurred by the Australian Government in providing fuel tax credits for certain purposes such as heavy vehicle rebates and other rebates for off-road uses.

The Australian Government has budgeted \$4,187 million to be spent on roads in 2005-06.

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Budget Estimates May 2006

Transport and Regional Services

Question: MLT 02

Division/Agency: Maritime and Land Transport

Topic: Transport and Logistics Centre

Hansard Page: 87 (22/05/06)

Senator O'Brien asked:

Senator O'BRIEN—Turning to the national skills crisis in the transport industry, only last week the South Australian Freight Council said that a critical shortage of skilled workers in the transport and logistics industry is threatening Australia's economic growth. The Victorian Civil Construction Industry Alliance is also concerned, recently stating that there is a critical shortage of engineers and major earthmoving plant operators in Victoria. They said that, unless measures are taken, this shortage will pose a serious threat to the ongoing viability of the industry and in turn Victoria's capacity to build roads and other major infrastructure projects.

The answer to **MLT 04** advises that, together with the New South Wales Government, the Federal Government has committed \$4 million over the past two years to the national Transport and Logistics Centre. Whilst that organisation appears, from its website, to be doing some good work encouraging young people into careers in logistics and transport, it would be interesting to know how many young people have been assisted by the Transport and Logistics Centre with advice on careers in transport and logistics. Can the Department help in that regard?

Mr Wilson—In terms of the exact numbers, I would have to take it on notice and get you the information.

Answer:

The Transport and Logistics Centre (TALC) advises that it has been in direct or indirect contact with an estimated 83,500 young people (55,800 direct and 27,700 indirect) over the 12 months since the Centre was established. Contact has been via the distribution of transport and logistics career information guides to 3,100 secondary schools in all States and Territories, and the attendance at various career expos and fairs across Australia.

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Budget Estimates May 2006

Transport and Regional Services

Question: MLT 03

Division/Agency: Maritime and Land Transport

Topic: Transport and Logistics Centre

Hansard Page: 87 (22/05/06)

Senator O'Brien asked:

Senator O'BRIEN—I am also interested in the number of young people placed in traineeships or apprenticeships or encouraged into transport for later tertiary studies by TALC.

Mr Wilson—Again, I do not have that information with me, but we will endeavour to get it from TALC.

Answer:

The Transport and Logistics Centre (TALC) advises that it has been trialling alliances with various NSW-based training companies to encourage the introduction of additional traineeships in the transport and logistics industry. TALC notes that as a result of this work, it estimates that an additional 252 traineeships have been created in NSW.

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Budget Estimates May 2006

Transport and Regional Services

Question: MLT 04

Division/Agency: Maritime and Land Transport

Topic: Transport and Logistics Centre

Hansard Page: 87 (22/05/06)

Senator O'Brien asked:

Senator O'BRIEN—Can we get a State and Territory breakdown of young people assisted by TALC?

Mr Wilson—I will endeavour to get you that.

Answer:

The Transport and Logistics Centre (TALC) has advised that the following numbers of young people have been directly or indirectly assisted in the last 12 months since TALC was established.

	Direct Assistance	Indirect Assistance	Total
NSW	19,000	9,000	28,000
VIC	12,000	7,000	19,000
QLD	12,000	6,000	18,000
SA	5,000	3,000	8,000
WA	5,000	2,000	7,000
TAS	2,000	500	2,500
NT	100	100	200
ACT	700	100	800
Total	55,800	27,700	83,500

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Budget Estimates May 2006

Transport and Regional Services

Question: MLT 05

Division/Agency: Maritime and Land Transport

Topic: Vehicles Exported from Australia with Particular Specifications

Hansard Page: 90 (22/05/06)

Senator O'Brien asked:

- a) What knowledge does the Department have of vehicles exported from this country with specifications arranged for the country that is ultimately importing the vehicle? Do we produce vehicles here where a modification is made for the particular market—other than the Brazil example I gave?
- b) Do we export to any left-hand driving countries?
- c) What about India?
- d) There is a vehicle which is under manufacture by Ford. I happened to hear at the Australian motoring organisation's dinner here in Canberra that they are producing a special version of a four-cylinder Ford vehicle for the Indian market.

Answer:

- a) The Department does not compile information on the export specifications or modifications for a vehicle manufactured in Australia which is then exported to an overseas market. The Department has requested information on export of vehicles from the Federal Chamber of Automotive Industries (FCAI) to assist the Committee.
- b) Yes.
- c) The Department is advised that there is currently no vehicle being manufactured in Australia and exported to India.
- d) The Department understands that Ford Australia contributed engineering and intellectual property to the development of the 4 cylinder Ford Icon. This vehicle is manufactured in India.

