



Supplementary Submission to the Productivity Commission

**Draft Report: *National Transport Regulatory Reform* – Further evidence
following hearing**

28 February 2020

Introduction

1. The National Road Transport Association (NatRoad) during oral evidence provided at the Commission's 4 February 2020 Canberra hearing on the Draft Report entitled *National Transport Regulatory Reform*¹ (Draft Report) indicated that further material would be provided following the hearing.
2. NatRoad is of the view that relevant indicators of administrative efficiency for the National Heavy Vehicle Regulator (NHVR) would be the time it takes to allocate a case manager to a particular permit application from the date received, how long it was for a permit application to then be referred to a road manager and how long it then took to communicate any matters to the applicant following receipt of material from the road manager(s). In this context, during the questioning of NatRoad representatives at the 4 February 2020 hearing, we indicated that we had received a complaint from a major member about timings for internal NHVR processing.² We indicated that we would share with the Commission the de-identified data substantiating that matter following obtaining consent from the member.
3. This submission therefore provides the evidence that has been received from one member about internal NHVR time delays. We proffer this material not as a criticism of NHVR but as evidence that the administration of various categories of permits should have allocated internally established optimal times for processing and that increased transparency of these times and reporting against whether targets had been met at regular intervals. Such a process would assist the already overly cumbersome permit system. Obviously, the internal delays that members experience from the NHVR's administration of the permit system underlines a number of frustrations with those delays and systemic defects of the system which the Commission has been made aware during the course of its inquiry.
4. The discussion of this issue amongst a number of members has meant that we have received a number of case studies on the administrative burden that the permit system creates, a matter that causes a great deal of cost and diversion of resources for members. A case study that one member wished for us to relay to the Commission appears after the evidence agreed to be provided at the hearing. This case study shows some of the complexities of administering the permit system and how members may get into administrative tangles that defeat the underlying idea that permits are there to facilitate appropriate access to road networks.

The Evidence

5. Unfortunately, the member who earlier indicated that the material would be provided was not able to release the information. However, an agent who assists industry participants to apply for permits has provided a chronology of applications for various permits to the same ends.
6. Note that the days where the application was held by the NHVR are shown in each instance in a separate colour. The information is not provided as a criticism of the NHVR but as an indication that there is an administrative time lag in the permit process that is not entirely a road manager issue.

¹ <https://www.pc.gov.au/inquiries/current/transport/draft/transport-draft.pdf><https://www.pc.gov.au/inquiries/current/transport/issues/transport-issues.pdf>

² Id at p 160

Summary of time frame to obtain NHVR Access Permits – Details from a member's file

Colour reference:

Blue: time with NHVR

Orange: time with Road Manager

Green: with customer

B-Double - Higher Mass Li...		<div><div></div><div></div><div></div><div></div></div>	Completed	<div><div>8d</div><div>4d</div></div>	03-Oct-2019
New Permit	B-Double - Higher Mass Li...	<div><div></div><div></div><div></div><div></div></div>	Completed	<div><div>8d</div><div>4d</div></div>	03-Oct-2019
Amend Permit	B-Double - Higher Mass Li...	<div><div></div><div></div><div></div><div></div></div>	Completed	<div><div>8d</div><div>3d</div><div>1d</div></div>	03-Oct-2019
Amend Permit	B-Double - Higher Mass Li...	<div><div></div><div></div><div></div><div></div></div>	Completed	<div><div>7d</div><div>3d</div><div>5d</div></div>	21-Oct-2019

Note: Two of these permits were for the same road, for two separate operators. According to VicRoads TSS another operator applied for the same road on the same day (3/10) and had the permit application processed and granted within eight days.

New Permit	B-Double - Higher Mass Li...		Closed - Superseded	15d	10d	23-Sep-2018
Performance Based Stand...		Completed	9d	37d	12d	14-Jul-2017

20m OAL, 56t truck and dog.

