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Tuesday, 17 November 2020

The HVNL Review Team National Transport Commission Level 3, 600 Bourke Street Melbourne VIC 3000

RE: Submission to HVNL Review - Consultation Regulation Impact Statement (CRIS)

To whom it may concern,

I am writing to raise Grain Trade Australia's (GTA) concerns associated with the recent Heavy Vehicle National Law (HVNL) enforcement action (relating to axle weight limits) in Queensland and a proposed Improvement Notice issued to the grain industry company GrainCorp.

1. About GTA

GTA is a national trade association and peak body and is the focal point for the commercial grain industry. The role of GTA is to provide a framework across industry to facilitate and promote trade. GTA Members are responsible for the operation of the overwhelming part of the Australian grain supply chain, including the vast majority of all grain contracts, grain storage and freight movements made each year in Australia and all bulk exports of grain. GTA Members are drawn from all sectors of the grain value chain from production to domestic end users and exporters. GTA has over 270 organisations as Members. Their businesses range from regional family businesses to large national and international companies involved in grain marketing, grain storage, food and feed milling. A list of GTA Members is attached, and our website is www.graintrade.org.au

A key part of the grain industry framework GTA has developed is the Grain Transport Code of Practice (Transport Code). This is an important tool to assist Australian grain industry participants who transport grain to do so efficiently, safely and within the relevant laws. GTA recognises industry's responsibility to its participants and to all members of the community in ensuring that the combined actions promote road safety and through adoption of this Transport Code and its guidelines industry participants commit to shared responsibility; and the safe and efficient transport of grain. The Transport Code is part of the Australian Grain Industry Code of Practice (Industry Code) and should be reviewed in conjunction with this Code.

2. Axle Group Mass Limits

The Improvement Notice received by GrainCorp because of the HVNL enforcement action requires the under-loading of grain trucks to reduce the risk of exceeding axle group mass limits. While recognising the principle of 'shared responsibility' applying under the HVNL, it is suggested this requirement to under-load may be overly strict and unfair to the transport operators in the Australian grain industry.

Based on GrainCorp' estimates, a 10% under-loading would be required to minimise the risk of breaching these limits. Across the Australian grain industry, axle group measuring technology is extremely rare. Given that the HVNL applies to the whole supply chain, competitive implications of underloading trucks means that other grain companies that are unable to accurately measure axle group mass limits would need to take the same underloading measure.

Under the scenario of an industry-wide application of a 10% underloading, the implications for the grain industry would be significant. It would reduce supply chain efficiencies, add unnecessary cost, and reduce Australia's competitiveness in international markets. The majority of any cost increase will impact the commodity value and as a result the grain producer. Australian grain producers have already faced significant challenges in recent years, including drought, tariffs on major commodities, and COVID-19.

Based on GrainCorp's assumptions, a 10% underloading extrapolated across the eastern Australian grain industry, applied over the period of 2011 to 2020, would have had the following impact:

An additional \$4.63/tonne in freight costs (\$800 million over 10 years or \$80 million p.a.) to • transport the same volume of grain.

- An additional 770,000 truck movements (77,000 p.a.) to transport the same volume of grain; with associated safety risks, road wear, congestion etc.
- An additional 65 million tonnes of carbon emissions (6.5m tonnes p.a.) due to the increase in truck movements.

Through the HVNL Review, GTA requests that axle group measurement requirements do not apply to loaders and unloaders of grain trucks because of the following;

- Strict adherence to gross combination mass limits on arrival/exit from storage sites ensures substantial compliance;
- The costs and time required to ensure full and accurate compliance (if even possible) are disproportionate; and
- Truck drivers and operators themselves are best placed to ensure compliance with axle weights.

We appreciate your consideration of the issues raised in this letter, and welcome further engagement and consultation.

Yours sincerely,

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Pat O'Shannassy CEO, Grain Trade Australia