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Budget Estimates May 2006

Transport and Regional Services

Question: MLT 06

Division/Agency: Maritime and Land Transport

Topic: School Buses with Seatbelts - Costs

Hansard Page: 91-92 (22/05/06)

Senator O'Brien asked:

Senator O'BRIEN—Are you aware of the cost differential in supplying a new school bus fitted with a lap sash seatbelt over one without?

Mr Wilson—I am certain somewhere within the Department we would have that information. I do not have the information with me.

Senator O'BRIEN—You can supply that to the Committee?

Mr Mrdak—We will take it on notice. As I say, my understanding is that there has been some detailed analysis done in the past, as Mr Wilson has outlined, in relation to the costs and benefits, particularly of retro-fitting some of the older categories of buses which are currently operating in schools.

Answer:

The Department has been advised that the difference in cost for a bus fitted with seatbelts and one without ranges from \$13,000 to \$20,000 per vehicle.

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Budget Estimates May 2006

Transport and Regional Services

Question: MLT 07

Division/Agency: Maritime and Land Transport

Topic: School Buses – Licensing Arrangements

Hansard Page: 92 (22/05/06)

Senator Heffernan asked:

CHAIR—My question, to save the longwinded approach to it, is: if you have a bus run that is 100 kilometres—and there are plenty of them—would the licensing profile for that school bus mean everyone should have their backside in a seat?

Mr Wilson—I would have to check.

CHAIR—If that were the case then the seatbelt thing would not be such a big deal because there would be a licensed number required on the bus, and if that fits the profile of the seats without having three or four to the seat then the seatbelt thing would not be such a big deal—and the longer the journey, of course, the more benefit.

Mr Wilson—I would have to check the licensing arrangements of the individual states. I am assuming—I do not know—that they will vary between the states in terms of how they contract the provision of school bus routes, how they license the individual operators and what vehicles the individual operators utilise to provide the services. I will take it on notice in terms of that.

Answer:

The arrangements for licensing school bus routes are managed by the relevant authority within each State and Territory jurisdiction. To assist the Committee, the Department has written to these authorities requesting the information be provided directly to the Committee.

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Budget Estimates May 2006

Transport and Regional Services

Question: MLT 08

Division/Agency: Maritime and Land Transport

Topic: Daytime Running Lights

Hansard Page: 92 (22/05/06)

Senator O'Brien asked:

Mr Wilson—I do not believe—and Mr Gascoyne will correct me if I get this wrong—that we have done any independent research into the effect of daytime running lights. I believe that there was a study undertaken by the Australian Road Research Board for the Australian Transport Safety Bureau in 2003, which indicated that there may be a reduction in accidents with the introduction of running lights. There has also been some work done at an international level and there is consideration under way in the EU, in terms of the UN ECE regulations, in respect of an international adoption of daytime running lights. At this stage, the Department is holding its powder dry until that consideration is completed before we finalise a viewpoint on it.

Senator O'BRIEN—When is that going to be?

Mr Wilson—I do not have the information with me in terms of when that work will be completed or when a consideration will be finalised, but I can get that to you.

Answer:

The international working group responsible for developing the United Nations Economic Commission for Europe (UNECE) regulation for the installation of lighting and light signalling equipment on road vehicles considered the issue at its April 2006 meeting. The report from that meeting indicates that the working group will be submitting a proposal to the World Forum for the Harmonisation of Vehicle Regulations in November 2006. The proposal will seek consideration of amendments to the relevant UNECE regulation to mandate the automatic activation of daytime running lamps when the ignition switch is turned to the engine-on position.

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Budget Estimates May 2006

Transport and Regional Services

Question: MLT 09

Division/Agency: Maritime and Land Transport

Topic: Standards and Approvals for Motorised Wheelchairs and Scooters

Hansard Page: 95 (22/05/06)

Senator McLucas asked:

Mr Gascoyne—There was a Ministerial determination made about two years ago to exempt certain mobility devices from the application of the Motor Vehicle Standards Act, and the criteria were a maximum speed of less than 10 kilometres per hour, a maximum unladen mass of less than 240 kilograms—

Senator Ian Campbell—I want to know what their speedos go up to.

Mr Gascoyne—I could be wrong there. It is either 220 or 240 kilograms.

Senator McLUCAS—Is this for motorised mobility wheelchairs, Mr Gascoyne?

Mr Gascoyne—Yes.

Senator McLUCAS—My document says an unladen mass of 40.

Mr Gascoyne—These are battery powered, so they are quite a lot heavier than that. If you have seen a motorised wheelchair, they are quite a heavy device and the batteries alone would weigh more than 40 kilograms. There might have been other criteria. I would need to take that on notice and give you the specific criteria in that determination, but the point is there was a determination made to exempt motorised mobility devices from the application of the Motor Vehicle Standards Act.

