

FORKLIFT APPROVAL POLICY

VERSION: 1.1.1

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1. INTRODUCTION

1.1 Purpose

The purpose of this policy is to establish clear guidelines for the consistent regulation, approval, and safe operation of forklifts within Sydney Markets Limited (SML) premises.

1.2 Scope

This policy applies to all Owners, Operators, contractors, agents, invitees and any other parties who own, control, operate or cause the operation of forklifts within the SML sites.

1.3 Policy References

This policy was developed with references to the following documents or legislation:

Document Name	Link
Road Transport Act 2013 (NSW) Road Transport (Driver Licensing) Regulation 2017 (NSW)	Owners that engage forklift drivers must ensure those drivers hold a current NSW Driver's License in addition to any HRW license, where applicable to site access/road related areas. Transport for NSW – Conditional Registration – Forklifts requiring road access must hold NSW Conditional Registration and comply with applicable Vehicle Sheets and fitment/lighting conditions; plates must be affixed.
High Risk Work (HRW) licensing	A person operating a forklift must hold a High-Risk Work license of the correct class (LF or LO), unless in supervised training toward that license.
Work Health and Safety Act 2011 (NSW) Work Health and Safety Regulation 2017 (NSW)	SML (as PCBU and person with management or control of the workplace) and market tenants (as PCBUs) must ensure, so far as is reasonably practicable, that workers and other persons are not exposed to health and safety risks; duty holders must consult, cooperate and coordinate with each other (s46).
Heavy Vehicle National Law (HVNL)	Fitness for Duty: parties in the chain of responsibility must ensure transport activities are safe, including ensuring drivers are medically and cognitively fit to drive (guidance for fitness to drive and due diligence)
Australian Standard AS 2359	The prevailing technical benchmark for design/performance and safe features of powered industrial trucks.
Sydney Markets Rules	Sydney Markets Rules Schedule of Damages – Market Rules
Incident Management Policy	Notifiable incidents (serious injury/illness, dangerous incident, death) must be notified to the regulator (SafeWork NSW)
Banning Notice Policy	Banning Notice Policy
Privacy Act 1988 (Cth) and SML Privacy Policy	Personal information collected in the approval and compliance processes will be handled in accordance with the Australian Privacy Principles

1.4 Definitions

Term	Definition
Owner	The individual or entity that owns or leases a forklift operating within SML sites.
Operator	A person authorised and licensed to operate a forklift.
Approval	SML Forklift Approval granted upon compliance with this policy and payment of applicable fees.
Defect Notice	A notice issued by SML requiring rectification of non-compliance within 48 hours.
Comply Notice	A notice issued for unsafe driving or breaches of this policy.
SML Authorised Officers	An SML officer authorised to conduct inspections and enforcement actions under this policy.

2. POLICY STATEMENT

All forklifts operating within SML must hold a current SML Forklift Approval and comply with this policy. Owners and Operators share responsibility for safety, must hold and maintain legally required licenses/registrations, and must operate forklifts in a manner that does not endanger workers or other persons.

3. POLICY REQUIREMENTS

The key elements of this policy are as follows:

3.1 Forklift Approval

- All forklifts operating within SML sites must have a current SML Forklift Approval, which is renewable annually upon payment of the prescribed fee.
- Owners must acknowledge this policy when lodging an application for Approval.

3.2 Conditions for Approval

Owners must meet the following conditions to obtain and maintain Approval:

- Forklifts must have NSW Conditional Registration with plates securely affixed (if applicable).
- Provision of a Forklift Safety Inspection Report, signed by Transport for NSW AIS Examiner indicating roadworthiness, dated within 28 days prior to the Approval.
- Forklifts must have SML Forklift Approval sticker affixed in a prominent location on the forklift.
- Forklifts must be fitted with governors to limit speed to 20kph.
- Provide a valid Insurance Certificate of Currency for Commercial Motor Vehicle, Plant & Equipment, or Public Liability Insurance (or equivalent) with a minimum coverage of \$20 million, noting the Owner's interest in the forklift/s.
- From 1 July 2026, all forklifts must comply with Australian Standard AS 2359.

