



Australian Road Transport  
Industrial Organisation

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# *The Courier*

*Information and Advice for NSW Transport Operators*

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## **COVID-19: Message from the Secretary/Treasurer**

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There are now clear signs that the Australian economy and society are coming back to life.

The easing of travel restrictions between NSW, the ACT and SA, the easing of cross-border restrictions along the NSW/Victorian border, the extension down the north coast along with its full social and economic integration with all of Queensland and the opening up of industries in Melbourne such as supermarkets and food distribution centres, warehouses and postal distribution centres and construction, benefits many ARTIO NSW Members.

With the tantalising prospect of a further easing of restrictions, this sets the scene for increased freight activity in the lead up to Christmas.

Since the re-emergence of COVID-19 cases at the Crossroads Hotel in early July, ARTIO NSW has kept Members informed through over 40 Information Circulars which have provided advice community spread through greater metropolitan Sydney, the Blue Mountains, the Hunter, the Illawarra and the south coast.

These Information Circulars have provided up to date information on the precise location of premises and other places where a COVID-19 infected person has been present.

They are but one example of where our governments have responded well through our elected representatives and officials through provision of information as well as through consultation.

Case numbers are falling in NSW and Victoria and have been negligible in other jurisdictions.

Community transmission levels in NSW are low.

However, COVID-19 is still being detected in the sewerage system and its presence in the community may be hidden by low testing rates as well as carriers with mild symptoms.

Realistically, in a city such as Sydney, virus is likely to remain present until a vaccine is available and widely administered.

Industry has responded magnificently to the challenges posed by COVID-19.

The road freight and the broader transport and logistics workforce employs a significant number of Australians, many of whom work of the front line where their risk exposure is high.

The transport and logistics sector's tentacles reach out to all transport routes, all business and all residential premises.

Yet the sector has not been a vector for transmission.

That's because our workers, our back-office colleagues and our employers have pulled together to ensure the risk of exposure to COVID-19 is identified, and managed.

It is timely to say congratulations on a job well done so far.

However, much more work has to be done.

Every transport and logistics worker and employer and worker must remain vigilant.

Stay safe and stay well.

Hugh McMaster  
Secretary/Treasurer

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## **Federal Government Releases National Transport Regulatory Reform Report**

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The Productivity Commission's report, *National Transport Regulatory Reform*, has been released by the Deputy Prime Minister and Minister for Infrastructure, Transport and Regional Development.

The Australian Government asked the Productivity Commission to assess the economic impact of reforms to transport regulation agreed to by the Council of Australian Governments (COAG) in 2008-09. Those reforms relate to heavy vehicle safety and productivity, rail safety and maritime safety.

The Government also asked the Commission to recommend further reforms towards a more integrated national market for transport services.

### **Key Findings**

- COAG's harmonisation reforms established national laws and national regulators for heavy vehicles, rail, and domestic commercial vessels.
- After almost a decade, the transition is nearly complete, albeit with some unfinished business, for example:
  - WA and the NT do not participate in the national heavy vehicle regime
  - unnecessary derogations from the Heavy Vehicle National Law continue
  - approval processes for heavy vehicle access to local roads still lag in some areas.
- By most measures, heavy vehicle safety continues to improve, largely due to new technology and infrastructure investments.
- Safety regulation across the three modes is a mix of prescriptive and outcomes based regulation. Amending safety regulation to create a more flexible, outcomes-based approach should improve safety and lift productivity.
- The COAG reforms were expected to unlock large efficiency gains for heavy vehicle operators. While gains have been made, the forecasts were optimistic and have not been achieved.
  - Road access for larger, more efficient trucks has improved, but significant bottlenecks remain on some major freight corridors.

- There are significant opportunities for COAG, regulators and industry to further promote safety and productivity.

