CORRECTED TRANSCRIPT

RURAL AND REGIONAL SERVICES AND DEVELOPMENT COMMITTEE

Inquiry into cause of fatality and injury on Victorian farms

Robinvale – 23 March 2004

Members

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Witnesses

Mr N. Muraca, President (sworn); and
Mr P. McIntosh, Individual (sworn), Robinvale and District Table Grape Growers Association.
The CHAIR — Under the powers conferred on this committee by the Constitution Act and the Parliamentary Committees Act, this committee is empowered to take all evidence at these hearings on oath or affirmation. I wish to advise all present at these hearings that all evidence taken by this committee, including submissions, under the provisions of the Constitution Act is granted immunity from judicial review. I also wish to advise witnesses that any comments made by witnesses outside the committee’s hearings are not protected by parliamentary privilege.

This is an all-party parliamentary committee, including members from the Liberal and National parties and an Independent member.

I ask you to give your full name and address and if you are representing an organisation, the name of that organisation and your position within that organisation.

Mr MURACA — My full name is Nick Muraca. That is my full name; I did not get a second name. I am the President of the Robinvale and District Table Grape Growers Association. I thank the committee for the opportunity to attend tonight.

The table grape industry in Robinvale is probably the moneymaker out in the district; I would go so far as to say that it is probably the biggest moneymaker right throughout the Murray Valley. The size of our industry in Robinvale and district is probably 4000 hectares of table grapes grown. We do not really know the gross value, because we have only just implemented a national levy 12 months ago. If you talk to me in 12 months’ time I will be able to give you a better figure after we have collected some levies; we will then know what it is per unit. We are collecting 10 cents per 10 kilograms, so in 12 months’ time, after we have another collection, with perhaps no leakage, we will perhaps know or have a better idea of what our industry is actually worth. But if you asked me to make a guessestimate, I would say it is worth somewhere between $100 million to $150 million, and I am talking about only Robinvale and district.

The industry here is owned by about 120 business entities. However, there are a lot more families involved in this because most of the table grape growing businesses in Robinvale are made up of perhaps a father and three or four sons, so you actually have four or five families in most cases — and the sons are my age or my boys’ age — and there are usually three or four involved in one business name. As I say there are about 120 business entities, with many more families involved.

In terms of employment, at the peak of our season, which is now, at harvest time, we employ somewhere between 2000 and 3000 itinerant workers for a period of about three months. Other times of employment are from about July to September, at pruning time, but nowhere near the number of people we employ during harvest; if I was going to guess I would say we would be employing about a third or even a quarter of what we employ at harvest time. Other times of employment are October–November through to December, when we employ probably 1500 to 2000 people, but for a shorter time, and that is the period we call bunch trimming time, when we actually adjust our crop levels.

In terms of death or serious injuries in the table grape industry, although I stress that any death or any injury is too much and not acceptable, because of the nature of the work that we do, with most of it being manual labour, the risk element is probably nowhere near as high as in the general farming sector. The workers out in the field are out there with only a pair of secateurs in most cases; the employees are not at great physical risk at that time of the year. However, I must stress that there are tractors and other machinery running around as well, but in most cases it is not being operated by itinerant or harvest labour people that we employ.

Most properties have some sort of quality assurance (QA) program in place. It is a prerequisite by people that we sell to. If we are selling our product overseas it is a prerequisite from most markets, especially going into the Europe, and even in South-East Asia it is becoming more and more a prerequisite. Most of the supermarket chains that we deal with, being Coles, Safeway and Woolworths, if we are dealing directly with them it is a prerequisite again. If you are an agent in the Melbourne, Sydney or Adelaide markets or wherever you may be, because that agent in then the supplier, they have to have some sort of QA program in place. What they do then is, if I am a producer or supplier to the agents, they turn around again and say, ‘Right, the onus is back on you. Where’s your QA program? I need at least a spray diary. What are you doing?’ Having said that, most properties in the district have some sort of QA program in place, and of course then to be audited and accredited there is the occupational
health and safety side of it as well. I point out that the table grape industry is probably a step further ahead than perhaps some other farming sectors in that way of things.

Probably the other area, which will be raised tonight no doubt, is the chemical use side of things. In order to have a QA program and to be accredited it is something that you have to have in place: in order to receive accreditation you have to have chemical users course. I do not think there are many people out there in the table grape growing region of the Murray Valley that have not done a chemical users course and are not accredited to use chemicals. There always is and always will be the rogue element in every industry, and the table grape industry and the organisation that I represent in no way support that small percentage that will always be there, regardless of whatever industry we are talking about. We welcome any form or any way that we can educate our people, my fellow workers out there, even more.

