

Schedule 1: Notice of Intention to register an Industry Code of Practice

Re:	Intention to register a code of practice.
Attn:	CEO NHVR
By email to:	codes@nhvr.gov.au
Date:	13 February 2020
Proposed title:	Wine Industry Registered Code of Practice
Organisation name:	South Australia Wine Industry Association Incorporated in partnership with Australian Grape and Wine Inc
Contact details:*	<p>██████████</p> <p>██</p> <p>██████████</p> <p>████████████████████</p>
Administrator name:*	██
Contact details:*	<p>██</p> <p>████████████████████</p> <p>██</p> <p>████████████████████</p>
Proposed commencement date:	June 2020
Proposed scope:	<p>To produce a Registered Industry Code of Practice for the safe transport of grape, wine and associated by-products by road, with particular emphasis on the management of spillages during vintage with consultation across the supply chain.</p> <p>Discussions with industry members have identified that the Master Code does not offer enough industry-specific guidance for role holders to discharge their chain of responsibility obligations. One example of this would be a grape harvest operator, who would be considered a packer under the legislation. There is limited relevant information available for a harvester on how to meet their duties.</p> <p>Vintage is a time critical period when heavy vehicle movement in the industry is at its highest. There is an interplay of many role holders and so information needs to be clear and concise to effect a change in industry culture. An industry-specific code of practice will offer practical industry-based measures that can be adopted by role holders to manage their obligations related to the following critical risks:</p> <ul style="list-style-type: none"> • Speed • Fatigue • Mass, Dimension and Loading, and • Vehicle Standards

Types of risks:

The types of risks to be considered during the development of the new code include (but not limited to):

- Harvesting and loading of grapes at the vineyard
 - Contract grape harvesters load fruit into vessels transported by trucks and are engaged to perform a crucial role in picking fruit. Little consideration is given to their chain of responsibility obligations.
 - Grape growers should provide contract harvesters advance warning of winery delivery schedules to enable development of work plans for a timely grape harvest to have fruit available for when the truck driver arrives onsite and minimise delays that can affect work-rest regimes.
- Spillages and transporting of wine grapes during vintage
 - Grape growers, the consignors of fruit, should check vessels (including fasteners on tip trailers) used for transporting fruit to ensure that they are suitable for task to prevent on-road spillage
 - Grape harvest bin chaser operator to be provided with information on correct loading procedures to ensure axle-mass loads are not exceeded.
 - Transporters to provide information to truck drivers on suitable driving behaviour to minimise spills whilst in transit.
 - Operators to be aware of paths of travel from farmgate to winery to select suitable paths of travel and minimise risk of spillages.
- Loading and unloading of grapes at wineries during vintage
 - Wineries to engage competent staff to unload trucks to minimise delays
 - Wineries to ensure that schedules for receipt of fruit are flexible and can accommodate equipment breakdowns and therefore minimise effects on driver work-rest regimes
 - Wineries accept records from the vineyard as to how much fruit has been loaded and to offer greater flexibility to operators if it is subsequently found that they have been overloaded to meet due diligence associated with load mass.
- Loading and transporting of grape marc post vintage
 - Contractors engaged to collect and remove grape marc (by-product of wine making process) from wineries to ensure that mass limits are not breached.
 - Wineries to remember that chain of responsibility obligations apply to all transport activities, including the movement of by-product.
- Transporting of finished wine
 - Packers can be workers on the bottling line
 - Packers can also be workers filling tankers or bladder-lined containers.

<p>Consultation plan:</p>	<p>During the process SAWIA as the lead agency will work in partnership with the peak national grape and wine industry body, Australian Grape and Wine and will consult with:</p> <ol style="list-style-type: none"> 1. All State Wine Industry Associations. 2. According to Wine Australia, there are 65 separate recognised Australian Geographical Indication (GI) vineyard regions spread across Australia from Southern Queensland to Tasmania, and from Margaret River to the Hunter Valley. Whilst, for the purpose of stakeholder engagement, it would not be physically possible to visit and engage with every GI, it would be possible to group the major regions into zones totalling 28 zones across Australia. It is proposed that 7 zones in South Australia, 4 zones in New South Wales, 6 in Victoria, 3 in Western Australia, 1 in Queensland and 2 in Tasmania be visited for more in depth discussions as part of the stakeholder engagement process. 4. Other stakeholders will be identified, such as state local government associations, wine grape associations, transport operators servicing the industry, wineries, individual grape growers, contractors servicing the industry such as grape harvest operators to seek feedback and content for the Code draft document 5. Discussions have commenced with subject matter experts, including in engineering with regards to hydraulic load shift dynamics and the potential for design considerations for fruit containment during transport. 6. Some other consultation may be required for legal, environmental, biosecurity or safety requirements. <p>We would expect that these parties will be consulted several times to refine draft documents.</p>
<p>Related Codes Of Practice/Standards:</p>	<p>The development of this Code will also consider and reference:</p> <ol style="list-style-type: none"> 1. The Heavy Vehicle National Law, predominantly the Heavy Vehicle (Mass Dimension and Loading) National Regulations 2. NTC Load Restraint Guide 3. The Master Code of Practice 4. State based EPA requirements

*These details will be redacted prior to publication of the Notice on the Regulator’s website.