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Valeriia Leonte  
Policy Advisor  
The National Heavy Vehicle Regulator

Sent electronically: [info@nhvr.gov.au](mailto:info@nhvr.gov.au)

17 October 2019

Dear Ms Leonte

**RE: GRAIN HARVEST MANAGEMENT SCHEMES REVIEW**

Grain Producers SA (GPSA) is the peak industry body for South Australian grain growers. GPSA is non-political and represents producers to government, the community and industry, including grain marketers, exporters, storage and handlers, researchers and farm input suppliers.

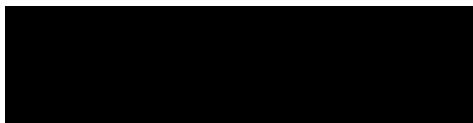
We develop and implement policies and projects that promote the economic and environmental sustainability of South Australian grain growing businesses.

We welcome the opportunity to provide this written submission to the National Heavy Vehicle Regulator on Grain Harvest Management Schemes operating across Australia.

As the peak industry body for South Australian grain growers, I confirm that GPSA would be willing to provide further consultation prior to the NHVR releasing a discussion paper.

If you have any queries, please don't hesitate to contact me on 1300 734 884.

Yours sincerely



**Caroline Rhodes**

Chief Executive Officer

**Submission by Grain Producers SA (“GPSA”) in response to the National Heavy Vehicle Regulator’s (NHVR) Grain Harvest Management Schemes Review.**

## **1. Introduction**

Grain Producers SA (GPSA) welcomes the National Heavy Vehicle Regulator’s focus on reviewing processes that increase cross border ease of access, in order to boost regional industries, grow regional economies, and better connect our regions.

The Grain Harvest Mass Management Scheme (GHMS) in this submission refer to the loading management concessions applied in South Australia’s Grain Carriers Code of Practice (‘the Code’) for General Mass Limits (GML) to all heavy vehicles, and the Heavy Vehicle Farm Gate Grain Transport Mass Exemption Notice 2015 (No.1) for certain heavy vehicles operating under mass management accreditation at concessional mass limits.

## **2. Structure**

The Code has been in place in South Australia since 2010. GPSA has been advised that the NHVR has confirmed that the transitionally registered Industry Code will continue until such time as a replacement legislative instrument is drafted.

The Code does not stipulate an upper limit for variation to mass. However, loading that exceeds 105% has been regarded as mass levels at which the loaders ‘knew or reasonably ought to have known’ of an overload. The Code does not provide a defence for such breaches. The paddock loading procedure in the Code requires all loads after the first three loads to be within legal limits.

The Notice provides for the loaded mass of a heavy vehicle to be less than 105% of the normal mass limit. The paddock loading procedure in the Notice is only applicable to the first and second load carried on a given day.

## **3. Barriers**

South Australia’s grain producers follow simple but effective procedures to ensure loading to the legal weights. Producers would be ill-advised to use the Code or the Notice allowances to knowingly overload harvested grains for delivery off-paddock.

GPSA believes that loaders and vehicle operators aiming for statutory mass limits when loading vehicles off a paddock must have an allowance for a margin of error during the loading process based on two critical factors:

- 1) The general lack of weighing facilities in-paddock, and
- 2) Unknown variations in grain densities.

The NHVR Grain Harvest Management Schemes Review Issues Paper recognises that South Australian grain farmers are at a disadvantage in not having a GHMS when compared to interstate grain farming colleagues that may exceed by greater than 5% gross vehicle mass and axle group mass limits.

In comparison, Queensland’s AgForce GHMS 2019/20<sup>1</sup> shows a primary benefit of GHMS membership is for members to receive greater weight tolerances for loading grain, oilseeds and pulses on-farm (7.5 per cent flexibility on gross mass limits and 10 per cent maximum flexibility on regulation axle/axle group masses). AgForce has demonstrated that this system is an effective solution to loading grain commodities when a weighbridge is not accessible.

Although other jurisdictions lead South Australia, our grain farmers and their road carriers make use of new technology to improve grain loading. GPSA believes that an opportunity exists to expand upon the most favourable GHMS.