Membership List as at 15 September 2020

Organisation	Contact	Website /P
Ordinary Member (Trading)		
Level A1 (over 7 Million Tonnes)		
CBH Grain Pty Ltd	Mr Jason Craig	cbh.co
Glencore Agriculture Pty Ltd	Mr Philip Hughes	glencoreagriculture.co
Level A2 (5 - 7 Million Tonnes) Graincorp Operations Ltd	Mr Robert Spurway	graincorp.cc
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Level A3 (3 - 5 Million Tonnes)		
ADM Trading Australia Pty Ltd	Mr Darryl Borlase	adm
Cargill Australia Limited	Mr Erik Wibholm	cargill.co
Level A4 (1.5 - 3 Million Tonnes)		
Level B1 (1.0 - 1.5 Million Tonnes)		
Emerald Grain Pty Limited	Mr David Johnson	emeraldgrain
Cofco International	Ms Sara Pan	cofcoagri.co
avel R2 (500,000, 1 Million Tonnes)		
Level B2 (500,000 - 1 Million Tonnes) Arrow Commodities Pty Ltd	Mr Dominic Vanzella	arrowcom.co
Australian Grain Export Pty Ltd	Mr Brett Dodson	australiangrainexport.co
Barrett Burston Malting Co Pty Ltd	Mr Dean Ganino	www.bbmalt.co
CHS Broadbent Pty Ltd	Mr Steve Broadbent	broadbentgrain.cc
Centre State Exports Pty Ltd	Mr Jeff Voigt	centrestateexports.co
George Weston Foods Limited	Mr Mark O'Brien	gwf.co
Ridley Agriproducts Pty Ltd	Mr Michael Reeves	agriproducts.co
Riordan Grain Services	Mr Mark Lewis	riordangrains.co
Riverina (Australia) Pty Ltd	Mr Gareth Stapleton	riverina.co
Bunge Agribusiness Australia Pty Ltd	Mr Stephen Bennett	bunge.com/agribus
Level B3 (250,000 - 500,000 Tonnes) Allied Pinnacle Pty Ltd	Mr Josh Lawrence	alliedpinnacl
Robinson Grain Trading Co Pty Ltd	Mr Gary Robinson	robinsongrain.co
Wilmar Gavilon Pty Ltd	Mr Matt Albion	07 3713
Louis Dreyfus Company Australia Pty Ltd	Mr Sam Roache	louisdreyfus.co
Quadra Commodities Pty Ltd	Mr Robin Cassar	quadra
Level C1 (over 10 employees, under 250,000 Tonnes)		
Adams Australia Pty Ltd	Mr Ian Mack	adamsaustralia.co
Agriex Australia Pty Ltd	Mr Joseph Khnessier	02 9232
Agrisk Management Pty Ltd	Mr Brett Stevenson	02 9499
AGT Foods Australia	Mr Michael Brittain	agtfoods.com/aus
Associated Grain t/a Agrocorp Processing Australia	Mr Bhuvan Gandhi	07 4662
Auscott Ltd	Mr Peter Webb	auscott.co
Australian Fresh Milk Holdings (AFMH)	Ms Jill Smith	02 6344
BFB Pty Ltd	Mr Shane Bird	bfb.cc
Blairs Produce Company	Mr Sean Blair	02 6025
Boolah Farms Pty Ltd	Mr Stuart Tighe	02 6754
-	Mr Ross Giovanetti	
Castlegate James Australasia Pty Ltd		castlegatejames.co
Coprice	Ms Krissy Campbell	coprice.co
Darwalla Milling Co Pty Ltd	Mr Gary Heidenreich Mr Mark Schmidt	07 3822 07 4662
Deacon Seeds Company		
Deckert Group Pty Ltd Esperance Quality Grains	Mr Chris Deckert Mr Noil Wandol	deckerts.co members.westnet.com.a
Esperance Quanty Grains Five Star Stock Feeds	Mr Neil Wandel	
	Mr Tim Huggins	fssf.co
Fletcher International Exports Pty Ltd	Mr Kurt Wilkinson	fletchint.co
Hanlon Enterprises Grain	Mr Peter Gerhardy	02 6924
Independent Grain Handlers Pty Ltd	Mr Brad Bryant	igh.ı
Irwin Stockfeeds	Mr Bryan Irwin	irwinstockfeeds.co
Itochu Australia Ltd	Mr Justin Swan	www.itochu.co
J K International Pty Ltd	Mr Sandeep Mohan	jki.co
James Stock Feed and Fertilizer Pty Ltd	Mr Adrian Moule	jamesstockfeed.co
Jerilderie Grain Storage & Handling	Mr David Barlow	03 5886
K M & W M Kelly & Sons	Mr Matt Kelly	kellygrains.co

Lawson Grains Pty Ltd LDC Enterprises Australia 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 Pty Ltd Premium Grain Handlers P/L Quattro Ports Reid Stockfeeds Pty Ltd Rivalea (Australia) Pty Ltd - Animal Nutrition Riverina Oils & BioEnergy Pty Ltd Southern Cotton Trading Pty Ltd SunPork Farms Feed Mills Tasmanian Agricultural Producers Pty Ltd ThriveAgri TSS Grain (Tasmanian Stockfeed Services) Unigrain Pty Ltd W B Hunter Pty Ltd Wilken Grain Woods Grain Pty Ltd XLD Commodities Yenda Prods Grain Ptv Ltd