Performance Based Stand...	<div><div></div><div></div><div></div><div></div><div></div></div>	Completed	<div><div>10d</div><div>24d</div><div>2d</div></div>	27-Aug-2019	
Performance Based Stand...	<div><div></div><div></div><div></div><div></div><div></div></div>	Completed	<div><div>10d</div><div>6d</div></div>	27-Aug-2019	
Performance Based Stand...	<div><div></div><div></div><div></div><div></div><div></div></div>	Completed	<div><div>7d</div><div>2d</div></div>	27-May-2019	
Performance Based Stand...	<div><div></div><div></div><div></div><div></div><div></div></div>	Completed	<div><div>16d</div><div>6d</div><div>8d</div></div>	14-Nov-2018	
Performance Based Stand...	<div><div></div><div></div><div></div><div></div><div></div></div>	Closed - Superseded	<div><div>18d</div><div>8d</div></div>	02-Nov-2018	
Performance Based Stand...	<div><div></div><div></div><div></div><div></div><div></div></div>	Completed	<div><div>21d</div></div>	30-Oct-2018	
Performance Based Stand...	<div><div></div><div></div><div></div><div></div><div></div></div>	Closed - Superseded	<div><div>11d</div><div>23d</div><div>1d</div></div>	27-Sep-2018	
Performance Based Stand...	<div><div></div><div></div><div></div><div></div><div></div></div>	Completed	<div><div>1d</div><div>1d</div></div>	12-Sep-2018	
Performance Based Stand...	<div><div></div><div></div><div></div><div></div><div></div></div>	Completed	<div><div>10d</div></div>	03-Sep-2018	
Performance Based Stand...	<div><div></div><div></div><div></div><div></div><div></div></div>	Completed	<div><div>6d</div><div>1d</div></div>	08-May-2018	
Performance Based Stand...	<div><div></div><div></div><div></div><div></div><div></div></div>	Completed	<div><div>12d</div><div>16d</div><div>4d</div><div>28d</div></div>	02-Mar-2018	
Performance Based Stand...	<div><div></div><div></div><div></div><div></div><div></div></div>	Closed - Superseded	<div><div>11d</div><div>23d</div><div>1d</div></div>	27-Sep-2018	
B-Double - Higher Mass Li...	<div><div></div><div></div><div></div><div></div><div></div></div>	Application Refused	<div><div>12d</div><div>10d</div></div>	27-Nov-2019	
B-Double	<div><div></div><div></div><div></div><div></div><div></div></div>	Completed	<div><div>10d</div><div>5d</div><div>1d</div></div>	30-Sep-2019	
B-Double - Higher Mass Li...	<div><div></div><div></div><div></div><div></div><div></div></div>	Closed - Superseded	<div><div>15d</div><div>48d</div></div>	30-Apr-2018	
B-Double - Higher Mass Li...	<div><div></div><div></div><div></div><div></div><div></div></div>	Completed	<div><div>8d</div><div>27d</div><div>12d</div></div>	31-Jan-2018	
B-Double - Higher Mass Li...	<div><div></div><div></div><div></div><div></div><div></div></div>	Completed	<div><div>8d</div><div>34d</div><div>8d</div></div>	25-Jan-2018	
B-Double - Higher Mass Li...	<div><div></div><div></div><div></div><div></div><div></div></div>	Completed	<div><div>6d</div><div>10d</div><div>5d</div></div>	06-Nov-2018	
B-Double - Higher Mass Li...	<div><div></div><div></div><div></div><div></div><div></div></div>	Completed	<div><div>13d</div><div>1d</div></div>	05-Oct-2018	
B-Double - Higher Mass Li...	<div><div></div><div></div><div></div><div></div><div></div></div>	Completed	<div><div>12d</div><div>3d</div><div>3d</div></div>	16-Sep-2018	
B-Double	<div><div></div><div></div><div></div><div></div><div></div></div>	Completed	<div><div>7d</div><div>2d</div><div>8d</div><div>9d</div><div>3d</div></div>	14-Aug-2018	
Renew Permit	Oversize and/or Overmas...	<div><div></div><div></div><div></div><div></div><div></div></div>	Completed	<div><div>11d</div><div>15d</div><div>6d</div></div>	07-May-2019
Amend Permit	Oversize and/or Overmas...	<div><div></div><div></div><div></div><div></div><div></div></div>	Completed	<div><div>10d</div><div>1d</div></div>	17-Jun-2019
B-Double - Higher Mass Li...	<div><div></div><div></div><div></div><div></div><div></div></div>	Completed	<div><div>7d</div><div>23d</div><div>3d</div></div>	17-Jul-2019	
B-Double - Higher Mass Li...	<div><div></div><div></div><div></div><div></div><div></div></div>	Completed	<div><div>9d</div><div>7d</div><div>1d</div></div>	08-Jul-2019	
B-Double - Higher Mass Li...	<div><div></div><div></div><div></div><div></div><div></div></div>	Completed	<div><div>8d</div><div>6d</div><div>0d</div></div>	03-Oct-2019	
Special Purpose Vehicle (...)	<div><div></div><div></div><div></div><div></div><div></div></div>	Completed	<div><div>8d</div><div>13d</div><div>8d</div><div>1d</div></div>	13-Aug-2019	
Special Purpose Vehicle (...)	<div><div></div><div></div><div></div><div></div><div></div></div>	Completed	<div><div>6d</div><div>7d</div><div>12d</div><div>4d</div></div>	13-Aug-2019	
Oversize and/or Overmas...	<div><div></div><div></div><div></div><div></div><div></div></div>	Completed	<div><div>6d</div><div>6d</div><div>8d</div></div>	04-Jul-2019	