#### 4. Compliance

Complying with the Code is voluntary but, by proving compliance, vehicle operators and loaders can defend a charge of minor risk breaches.

South Australia’s major receipt, storage and handling organisation, Viterra maintain active monitoring of heavy vehicle loads received, which includes notifying the vehicle operator of any overloading to any extent, with a weigh note marked with a mass breach warning.<sup>2</sup>

2016-17 1.29% of all loads delivered were greater than 5%		
<b>Overload Range</b>	<b>Number of loads</b>	<b>% of Total</b>
No	133,519	71.53%
<1%+	21,014	11.26%
1%-2%+	14,390	7.71%
2%-3%+	8,533	4.57%
3%-4%+	4,445	2.38%
4%-5%	2,350	1.26%
5%+	2,413	1.29%
Grand Total	186,664	100.00%

Source Viterra 2016-17 Harvest deliveries

2017-18 Harvest loads delivered are greater than 5% represented 1.91%		
<b>Overload Range</b>	<b>Number of loads</b>	<b>% of total</b>
No	79455	65.97%
<1%	16275	13.51%
1%-2%	10794	8.96%
2%-3%	6163	5.12%

<sup>1</sup> <https://agforceqld.org.au/file.php?id=6123>

<sup>2</sup> Viterra a Glencore Agriculture Company – Vehicle operators’ handbook

3%-4%	3481	2.89%
4%-5%	1970	1.64%
5%+	2307	1.91%
<b>Grand Total</b>	<b>120445</b>	<b>100.00%</b>

Source: Viterra 2017-18 Harvest deliveries

South Australia's past management of mass from the paddock to the delivery point has demonstrated that a sound basis exists for the implementation of a future GHMS for participants complying with certain conditions to exceed 5% gross vehicle mass and axle group mass limits.

## 5. Benefits

Decisions taken by loaders and vehicle operators can improve road safety both by changes to their future loading operations out of the paddock and by influencing the behaviour of all involved in the off-farm grain delivery chain. The Code and the Notice encourages loaders and vehicle operators to implement road safety advantages by providing a defence for a minor load breach. Managing risk therefore inherently becomes good business.

The National Transport Commission reports that industry developed codes of practice provide a strong base-line for raising standards across the industry as a whole, and assist industry in raising the level of compliance with regulatory requirements beyond the legal minimum.<sup>3</sup>

## 6. Recommendations

GPSA supports a nationally consistent regulatory framework that provides a risk-based and transparent assessment of any proposed national Harvest Mass Management Scheme:

1. Participation by all receivers of grain commodities in a national GHMS to remove the potential for competitive pressures to induce receivers to encourage overloaded deliveries.
2. Overload mass of up to 5% for all industry participants with no requirement for registration in a scheme, and with access to all public roadways for the applicable vehicle type.
3. For overloading greater than 5%, a mass maintenance scheme based on the most favourable model identified by NHVR – this includes an assessment of the fairness and benefits for grain farmers in jurisdictions utilising such schemes that are eligible for operations at greater mass limits.
4. The task of heavy vehicle safety is everyone's responsibility and all receivers should manage delivery onsite of overloaded vehicles and not return overloaded vehicles to public roadways.

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<sup>3</sup> CORPORATE INITIATIVES TO IMPROVE ROAD SAFETY AND THE ASSOCIATED PRODUCTIVITY AND ENVIRONMENTAL BENEFITS Manager, Strategic Policy and Corporate Safety, at the National Transport Commission. (n.d.). [online] [Accessed 29 Sep. 2019].

5. All receipt data should be managed by the receiver for compliance with mass requirements rather than imposing penalties through the NHVR. The regulator shall have processes in place to communicate with wrongdoers.
6. GHMS should relate to a vehicle mass and should not be complicated at delivery by a requirement for information recording processes related to individual axle weighing.
7. Loaders and vehicle operators should have three (3) attempts per paddock each workday to ensure that the fourth load complies with legal mass requirements.
8. Loads shall be delivered to the nominated receiver in accordance with the commodity owners delivery instructions.