



19 September 2007

Regulatory Burdens - Primary Sector  
Productivity Commission  
PO Box 80  
BELCONNEN ACT 2616

Dear Sir/Madam

### **Comment on Draft Report**

Thank you for the opportunity to review and comment on the Productivity Commission's Draft Research Report into the Annual Review of Regulatory Burdens on Business: Primary Sector. Whilst TFCA did not provide an earlier submission, our Association certainly is committed to supporting this annual review process and providing feedback as appropriate.

By way of background, the Tasmanian Forest Contractors Association (TFCA) services the needs of the harvesting, haulage and silviculture businesses that are responsible for around 80% of the woodflows throughout Tasmania.

TFCA supports the Productivity Commission's following draft responses:

- Draft Response 3.3
  - This potentially impacts on the development of Forest Practices Plans
- Draft Response 3.14
  - Interjurisdictional inconsistencies are evident in how the National Transport Commission develops policies which COAG subsequently sign off on, only to then be held up at the State level awaiting legislative change and/or dedicated resources
  - What may be deemed as 'good policy' for the NSW road transport environment may not necessarily suit the Tasmanian environment - potential case in point is the fatigue management provisions which may be too complex for small businesses to effectively implement

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a sustainable future*

- Draft Response 3.18
  - TFCA argues this is long overdue and the proposed framework should incorporate, where possible, nationally consistent codes of practice
  - This response also indirectly effects OH&S provisions in the transport environment – note TFCA's comments above about the prevalence of policy inconsistencies – a national framework needs to address this
- Draft Response 3.25
- Draft Response 3.31
- Draft Responses 4.16, 4.17 & 4.18
  - While these draft responses seem to appear under the Mining, Oil and Gas section, they are certainly critical for the forestry industry
- Draft Response 4.19
  - TFCA is strongly supportive of this response although we seek further details about the response, if any, to the Productivity Commission's 2003 recommendations on mutual recognition
  - It is TFCA's anecdotal experience that mutual recognition across forest harvesting sectors in different States and Territories is still problematic and certainly could be more streamlined
- Draft Response 5.1
  - TFCA is strongly supportive of this response

TFCA is concerned about the intention of Draft Response 5.2. If relevant Regional Forestry Agreements are followed then why shouldn't the Federal Government encourage the utilisation of wood waste for electricity generation? Such a covenant should ensure that increased native forest harvesting is not promoted.

TFCA makes no comments with respect to the remaining Draft Responses because these clearly fall outside the ambit of our industry.

#### *Additional comments*

Although not technically within the ambit of this draft report review process, TFCA wishes to note the following for future consideration and discussion:

- The balance between education and compliance in the transport sector is skewed heavily towards compliance thus significantly increasing cost and resource burdens on businesses generally
- TFCA notes that in Tasmania the level of forestry expertise within Workplace Standards Tasmania has somewhat diminished thus creating a situation where the safety requirements for business are starting to becoming more onerous - TFCA has raised this at the State level but it is still worthy of mention in any review of regulatory burdens

- Furthermore the interpretation of safety legislation within the State as it relates to visitors and non employees on site has seriously undermined an employer's ability to provide a safe working environment
- One item that does not seem to benefit from much discussion is the interplay between the Regional Forest Agreement, Tasmanian Community Forest Agreement, 29 municipal councils and their associated planning schemes as well as various State legislative instruments and policies - sometimes this interplay can result in varied, confusing and even conflicting messages that in turn create unnecessary and excessive burdens for forestry businesses

TFCA welcomes any further opportunity to provide input into this critical review process.

Yours sincerely

TASMANIAN FOREST CONTRACTORS ASSOCIATION

*[signed]*

FERDIE KROON *BBus AIMM*  
Chief Executive Officer