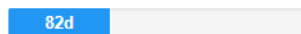
Renew Permit	Performance Based St...		Closed - Other	9d	03-Dec-2019	PBS Quad
Amend Permit	Performance Based St...		Completed	14d 4d 3d 1	22-Nov-2019	PBS Quad
Amend Permit	B-Double - Higher Mas...		Completed	10d 2d	22-Nov-2019	B Double 2017 Renewal
Performance Based St...		Completed		13d 1 3d 1c	22-Nov-2019	3-axe truck and 5-axe dog
Performance Based St...		Completed		14d 3d	19-Nov-2019	5-axe dog Galvin Park
B-Double - Higher Mas...		Completed		13d 37d	19-Nov-2019	B Double Galvin Park Project
Performance Based St...		Completed		14d 36d	19-Nov-2019	PBS Quad Galvin Park Pro...
Performance Based St...		Completed		8d 8d 7d	12-Nov-2019	Wyndham A-Double (3-2-3)
Performance Based St...		Completed		8d 19d 1	16-Oct-2019	Holbrook A double
Performance Based St...		Completed		8d	07-Oct-2019	A-Double (3-2-3)
Performance Based St...		Completed		5d 7d 3d	11-Sep-2019	A-Double Baw Baw
Performance Based St...		Completed		11d 19d 2c	19-Aug-2019	A-Double Whiteheads Timber
Performance Based St...		Completed		11d 3d 1c	15-Aug-2019	PBS Quad Montague Apples
Performance Based St...		Completed		12d 1d	31-Jul-2019	3-axe truck and 5-axe dog
Performance Based St...		Closed - Superseded		12d 1d	31-Jul-2019	A-Double Wellington Shire
Performance Based St...		Closed - Superseded		3d 2d 7d 8d	24-Jul-2019	PBS Quad
Performance Based St...		Completed		7d 5d 2d	18-Jul-2019	A-Double Yahl SA
Performance Based St...		Completed		7d 8d	10-Jul-2019	AD Moolap
Performance Based St...		Closed - Superseded		7d 2d	20-May-2019	A-Double (3-2-3)
Performance Based St...		Completed		15d 1 2d	20-May-2019	A-Double (3-2-3)
Performance Based St...		Completed		8d 76d 3	14-May-2019	30m AD Alternate route to ...
Custom Special Purpo...		Closed - Withdrawn		15d 19d	28-Feb-2019	Volvo 6x6 Fertiliser Spreader
Performance Based St...		Completed		14d 29d	10-Dec-2018	30m AD (Bullbar) Laverton ...
Performance Based St...		Completed		14d 36d	10-Dec-2018	30m AD (Bullbar) Carwarp,...
Performance Based St...		Completed		14d 21d	10-Dec-2018	30m AD (bullbar) Latrobe ...
Performance Based St...		Completed		14d 37d	10-Dec-2018	30m AD (Bullbar) Little Riv...
Performance Based St...		Completed		14d 17d 1	10-Dec-2018	30m AD (Bullbar) Patho
Performance Based St...		Completed		14d 16d 2c	10-Dec-2018	30m AD (Bullbar) Morwell
Performance Based St...		Completed		11d 12d 1	10-Dec-2018	30m AD PBS NSW L2B ne...
Performance Based St...		Completed		9d 14d 1	10-Dec-2018	30m AD (Bullbar) SA PBS ...
Performance Based St...		Completed		9d 1d 4d	10-Dec-2018	30m AD VicRoads PBS L2...
Performance Based St...		Completed		11d 1d	07-Dec-2018	30m AD (Bullbar) Mulch Ex...
Performance Based St...		Completed		11d 2d 1d 3d	07-Dec-2018	30m AD (Bullbar) Mt Wallace
Performance Based St...		Completed		5d 29d 1	07-Dec-2018	30m AD (Bullbar) Northern ...
Performance Based St...		Completed		5d 7d	07-Dec-2018	30m AD (bullbar) to Mt Ga...
Performance Based St...		Completed		5d 10d 2d	07-Dec-2018	30m AD (Bullbar) to Barker...
Performance Based St...		Completed		5d 7d	07-Dec-2018	30m AD (Bullbar) to Westar
Performance Based St...		Completed		6d 42d 1	06-Dec-2018	30m AD (Bullbar) Dande to..
Performance Based St...		Completed		6d 34d 1	06-Dec-2018	30m AD (bullbar) Bulla to ...
Performance Based St...		Completed		55d 5c 18d 3	06-Dec-2018	30m + AD Little River
Performance Based St...		Closed - Duplicate		12d 2d 5d	30-Nov-2018	City Link A double
Performance Based St...		Closed - Other		19d	31-Oct-2018	A-Double (3-2-3)
Performance Based St...		Completed		15d 5d 10d	23-Oct-2018	A-Double (3-2-3)
B-Double - Higher Mas...		Completed		9d 1c 10d	23-Oct-2018	B Double 2017 Renewal
B-Double - Higher Mas...		Completed		14d 8d 3d	24-Sep-2018	Newmerrella
Performance Based St...		Closed - Superseded		12d 9d 5d	20-Sep-2018	Pinegro Mt Wallace
Performance Based St...		Completed		0d	13-Sep-2018	A-Double (3-2-3)
Performance Based St...		Closed - Other		1d	12-Sep-2018	NHVR
Performance Based St...		Completed		0d	13-Jul-2018	NHVR
Performance Based St...		Application Refused		7d 5d	29-Jun-2018	Shepparton
Performance Based St...		Closed - Superseded		8d 41d 8d	20-Jun-2018	Alternate Carag Carag route