Answer:

The Motor Vehicle Standards (Road Vehicles) Determination 2003 – Section 4 sets out the following criterion for vehicles that are not road vehicles:

“Vehicles not considered a road vehicle are vehicles of a type commonly described as a motorised wheelchair having all of the following characteristics:

- they are self-propelled (i.e. propelled by a mechanism other than by human power);
- can only accommodate a single person;
- are designed so as to be not capable of a speed exceeding 10 km/h on level ground;
- have more than two wheels; and
- have an unladen mass not less than 40 kg.”

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Budget Estimates May 2006

Transport and Regional Services

Question: MLT 10

Division/Agency: Maritime and Land Transport

Topic: Standards and Approvals for Motorised Wheelchairs and Scooters

Hansard Page: 95 (22/05/06)

Senator McLucas asked:

Senator McLUCAS—An issue associated with this is the ability for scooters to be tied down and their compatibility with tie-down mechanisms on buses. Is that an issue that you are aware of?

Mr Gascoyne—No. I am aware that there is an Australian standard that specifies the tie-down requirements for wheelchairs, but that is not an Australian standard that is referred to in the Australian design rules.

Mr Jones—I think there are framework rules that are potentially part of the disability standards under the Disability Discrimination Act. We could check what is the nature of the specific transport standards under that act on these issues.

Answer:

Australian Standards that deal with tie down requirements for mobility aids are not referred to in the Australian Design Rules.

Broadly, Australian Standards set out specifications and procedures designed to ensure that a material, product, method or service is fit for purpose and consistently performs in the way intended. Standards establish a common language which defines quality and establishes safety criteria.

Standards Australia, the peak non-government standards development body in Australia, is currently revising *AS 2942 – Wheelchair Occupant Restraint Assemblies for Motor Vehicles*. It is anticipated that this standard will be replaced with an adoption of *ISO 7176.19 - Wheeled Mobility Appliances for use in Motor Vehicles* and *ISO 10542 Parts 1 and 2 - Wheelchair Tie-Down and Occupant Restraint Systems*. These standards provide criteria for how mobility aids anchor to vehicles, including buses, although the Department understands that these are not mandatory.

There are also aspects of the *Disability Standards for Accessible Public Transport Guidelines 2004* that are relevant to this issue. The Guidelines operate under the *Disability Standards for Accessible Public Transport 2002* introduced by the Australian Government in October 2002.

These Guidelines include criteria for the use of mobility aids on public transport (Part 40.1) which contains the following reference:

Anchoring Devices: If anchoring devices are required by legislation, mobility aids need to be able to accept and travel with anchoring devices fitted.

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Budget Estimates May 2006

Transport and Regional Services

The Department understands that there are no formal State and Territory legislative requirements in this area.

Revised answer (03/08/06):

Australian Standards that deal with tie down requirements for mobility aids are not referred to in the Australian Design Rules.

Broadly, Australian Standards set out specifications and procedures designed to ensure that a material, product, method or service is fit for purpose and consistently performs in the way intended. Standards establish a common language which defines quality and establishes safety criteria.

Standards Australia, the peak non-government standards development body in Australia, is currently revising *AS 2942 – Wheelchair Occupant Restraint Assemblies for Motor Vehicles*. It is anticipated that this Standard will be replaced with an adoption of *ISO 7176.19 - Wheeled Mobility Appliances for use in Motor Vehicles* and *ISO 10542 Parts 1 and 2 - Wheelchair Tie-down and Occupant Restraint Systems*. These standards provide criteria for how mobility aids anchor to vehicles, including buses, although the Department understands that these are not mandatory.

The *Disability Standards for Accessible Public Transport 2002 (Transport Standards)* were introduced by the Australian Government in October 2002. Paragraph 3.2 of the Transport Standards requires that passengers must be able to enter, exit and position their mobility aid within an allocated space on the conveyance. Part 9 of the Transport Standards sets out requirements for 'Allocated Spaces' including minimum dimensions. Paragraph 9.11 requires that an allocated space must contain movement of a mobility aid within the conveyance. The Guidelines to the Transport Standards (Part 40.1) do include a source of assumptions about mobility aids (Part 40.1) which underlie the Transport Standards, and can be used as a guide for designers of, or purchasers of mobility aids. They state:

Anchoring Devices: If anchoring devices are required by regulation, mobility aids need to be able to accept and travel with anchoring devices fitted.

However, the Department is not aware of formal State and Territory regulation that apply in this area.

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Budget Estimates May 2006

Transport and Regional Services

Question: MLT 11

Division/Agency: Maritime and Land Transport

Topic: Standards and Approvals for Motorised Wheelchairs and Scooters

Hansard Page: 95 (22/05/06)

Senator McLucas asked:

Senator McLUCAS—Are they for the scooters to operate on footpaths and potentially on roads as well?

