

LEGISLATIVE COUNCIL

TRANSPORT LEGISLATION AMENDMENT (PORT REFORMS AND OTHER MATTERS) BILL 2022

(Amendments to be proposed in Committee by Mr DAVIS)

1. Clause 5, page 9, line 13, omit "system." and insert "system;".
2. Clause 5, page 9, after line 13 insert—
 - "(f) to ensure that the development of the Victorian ports system is prudent and efficient and is carried out consistently with any relevant transport legislation and any standards and codes developed under relevant transport legislation."
3. Clause 5, page 9, after line 24 insert—
 - (ba) to monitor proposals relating to the development of the capacity of port land and port waters for which Ports Victoria is responsible; and
 - (bb) to monitor and provide advice, guidance and expertise to the Minister on any emerging trends relating to the Victorian ports system, including but not limited to trends relating to the capacity of port land and port waters; and"
4. Clause 5, page 10, after line 25 insert—
 - "(ja) to provide advice, guidance and expertise to port managers of commercial trading ports in relation to the preparation of Port Development Strategies in accordance with the **Port Management Act 1995**; and"
5. Clause 5, page 13, after line 16 insert—
 - "(8) In this section—

Port Development Strategy has the same meaning as it has in section 91J of the **Port Management Act 1995**."
6. Clause 32, page 35, line 10, omit "provided; and" and insert "provided."
7. Clause 32, page 35, lines 11 and 12, omit all words and expressions on these lines.
8. Clause 32, page 36, after line 2 insert—
 - "(3) In determining whether to make a towage service licence subject to a condition under this section, Ports Victoria must be satisfied that the condition would not have an unreasonable adverse impact on the licence holder, having regard to the conditions to which similar towage service licences are subject."
9. Clause 32, page 38, after line 6 insert—

"(4) In determining whether to amend, remove or impose a condition of a towage service licence under this section, Ports Victoria must consider whether the proposed amendment, removal or imposition of the condition would have an unreasonable adverse impact on the licence holder, having regard to the conditions to which similar towage service licences are subject."

10. Clause 32, page 39, after line 11 insert—

"(5) In determining whether to amend, remove or impose a condition of a towage service licence under this section, Ports Victoria must consider whether the proposed amendment, removal or imposition of the condition would have an unreasonable adverse impact on the licence holder, having regard to the conditions to which similar towage service licences are subject."

11. Clause 33, page 52, after line 20 insert—

"(2A) Without limiting subsection (1), standards determined under that subsection must provide for continuity of pilotage services, including but not limited to—

- (a) the hours during which pilotage services must be provided; and
- (b) the prevention or minimisation of threats to the continuity of pilotage services, including threats (whether temporary or permanent) to the availability of physical or labour resources required for the service."