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

A T Waterfield & Son Pty Ltd

A W Vater and Co AACL Ptv Ltd Access Grain Pty Ltd Agmark Commodities Agracom Ptv Ltd Agri Om Australia Pty Ltd Agri-Oz Exports Pty Ltd Agrigrain Agromin Australia Pty Limited Marina Commodities Australian - Asian Agricultural Exports Pty Ltd Australian Choice Exports Pty Ltd Australian Grain Storage Australian Growers Direct Pty Ltd Australian Mungbean Company Pty Ltd Baker Grain Boort Grain Co-Operative Broun and Co Grain Pty Ltd Cameron Pastoral Company Pty Ltd C & S Trading Pty Ltd C K Tremlett Pty Ltd Carpendale Commodities Chester Commodities Pty Ltd CL Commodities Ptv Ltd Continental Grain Handling Pty Ltd (CGH) Coorow Seeds Cory Johnston (Aust) Pty Ltd Craig Tyack Grain Trading Demeter Cormack Pty Ltd Defiance Maize Products Pty Ltd Direct Commodities Ptv Ltd Donnellons Bulk Haulage Pty Ltd East Coast Stockfeed Ptv Ltd Ellerslie Free Range Farms Pty Ltd Export Trading Group Australia Pty Ltd Feed Central Pty Ltd Findlays Barellan Grenfell Commodities Pty Ltd GO Resources Pty Ltd Gold Star International Ptv Ltd Grain Link (NSW) Pty Ltd Grain Link WA Pty Ltd Grainforce Pty Ltd GrainTrend Pty Ltd Greentree Farming

Mr Angus Blair Mr Richard Porter Mr David Simpson Mr Simon Langfield Mr Jack King Mr Greg Carroll Mr Peter MacSmith Mr Shane McGregor Mr Jock Carter Mr John Orr Mr Dene Ladmore Mr Ian Reid Mr Andrew Philpotts Mr Lachlan Herbert Mr Chris Veness Mr Mark Young Mr David Skipper Mr Charlie Brown Mr Trevor Macleod Mr Ervin Leong Mr Stewart Coombes Mr Richard Wilken Mr Bruce Woods Mr Lachie Stevens Mr Luke Mancini

Mr Brad Waterfield Mr Kim Vater Mr Simon Gellert Mr Wade Humphreys Mr Richard Alcorn Mr Joe Hallman Mr Kishore Bulchandani Mr Francois Darcas Mr Jeremy Brown Mr Rajni Patel Mr Palwinder Singh Mr Mick Connolly Mr James Hunt Mr Matt Bailey Mr Tom Lucas Mr Damien White Mr Richard Baker Mr Jon Bucknall Mr Wal Broun Mr Ken Cameron Mr Craig Scholz Mr Andrew Tremlett Mr Andrew Kluck Mr Richard Black Mr Robert Lean Mr Rick Guo Mr Brian Pover Mr Justin Fay Mr Craig Tyack Mr David Oates Mr Rodney Walker Mr Hamish Robertson Mr Bill Donnellon

Mr Shayne Clark Mr Tim Ford Mr Neil Findlay Mr Glenn Beasley Ms Rosemary Richards Abhishek Kotkar Mr Paul Pearsall Mr Andrew Goyder Mr Derek Larnach Mr Sanjiv Dubey Mr David Brown

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Transport Operator

Gehrke Grains and Transport Pty Ltd Hamilton Contracting (NSW) Pty Ltd Pacific National (NSW) Pty Ltd SEAWAY Intermodal Pty Ltd

Broker

Large

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Sole Operator

A C Grain Allied Grain Pty Ltd Cogeser (Australia) Pty Ltd Esquire Commodities Pty Limited Farm Tender Lotema Pty Ltd Mallon Commodity Brokering Quest Commodities Pty Ltd Wimmera Mallee Grain Services Woodside Commodities Pty Ltd

Corporate

Large

ASX Limited Australia And New Zealand Banking Group Australian Grain Technologies Pty Ltd Commonwealth Bank of Australia

Medium

AgriDigital Agrifood Technology Pty Ltd Amspec Australia Pty Ltd Australian Superintendence Company Commodity Inspection Services (Australia) Pty Ltd Foss Pacific Pty Ltd Holding Redlich Holman Fenwick Willan Intertek SBA Law SGS Australia Pty Ltd T-Ports Pty Ltd Viridis Ag

Small

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International Affiliate CCIC Australia Pty Ltd

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

Merchant Association

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

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