I think the educational approach is what we ought to take. The previous witness, Mr Denner, mentioned going through schools et cetera. A lot of year 11 and 12 students from schools in the Robinvale area will often go to do horticulture. I almost think it is something that ought to be compulsory. Perhaps there can be a module in one semester where the students go out and do something to do with farm safety and occupational health and safety. I think there is some room for education and awareness. More could be done here on an educational level, training programs et cetera.

I will try to answer any questions that committee members may have.

Mr McIntosh — My full name is Peter John McIntosh. I am here as a representative of myself, apparently. It is marvellous, having been involved in industry politics for a long time, as I have been, to suddenly be called an individual. But I am obviously very aware of the issues in respect of health and occupational safety and some of the problems that we have on our properties. The beaut part about my friend and colleague here is that he is eloquent in two languages, which sometimes scares me!

I am thinking about some of these issues. There is no doubt that in my time in horticulture, which is now getting to a scary length of time, things have changed dramatically. I think the only major hazard that we used to have at harvest time was a hangover the next day, after we had consumed a slab too many after a good day’s picking and it was all field work. As Mr Muraca said, work in the industry, particularly the dried fruit industry and to an extent the wine grape industry initially, was mostly manual work, and a packet of bandaids in the tractor box and a few things like that would solve most problems; the odd person getting in the way of the tractor hardly ever happened. Everybody seemed aware and it was not an issue.

But now, being involved in the wine grape industry as well, there is no doubt that we have a lot more spinning and cutting things; we have a lot more machinery moving late at night. Last night we were harvesting and were moving something like 200 tonnes of fruit. It is a big operation with heavy machinery, bins being loaded weighing 2.5 tonnes, cranes being operated in the middle of the night, because that is when you have to operate them, so there are some issues.

Fortunately people are aware of it. In discussions with the wine grape-growing industry, they have developed a code of practice and are trying to make growers more aware of the dangers of what we are dealing with here. If you took the overall view of what we deal with on our properties now, all of us have angle grinders and all of us do things that otherwise would have been sent to a tradesman. All of us have a dip, if you like, and we take the risks. There is no doubt about it. Given that there are so many bits and pieces out there it is almost surprising that there are not more accidents. I like to think that, as human beings, sometimes we are not so stupid. If it spins, do not put your finger down the thing. Just be careful! I employ two people full time plus casuals, and my son also is involved in the business. We talk about things and we are aware; I suppose we are experienced, but even the most experienced person makes mistakes. My overall view is that education is the best way to go. In my experience in industry and politics, encouragement and incentives always do better and work better than a big stick. I am absolutely convinced of that. Chemical safety is a classic case. There would have been no chemical user-training courses probably 10 years ago. Peter Walsh probably would know better, but I am pretty sure that in horticulture —

Mr Walsh — Go back about 12, I would say.

Mr McIntosh — Twelve? Well, I’m close! I am trying not to date myself too much here, Peter!
I suppose we cared, but we did not know that the message was, ‘Get out there! Do it! There are some incentives involved’. Now you will find that most people are complying. As Nick said, we always will have a rogue element in every industry, but my overall is that we should use education. I agree with training through schools, but you still need to work on the farm because that is where it is likely to happen.

Mr McQUIL TEN — What about ATVs in vineyards?

Mr McINTOSH — If you said three-wheelers, I would say, ‘Ban them!’ It is amazing how much more stable four-wheelers are. I understand the issues with helmets and all that sort of stuff, but there are some downsides to helmets. I operate properties where there are a lot of adjoining roads and we move our ATVs around. I would like to hear something. I worry about my head sometimes because if I do not hear it, I will not see it. There are some issues about that, but for the number of ATVs that are operating in this area and the number of accidents, it is pretty low. Surprisingly, once again, if you say education, kids who are brought up on a farm with a horse probably do not have too many accidents. It is probably the neighbour or the visitor who comes to the property, jumps on the horse and falls off.

Mr McQUIL TEN — My cousin died in Queensland at age 21. He had been riding a horse since he was three, and he worked on a farm all his life — my uncle’s farm. We heard today that there were two deaths on ATVs recently in New South Wales. What we are hearing is a bit different to what you are saying.

Mr McINTOSH — Let us talk about the number of movements. If you are talking about ATVs as the stock horses of these industries, the number of ATVs that are sold in horticulture is massive. I run three ATVs; if I did not have them I do not think I would run the business. We are putting machinery on ATVs. We are doing all these sorts of things, and let us be frank about it: we are doing this because we have to be efficient. We have to live out there in a big, cruel market. We put topping machines and all sorts of equipment on ATVs. We travel at speeds to try and reduce our costs so we can be competitive in international markets. Sure as hell we are going to take risks doing that, but sometimes we have to accept risk.

Mr MURACA — With farm deaths on ATVs, unfortunately we had some here years ago, but they were used more as a recreational thing by a child or person; they were not work related. Like Peter said, the neighbour visits or your own children may be on an ATV, but is the accident work related? Sure, it is part of the machinery that is on the property, but it may be being used for recreational activity when an accident happens, so the two need to be differentiated.