Performance Based St...		Closed - Superseded		18-Jun-2018	Carwarp to Stanhope
B-Double - Higher Mas...		Closed - Non Responsive		14-Jun-2018	Omeo area 2
B-Double		Closed - Withdrawn		14-Jun-2018	Omeo area
Performance Based St...		Closed - Superseded		04-Jun-2018	Scott's Hastings
Performance Based St...		Closed - Superseded		04-Jun-2018	SKM Coolaroo
Performance Based St...		Closed - Superseded		01-Jun-2018	NSW Road train network
Performance Based St...		Closed - Superseded		23-May-2018	Clarinda to Brooklyn
Performance Based St...		Closed - Superseded		02-May-2018	SKM Laverton
Performance Based St...		Closed - Superseded		05-Apr-2018	A Double to Patho Land fill
Performance Based St...		Closed - Superseded		23-Mar-2018	A Double 68.5t Carrs Road
Performance Based St...		Closed - Superseded		16-Mar-2018	Benalla Waste Transfer
Performance Based St...		Closed - Superseded		25-Jan-2018	AD to Calimo
Performance Based St...		Closed - Superseded		25-Jan-2018	Wyndham Council Roads
Performance Based St...		Application Refused		24-Jan-2018	Carag Carag to Lake Boga
Performance Based St...		Closed - Superseded		10-Jan-2018	121526-7: PBS L2B local r...
Performance Based St...		Application Refused		03-Jan-2018	121526-8: PBS L2B local r...
Performance Based St...		Closed - Superseded		03-Jan-2018	121526-11: PBS L2B local ...
Performance Based St...		Application Refused		03-Jan-2018	121526-10: PBS L2B local ...
Performance Based St...		Closed - Superseded		03-Jan-2018	121526-6: PBS L2B local r...
Performance Based St...		Closed - Superseded		03-Jan-2018	A/D WF Little River to Cara...
Performance Based St...		Closed - Superseded		19-Dec-2017	121526-5: PBS L2B local r...
Performance Based St...		Closed - Superseded		14-Dec-2017	121526-3: PBS L2B local r...
Performance Based St...		Closed - Other		14-Dec-2017	121526-2: PBS L2B local r...
Performance Based St...		Closed - Superseded		14-Dec-2017	121526-1: PBS L2B local r...
Performance Based St...		Closed - Superseded		28-Nov-2017	PBS Level 2B Network
Performance Based St...		Closed - Superseded		22-Nov-2017	A/D WF Dande to Dutson 1...
Performance Based St...		Closed - Superseded		22-Nov-2017	A/D WF Bulla to Carag Car...
Performance Based St...		Closed - Superseded		22-Nov-2017	A/D WF Little River to Cara...
Performance Based St...		Completed		02-Oct-2017	A/D Bulla to Carag Carag
Performance Based St...		Closed - In-principle		02-Oct-2017	A/D Little River to Carag C...