3.3 Compliance Monitoring

SML will conduct random inspections during and after trading to verify compliance, including checks for:

- Driver's Licence and High-Risk Work Licence
- NSW Conditional Registration plates
- SML Forklift Approval label
- Pre-Start Forklift Checks
- Governor fitted and sealed
- Functioning lights, horn, and compliance plate

3.4 Speed Limits

The speed limit for forklifts within the SML sites are:

- 20kph on roadways
- 10 kph under canopies or undercover areas
- 5 kph on forklift bridges

3.5 Operator Requirements

Owners must ensure Operators:

- Hold a valid Driver's License and High-Risk Work License.
- Are fit for duty in accordance with Heavy Vehicle National Law obligations.
- Always wear Hi-Vis PPE and seatbelts.
- Submit to drug and alcohol testing when requested.
- Maintain cleanliness and proper waste removal in their work area.

3.6 Unsafe Driving and Comply Notices

SML will issue Comply Notices to Owners in accordance with the relevant clause of the Sydney Markets Rules for unsafe driving of forklifts by their employees, agents, contractors, or invitees. Unsafe driving poses significant risks to health, safety, and operational efficiency and will not be tolerated.

The following behaviours are considered unsafe and constitute a breach of this policy:

- Driving at excessive speed or beyond the marked speed limits.
- Carrying unsafe loads – carrying passengers or transporting loads contrary to operating instructions, exceeding height of load guard or load unsecured.
- Driving on buyers' walkways during market times.
- Smoking, eating, drinking, or wearing headphones or earbuds while operating a forklift.
- Driving contrary to marked signage or on the wrong side of the road.
- Driving on black-and-yellow driving or rumble strips.
- Pushing stacks of pallets or goods along the ground.
- Failing to stop at stop signs or ignoring directions from SML Authorised Officers or road signage.
- Failing to report details of collisions or accidents to SML within 20 minutes of occurrence.
- Failing to report details of near-misses to SML within 1 hour of occurrence.
- Parking, loading, or unloading a vehicle outside of designated areas.

4. ROLES AND RESPONSIBILITIES

Role	Responsibilities
Owners (Tenants)	<p>Owners are responsible for ensuring that all Forklift Operators under their control drive and work safely within SML sites. This includes compliance with all relevant legislation, including the <i>Work Health and Safety Act 2011</i> (NSW), Heavy Vehicle National Law, and site-specific rules.</p> <p>Owners must ensure that Forklift Operators:</p> <ul style="list-style-type: none"> • Adhere to obligations under the Heavy Vehicle National Law (Fitness for Duty) to ensure they are physically, mentally, and emotionally fit to perform their duties without endangering themselves or others. • Immediately report details of accidents, collisions or near-misses to SML. • Wear all required PPE, including seatbelts, always while operating a forklift. • Submit to drug and alcohol testing when requested by SML. <ul style="list-style-type: none"> ○ Operators who refuse testing or return a positive or non-negative result for illegal drugs or alcohol must be stood down for the remainder of the day and removed from forklift operation duties. • Perform regular cleaning and proper waste removal within their designated work areas to maintain a safe and hygienic environment. • Ensure forklifts and operations comply with this policy and with applicable laws and standards (WHS, HRW license, Road Transport licensing, Conditional Registration). • Ensure forklifts are mechanically sound and fitted with functioning governors. • Maintain forklifts in a safe, roadworthy condition at all times. • Provide information, instruction, training and supervision necessary to operate safely. • Keep training, inspection, and maintenance records available for SML review.
Operators	<ul style="list-style-type: none"> • Hold and carry the correct HRW licence (LF/LO) and Driver's License (where applicable) • Follow site rules, drive safely, comply with speed limits, and WHS directions; perform pre-start checks; wear PPE and seatbelts.
SML Authorised Officers	<ul style="list-style-type: none"> • Conduct inspections, issue notices, and enforce compliance.
SML	<ul style="list-style-type: none"> • Maintain common areas and traffic management controls to minimise risks from forklift operation. • Conduct inspections; issue Defect and Comply Notices; enforce suspensions and bans where required. • Consult, cooperate and coordinate with tenants and other PCBUs about shared WHS responsibilities.

