



WASTE CONTRACTORS &
RECYCLERS ASSOCIATION
OF N.S.W

Procedure - Overloaded Vehicles Travelling to and from a Solid Waste & Recycling Depot

Prepared for the Members of the Waste Contractors & Recyclers Association of NSW by Fishburn
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This Protocol does not constitute legal advice and should be supported by your own site specific policies and procedures.

Purpose of procedure:	<p>All Waste Management Facilities have responsibilities under WHS and road transport legislation, including the <i>Heavy Vehicle National Law</i> and the <i>Heavy Vehicle (Mass, Dimension and Loading) National Regulation</i> to ensure that they do not encourage, reward or ignore the overloading of any vehicle that is loaded beyond its allowable Gross Vehicle Mass (GVM).</p> <p>An overloaded vehicle is a hazard and may become unstable, difficult to steer, less able to brake effectively and will pose a higher risk when tipping off its load.</p> <p>This Procedure applies to ALL vehicles entering and exiting the Facility and should be supported by all Facility employees, management, internal procedures, systems and training programs.</p>
Implications of failure to comply:	<p>Disregarding this procedure and the relevant legislation may result in:</p> <ul style="list-style-type: none"> • Damage to vehicle and Facility infrastructure; and/or • Injury or death to workers; and/or • Injury or death to members of the public; and/or • Vehicle incident, including rollover or brake failure; and/or • Breach of law.
Identification of Risk and Next Steps	<p>All incoming vehicle details must be recorded in the weighbridge computer system.</p> <p>If it is identified that a vehicle is loaded beyond its GVM, then you should:</p> <ol style="list-style-type: none"> 1. Stamp or notate the weighbridge docket as '<u>Overloaded</u>';

	<ol style="list-style-type: none"> 2. Verbally inform the driver that the vehicle is overloaded and by how much; 3. Prepare and hand a formal notification letter to the driver on the day. A copy of this letter must also be sent to the Responsible Officer (generally, the Driver's manager) and retain a copy for your files; 4. Record the vehicle's weight, registration details, driver and organisation details in the '<u>Overloaded Register</u>'; 5. Take photographs of the overloaded vehicle; 6. In accordance with the site procedures, direct the overloaded vehicle to a designated onsite parking area until further notice and request that the driver turn the engine off; 7. Report to Facility Manager; and 8. Review procedures to determine a course of action.
<p>Managing the Overloaded Vehicle</p>	<ol style="list-style-type: none"> 1. An overloaded vehicle at the Facility may have to be accepted in circumstances where the vehicle cannot be safely unloaded off site and it poses a further safety risk to the public if the vehicle is turned away. 2. The overloaded vehicle must be directed to a safe, designated on-site parking area where the vehicle must remain parked, until further instructions are provided to the driver. 3. The weighbridge staff must contact the organisation responsible for the overloaded vehicle immediately to make arrangements for the waste to be safely transferred from the vehicle. This may involve the use of Facility equipment and employees. 4. If the overloaded vehicle is to be tipped, ensure that safe operating procedures are observed and that a risk assessment is carried out first. 5. Quarantine the area to ensure no person is at risk when the vehicle is unloaded and adopt all other safety measures.
<p>Record Keeping</p>	<p>Authorised RMS officers may request information about overloaded vehicles accepted at the Facility at any time.</p> <p>As a minimum, the Facility must keep copies of the following:</p> <ol style="list-style-type: none"> 1. Stamped or marked weighbridge docket; 2. 'Overloaded Vehicles Notices' handed to drivers (with a copy retained together with details of the driver / company it was issued to); 3. Photographs of overloaded vehicles; 4. Letters sent to the organisation advising them of the breach;

	<ol style="list-style-type: none"> 5. Overloaded Register (separate from the Rejected Loads Register); 6. Weekly reports to the relevant manager at the Facility of the weekly overloaded vehicles; 7. Immediate reporting to the relevant managers of significantly overloaded vehicles in excess of 250kg above the allowable GVM. An employee should be allocated responsibility for record keeping.
<p>Importance of Training</p>	<ol style="list-style-type: none"> 1. All staff whose job description involves managing or operating the weighbridge or the Facility must be inducted in this procedure. 2. Staff should be trained regularly and refresher training in the Procedure should be provided annually. 3. Induction and training should be signed off and recorded in writing. 4. Records of overloaded vehicles should be reviewed quarterly. 5. A comprehensive review should also take place if there is a material failure of this procedure and/or if there is a serious incident involving an overloaded vehicle.
<p>How to Encourage Compliance</p>	<ol style="list-style-type: none"> 1. Agreements with organisations should clearly reference the requirements for all in-coming vehicles to comply with the law; 2. Suitable signage should be in place at the entry to the Facility referencing the requirements for all in-coming vehicles to comply with the law; 3. Suitable procedures should be in place that includes warning mechanisms to notify organisations in relation to overloaded vehicles. These procedures should provide for costs to be passed on to customers so that the customer is sent a strong financial signal that overloaded vehicles are not accepted at the Facility. The procedure should provide for the eventual banning (and possible notification to RMS) of such overloaded vehicles and/or the banning of a driver of an overloaded vehicle that could be described as a regular, repeat offender; 4. Staff to be suitably trained to identify, record and deal with overloaded vehicles.

Should you require legal advice relating to your obligations or procedures in relation to overloaded vehicles, please contact:

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