### **Recommendations (Relevant to Road/Rail Transport)**

Recommendations include:

- The Transport and Infrastructure Council (Commonwealth, State and Territory transport and infrastructure ministers) should agree to transfer all regulatory functions still held by participating jurisdictions to the National Heavy Vehicle Regulator by 2022.
- State and Territory governments should introduce new programs or continue with existing programs of education and enforcement to improve road users' understanding of driving safely around heavy vehicles.
- COAG should endorse amendments to the HVNL to clarify the obligations of regulated parties under Chain of Responsibility laws. The amendments to the HVNL should empower the NHVR to:
  - publish 'acceptable means of compliance' with Chain of Responsibility laws for transport operators and other parties in the supply chain.
  - accredit other approaches to compliance, with the costs of accreditation to be borne by the regulated parties.
- The Australian Government should impose a general safety duty on all parties with a significant influence over the safe operation of autonomous transport technologies. The creation of a general safety duty should not preclude the use of prescriptive rules where the assessed risks are high.
- The HVNL should be amended to remove unnecessarily prescriptive elements from the legislation and to support greater use of 'deemed to comply' provisions in other regulatory instruments.
- The HVNL should be amended to provide the NHVR with sufficient powers to give effect to a tiered system, in which relatively prescriptive regulation operates alongside outcomes-based options. The amendments should establish clear roles and responsibilities for the NHVR, including adequate discretion, decision-making frameworks, and requirements for monitoring, compliance and enforcement activity.
- The NHVR should expand its use of assurance model/s to allow businesses to seek flexibility on individual aspects of their operations or more substantially across their operations. The design should recognise that some businesses will be able to design comprehensive safety management systems, while others will benefit from pre-approved 'off-the-shelf' solutions. To the extent possible, the assurance model/s should avoid subjecting businesses to duplicative audit processes.
- The Australian Government should work with the Transport and Infrastructure Council to develop a statement of expectations for the NHVR. The statement should direct the national transport safety regulators to take a risk-based approach to regulation, enforcement and other functions.
- The Transport and Infrastructure Council should re-affirm the principle of consistent national transport safety regulation. The members of the Council should commit to removing material derogations from the HVNL and Rail Safety National Law.
- The Transport and Infrastructure Council should endorse amendments to the HVNL that promote a risk-based approach to fatigue management regulation for heavy vehicles.
- The amendments to the HVNL should remove detailed fatigue management requirements from legislation and empower the NHVR to:
  - publish 'acceptable means of compliance' with fatigue management regulations.
  - set outer limits on driving hours.
  - provide concessions from prescribed aspects of fatigue management regulation, where the National Heavy Vehicle Regulator is satisfied that more effective systems of fatigue management are in place.
- The Australian Government should amend the Australian Design Rules and in-service vehicle standards to allow for new transport technologies, including automated technologies, with proven productivity or safety benefits. These amendments should aim to:
  - achieve national and international consistency of laws and standards where practicable, and accept safety devices adopted in other leading economies as 'deemed to comply'. In cases where the Government believes it would be unsafe to apply an international standard in Australia, it should provide evidence to support this view through a transparent review of the ADR, conducted within a defined timeframe.
  - address specific ADR issues identified as significantly hindering productivity or safety (such as safety technologies unable to be used due to width and mass limits).

