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Victorian Transport Association Update 6 December 2019



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VTA E-News

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In this issue:

- VTA urges operators to pass on VICT infrastructure surcharge hike
- Victoria passes new industrial manslaughter laws
- Regional road safety blitz highlights need for maintenance vigilance
- Transport Industry Council compromises on road user charge increases
- Deadline extended for Labour Hire Licensing applications
- Prime Mover December: Positive change and reform a constant in 2019
- Vale Ernie Barker
- VTA Christmas Lunch sells out!
- Training
- Events

VTA urges operators to pass on VICT infrastructure surcharge hike

VICT is the latest Port of Melbourne stevedore to announce changes to its infrastructure surcharge, with the cost per container paid by operators using the terminal set to increase to \$121.80 from 1 January 2020. The VTA has repeatedly voiced its concern with serial increases in these charges by the stevedores [to support revenue growth](#). We have produced a Landside Improvement Strategy that addresses the consequences of these actions for operators, which is currently being considered by the government's Port Pricing and Access Review. In the interim, we encourage operators impacted by this latest surcharge increase to let their customers know that transport costs will inevitably go up, with the industry unable to absorb further increases.

Victoria passes new industrial manslaughter laws

The Victorian Parliament passed a law last week that amends the Occupational Health & Safety Act 2004 to provide for the offence of 'workplace manslaughter'. The legislation will commence on 1 July 2020 (or earlier if so proclaimed) and is aimed at preventing workplace deaths, deterring persons who owe OH&S duties from breaching such duties, and acknowledging the severity of conduct that places life at risk in the workplace. According to the Explanatory Memorandum accompanying the legislation, 'conduct is negligent for this new offence if it involves a great falling short of the care that would have been taken by a reasonable person in the circumstances in which the conduct was engaged in, and involves a high risk of death, or serious injury or serious illness.' The VTA will run education courses in the new year on the new legislation. In the meantime, all members should ensure that their safety protocols are adequate and ensure that employees understand and follow them, including management and directors.

Regional road safety blitz highlights need for maintenance vigilance

A regional road safety blitz by Victoria Police, WorkSafe and the Department of Transport that found defects in 38 of 42 heavy vehicles inspected highlights the need for drivers and operators to be vigilant about safety and maintenance. While isolated examples of safety breaches are not representative of the industry, we should continually strive for better when it comes to the safety of the motoring public. Operators and their drivers are ultimately responsible for the safety of their vehicles, underscoring the importance of regular maintenance checks, and not putting off even the most basic repair. Operators must continually reinforce the importance to drivers of ensuring their vehicle is safe and roadworthy all the time, and that defects must be attended to immediately. Conversely, operators have a duty of care to their drivers and every other road user to maintain their fleets and enshrine a top-down, safety-first culture throughout their business.

Transport Industry Council compromises on Road User Charge increases

The VTA is pleased that the Transport Industry Council has heeded [our calls for restraint](#) in considering increases to the Road User Charge. At its latest meeting, the TIC agreed to cap increases to 5 percent over two years, effective from July 2020, which is considerably less than the 11.8 per cent increases recommended by the National Transport Commission. The industry representatives, including Peter Anderson, presented a compelling case to transport ministers to limit increases and we are grateful they have heard our concerns about limited productivity improvements, additional increased business costs disadvantages to regional operators.

Prime Mover December: Positive change and reform a constant in 2019

Peter Anderson provides a timely reflection on the achievements and milestones of the transport industry in 2019 in his last [Prime Mover](#) magazine column for the year. Follow this [link](#) to read the column online.

Deadline extended for Labour Hire Licensing applications

The Labour Hire Commission has extended the deadline for applications for labour hire providers to acquire a licence to operate in Victoria. As previously reported in e-news, new laws became operational on 29 October, 2019 requiring any labour hire provider to have a licence to operate legally in Victoria, and for any company using labour hire services to use a licensed provider. After being inundated with applications in the 2 days prior to the original deadline, the Commissioner has extended the due date for a completed application to be lodged to 31 December and will provide a moratorium on enforcement to that date. The definition of a 'labour hire service' is broad and complex and you may need to obtain legal advice on your specific business operations. For more detailed information on this topic, please access the Industrial Circular 7/2019 which was distributed on 21 October and is available on the [VTA website](#).

Vale Ernie Barker

The Executive Council and Secretariat of the Victorian Transport Association extends sincere condolences to family, friends and colleagues of Ernie Barker, who passed away peacefully last week. Ernie was an icon of the Australian road transport industry, an innovator who consistently showed perseverance, ingenuity and integrity as the co-founder of Barker Trailers in 1974. Ernie and the Barker Trailers family have been long-time supporters of the VTA and the broader road-transport industry, through participation in initiatives designed to improve safety and productivity. It was only last year that Barker Trailers won an Australian Freight Industry Award, adding to a collection of much-deserved accolades. We extend our sympathies and best wishes to Carol and Ernie's children and grandchildren on the loss of one of our industries greatest pioneers.

VTA Christmas Lunch sells out!

We are thrilled to report that ticket sales to the annual VTA Christmas Lunch have been fully allocated, with a record exceeding 350 guests booked to attend the event at the MCG Members Dining Room next Friday, December 13. This is a great testament to our highly-valued members, who continue to support the VTA in record numbers. We look forward to an afternoon of merriment and Christmas cheer as we bring another successful year to a close.

Training

- Prescribed Industrial Waste – 10th and 17th of December 2019 & 7th, 14th and 21st of January 2020
- Chain of Responsibility – [Sub-Contractor Management](#) – 11th December 2019

The full VTA Training Calendar for January – June 2020 will be released in the coming weeks

Upcoming Events

- VTA Christmas Lunch, 13 December, [Members' Dining Room, Melbourne Cricket Ground](#)

- VTA/Viva Energy Australia Golf Day, 14 February, [The National](#), Long Island
- VTA State Conference 2020, 1-3 March, [Silverwater Resort](#), Phillip Island