Case progress



Case duration



Regulator Case Officer

Case Officer

Application

New Vehicle Standard

Status

Submitted

B-Double - Higher Mass Li...		Completed		27-Sep-2019
B-Double - Higher Mass Li...		Completed		03-Oct-2019
B-Double - Higher Mass Li...		Completed		10-Nov-2019
Performance Based Stand...		Completed		01-Aug-2019

Case Study (In the member's own words, de-identified)

The following saga is in relation to a PBS combination, 20m long, 3 axle truck, 4 axle trailer; the most common of all PBS combinations. Applied for an amendment on 24/07/19 (Case xxxxx) to an existing permit to access a number of VicRoads managed roads that were gazetted for PBS L1 (20m long, 50.5t), but we wished to access at 57.5t gross mass (HML). On the portal I copied an existing permit which auto populated some selections, including the selection of "HML". This application was for a total of 53 roads; however, this high number is purely because the portal splits roads up as they cross from one locality to another. In reality there was only 11 named roads. This permit took 20 days to process; seven days with VicRoads to grant Authorisation, then another eight days for the NHVR to process the granted access. However, access was only granted at 56.5t GML, 57.5t CML gross weight instead of 57.5t HML gross weight. Apparently, this permit was not processed as an HML request because I had unticked the HML box that had auto populated when I copied the application and instead ticked the CML box. I was told I would have to reapply for HML on all these roads. Note that the base permit originated probably 5 years ago, and all previous applications have been for HML.

In my frustration I refused to reapply at that time. A short time later I applied for another amendment for a road in another shire. I made sure the HML box was ticked. The NHVR sent me a message to enquire why I wanted HML and not CML. It seems Permit Officer thought CML would be preferable to HML, which to me shows a lack of knowledge of what CML and HML are.

My frustration of Case xxxxx that granted CML weights instead of HML eventually reduced enough for me to reapply for the 53 roads at HML on 29/01/2020, triple checking I had ticked the HML box. However, access was refused on the basis that one of the 53 roads had 2 bridges that were restricted to GML, CML weights and not allowed to cross with HML weights. It seems that 57.5t gross and 17t axle loadings are lighter under CML than the same weights operating under HML. Other times I have applied for multiple roads under one road manager, instead of refusing all the roads they have only refused the roads that had the issue, not ALL the roads on the application. Note that the roads applied for in this application are generally not interconnected and spread from one end of (area of Victoria) to the other so could be traversed without utilising the HML restricted bridges.

I then copied the application again and removed the section of road that had the sensitive bridges on Application to amend Case No. xxxxx. This permit was then processed with access granted to only 13 roads of the original 50. I called the NHVR on 11/02/2020 to try to find out why. They were going to call me back. I called again on 12/02/2020. They were going to call me back, and this time they actually did!! Turns out the Permit Officer had neglected to transpose all the roads I had applied for on the documentation they send to the road manager to seek authorisation. That is not truly how it works, but the best way I can describe how I think the process works from the way the Permit Officer explained it to me. The Permit Officer reopened the case and sought access from VicRoads for the 50 roads, or so I thought.

This left about 50 roads on the application.

I then received a "request for information" from the NHVR stating VicRoads had refused access to one of the roads due to the bridges not rated for HML, and did I want to proceed with the application to grant access to the other roads VicRoads were able to grant access to. When I queried why they were refusing access to a section of road I hadn't requested access to, it turned out the Application had reverted to the 53 roads of the previous application, not the amended applications 50 roads. After numerous phone calls and electronic communications via the portal the Permit Officer submitted another amended route to VicRoads for authorisation.

This was also refused. This time it seems the Permit Officer had requested access to the section of road that contained the HML restricted bridges, not the section of road that I had originally tried to gain access to that was already listed as HML.

I eventually managed to get access to all the roads I requested on this application at HML, with a permit granted on 19/02/2020.