- The NHVR should negotiate with individual road managers to facilitate a risk-based assessment of permits, using information from previous access permit approvals on each route. This information should be used to construct more flexible pre-approved permit arrangements with road managers.
- The NHVR should publish detailed information online about access permit decisions and processing times. The NHVR should engage with industry and road managers to determine the form of this information.
- COAG should direct road managers (including the state road authorities) to work with the NHVR to expand key freight routes covered by notices, allowing as-of-right access for larger vehicle types. The focus of this work should include expanding gazetted access networks for:
  - vehicles approved through the Performance-Based Standards scheme (including PBS B-doubles, A-doubles and B-triples), at least to match the networks for the equivalent non-PBS vehicles.
  - types of vehicles for which permit applications are almost universally approved.
- Road managers should upgrade road infrastructure to allow heavy vehicle access where the benefits exceed the costs. Where road network constraints prevent heavy vehicle access, road managers should ensure that there are adequate truck stops and logistics centres to allow larger vehicles to be broken down into smaller combinations.
- COAG should ensure that local governments have access to the financial and technical capacity they need to perform their role as asset managers for local roads. Transparency and accountability for performance should accompany any additional support, particularly with respect to access permit processing times and the use of notices to gazette heavy vehicle routes.
- Governments at all levels should maintain their commitment to the Heavy Vehicle Road Reform process through the remaining trial, development, and implementation phases.
- When considering the costs and benefits of large-scale infrastructure projects to improve the flow of freight on major routes, governments should consider intermodal options which may assist in managing expanding freight volumes. Governments should be neutral on technology and infrastructure choices, focusing on efficient, long-term outcomes.
- The Transport and Infrastructure Council should direct the NHVR to collect data on key safety risks and outcomes and publish the data each year in a similar form to the Office of the National Rail Safety Regulator's annual *Rail Safety Report*.
- The NHVR and the Office of the National Rail Safety Regulator should monitor compliance costs and report on these costs, disaggregated by key regulatory activity, commencing in 2021.
- Governments should prioritise the uses of data with the greatest potential to improve productivity in the transport sector. These include facilitating coordination between road users and infrastructure managers to:
  - inform the provision and management of road infrastructure.
  - inform decisions around permits and road access for heavy vehicles.
  - assist in the development and implementation of the Heavy Vehicle Road Reform agenda.

The Australian Government should give priority to these uses of transport data when developing the National Freight Data Hub.

- Governments (and their agencies) and industry should consider how best to harness logistics and telematics data to improve incentive-based safety regulation, with the aim of influencing behaviours that increase safety and productivity.
- Governments and regulators should aim to facilitate operators' adoption of technologies to generate and share data by:
  - providing legal assurances about the acceptable use of such data.
  - clarifying the value to individual operators of their participation in data-sharing regimes.
- The Australian Government should amongst other things:
  - provide a sufficient annual appropriation to enable the Australian Transport Safety Bureau (ATSB) to carry out its functions, both existing and as proposed in this inquiry.
  - amend the *Transport Safety Investigation Act 2003* to enable the ATSB to conduct research and investigate incidents involving heavy vehicles, and autonomous vehicle technologies.
  - direct the ATSB to undertake a clearly defined, phased transition into the heavy vehicle role, including an initial period of data collection and research to identify any systemic issues and incident types with the potential to inform policy.

The costs of the ATSB should not be subject to cost recovery from industry, but the States and Territories should support the Australian Government by providing a consistent contribution to its total costs, rather than on a case-by-case basis.

The report is available at: <https://www.pc.gov.au/inquiries/completed/transport/report>.

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## NHVR Releases COVID-19 Toolbox Kit

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### ***Adapted from media release, Sal Petrocitto, CEO, NHVR, 30 September 2020***

A COVID-19 toolbox talk kit focused on vehicle, workplace and hand hygiene, wearing a facemask and mental health is part of the NHVR's latest release of practical industry safety material.

NHVR CEO Sal Petrocitto said the toolbox talk kit, which included a series of quick guides, videos, checklists and templates, had been added to the NHVR's *Safety Management System* suite, at the request of operators.

"All transport operators should continue to have safety conversations with their staff and drivers to reduce the risk of transmission within their workplace, when handling freight or interacting with other parties in the supply chain.

"Toolbox talks are one of the easiest and yet most effective ways to share important safety information and share responsibility for everyone's safety.

"The NHVR's material can be easily modified to include company information such as logos and additional topics that are specific to their business, such as how to report safety incidents and what to do if staff are sick or notice symptoms."

The videos, templates, quick guides and checklists are available at [www.nhvr.gov.au/sms-toolbox-covid-19](http://www.nhvr.gov.au/sms-toolbox-covid-19).

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## SIRA to Issue CTP Licence to Youi

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State Insurance Regulatory Authority Chief Executive, Carmel Donnelly, has announced that SIRA intends to issue a licence to Youi Pty Ltd to become a licensed CTP insurer.

Ms Donnelly said Youi Pty Ltd's entry into the CTP scheme is good news for motorists as increased competition in the market will encourage even better premium affordability.

