



**Road Transport Speech
1 June 2006**

Shadow Minister for Regional Development Liz Penfold expressed concern about the potential for unachievable weight compliance requirements for grain trucks in the "Road Transport Compliance and Enforcement Bill" currently before parliament.

Mrs PENFOLD (Flinders): Moves to influence standard road rules across Australia are to be commended. Road transport is set to increase in the future, while private vehicles also are rising in number with the greater use of our roads through a lift in the mobility of ordinary people. Nevertheless, consideration must be given to the differences that occur across the nation when it comes to road transport. I have been contacted by constituents who are concerned about the lack of tolerance in the bill as it is applied to the carting of grain. I quote a letter published in the *Stock Journal* on 9 February 2006:

The Road Transport Authority's proposed ability to access the ABB Grain Ltd computer data of farmers' individual weigh notes, for use in the prosecution process, will issue in another Draconian and costly law.

I am not condoning overloading in principle, but due to the difficulty of judging the weight of grain from load to load, paddock to paddock, I feel farmers should be given at least an eight to 10 per cent tolerance on load weights (similar to Queensland's regulations).

This issue relates to about one month in the year for most farmers. We lack access to weighbridge facilities, and the suggested solution that we run our trucks half-full to avoid prosecution will lead to added frustration, faster trips and more road damage.

Through personal inquiries, I am disappointed to discover that neither the South Australian Farmers Federation nor ABB Grain is defending farmers' rights.

One could also add that this government has no concern for farmers. That is perhaps understandable since the members of the government have virtually no first-hand experience in primary production. They only see primary industry as a cow to be milked, as a source of government revenue.

It is a fact that profitable businesses contribute to government revenue and therefore the standard of living of all of us. But unprofitable businesses soon close, withdrawing revenue, creating unemployment, draining the public purse in many ways and, most important of all, lowering the standard of living for all of us. Slugging primary producers and their interlinked businesses until they become unprofitable is a recipe for financial and economic disaster across the state, yet the government does not appear to understand this.

An editorial in the *Stock Journal* stated that if federal, state and territory governments accepted the National Transport Commission's recommendations 'they will be rolling back the road transport achievements and putting in jeopardy the economic viability of regional towns'.

The Hon. P.F. Conlon interjecting:

Mrs PENFOLD: You should stop bullying people all the time and harassing them.

The Hon. P.F. Conlon interjecting:

The SPEAKER: Order!

Mrs PENFOLD: It is perhaps no accident that Queensland is the fastest-growing state in Australia, because Queensland looks at the national transport proposals to question how they will affect their own businesses, including producers. Therefore, that state is introducing a tolerance for overloading in certain instances. In a letter dated 3 March 2006 to the state Minister for Transport on this issue, I wrote in support of Mr Jon Fromm's concerns:

The carting of grain involves many variables which can affect the bulk density and grain weight i.e. moisture content, quality of the grain and type of grain. Generally farmers do not cart on a regular basis, only during harvest. I understand some trucks are fitted with gauges, however they only give an indication of the load weight rather than an absolute reading.

Mr Fromm like many other farmers does his own carting during harvest and is very concerned about his liability under the proposed legislation if he should accidentally overload his truck. Jon is suggesting that farmers should be given a tolerance of eight to 10 per cent of load weights. He also suggests that the tolerance rate be on a sliding scale depending on the truck size and combination.

I am very aware of and support local councils' concern regarding damage to local unsealed roads during the harvest season by overloading grain trucks.

Due to the unpredictable nature of grain some consideration should be given to farmers under the proposed Chain of Responsibility legislation. I ask that up to an eight to 10 per cent tolerance be allowed for grain truck load weights.

The minister's reply, received on 17 May 2006, was negative in every respect. The minister stated:

The new legislation does propose that drivers and operators will have access to a defence if they have taken all reasonable steps to prevent the breach and the breach is only a minor risk breach.

However, I can find nothing that explains what a 'minor risk breach' is or what constitutes 'reasonable steps'. Leaving such decisions to the whim of individuals does not augur well for the consistent application for any of the proposed national road rules.

Another aspect that has not been mentioned is the issue of greenhouse gases and climate change. The suggestion that trucks only run at half capacity to avoid breaching the loading weights is ludicrous. It would mean double the trips on unsealed roads with consequent damage caused by road usage and a huge increase in damage to the environment as well as the damage to other road users.

During Labor's term in state government, I have noted the deterioration in regional development and the gradual withdrawal of funding and services from regional South Australia. Nowhere is this more in evidence than in the state's rejection of its responsibility for road maintenance. I could also add rail to that. I urge members to take a commonsense view of the practical application of this legislation and agree to the minor amendments proposed by my colleagues, particularly the member for Stuart.