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22nd November 2023

The CRIS Secretariat National Transport Commission Level 3/600 Bourke Street Melbourne Vic 3000

Via Email: <u>enquiries@ntc.gov.au</u>

Re: Heavy Vehicle National Law (HVNL) Consultation Regulation Impact Statement (CRIS).

1.0 Introduction

Grain Trade Australia (GTA) welcomes the National Transport Commission's (NTC) Heavy Vehicle National Law (HVNL) Consultation Regulation Impact Statement (C-RIS) and the review of the regulatory environment for heavy vehicles in Australia.

The Australian grain sector is critical to national and rural prosperity providing food security and much needed export revenue whilst generating income and employment opportunities within both urban and rural communities. To maintain and grow productivity in the sector, an effective and efficient supply chain is critical.

2.0 Grain Trade Australia's Role

Grain Trade Australia (GTA) is a national member association and is the focal point for the commercial grain industry within Australia.

GTA has over 280 organisations as members. Their businesses range from regional family businesses to large national and international trading/storage and handling companies who are involved in grain trading activities, grain storage, grain marketing advisory services, processing grain for human consumption and stock feed milling. GTA Members are substantial employers, from the farm gate through to end point consumption, and notably in rural and regional Australia. A full list of GTA Members can be found <u>here</u> and attached to this submission.

GTA's mission is to 'facilitate trade' in the Australian grain industry. It's products and services, including the Australia Grain Industry <u>Code of Practice</u>, and the <u>Grain Transport Code of Practice</u> provides a self-regulatory framework across the grain industry to facilitate and promote the trade of grain across the Australian grain value chain.

Within this context, on behalf of its members, GTA provides comment on the Review and the proposed reforms to the HVNL.

3.0 Grain Industry Sector

The Australian grain industry¹ is a major economic contributor in regional Australia and to export revenue, with annual value of production in 2022/23 forecast (excluding rice) to be a record \$31.4 billion at the farm gate and \$30.9 billion of exports², meaning the grain industry is the highest value industry in the agriculture sector, contributing more than 33% of Australia's agricultural gross value of production annually.

The industry achieved record summer and winter production in 2022/23 of 72.3 million tonnes (mmt) following two prior large crops with 68.0 mmt in 2021/22 and 59.9 mmt in 2020/21.

Trade and an efficient supply chain is vital for the Australian grain industry and regional communities, with the Australian grain industry being highly export oriented e.g., 65 -75% of grain is exported.

The grain industry supply chain is geographically diverse and is spread across 31 operational bulk port terminals operated by 18 companies, and multiple container packers and exporters in the 5 major producing States. The Australian domestic market is the largest market for Australian grain and consumed 17.5 mmt of grain in 2021-22³

Producing on average 45 mmt tonnes from approximately 22,300 farms production units⁴ the grain industry has an **inordinately heavy reliance on the transport sector, both road and rail.**

4.0 Feedback on the Proposed Reforms to the HVNL

Firstly thank you for the high-level summary of the issues and options and well as the detailed and wellstructured Consultation Regulation Impact Statement (CRIS). The majority of GTA members are participants in the grain supply chain and are heavy users of road transport services. Some GTA members are also owners and operators of heavy vehicles.

GTA has examined the *current consultation focus areas* and have made comment on the proposed reforms in Table 1. In general GTA would agree with the logic that supports the proposed changes. From the examination it appears the reforms and the suggested changes may not have any material adverse impact on the current operations of road freight in the grain industry and they will simplify and clarify areas of concern that transport companies have around Fatigue Management, Access and details relating to the National Audit Standard. *These reforms therefore are welcomed*.

CRIS Proposal	Overview	GTA Comments
Expanding the scope of fatigue regulated heavy vehicles – Record Keeping	Options are proposed that aim to simplify how record keeping requirements for operators are structured under the HVNL by streamlining requirements, moving them down the legislative hierarchy and giving the regulator more flexibility to change the form and format of fatigue records over time.	Worthwhile modification as it will simplify record keeping.
Expand the scope of fatigue regulated heavy vehicles - FRHV	Expand the scope of fatigue regulated heavy vehicles (FRHVs), such that vehicles over 4.5 tonnes to 12 tonnes are by default considered FRHVs . Currently fatigue rules only apply to vehicles over 12 tonnes	The fleet of transport vehicles that carry grain are not impacted by this modification.

