

13 November, 2000

The National Access Regime Inquiry
Productivity Commission
PO Box 80
Belconnen ACT 2616

To Whom it May Concern,

FCL Interstate Transport Services Pty Ltd seeks to lodge a submission to the Productivity Commission for its inquiry into The National Access Regime.

FCL has applied to Vic Roads for acceptance under a new Vic Roads initiative that allows the overall height of a vehicle to be 4.6 metres, providing four criteria are met.

These points are:

- “Each semi-trailer has an air suspension system”.
- “ The gross mass of a prime-mover & semi-trailer combination or B-double must be at least 10% less than the gross mass it would be entitled to operate at, if it was 4.3 metres high”.
- “A minimum of 50% of the trailer deck must be below 1.2 metres”
- “The vehicle’s operator and driver must participate in a vehicle mass management system”.

While FCL has satisfied or exceeded all of these criteria to the letter, as per detailed information supplied by Vic Roads, we have been unable to qualify for the permit.

Vic Roads have countered our application by drawing an unusual distinction between transport by road and transport by rail, which FCL finds unsatisfactory and clearly discriminates against rail and other multi-nodal transport operators.

Please find correspondence attached, supporting this application. Please contact me if further information is required.

Yours faithfully,
FCL Interstate Transport Services Pty Ltd

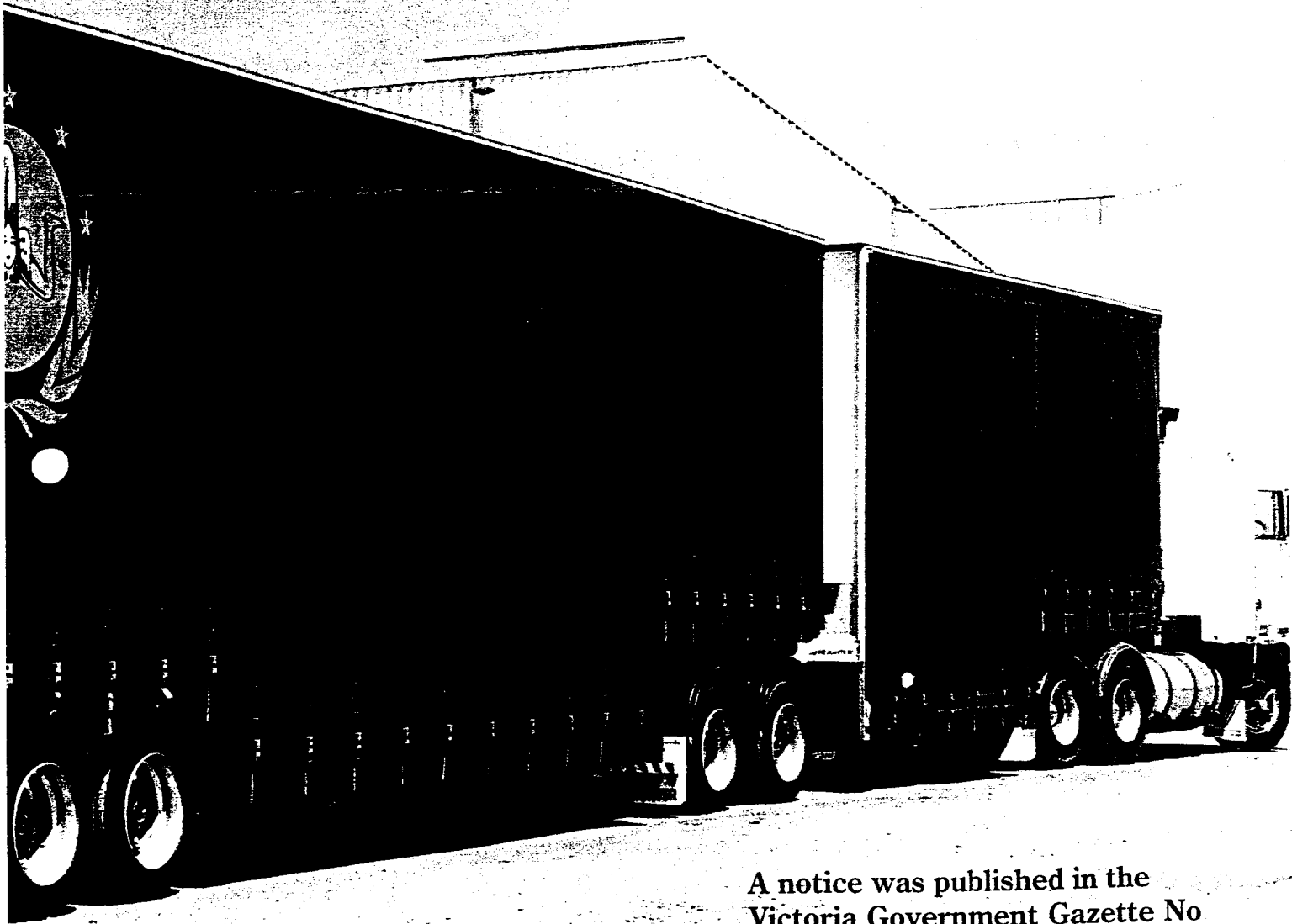


Andrew Gibbins
Victorian Manager

information
BULLETIN

4.6 m High Vans & Curtain-sided Trailers

July 1997

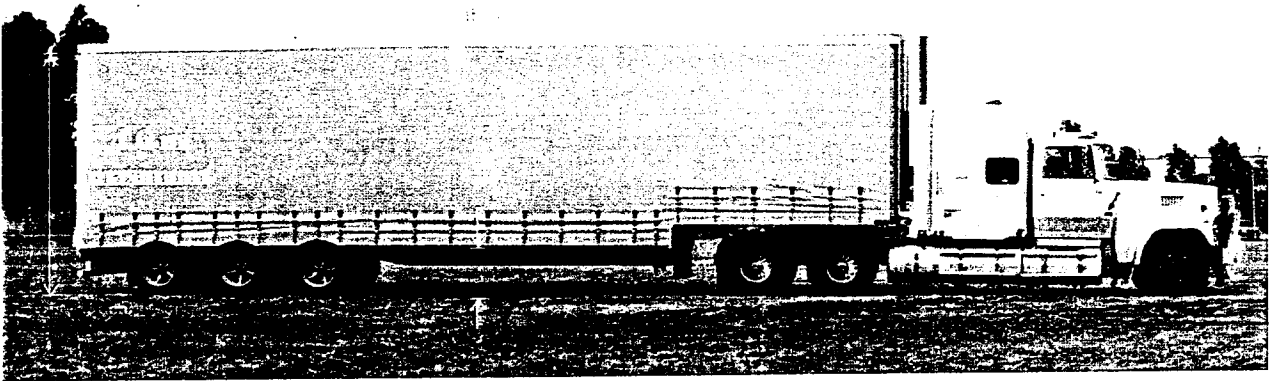


A notice was published in the Victoria Government Gazette No S61 of 4 June 1997 to allow semi-trailers and B-doubles to be built to a maximum height of 4.6 m for carrying cubic freight.

Which Vehicles can be built to 4.6 m high?

A semi-trailer or a B-double may be built to 4.6 metres high provided that:

