

Our ref: DG37274

Your ref: CCF/449 DOC19/43038

17 OCT 2019

Mr Sal Petrocitto
Chief Executive Officer
National Heavy Vehicle Regulator
PO Box 492
FORTITUDE VALLEY QLD 4006

Dear Mr *Sal* Petrocitto

Thank you for your letter of 19 September 2019 enclosing the Grain Harvest Management Schemes (GHMS) Review Issues Paper submission.

The Department of Transport and Main Roads (TMR) welcomes the initiative being undertaken by the National Heavy Vehicle Regulator to review the current GHMS.

TMR would also support the review to include other agricultural commodities schemes currently offered in Queensland, including the sugar cane and log timber concession schemes.

TMR has provided direct responses to the questions posed in the GHMS Review Issues Paper in the enclosed document.

If you require further information with this review, I encourage you to contact Mr Mark Mitchell, Director, Heavy Vehicle Policy, TMR, by email at mark.m.mitchell@tmr.qld.gov.au or telephone on 3066 1249.

Yours sincerely



Neil Scales
Director-General
Department of Transport and Main Roads

Enc (1)

Grain Harvest Management Schemes Review - Queensland Transport and Main Roads Response

Existing GHMS

Barriers (p8)	Are there barriers to the adoption of the current scheme?	Not that TMR is aware of, the application process and requirements are well documented on the AgForce website.
	If you are an operator – are the current schemes easy to understand and apply?	NA
	Do drivers know about the current schemes and their obligations under them?	TMR Compliance Officers have intercepted a small number of drivers that have displayed limited knowledge of the GHMS.
	What has been your experience operating across borders? Are there any barriers to cross border grain transportation?	Qld accepts cross border GHMS masses. It is up to the operator if they wish to travel in excess of the neighbouring state's (NSW) scheme or regulation weights.
	What are your thoughts on the eligibility criteria for operators to join current GHMS?	TMR supports the current requirements of the Qld scheme.
Compliance (p8)	Does the current scheme support operators and the grain industry to be more complaint under HVNL and/or scheme requirements?	The scheme has been in force since 1999. The flexibility provided to drivers and operators reflects high compliance rates with the scheme.
	Does the current scheme provide operators enough opportunity to rectify their loading practises? Why/why not? Through what methods?	The scheme was created to allow flexibility for off-farm loading. The 7.5% gross and 10% axle weights were not designed to be used for additional productivity but to maximise loading to GML limits.

		<p>If drivers are loading to regulation weights, the scheme provides the flexibility to drivers and operators on individual axle and gross mass limits.</p>
<p>How often do grain receivers check to ensure there has been no continued and/or repeated gross overloading? What methods do they use to verify this?</p>	<p>Grain receivers report to both AgForce and TMR in relation to loads being received, AgForce and TMR monitor the reports for both compliance and no-compliance with the scheme. Transport operators are monitored across all receiptal points.</p>	
<p>What are the consequences for an operator who fails to meet scheme standards (such as through repeated overloading)?</p>	<p>A show-cause process is utilised, operators are requested to demonstrate why they should not be removed from scheme. Failure to provide sufficient justification will result in exclusion from the scheme for the season.</p>	
<p>Are there circumstances in which a registrant can be excluded from the scheme?</p>	<p>Generally delivering three, or more, overloads within a season, or delivering what is defined as a rejected load.</p>	
<p>For grain receivers specifically – do you have any other applicable assurance processes?</p>	<p>Approved GHMS Receivers have agreed to allow TMR officers access to their sites to undertake audits, educate their staff and discuss any issues associated with the GHMS. This will also allow any suggested improvements to be discussed with TMR.</p>	
<p>Benefits (p8)</p>	<p>Do you find the current GHMS effective and worthwhile? Why or why not?</p>	<p>Yes, the GHMS enables some control and provides visibility of loads being delivered to GHMS receivers. All loads received from registered GHMS Receivers provide reports to AgForce/TMR. These reports assist in compliance being able to direct their enforcement resources to areas that are identified as higher risk.</p> <p>The is some tension between the Scheme’s policy intent as a compliance scheme, rather than as a mass concession.</p>

	What mass limit do you currently operate under? Should this limit be reduced or expanded?	7.5% gross weight 10% axle weight (noting that the 10% does not apply to steer axles at 6.5t) A detailed network review may be required to better inform operational levels into the future.
Other Issues (p8)	Please add an additional comments section in your response, to provide any other comments you think are relevant to this review.	The current Qld GHMS requires a review to ensure all current legislative requirements are adequately covered eg Chain of Responsibility obligations. There needs to be a clear policy intent regarding whether the scheme is to provide a compliance tolerance or a mass concession.
Designing a National Harvest Management Scheme (HMSS)		
Purpose (p9)	Is the stated purpose sufficient to ensure the efficient running implementation and effective operation of a national HMMS? Should any other objectives be listed?	Yes No
Structure (p9)	Please indicate your preference for options 1, 2 or 3; and provide reasons Do you have a suggested proposal for an alternative	Option 1 - Rationalise existing state-based GHMS notices to create one HMMS national notice, while allowing separate state-based GHMS to exist in their current form appears to be the most suitable. TMR would prefer to retain the framework of our GHMS, it has been successfully operating for Approximately 20 years. The scheme has significantly reduced the occurrences of overloads and allowed TMR to better utilise resources. No