Table 1. Feedback on the proposed Reforms

¹ Grains include wheat, coarse grains, oilseeds, oilseed meals and pulses

² Source: ABARES, 2023

³ ACCC – Bulk grain ports monitoring report December 2022

⁴ Grain Growers – State of the Nation 2021

CRIS Proposal	Overview	GTA Comments
Increase to Heavy Vehicle Mass Limits	Currently have General Mass Limit and Concessional Mass Limit. Propose to increase GSM by 5% to equal the CML and to remove CML	This is considered a good simplification and will create greater alignment between jurisdictions.
Increase to prescribed heavy vehicle height limits	Lift the height limit from 4.3m to 4.6m for general access vehicles	The fleet of transport vehicles that carry grain are not likely to be impacted or benefit by this modification.
Increase to prescribed length limits for 19m vehicles.	Increase the length max from 19m to 20m	Whilst unlikely this will benefit the carriage of grain the fleet of transport vehicles that carry grain may receive benefits for other cargoes they carry.
Improve the National Heavy Vehicle Accreditation Scheme (NHVAS)	Improve the National Heavy Vehicle Accreditation Scheme (NHVAS) based upon a Safety Management System (SMS) approach, and to introduce a new National Accreditation System to support a more robust scheme.	The proposed enhancement to the NHVAS is seen as a valuable step as it will better align the NHVAS to industry safety standards and therefore assist to prepare the heavy vehicle sector to prepare for when the HVNL requires operators to demonstrate implementation of an effective Safety Management System before being accredited under the NHVAS.

5.0 Ongoing Reform Required

The increasing competitiveness of global markets impact the outcomes of the Australian grain industry. Supply chain related innovation is essential to remaining competitive, and requires leadership, planning and capital investment to ensure an efficient globally competitive grain industry for Australia. Similarly global food security is becoming increasingly important and challenging. As conflicts and the environment create concerns and complexity, the facilitation of trade in food between countries and counterparties grows in importance to global food security. The issues around global food security exposes the importance of efficient trade **and supply chains**.

It is critical Government investment, and these structural reforms also advance to ensure supply chains remain robust and responsive to the market demands.

6.0 Conclusion

The Australian grains industry is an extensive user of the national freight network and supply chain and is consequently significantly impacted by its efficiency in terms of costs, investment, regulation and overall productivity.

GTA welcomes this Review and supports its proposed reforms and further focus by Governments on the supply chain and its regulatory environment to ensure the grain industry can continue to provide economic value to the nation as a whole.

Yours faithfully,

Posh

Pat O'Shannassy CEO, Grain Trade Australia

GRAIN TRADE AUSTRALIA

Membership List as of 21 November 2023

Organisation

Ordinary Member (Trading)

Level A1 (over 7 Million Tonnes) CBH Grain Pty Ltd Graincorp Operations Ltd Viterra Australia Pty Ltd

Level A2 (5 - 7 Million Tonnes)

Level A3 (3 - 5 Million Tonnes) Cargill Australia Limited

Level A4 (1.5 - 3 Million Tonnes)

ADM Trading Australia Pty Ltd Arrow Commodities Pty Ltd Australian Grain Export Pty Ltd Bunge Agribusiness Australia Pty Ltd Louis Dreyfus Emerald Australia Pty Ltd

Level B1 (1.0 - 1.5 Million Tonnes)

CHS Broadbent Pty Ltd ETG Commodities Pty Ltd George Weston Foods Limited Manildra Group Riordan Grain Services

Level B2 (500,000 - 1 Million Tonnes)

Centre State Exports Pty Ltd Inghams Enterprises Pty Ltd J K International Pty Ltd Ridley Agriproducts Pty Ltd Riverina (Australia) Pty Ltd Wilmar Gavilon Pty Ltd

Level B3 (250,000 - 500,000 Tonnes)

Allied Pinnacle Pty Ltd Boolah Farms Pty Ltd Brahman Commodities Pty Ltd Cofco International Demeter Grains K M & W M Kelly & Sons Robinson Grain Trading Co Pty Ltd Quadra Commodities Pty Ltd

Level C1 (over 10 employees, under 250,000 Tonnes)

Adams Australia Ptv Ltd Agracom Pty Ltd Agrisk Management Pty Ltd AGT Foods Australia Associated Grain t/a Agrocorp Processing Australia Australian Food and Fibre Australian Fresh Milk Holdings (AFMH) BFB Pty Ltd Blairs Produce Company Castlegate James Australasia Pty Ltd Coprice Darwalla Milling Co Pty Ltd Deckert Group Pty Ltd DDT Holdings Pty Ltd Esperance Quality Grains Fletcher International Exports Pty Ltd Fodder Link Pty Ltd Hanlon Enterprises Grain Hazeldenes Chicken Farm Pty Ltd