Mr Jones—The scope of what the particular vehicles can do, I could not answer off the top of my head, but we can certainly follow that up

Mr Mrdak—We will take these matters on notice, Senator, and come back to you.

Answer:

No. The *Disability Standards for Accessible Public Transport 2002*, as amended, prescribe national requirements that public transport service providers and facility operators must meet in order to comply with the *Disability Discrimination Act 1992*.

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Budget Estimates May 2006

Transport and Regional Services

Question: MLT 12

Division/Agency: Maritime and Land Transport

Topic: Refusal of Permits

Hansard Page: 58 (23/05/06)

Senator O'Brien asked:

Senator O'BRIEN—Has the Department ever refused to grant a permit for a request to carry CSR molasses by a foreign flagged vessel, or a non-licensed vessel, I should say?

Mr Sutton—Yes, we have.

Senator O'BRIEN—When was that?

Mr Sutton—I would have to take that question on notice, but we have refused permits in the past.

Answer:

Since the processing of permits moved to the Office of Transport Security's Operations Centre in mid-2004, the Department has refused two CSR permit applications for the carriage of molasses on 29 March 2005 and 12 August 2005.

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Budget Estimates May 2006

Transport and Regional Services

Question: MLT 13

Division/Agency: Maritime and Land Transport

Topic: Part VI of the *Navigation Act 1912*

Hansard Page: 58 (23/05/06)

Senator O'BRIEN asked:

Senator O'BRIEN—Could we have a copy of the legal advice the Department has about the legislation in that regard?

Mr Wilson—I would have to take that on notice and check it with the Minister.

Answer:

The key findings of the legal advice relevant to the discussion can be summarised as:

- (1) price is one among a number of factors that can be taken into account in deciding whether a service carried out by a licensed ship or ships is 'inadequate' for the purposes of s286(1)(b) of the *Navigation Act 1912*;
- (2) price should not automatically be regarded as the main consideration, or as being of overriding importance, in making that decision;
- (3) in some circumstances, price could be the most important consideration or a consideration of overriding importance;
- (4) the fact that a particular price of a service makes business operations less profitable than they might otherwise be does not necessarily lead to the conclusion that the service is inadequate to the needs of users. However, there may well be cases where the price of a service that is satisfactory or suitable in other respects is a real disincentive to the use of the service or a significant burden on a shipper's business operations. For example, this may be the case where the use of a service at a particular price is prohibitive, uneconomic or marginally economic. In such cases, price may be the overriding factor which makes a service 'inadequate' to the needs of particular users or potential users;
- (5) where a shipping service at a particular price would make the shippers' business unviable or unprofitable, at least by the norms of comparable businesses, the service, all other things being equal, could be judged to be 'inadequate' to the needs of the user or potential user of the service;
- (6) failure to consider price could be grounds for challenging a decision regarding whether a service carried out by a licensed ship or ships is 'inadequate'; and
- (7) a decision under section 286(1), based upon the significance of price or any other matter, must be made on reasonably credible evidence provided by an applicant for a permit or other evidence available to the Minister or his delegate.

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Budget Estimates May 2006

Transport and Regional Services

Question: MLT 14

Division/Agency: Maritime and Land Transport

Topic: Sinking of *Malu Sara*

Hansard Page: Written Question

Senator McLucas asked:

Has the Department, ATSB or AMSA conducted any subsequent investigations of other Commonwealth small-vessel operations to establish their safety?

Answer:

The Department and ATSB have not investigated other Commonwealth small vessel operators as this does not come within their direct regulatory or safety investigative responsibilities, respectively.

As indicated in the ATSB report (on page 3), AMSA wrote in December 2005 to each Australian Government Department and agency that operates Commonwealth ships advising that those seeking a Letter of Survey from AMSA under provision 6.2 of Marine Orders Part 62 will be required to provide positive confirmation of their compliance with Australian Standard 1799 (Small Boats Code), such as by a test report from the builder or an independent marine surveyor.

The AMSA letter also specified strengthened requirements for compliance with the safety standards required to be met under the Marine Order, which include crew qualifications being in compliance with the Uniform Shipping Laws (USL) Code, the wearing of Personal Floatation Devices by crew and passengers when vessels are underway and the carriage of a 406 MHz distress beacon, marine VHF radio and appropriate navigational equipment for the area of operation of the vessel.

AMSA has held a number of meetings with several agencies to clarify AMSA's position and to provide assistance and advice to agencies to assist their compliance with the strengthened compliance requirements. None of the Departments or agencies has indicated to AMSA any inability to comply with the strengthened requirements or a lack of compliance with current safety standards.