She said that following a rigorous application process, Youi was found to meet all requirements under division 9.1 of the *Motor Accident Injuries Act 2017* for the licensing of CTP insurers

This means SIRA is satisfied that Youi has the financial sustainability and capacity to effectively deliver services to policy holders and injured road users.

She said motorists will be able to compare Youi CTP Green Slip quotes to other insurers in the Green Slip Check from 1 December 2020.

The Green Slip Check increases transparency so that motorists get the best possible price, and it is the quickest and easiest way to quote and purchase CTP insurance.

The Green Slip Check is available at: [www.greenslips.nsw.gov.au](http://www.greenslips.nsw.gov.au).

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## October is Small Business Month in NSW

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The NSW Government's Small Business month starts on 1 October.

Approximately 150 events will be held throughout October aimed at assisting NSW small businesses.

Further information is available from: <https://www.businessmonth.nsw.gov.au/>.

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## NHVR Survey Shows Widespread Use of Safety Systems by Industry

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***Adapted from media release, Sal Petrocitto, CEO, National Heavy Vehicle Regulator, 22 September 2020***

A recent NHVR survey of almost 4000 participants has shown that two-thirds of heavy vehicle businesses have a safety system in their operation.

NHVR CEO Sal Petrocitto said the results of the 2020 NHVR Industry Safety Survey demonstrates the ongoing commitment from the majority of industry to keep pursuing improved safety outcomes.

He said the NHVR is aware industry has increasingly adopted and invested in improved safety practices over the last 10 years and the significant take up of Safety Management Systems continues to support better safety results.

“Importantly, safety systems focus on a whole-of-business approach to safety including the important pre-trip check, which ensures vehicles are safe to operate on the road and that drivers are fit for duty before getting behind the wheel.

Mr Petrocitto said this information is critical to ensure the NHVR is providing the relevant and effective information and guidance industry needs to keep doing their job safely.

A snapshot of the survey results is available at [www.nhvr.gov.au/safetysurvey](http://www.nhvr.gov.au/safetysurvey).

Further information will be provided by the NHVR's at its free on-line information session on the survey results on 28 October.

To download or use the NHVR's free *Safety Management System* information visit [www.nhvr.gov.au/sms](http://www.nhvr.gov.au/sms).

Key findings included:

- 62 per cent of respondents had a basic safety system in place.
- 78 per cent of managers said they had an ongoing program of safety promo communication in their business, compared to 52 per cent of drivers and 71 per cent of loaders.
- 76 per cent of respondents agreed that relevant safety training was occurring on an ongoing basis.
- The most common safety practice among owner-drivers was a vehicle inspection (97 per cent), compared to a regular personal health check-up (71 per cent), a safe driving plan (62 per cent), or keeping informed of safety issues and information (62 per cent).

This survey was conducted in March and received responses from a wide cross section of industry employees, including drivers, managers and operators.

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## Robert Cavanagh Wins ATA's Outstanding Contribution to the Trucking Industry Award

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ARTIO NSW takes this opportunity to congratulate to Robert Cavanagh who is the winner of the 2020 Australian Trucking Association's Outstanding Contribution to the Trucking Industry Award.

Robert is Managing Director of Stockmaster Livestock Transport based in Tamworth and Cavanagh Transport based in Inverell.

Stockmaster Livestock Transport and Cavanagh Transport are ARTIO NSW Members.

Robert has also served as President of both the Livestock, Bulk and Rural Carriers Association and the Australian Livestock and Rural Transporters Association.

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## Infrastructure Update

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### **Flood Free Crossing of Purlewaugh Rd Open**

Acting Deputy Premier and Minister for Regional Transport and Roads Paul Toole has advised that a new flood-free crossing over Billy Kings Creek on Purlewaugh Rd between Baradine and Coonamble is now open.

Funding was provided under the Fixing Country Roads program.

### **Road Closure, Robert St, Telopea, 28 September to Late October**

Parramatta Light Rail has advised that Robert St, Telopea between Adderton Rd and Tintern Ave will be closed between 7pm and 7am for four nights a week (which ones not stated) from 28 September until the estimated completion of work in late October 2020, weather permitting.