Mr Jason Craig Mr Robert Spurway Mr Philip Hughes

Contact

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Mr Steve Broadbent Mr Peter McMeekin Mr Michael Schmidt Mr Peter Sloan Mr Mark Lewis

Mr Jeff Voigt Mr Matt Clarke Mr Sandeep Mohan Mr Michael Reeves Mr Gareth Stapleton Mr Matt Albion

Mr Brett Duczmal Mr Stuart Tighe Mr Michael Aikman Ms Sara Pan Mr David Oates/Barry Mansfield Mr Matt Kelly Mr Gary Robinson Mr Robin Cassar

Mr Ian Mack Mr Joe Hallman Mr Brett Stevenson Mr Michael Brittain Mr Bhuvan Gandhi Mr Peter Webb Ms Jill Smith Mr Shane Bird Mr Sean Blair Mr Ross Giovanetti Ms Krissy Campbell Mr Gary Heidenreich Mr Chris Deckert Mr Rajeev Saraff Mr Neil Wandel Mr Joe Masters Mr Cameron Angel Mr Chris Coates Mr Marcus Dingle

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Independent Grain Handlers Pty Ltd Irwin Stockfeeds Itochu Australia Ltd Inari Australia Pty Ltd Rex James Stockfeed Pty Ltd Jerilderie Grain Storage & Handling Laucke Flour Mills P/L Lawson Grains Pty Ltd LINX Cargo Care LPC Trading Pty Ltd Malteurop Australia Pty Ltd MC Croker Pty Limited MSM Milling Pty Ltd Namoi Cotton Ltd Newcastle Agri Terminal Premium Grain Handlers P/L **Ouattro Ports** Queensland Cotton Corporation Pty Ltd Reid Stockfeeds Pty Ltd Rivalea (Australia) Pty Ltd - Animal Nutrition SunPork Farms Feed Mills ThriveAgri TSS Grain (Tasmanian Stockfeed Services) Unigrain Pty Ltd W B Hunter Ptv Ltd Wilken Grain Woods Grain Pty Ltd **XLD** Commodities Viridis Ag

Level C2 (under 10 employees, under 250,000 Tonnes)

A T Waterfield & Son Pty Ltd A W Vater and Co Advantage Grain Pty Ltd Access Grain Pty Ltd Aditya Birla Global Trading (Australia) Pty Ltd Agmark Commodities Agri Om Australia Pty Ltd Agri-Oz Exports Ptv Ltd Agromin Australia Pty Limited Australian - Asian Agricultural Exports Pty Ltd Australian Choice Exports Pty Ltd Australian Grain Storage Australian Growers Direct Ptv Ltd Australian Mungbean Company Pty Ltd Arya Pulses Australia Pty Ltd Avoca Grain Storage Pty Ltd Baker Grain Boort Grain Co-Operative Broun and Co Grain Ptv Ltd C & S Trading Pty Ltd C K Tremlett Ptv Ltd Carpendale Agri Pty Ltd Carson Stockfeeds Pty Ltd Chester Commodities Pty Ltd CL Commodities Pty Ltd Coorow Seeds Cory Johnston (Aust) Pty Ltd Craig Tyack Grain Trading Defiance Maize Products Pty Ltd Direct Commodities Pty Ltd East Coast Stockfeed Pty Ltd Ellerslie Free Range Farms Ptv Ltd ETG Processing Pty Ltd T/A Wimpak Export Import Australia Pty Ltd Export Trading Group Australia Pty Ltd Fanmac Logisitics Pty Ltd Feed Central Pty Ltd Findlays Barellan Forest Enterprises Development & Consulting Pty Ltd Grenfell Commodities Pty Ltd

Mr Brad Bryant Mr Bryan Irwin Mr Ayush Rajvanshi Mr Karan Singh Ms Natasha Davies/Samuel James Mr David Barlow Mr Roger Laubsch Mr Angus Blair Mr David Simpson Mr Simon Langfield Mr Trevor Perryman Mr Greg Carroll Mr Peter MacSmith Mr Shane McGregor Mr Earl Mr John Orr Mr Dave Allen Mr Ashish Govil Mr Nick Reid Mr Andrew Philpotts Mr Mark Young Mr Charlie Brown Mr Trevor Macleod Mr Ervin Leong Mr Stewart Coombes Mr Richard Wilken Mr Bruce Woods Mr Lachie Stevens Mr Chris Reeves