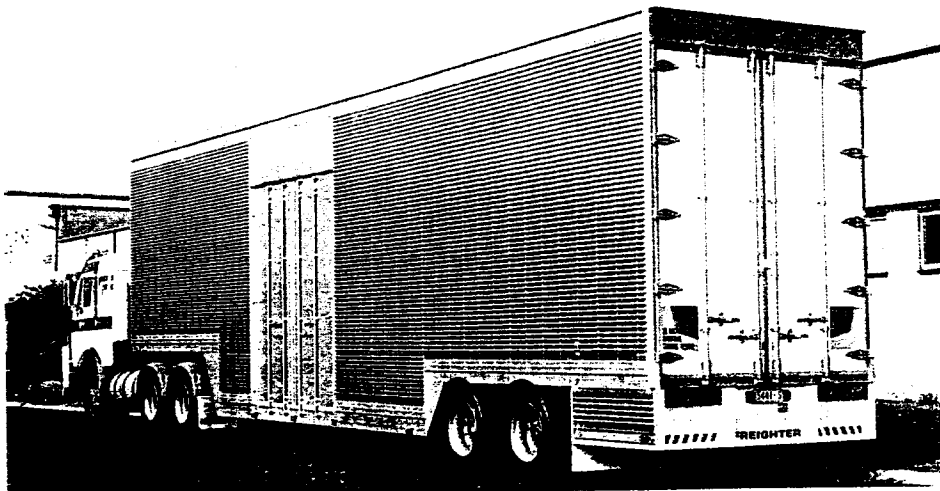
- ❑ **Each semi-trailer has at least 50% of its deck length no more than 1.2 metres above the ground.** This ensures a relatively low centre of gravity to improve vehicle stability.



1.2 m maximum deck height for at least 50% of the deck length

- ❑ **Each semi-trailer has an air suspension system.** This takes advantage of the air suspension system's roll resistance characteristics.
- ❑ **The gross mass of a prime mover and semi-trailer combination or B-double must be at least 10% less than the gross mass it would be entitled to operate at, if it was 4.3 metres high.** This limits 4.6 metres high vehicles, when fully loaded, to carrying cubic freight. Once again the centre of gravity is kept low and vehicle stability improved.
- ❑ **The vehicle's operator and driver must participate in a vehicle mass management system.** This ensures the driver knows the weight of the vehicle and that only cubic freight is carried. Demonstration of being in a mass management system may include providing a weighbridge docket or alternatively a manifest, showing the tare mass of the vehicle and mass of the freight being carried.

Semi-trailers and B-doubles may be constructed with aluminium sides or curtain sides.



F.C.L.

FCL INTERSTATE TRANSPORT SERVICES PTY LTD

ACN 007 429 567

MELBOURNE: 672 Footscray Road, Footscray. PO Box 183, Footscray, Vic. 3011
Tel (03) 9396 9000 Fax (03) 9396 9099
www.fcl.com.au Email: fcl@fcl.com.au

29 February 2000

FAXED
29.2.00

Ron Smith
Senior Permit Officer
Transport Safety Services
Vic Roads
499 Ballarat Road
SUNSHINE VIC 3020

Dear Sir

RE: MAXIMUM LOAD HEIGHTS – 4.3M OR 4.6M

I am writing to you to explain where we are going with the above.

Firstly let me explain that we are an interstate container rail forwarder. We have depots in each state from which we do local pick-up and delivery and all linehaul is either by rail 95% or sea 5%. Our major competitor is road transport.

We are currently dealing with a paper manufacturer for cartage of 2.8m high reels. Firstly ex Perth to Melbourne and Sydney and later there will be a requirement North-South, Melbourne to Sydney and Brisbane.

We intend to build 3.2m high containers to handle the above. We are working on achieving the above within the 4.3m height limit. Obviously our whole trailer will be under 1.2m high and should therefore qualify for the 4.6m height you currently allow for road operators as long as they drop 10% of carrying capacity.

Logic tells me you can't possibly differentiate between road operators and rail container forwarders, but I just want it confirmed in writing.

If (when) we succeed with a 1.1m high trailer carrying 3.2m high containers we should then be OK for 3.5m high light containers under your 4.6 rule.

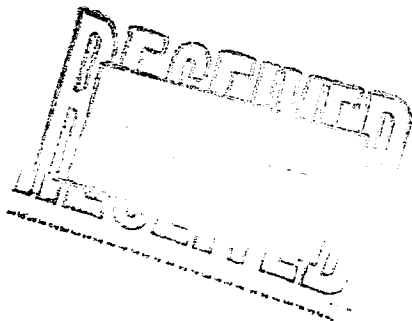
Or is it a case of one rule for road (read PGA) and another one for rail operators?

I look forward to your advice.

