



1 December 2023

National Transport Commission
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Australian Livestock and Rural Transporters Association (**ALRTA**) is pleased to make a brief submission on the Heavy Vehicle National Law Consultation Regulation Impact Statement (**the C-RIS**).

The ALRTA is the peak body representing road transport businesses servicing the agricultural supply chain. We are a federation of six state associations including:

- Livestock, Bulk and Rural Carriers Association of New South Wales
- Livestock and Rural Transporters Association of Victoria
- Livestock and Rural Transporters Association of South Australia
- Livestock and Rural Transporters Association of Western Australia
- Livestock and Rural Transporters Association of Queensland
- Livestock Transporters Association of Tasmania

Together our associations represent over 700 transport businesses including owner-drivers, small fleet operators and large fleet operators with hundreds of trucks and trailers.

It makes the following observations on the C-RIS:

Fatigue Management and Record Keeping

ALRTA acknowledges fatigue management is an important part of managing the safety outcomes on Australia's roads. It notes that flexibility in managing fatigue is required, this includes ensuring infringements for alleged offences to be proportionate.

ALRTA agrees the scope of fatigue management should be expanded to include all heavy vehicles with a GVM over 4.5 tonnes, with an exemption for local work. ALRTA supports **option 2d**: Prescriptive fatigue requirements for all HVs > 4.5 tonnes, work diary exemption for local work (all HVs).

With regard to enforcement ALRTA support a package of enforcement based on the options contained in the C-RIS:

- **Option 3a (amended)**: A 14 day limit on the timeframe for issuing an infringement notice or court attendance notice for a work and rest hour or record keeping breach
- **Option 3c (amended)**: A process to review fines for 'trifling' administrative offences and, as an ATA addition, offences already dealt with under a business's internal procedures
- **Option 3e**: More support for the use of formal warnings for offences relating to work diaries, including minor fatigue risk breaches

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There should be consideration for the inclusion of an additional option which is a reduction in penalties to be proportionate to the alleged offence. Serious offences should be dealt with as safety duty breaches. Administrative errors (that are not intentionally fraudulent) should be dealt with initially via education, if that fails, small infringements equivalent to a parking ticket sum could be considered. Currently, trivial administrative errors are dealt with heavy handedly and not proportional to the safety risk posed.

ALRTA cautions against mandatory Electronic Work Diaries (EWD) given the cost and impacts caused by network coverage in regional and rural areas.

Access

ALRTA support the proposals contained in options 4b, and 6 to develop a new general mass limit (**GML**) to effectively replace the current concessional mass limit (**CML**). This would allow for:

- The adoption of Euro VI vehicles
- Increase driver comfort by enabling wider sleeping berths
- The length of B-Doubles should be increased from 26 meters to 27 meters to support this change.

ALRTA supports the adoption of 4b as it would produce the same increases in productivity for Euro VI vs Euro 0-V trucks. ALRTA agrees that the adoption of 4a would be an improvement on the base case however, productivity would decrease over time.

The adoption of Euro VI vehicles in Australia is a critical step in Australia's decarbonisation journey and therefore the Australian Government should be supportive of incremental measures that support this objective.

ALRTA supports the **option 5a** to increase the prescribed height limit to 4.6 metres. This will reduce administrative burdens for livestock carriers and thus increase productivity. Some carriers report they apply for over 500 permits per month to transport livestock through the supply chain.

From stakeholder consultation group feedback, ALRTA acknowledges there has been some concern regarding potential increases in rollovers and issues with clearance heights. From feedback many State jurisdictions are not opposed to 4.6m height vehicle and trailers, concerns regarding rollovers could be mitigated by ensuring stability controls are fitted to trailers.

Jurisdictions have also confirmed powerline and tree line clearance is currently set at 4.9m.

ALRTA note feedback from other organisations around concerns regarding lack of height data in mapping tools. ALRTA note livestock carriers already operate without these technologies with minimal incidents related to bridge and powerline collisions. These types of incidents typically occur with general freight carriers, such as the infamous Montague Bridge in Melbourne, therefore ALRTA considers these concerns to be baseless in a livestock carrier context.

There is also an opportunity for technology partners to include height clearances in future releases of mapping software. The increase in productivity significantly outweighs the risk posed by not increasing height limits.

National auditing standards

ALRTA is supportive of measures that harmonise auditing and assurance measures across the supply chain. It is imperative that a National Audit Standard is developed and adopted to reduce administrative burden on operators whilst ensure safety objectives are achieved.

The cost of doing multiple audits by an operator is not to be underestimated and carves into profitability and the eats into reserves which could be used for business, fleet and operational improvements.

ALRTA note the six core requirements for a national auditing scheme set out on pages 111-112 and as such support **option 7a (a national auditing scheme being prescribed in primary law with requirements included in regulations)** the appropriate manner to develop national auditing standards.

Although outside of the scope of the C-RIS, consideration should be made to with regard to the sharing of audit information and auditor training requirements. These elements are critical to achieve productivity and safety uplifts.

Thank you for the opportunity to make a submission on the C-RIS. Should you have any questions, please contact Rachel Smith, Executive Director at executivedirector@alrta.org.au or 0433 569 301.

Yours sincerely



Scott McDonald
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