



18th July 2016

Mr Paul Lindwell
Presiding Commissioner
Productivity Commission
GPO Box 1428
Canberra City ACT 2601, Australia

Response to Draft Report on Regulation in Australian Agriculture

The Livestock & Rural Transport Association of Western Australia (Inc) (LRTAWA) represents the majority of livestock transporters in WA and a large proportion of transporters carrying other commodities used in primary production such as grain, fertiliser and lime. Throughout the course of a year its members travel nearly every road in WA from main highways to dirt tracks in one of the most geographically diverse road networks in the world. This includes nearly 130,000 kilometres of local road network, 18,500 kilometres of main roads and more than 5000 kilometres of national highway spread over an area of 2.5 million square kilometres. As such the LRTAWA has a significant interest in ensuring the road network is accessible to high productivity combinations, particularly for the 'last mile' access to and from the farm gate in addition to ensuring the network is well maintained and has a high level of connectivity. It is also important that safety regulation such as accreditation and fatigue management deliver a high standard of safety at the same time as being practical and user friendly.

Two issues have arisen as a result of the finding in the draft report. Firstly, it is understood that the discussion as to whether WA should join the National Heavy Vehicle Regulator arose during the recent public hearing process.

Since 2009 this Association has lobbied against WA joining the NHVR on the basis that there would be no benefit for WA transport businesses. We considered at the time that the WA system had many advantages over the proposed national system and there was a high risk of detriment to the industry's productivity and efficiency. It is estimated that less than 5% of the Western Australian heavy vehicle fleet crosses the border although it is recognised this estimate does not account for vehicles coming in to WA from other states.

Whilst we recognise the huge effort invested in improving NHVR response times and the transport friendly approach that is currently being adopted we do not believe the system can yet demonstrate the level of efficiency necessary to allay the LRTAWA's original concerns. For example heavy vehicle access under the NHVR model is provided by way of permit similar to how it was provided in WA several years ago. We understand that operators are frustrated by re-assessment for each permit which often results in long delays for approval. We remain concerned about a possible compromise to the integrity of the WA fatigue management regime if our state was to adopt the NHVR system.

An improvement in productivity and efficiency should be the main objective of national regulation, not national regulation itself. The LRTAWA is working with Main Roads Western Australia to identify improvements to our system, including adopting NHVR processes where they demonstrate superiority, so the WA system continues to improve and innovate. At the same time we keep the national system under review to assess whether the productivity benefits have reached a point where the current position should be revised.

Secondly, draft recommendation 8.3 of the draft report recommends that the National Heavy Vehicle Regulator, road managers, and relevant third parties (such as utilities and railway companies) should ensure that requirements for moving oversized agricultural machinery are proportionate to the risks involved. To achieve this they should, wherever possible, make greater use of gazettal notices or other exemptions for oversized agricultural machinery, and issue permits for oversized agricultural machinery that are valid for longer periods and/or for multiple journeys.

Whilst the LRTAWA is generally very supportive of a risk assessment approach to regulation our members repeatedly raise concerns about near misses on rural roads when encountering agricultural equipment being towed. Agricultural equipment is often large with varying dimensions. At the risk of introducing more regulation, there should be accredited training for those escorting towed agricultural equipment so they are aware of their obligations to other road users.

Thank you for the opportunity to provide additional comment.

Yours faithfully

Stephen Marley
President