5. NON-COMPLIANCE AND CONSEQUENCE

Failure to comply with this policy will result in enforcement actions to maintain safety and compliance within SML sites. Consequences include:

- Issuance of Defect Notices for non-compliance with approval conditions or mechanical defects.
- Suspension or cancellation of Forklift Approval for repeated or serious breaches.
- Compliance Notices for unsafe driving or breaches of operational requirements.
- Denial of site entry for persistent offenders or those who fail to rectify non-compliance.

5.1 Escalation

Enforcement actions will escalate as follows:

- First Breach: A Defect Notice will be issued requiring rectification within 48 hours.
- Failure to Rectify: Forklift Approval will be suspended, and the forklift will be tagged out of operation until compliance is achieved.
- Repeated Breaches: Cancellation of Forklift Approval and banning of the Owner and/or Operator from operating within SML sites.

6. POLICY IMPLEMENTATION

6.1 Policy Distribution & Training

- This policy will be published on the SML Hub and the Sydney Markets website to ensure accessibility for all stakeholders.
- All forklift Owners and Operators must review and acknowledge this policy annually as part of the Forklift Approval application or renewal process.

6.2 Training Requirements

- Owners are responsible for ensuring that all Operators under their control are trained and competent in the safe operation of forklifts in accordance with this policy, relevant legislation, and Australian Standards.
- Training must include:
 - Understanding the Forklift Approval Policy and its requirements.
 - Safe driving practices, speed limits, and site-specific rules.
 - Pre-start checks and defect reporting procedures.
 - Emergency response and incident reporting protocols.
 - Compliance with PPE, drug and alcohol testing, and WHS obligations.
- Records of training and competency assessments must be maintained by the Owner and made available to SML upon request.
- SML will provide policy updates and safety alerts via the SML Hub, and other communication channels as required.

7. REVIEW AND AMENDMENT

This policy will be reviewed by the Policy Owner at least every three years or sooner if there are changes in legislation, operational practices, or significant incidents.

Any amendments to this policy must be approved by the Chief Executive Officer (CEO).

8. MONITORING AND REPORTING

8.1 Monitoring

SML will monitor compliance with this policy through:

- SML Authorised Officers conducting random checks during and after trading hours to verify compliance with forklift approval conditions.
- SML Authorised Officers issuing defect and compliance notices for non-compliance, unsafe driving or breaches to this policy.
- Tenants and staff immediately reporting to SML all forklift related incidents, near misses and breaches.

8.2 Reporting Requirements

To ensure transparency and continuous improvement, the following reporting requirements apply:

8.2.1 Internal Reporting

- Quarterly - Summary of enforcement actions, repeat offenders, and trends in non-compliance. Incident and near-miss analysis.
- Annually - Comprehensive compliance and safety report to the Executive Team and Finance, Audit & Risk Committee, including recommendations for improvement.

8.2.2 Escalation Reporting

- Immediate escalation to the Head of Safety for:
- Serious safety breaches (e.g., unlicensed operator, major hazard).
- Repeat non-compliance that could lead to suspension or banning according to the Banning Notice Policy.

8.2.3 External Reporting

- Summary compliance statistics may be published on the SML Hub or communicated to stakeholders as part of WHS updates.

8.3 Record Keeping

All inspection records, notices, and incident reports must be maintained in accordance with SML's record management procedures and the *Privacy Act 1988*.

9. CONFIDENTIALITY

All personal and business information collected during the Approval process will be handled in accordance with SML's Privacy Policy and the *Australian Privacy Act 1988*.

DOCUMENT ADMINISTRATION INFORMATION

Document Title	Forklift Approval Policy
Policy Category	Management – Low Risk Rating
Version	1.0
Approval Authority	Chief Executive Officer
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Policy Owner	Head of Safety
Issuing Department	Market Operations
Review Date	25 August 2028

DOCUMENT REVISION HISTORY

Version	Date	Author	Description of changes
v 1.0	07 Mar 2023	Chief Executive Officer	Approval
v 1.1	02 Jul 2025	General Counsel	Reviewed & changed name from Forklift Safety Policy
v 1.1	28 Aug 2025	General Counsel	Approved by Board
v 1.1	15 Sep 2025	Risk & Compliance Manager	Converted the Policy document into new format for consistency, no changes to content.
v 1.1.1	28 Sep 2025	EA to the CEO	Amendments to refine document formatting (no changes to content).