Yours sincerely
FCL INTERSTATE TRANSPORT SERVICES PTY LTD



WJ (BILL) GIBBINS
Managing Director



vic roads

ABN 61 760 960 480
Traffic & Road Use Management
2nd Floor 60 Denmark Street Kew
Victoria Australia 3101

Telephone: (03) 9854 2767
Facsimile: (03) 9854 2918

Mr Bill Gibbins
Managing Director
FCL Interstate Transport Services Pty Ltd
PO Box 183
FOOTSCRAY VIC 3011

PK ✓

Dear Mr Gibbins

RE: HIGH CONTAINER TRUCKS

I refer to your facsimile of 29 February 2000, to Mr Ron Smith, VicRoads' Senior Permit Issuing Officer, seeking approval to operate container trucks at 4.6 metres in height.

I understand that your intention is to transport 2.8 metre high paper reels in 3.2 metre high containers on low profile semi-trailers within the laden vehicle height limit of 4.3 metres. Your proposal is then to utilise these low profile vehicles to carry 3.5 metre high containers and operate at a laden vehicle height of 4.6 metres.

The vehicle height of 4.3 metres has been established as a national limit to assist in maintaining vehicle stability and safety. Operating container vehicles at a laden height of 4.6 metres rather than 4.3 metres, can result in a degradation in vehicle safety performance. Vehicle stability is generally reduced and there is an increased risk of the vehicle rolling over. In addition, high container trucks are more exposed to problems caused by low bridges and overhead wires.

With respect to enclosed semi-trailers constructed to 4.6 metres in height, tests and simulations designed to assess the stability of these vehicles were undertaken. It was determined that vehicle stability could be maintained by requiring roll resistant air suspensions, a low deck semi-trailer and a gross mass of 90% of the vehicle's maximum limit (see the attached information bulletin). It is considered unlikely that high container trucks, with their added weight created by the container itself, would have acceptable stability. Containers with their heavily constructed sides and roof structures, to enable top-lifting by forklifts and straddle trucks, would generally increase the centre of gravity of the laden vehicle and reduce its stability.

File: G:\FRE043\FAWKESD\00_0183.WPD

Under the above circumstances, I am unable to support your request for high container trucks to operate above the national height limit of 4.3 metres. Should the proposals for performance based standards for heavy vehicles, currently being developed by the National Road Transport Commission, provide a framework for assessing the safe operation of vehicles in the way that you envisage, I would be pleased to reconsider your request.

Yours sincerely



**GEOFF KLOOT
GENERAL MANAGER
TRAFFIC AND ROAD USE MANAGEMENT**

9 / 5 / 2000

AG
EE
CB
JL
PK

29 May 2000

Geoff Kloot
General Manager
Traffic & Road Use Management
Vic Roads
2nd Floor, 60 Denmark Street
KEW VIC 3101

Dear Sir

RE: HIGH CONTAINER TRUCKS

Thanks for your letter of 9 May replying to mine of 29 February.

I find absolutely no logic in any of your arguments against my proposal. You allow 4.6M height for road vehicles under the following qualification:-

1. 50% of the trailer must be under 1.2M
2. Trailer must have air bag suspension
3. The vehicle's gross carrying capacity is reduced by 10%

My proposal adheres to all three of your requirements yet you attempt to justify a conclusion that:-

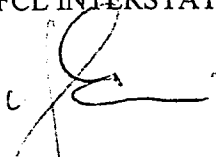
1. My 4.6M height is somehow more likely to be 'exposed to problems caused by low bridges and overhead wires'.
2. Somehow my air bag suspension is less stable and more likely to roll over than a road vehicle
3. Somehow 90% of our carrying capacity is heavier than 90% of a road trucks capacity.

How can our centre of gravity be higher than a road operator? If our container is structurally heavier then we will have less mass in it to allow for same.

And I haven't even mentioned stock crates with their obviously less stable payload, that you allow run everywhere at 4.6M.

You can't have different rules for different people doing the same thing. I strongly suggest you reassess your position. If you don't I will pursue whatever legal options are open to me to ensure we can compete equally in the market place.

Yours sincerely
FCL INTERSTATE TRANSPORT SERVICES PTY LTD



WJ (BILL) GIBBINS
Managing Director