Mr Kim Vater Mr Chris Nikolaou Mr Wade Humphreys Surva Jain Mr Richard Alcorn Mr Kishore Bulchandani Mr Francois Darcas Mr Rajni Patel Mr Mick Connolly Mr James Hunt Mr Matt Bailey Mr Tom Lucas Mr Damien White Mr Aravindhan Ms Julie Bartlett Mr Richard Baker Mr Jon Bucknall Mr Charles Coventry Mr Craig Scholz Mr Andrew Tremlett Mr Andrew Kluck Mr John Carson Mr Richard Black Mr Robert Lean Mr Brian Pover Mr Justin Fay Mr Craig Tyack Mr Rodney Walker Mr Hamish Robertson Mr Stuart Dolden Mr Bruce Holden Mr James French Mr Dhanesh Kumar Mr Shayne Clark Mr Chris Fanning Mr Tim Ford Mr Neil Findlay Mr Charles Lowe Mr Glenn Beasley

Mr Brad Waterfield

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GO Resources Pty Ltd Godde's Grain & Fertiliser Pty Ltd Gold Star International Pty Ltd Grain Link WA Pty Ltd Grainforce Pty Ltd GrainTrend Ptv Ltd GV Grain & Fodder Hartree Partners (Australia) Pty Ltd Harwood Grains Ptv Ltd Horizon Commodities Pty Ltd HX Food Group (Aus) Pty Ltd J W Koek & Company KB Agri Services Pty Ltd Kangaroo Island Pure Grain Pty Ltd Kennett Rural Services Ptv Ltd Lachlan Commodities Pty Ltd Lane Grain Pty Ltd Laragon Almond Processors Pty Ltd Mandala Trading Pty Ltd Marina Commodities McKenzie Ag Services McNaughts Grains & Fertilizer Pty Ltd Matthews Transport and Grain Traders Max Grains Pty Ltd Melaluka Trading Pty Ltd Mellco Ptv Ltd Nandaly Grain Co-Operative Ltd Network Grains Ptv Ltd Northbound Trading Pty Ltd (T/A): WA Lupins Origin Grain Pty Ltd Outlook Commodities Ptv Ltd Pacific Global Sprouts Pty Ltd Parkinson Bros PB Seeds Ptv Ltd Pearson's Grain Pty Ltd Peters Commodities Pty Ltd Pinnacle Grains Ptv Ltd Plum Grove Pty Ltd Pure Foods Eggs Ptv Ltd QS Commodities Pty Ltd **Ouirindi Grain & Produce** RP Grain Pty Ltd Rural Logic (Aust) Pty Ltd Shannon Bros Bulk Storage Ptv Ltd Silo Bag Grain (NSW QLD) Pty Ltd Societa Cofica Pty Ltd Spagricon Australia Pty Limited Standard Commodities Australia Pty Ltd Sudima Australia Pty Ltd Southern Grain Pty Ltd Southern Grain Storage Pty Ltd Tamma Grains Australia Pty Ltd Targray Australia Pty Ltd Tiller Commodities Pty Ltd TRC International Pty Ltd Ulusoy Asia Pacific Universal Commodity Management Ward McKenzie Pty Ltd Watson's Bulk Logistics Waterfall Australia Pty Ltd WHG Oceania Pty Ltd Wirrinourt Transport & Trading WW Agri Ptv Ltd ZTC Australia

Transport Operator

Crawfords Freightlines Pty Lts Gehrke Ag Pty Ltd Hamilton Contracting (NSW) Pty Ltd Horne Ag Logistics Pty Ltd Pacific National (NSW) Pty Ltd