Where traffic volumes and public safety allows, works will also be carried out during the day, between 7am and 7pm.

### **Closure, Church St Parramatta; 9-12 October**

Parramatta Connect, the infrastructure works contractor on the Parramatta Light Rail project, has advised that a full closure of Church St between Factory St and Victoria Rd will be in place over the following weekends to facilitate work at major intersections during low-traffic-volume periods from 7pm Friday 9 October to 6am Monday 12 October

Access across Church St will be maintained at Pennant Hills Rd/Albert St, Grose St and Victoria Rd.

If work is delayed, traffic changes will be in place on the following weekend.

### **Road Closure, Newcastle Rd, Croudace St Lambton to the Jesmond Roundabout**

Contractors for Transport for NSW have advised that Newcastle Rd between Croudace St Lambton and the Jesmond roundabout will be temporarily closed between 9pm on Saturday 10 October and 10am Sunday 11 October 2020 with traffic detours in place.

### **Road Works, New England Hwy at Timbumburi**

Work is under way on the New England Hwy near Timbumburi.

Work will be undertaken between Kia Ora La and Meadows La and is expected to be complete by mid-December, weather permitting.

Work will be carried out from 7am to 5pm on weekdays, and from 8am to 1pm on Saturdays, with lane closures and a reduced speed limit in place.

### **Road Works, Bruxner Hwy, McKees Hill**

Work is under way on a one-km section of the Bruxner Hwy at McKees Hill, about 15 kms east of Casino.

Work is expected to be completed by Christmas, weather permitting.

Work will be carried out from 7am to 6pm on weekdays and some weekend work may be required.

Lane closures and a reduced speed limit will be in place during work hours.

### **Street Closures, Westmead**

Changed traffic conditions will be in place to facilitate work along Hawkesbury Rd, Hainsworth St and intersections in Westmead.

Queens Rd will be closed at Hawkesbury Rd on weekends during low-traffic-volume periods starting 7pm, Friday 2 October to 3pm, Wednesday 7 October. Alternate access is via Railway Pde and Park Ave. •

Jessie St will be closed at Hawkesbury Rd for two weeks from Monday 28 September to Monday 12 October. Alternate access is via Hainsworth St and Park Ave.

### **New Roundabout, Gunnedah**

A new roundabout in Gunnedah at the intersection of the Oxley Hwy and Boundary Rd is taking trucks off the main street of Gunnedah, ensuring a better flow for freight operators.

This project formalises the use of Bloomfield St as a heavy vehicle bypass.

#### Other New Road Works

Suburb/ Town	Road	Date/s	No of Shifts	Work Times
Annandale	Johnston St near Piper St South	6/10-6/11/20	6	8pm-5am Sun-Fri
Arncliffe	Forest Rd between Wollongong Rd and Wooli Creek Rd	6/10-6/11/20	6	8pm-5am Sun-Fri
Ashfield	Frederick St 3 locations between Elizabeth St and Albert Pde	7/10-13/11/20	6	8pm-5am Sun-Fri
Camperdown	Parramatta Rd between Lyons Rd/Missenden Rd and Barr St	From 4/10/20	2	8pm-5am Sun-Fri
Campsie	Canterbury Rd between Bexley Rd and Chapel Rd	1/10-23/10/20	6	8pm-5am Sun-Thu
Earlwood	Bexley Rd southbound between Poole St and Wooli Ave	7/10-13/11/20	6	8pm-5am Sun-Fri
Moore Park	Cnr Anzac Pde and Cleveland St	6/10-18/12/20	40	11pm-5am Sun-Thu
		14/9-30/11/20	14	7pm-6am Sun-Fri
Punchbowl	Punchbowl Rd/Rossmore Ave between The Boulevard and South Terrace	6/10-6/11/20	6	8pm-5am Sun-Fri
Randwick	Avoca St between Oberon St and Howard St	6/10-6/11/20	6	8pm-5am Sun-Fri