	framework which is not listed above?	
Administration (p10)	Is the role of Scheme Administrator role best undertaken by a regulatory body or co-operatives? Please provide reasons for your response.	The current Qld GHMS operates as a co-operative arrangement between AgForce and TMR. AgForce provides monitoring and administrative function of the scheme, with TMR providing oversight and enforcement. This arrangement has been in place since the schemes inception in 1999 and suitably delivers on the requirements of the scheme.
	What powers should the Scheme Administrator have?	This is dependent on who is considered as the scheme administrator? As mentioned in the above response the Qld GHMS engages AgForce to monitor the data and undertakes 'soft compliance' (education). No actual legislative powers are delegated to Agforce. TMR retain the regulatory function of the scheme including audit, enforcement, show-cause, etc.
	What roles should the Scheme Administrator perform?	TMR considers the current arrangement with AgForce works very well.
	Should grain receivers establish operating procedures and a conditions guide specific to their site?	Yes, different site lends to different practices particular consideration to discharging Chain of Responsibility obligations.
Registration (p10)	Please indicate your preference for either option 1, 2 or 3. Please provide reasons for your response.	Option 3 – provided the producer is transporting grain. Current TMR scheme does not require the producer to be registered if they are not performing the transport function.
	Do you have a suggested proposal for who may be a	See above

	<p>participant who is not listed above?</p> <p>What should the registration process look like?</p> <p>How and for what reasons can a registrant be excluded from the scheme?</p> <p>What, if any, mandatory obligations should be included as part of the GHMS national scheme?</p>	<p>Current AgForce registration processes are adequate.</p> <p>Receiver - not supplying reporting, not rejecting overloads, incorrect reporting Participants – overloading.</p> <p>Ensuring participants also adhere to HVNL requirements and standards eg roadworthy vehicles and non-fatigued drivers, etc.</p>
<p>Commodities (p11)</p>	<p>How should 'commodity' be defined in a new HMMS?</p> <p>Which agricultural commodities should the scheme include and/or exclude? Please provide reasons for your response.</p>	<p>TMR would like an overarching Scheme to cover various agricultural products, including Sugar Cane, Log Timber and Grain. A high-level governance framework could be developed leveraging the commonality across the schemes, with sub-schemes including product specific nuances, exemptions, etc. For example, a National Agricultural Commodities Scheme.</p> <p>Sugar Cane, Log Timber and Grain. TMR currently operate 3 concession schemes, all offering the same allowances, administration and auditing. A combination of these schemes would streamline processes and also provide ability to add different commodities.</p> <p>Specific Grain Products</p> <ul style="list-style-type: none"> • Grain • Oilseeds • Pulses • Silage

<p>Vehicle Types (p11)</p>	<p>Should any configurations be included or excluded from this list?</p>	<p>TMR currently also include truck and pig trailers. B-triples and AB-triples do not need separate itemising as they are considered Road Trains. A full list of approved vehicles can be located at https://agforceqld.org.au/file.php?id=3680&open=yes</p>
<p>Mass Allowances (p12)</p>	<p>Should Performance Based Standards (PBS) vehicles be considered?</p>	<p>No. This would be against the fundamentals of the PBS scheme to permit axle masses higher than the General, Concessional or Higher Mass Limits.</p>
<p>Mass Allowances (p12)</p>	<p>Should there be a nationally set mass limit tolerance? What should this tolerance be (5%, 7.5% or 10%)? Please provide reasons for your response.</p>	<p>Qld scheme of 7.5% gross and 10% on an axle. These masses have been long standing in Queensland and well accepted by the industry</p>
<p>Compliance and Reporting (p12)</p>	<p>To whom and in what format should reporting occur?</p>	<p>Reporting to Administrator and maybe National agricultural body for example, AG Force. Excel is an easy and widely used data collection format</p>
	<p>How frequent should reporting be?</p>	<p>Depending on season reporting should range from daily to weekly. Receivers who receive large numbers of deliveries should be daily during harvest.</p>
	<p>How many instances of non-compliance can occur before the operator is removed from the scheme?</p>	<p>Three minor or one major breaches.</p>
	<p>Will the forfeiture to charity option for overloaded trucks be likely to improve compliance with the scheme? Can you suggest other</p>	<p>The Charity Bin concept is a good idea. However, all receiptal points may not be able to support this initiative.</p>

	options for dealing with excess loads?	Receivers should be empowered to develop their own methods to mitigate their chain of responsibility requirements. However, TMR would not support an approach where overloads are turned away from the receipt point.
	Should a national audit framework be implemented by the scheme administrator to audit all parties involved in the scheme?	Yes, TMR supports this concept.
Routes (p12)	Should a HMMS network or pre-approved routes be established as part of the Scheme?	It would be extremely difficult to map locations of all producers and potential destinations.
	Should these networks or pre-approved routes be defined jurisdiction, or should it be national networks?	Please refer to the above response.
	Should the rule of delivery having to be to the 'nearest approved grain receiver' be implemented?	Yes, it is an integral part of the scheme to minimise exposure of vehicle operating at above regulatory masses.
Timing (p12)	Should a national HMMS run all year round or be time limited?	Yes, financial year. With larger quantities of grain being stored on farm, grain can be transported off farm all year round.
Other Issues (p13)	Please add an additional comments section in your response, to provide any other comments you think are relevant to this review.	