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Submission type

Have Your Say

Comment

Submissions have been invited to the Competition Policy Review on cost-reflective pricing for roads.

My source:

<http://www.news.com.au/finance/money/every-road-in-australia-should-have-tolls-says-report/storyfnagkbpv-1227067053501>

Whether intended or not, and with the best will in the world, this proposal if implemented amounts to the first stage of a professionally-managed privatisation scheme to transfer another element of Australia's infrastructure to private ownership. I do not give any government body or Parliament authority to act on my behalf and dispose or attempt to dispose of such a major asset by these means.

1. Mr Harper is reported on www.news.com.au as saying that "the road system is the only example of an infrastructure asset, where the government owns the great bulk of the asset, funded through the tax system and given away for nothing". I disagree completely. The road system is infrastructure funded and owned by taxpayers. The government does not own the asset because the government is not an entity separate from the people. Rather, the government IS the people, empowered up by the people to carry out actions on their behalf and provide facilities for them including communications and transport infrastructure. The road system cannot be regarded as being "given away for nothing" for the very simple reason that the taxpayers have already bought and paid for it. It was no gift. The people make use of it and via their taxes continue to pay every day to enjoy their asset. Why should they pay twice?

2. Section 92 of the Commonwealth Constitution states: "On the imposition of uniform duties of customs, trade, commerce, and intercourse among the States, whether by means of internal carriage or ocean navigation, shall be absolutely free." A system which imposes a toll on all roads within the Commonwealth imposes all these duties bar customs. On this basis the toll proposal cannot legitimately proceed.

3. I understand that roads in Australia are dedicated in fee simple which bars the charging of tolls for their use. On this basis the toll proposal cannot legitimately proceed.

4. You are conducting a review of competition policy. But with what does the road system compete? The only likely alternative is the railway system, and that has been allowed to shrink into limited and uncompetitive usefulness. In the absence of a competitive partner, there is no objective basis for the imposition of cost-reflective pricing, no metrics. Where will the price signals come from?

5. To implement the proposed toll scheme requires a surveillance system of enormous scope, continentwide and perhaps beyond (e.g. Christmas Island). As if our world doesn't have enough snooping and surveillance already, this scheme can only add to it. It is inevitable that law enforcement will latch onto the surveillance system — assuming it's not already building a similar one of its own — and using computer algorithms attempt to track and hence control the movements of every vehicle in the country. This represents a gross intrusion into our privacy and civil liberties, and is to be deprecated.

6. To implement the proposed toll scheme, all vehicles will need to be fitted with transponders. Who will pay for these? Who will maintain them? Who will confirm and report on their accuracy and reliability? How long before bicycles are required to carry transponders? Why not include pedestrians? Footpaths need maintenance too. Cost-reflective pricing has no necessary upper or lower limits.

7. Who will ensure that any road network map will be sufficiently large and detailed to distinguish for example between declared public roads and private tracks?

8. It will cost money to maintain a surveillance system like this. Who will pay the costs, none of which currently is incurred and needs not be met?

9. As an alternative, why not keep it simple and implement a New Zealand type of road maintenance levy (paid in advance)? The levy can be adjusted to suit local conditions, quite easily done in this computerdriven era. To do this would still provide a mechanism for congestion charging. As yet another and simpler alternative, why not implement a Medicare-type system where all taxpayers contribute a percentage of their income to road maintenance? The people are clearly pleased to bear one another's medical burdens this way, so they might agree to support their road infrastructure similarly. Either of these alternatives

would obviate a surveillance system, a state of affairs which — I am forced to admit — would not be of advantage to the surveillance equipment manufacturers.

10. What appeal mechanisms will be set up to allow road users to challenge and reverse unfair and unjust billings? Who will be the final arbiter? Which level of government will act as regulator? Will any regulator be established? Governments today are showing a distressing tendency to rely on the machinery for testimony relating to personal behaviour, even though the machinery has been shown in the courtroom to be faulty and untrustworthy. I understand that not one “speed” camera in this country complies with Section 10 of the National Measurement Act and hence all are being used *ultra vires*. How and when will a surveillance system be brought into compliance with the National Measurement Act, and who will have regulatory oversight?

11. It is inevitable and arguably foreseen that if a toll road system is set up, a future government searching for a revenue stream or even a once-off cash infusion will offer segments of the road network to private operators, either to manage & maintain or to own outright. Thanks to Quantitative Easing there are huge amounts of money worldwide looking for places to be invested. The Australian road system will be very tempting to private equity firms and hence to Australian governments. We need to consider also the possible effects of the TPP should this country ratify it (which I think is a foregone conclusion). Would a road system under a cost-reflective system be more or less susceptible to foreign takeover bids? Railways, airways, seaways are going or gone, but our roadways remain. Let them continue to be so.