Ms Bec Leitch Abhishek Kotkar Mr Andrew Goyder Mr Derek Larnach Mr Sanjiv Dubey Ms Joanne Harry Mr Daniel Miller Mr Paul Harwood Mr Aaron Jones Mr Dong Zhao Mr Brian Algate Mr Karl Bliss Ms Emma Tonkin Mr Andrew Kennett Mr Tony Cogswell Mr Garry Lane Mr Mark Webber Mr Jayjeev Saraff Mr Palwinder Singh Mr Lachlan McKenzie Mr Daniel McNaught Mr Neville Matthews Mr Jack Fahy Mr Simon Pritchard Mr Steve Mellington Mr John Bucknall Mr Craig Dennis Mr Daniel Marshall Mr Peter Brick Mr Dominic Hogan Mr Prashant Kewlani Mr Rohan Parkinson Mr Peter Blair Mr Darren Pearson Mr Michael Oxley Mr Sonal Vij Ms Rikki Foss Ms Charmain Cain Mr Nick Slipper Mr John Webster Mr Gordon Pulham Mr Michael Wood Mr Clayton Shannon Ms Leslev Kilby Mr Dia Ram Sharma Mr Jiger Kotecha Ms Elizabeth Bozinoska Mr Jim Garvey Mr Tim Gross Mr Campbell Brumby Mr Kim Packer Mr Srinivas Boyapalli Mr Brett Cooper Mr Yohan Goonetilleke Mr Mark Madjarevic Mr Tim Dean Mr Geoff Hammon Mr Joel Watson Mr Ian Mollan Mr Gesheng Shen Mr Karl Hendy Mr Steve Sloss Mr Tim Byass

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SEAWAY Intermodal Pty Ltd

Broker

Large

Medium

Fox Commodites Pty Ltd Grain Brokers Australia Horizon Grain Brokers Pty Ltd iGrain.com.au Pty ltd Rain Argibusiness StoneX Financial Pty Ltd Pure Grain Network Pty ltd Quest Commodities Pty Ltd Teague Australia Pty Ltd

Small

McDonald Pelz Australia

Sole Operator

A C Grain Allied Grain Pty Ltd Cogeser (Australia) Pty Ltd Farm Tender Lotema Pty Ltd Mallon Commodity Brokering Perkins Commodity Brokers Woodside Commodities Pty Ltd

Corporate

Large ASX Limited Australian Grain Technologies Pty Ltd Barrett Burston Malting Co Pty Ltd Boortmalt Asia Pacific Pty Ltd Commonwealth Bank of Australia NSW Ports Symbio Laboratories

Medium

AgriDigital AgriDigital Agrifood Technology Pty Ltd Amspec Australia Pty Ltd Australian Superintendence Company Commodity Inspection Services (Australia) Pty Ltd Foss Pacific Pty Ltd Holding Redlich HFW Australia Intertek Mars Petcare t/a Mars Birdcare Oldendorff Carriers SBA Law SGS Australia Pty Ltd T-Ports Pty Ltd Oube Logistics (SB) Pty Ltd (T/A Qube Agri)

Small

Advance Trading Australasia Ag Scientia Pty Ltd Agvise (WA) Pty Ltd Aperture Ag Pty Ltd Basis Commodities Pty Ltd BSM Global Pty Ltd Clear Grain Exchange CloudBreak Grain Marketing Pty Ltd Delta Agribusiness Pty Ltd EP Integrated Commodities Pty Ltd Farmanco Marketing Pty Ltd FarMarCo Australia Pty Ltd Finesse Solutions Pty Limited Flexi Grain Futari Holding Pty Ltd

Goldstar Commodities Graintec Scientific Pty Ltd Grainx HarvestCheck Pty Ltd Hay Plains Grain Storage Pty Ltd IKON Commodities Pty Ltd Indyn Pty Ltd Lachstock Consulting Pty Ltd Longbridge Commodities Pty Ltd MarketAg Pty Ltd McMullen Consulting Pty Ltd Mercari Pty Ltd Mirfak P/L National Grower Register Pty Ltd OMIC Australia Pty Ltd Perten Instruments Australia Pty Ltd Planfarm Marketing Pty Ltd Priag Marketing Pty Limited Primal Foods Group Profarmer Australia Pty Ltd Rise Agribusiness Pty Ltd Pinion Advisory Saputo Dairy Australia Pty Ltd SGA Solutions Pty Ltd TE Storage & Logistics Pty Ltd Ten Tigers TT Club Mutual Insurance Ultimate Global Trading Pth Ltd Wattletree Consulting Pty Ltd

International Affiliate

CIS - Commodity Inspection Services

Industry Association

Australia Export Grain Innovation Centre Grain Growers Limited Grain Industry Association of WA Grain Producers Australia Ltd NSW Farmers Association Stock Feed Manufacturers' Council of Australia

Merchant Association

Grain Industry Association of SA Grain Industry Association Of Victoria Grain NSW Inc Queensland Agricultural Merchants Inc.

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