Mr McQUIL TEN — Whose responsibility is it then?

Mr MURACA — I heard the question before: ‘What do you put first, the cart or the horse?’ I realise that, but, yes, it is a difficult one.

Mr INGRAM — We have heard pretty clearly that a lot of the equipment that is being fitted to ATVs is not necessarily designed for them. If the industry is using ATVs, and most farmers do use them, how would you feel about having some real reviews about exactly what you are using them for? If what you are doing poses a greater risk, then maybe we should be looking at modifying the equipment — that is, the four-wheelers. I thought I would throw that up because one of the things that has been put forward very strongly is that ATVs are designed for no additional equipment and no additional weight. What is your comment on that?

Mr MURACA — An ATV generally has a label of what weight you are allowed to carry on it or what is an acceptable level. To me, if I was to mount something on it that was within that weight range, I do not really see a problem. Sure, if you were to go over the capacity of what that bit of machinery is supposed to carry, you are asking for trouble. But if it was 150 kilos, for example, and you stuck within that weight limit I do not see a problem if I am putting a lump of steel on it or having another person sitting on the front of it.

Mr CRUTCHFIELD — At 3 metres high?

Mr MURACA — Certainly. That definitely needs to be looked at. If you are doing things that are going to endanger you have on it, certainly that would need looking at.

Mr CRUTCHFIELD — Peter put the point to you that he uses ATVs, and he acknowledges he takes risks on them.
Mr MURACA — The point is that he uses it.

Mr CRUTCHFIELD — That employees on his property take risks. I understand the economic imperatives for that, but that is the issue, that is the paradigm we are at — that is, risk taking versus economic issues.

Mr McINTOSH — We have dealt with fatalities from horses. Then we went to tractors and tractor rollovers. With any bit of machinery we introduce to a farm we are likely to introduce a risk. That is an absolute truth. ATVs are probably misnamed, because they are becoming developed and designed to suit Australian conditions for farming. The Japanese are so surprised about what we do with ATVs that they beef up the front ends, they four-wheel drive them; they got away from the three-wheelers, which were dangerous — they were tripods and very dangerous. We are doing a lot of things with them, but once again it will always get down to the operator operating the machine within his ability and the machine’s ability. I do not care a stuff what sort of machinery you have got, if someone operates outside its range, that causes problems — with all the safety stuff in the world you will have a problem. ATVs are no more or less than that.

Mr McQUILTEN — In cars we have seatbelts and roll cages. We have done all these things in cars to try and prevent people from killing themselves because of their mistakes, so that is what we are thinking about now.

Mr McQUILTEN — I wonder how you are going to regulate an activity where, for instance, we are using machines to top our grapevines. The time-saving in topping a grapevine with a machine mounted on an ATV could be half.

Mr MURACA — A quarter!

Mr CRUTCHFIELD — How much do they weigh and how high are they?

Mr MURACA — Three metres was mentioned.

Mr WALSH — I said 3 metres.

Mr McQUILTEN — Two metres would be the top of your vine, would it not?

Mr MURACA — And they are not mounted that high.

Mr CRUTCHFIELD — How heavy would they be and how high?

Mr MURACA — Five feet high.

Mr CRUTCHFIELD — And how heavy?

Mr MURACA — You would only be talking about 40 or 50 kilos, that is all — 50 kilos maximum at 1.5 metres high. When I say 1.5 metres high, the mast is 1.5 metres high. The machine is not sitting up there; it is sitting halfway.

Mr McQUILTEN — That is where they are covered?

Mr MURACA — That is right.

Mr McINTOSH — We also operate trailers, and they all have a towing capacity. It is all there. They have become the mini-tractor, if you like.

Mr McQUILTEN — What about spraying? In vineyards we spray all the time. I know that there has been some discussion about whether marketers of these ATVs have been saying, ‘There is 100 litres of spray over there. You can put it on and go’, whereas the manufacturer says its 60 kilograms. Do you have any thoughts on that?

Mr McQUILTEN — I thought it was limited to 60 litres. But when a you are using motorbikes or ATVs for that sort of application you are talking about high-concentrate spraying, so you need only 60 litres and you can go a long way with 60 litres. In respect of general viticultural spraying, you are using tractors with carbon filters, closed cabins and so on. If you are talking about spot spraying or high-concentrate spraying with Roundup, you do
not need much material. Generally they are shrouded sprays because you do not want damage to get onto other plants.

The CHAIR — Thank you very much, gentlemen, for giving your time tonight and making your submission. You will receive a copy of the transcript in a couple of weeks, in which you may correct matters of fact or grammar, but not matters of substance.

Witnesses withdrew.