



CHAIN OF RESPONSIBILITY POLICY

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Responsible Officer: Heavy Vehicle Manager
Responsible Director: Director Engineering Services
Functional Area: Engineering Services

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PART 1 PURPOSE:

- 1.1 Junee Shire Council is committed to conducting its business in compliance with all relevant national and state laws and regulations, including Chain of Responsibility Legislation.
- 1.2 This Policy outlines the Council's commitment to providing a safe and compliant working environment for all Chain of Responsibility Participants and the public.
- 1.3 Junee Shire Council recognises that the actions, in-actions, and requirements of off-road parties in the transport and supply chain may influence on-road behaviour.

PART 2 OBJECTIVES:

- 2.1 To achieve a high standard of chain of responsibility management, a safe workplace and improve road safety by:
 - a) Adopting a consultative approach with other Chain of Responsibility Participants.
 - b) Applying Systematic Hazard identification and controls.

PART 3 SCOPE:

- 3.1 This Policy covers all employees of the Council (whether full-time, part-time or casual) and all persons performing work at the direction of, in connection with, or on behalf of the Council (for example contractors, subcontractors, agents, consultants and temporary staff; collectively 'workers').
- 3.2 This Policy extends to all work-related journeys including supplier and contractor journeys to and from Junee Shire Council sites.

PART 4 RESPONSIBILITY:

- 4.1 Under the relevant legislations (the Legislation) the Council has the primary duty to eliminate or minimise, as far as reasonably practicable, the risks associated with heavy vehicle operation. This Policy will assist the Council in complying with its legal responsibilities.
- 4.2 Every Executive is responsible for exercising due diligence to ensure that the business managed by the Executive complies with its duties under Chain of Responsibility Legislation.
- 4.3 Every Chain of Responsibility Participant is required under the Legislation to follow national laws to as far as possible, protect the safety of themselves and others by:
 - a) Ensuring, so far as is reasonably practicable, the safety of their Transport Activities.

- b) Eliminating public risks, so far as is reasonably practicable, and, to the extent it is not reasonably practicable to eliminate public risks, minimising the public risks; and
- c) Ensuring, so far as is reasonably practicable, that their conduct does not directly or indirectly cause or encourage breaches of Chain of Responsibility Legislation.

PART 5 DEFINITIONS:

5.1 CHAIN OF RESPONSIBILITY PARTICIPANT

The following roles are chain of responsibility participants when undertaking activities associated with the use of a Heavy Vehicles:

- 5.1.1 **CONSIGNEE:** A person who arranges for goods to be delivered to it or who accepts goods for delivery.
- 5.1.2 **CONSIGNOR:** A person who dispatches goods for delivery.
- 5.1.3 **DRIVER:** A person who drives a Heavy Vehicle under a contract of service or contract for services.
- 5.1.4 **EXECUTIVE:**
 - a) A General Manager, Director or person who is concerned or takes part in the management of a corporation (where the corporation is a Chain of Responsibility Participant).
 - b) A partner of an unincorporated partnership (where the partnership is a Chain of Responsibility Participant); or
 - c) A management member of an unincorporated body (where the unincorporated body is a Chain of Responsibility Participant).
- 5.1.5 **PRIME CONTRACTOR:** A person who engages a Driver to drive a Heavy Vehicle under a contract for services.
- 5.1.6 **OPERATOR:** A person who is responsible for controlling or directing the use of a Heavy Vehicle.
- 5.1.7 **LOADING MANAGER:** A person who:
 - a) Manages or is responsible for the operation of regular loading or unloading premises at which goods are loaded onto or unloaded from Heavy Vehicles; or

- b) Has been assigned by a person mentioned in (a) as responsible for supervising, managing or controlling, directly or indirectly, activities carried out by a Loader or Unloader of goods at regular loading or unloading premises for Heavy Vehicles.

5.1.8 PACKER: A person who:

- a) Puts goods into packaging, even if that packaging is already on a vehicle.
- b) Assembles goods as packaged goods in an outer packaging, even if that packaging is already on a vehicle.
- c) Supervises an activity mentioned in (a) or (b); or
- d) Manages or controls an activity mentioned in (a) or (b).

5.1.9 SCHEDULER: A person who schedules the transport of goods by road on a Heavy Vehicle.

5.2 HEAVY VEHICLE: A vehicle with a GVM or ATM of more than 4.5 tonnes or a combination that includes a vehicle with a GVM or ATM of more than 4.5 tonnes. Load Restraint Guide means the Load Restraint Guide published by the National Transport Commission. Loader means a person who loads goods into a Heavy Vehicle or loads a Heavy Vehicle with a freight container.

PART 6 POLICY:

6.1 Background

6.1.1 Council is committed to implementing a systematic chain of responsibility management methodology to meet the changing legislation and controls all chain of responsibility participants involved in heavy vehicle operation and management.

6.1.2 Council is committed to the safety of all road users on and beyond its network and Chain of Responsibility management is critical as it affects all road users.

6.1.3 Chain of Responsibility will be managed in all areas of heavy vehicle operation however the following operations are the key functioning areas:

- a) Mass Management
- b) Dimension Management
- c) Speed Management
- d) Fatigue Management
- e) Load Restraint
- f) Vehicle Maintenance

6.2 Principles

- 6.2.1 All relevant legislative requirements together with political, social and economic environments are to be taken into account in chain of responsibility management.
- 6.2.2 Chain of Responsibility Management principles will be integrated within existing planning and operational processes.
- 6.2.3 Chain of Responsibility Management Plans will be developed for projects where Juneec Shire Council is responsible for any heavy vehicle management.
- 6.2.4 A surveillance regime will be used as part of Chain of Responsibility management to ensure agreed chain of responsibility measures are undertaken and to identify and address non-conformances.
- 6.2.5 Service levels agreed through the budget process and defined in adopted Chain of Responsibility Management Plan will be fully funded in the annual budget estimates.
- 6.2.6 Systematic and cyclic reviews (audits) will be applied to all heavy vehicle operations and are to ensure that operations are undertaken in accordance with appropriate chain of responsibility management best practice and applicable standards.
- 6.2.7 Training in Chain of Responsibility management will be provided for relevant staff in accordance with the chain of responsibility management plan.

PART 7 LEGISLATION AND STANDARDS:

- 7.1 Chain of Responsibility Legislation means:
 - a) Heavy Vehicle National Law Act
 - b) Heavy Vehicle (Fatigue Management) National Regulation
 - c) Heavy Vehicle (General) National Regulation, the Heavy Vehicle (Mass, Dimension and Loading) National Regulation
 - d) Heavy Vehicle (Vehicle Standards) National Regulation as enacted in any Australian state or territory.

PART 8 RELATED DOCUMENTS:

- 8.1 Heavy Vehicle Chain of Responsibility Management Plan

PART 9 REVIEW:

- 9.1 This policy may be reviewed at any time but unless otherwise requested at least every two years from date of adoption.
- 9.2 This policy may be adjusted at any time by MANEX to meet legislative changes only.

Version Control and Change History

Version	Date	Action
v1.0	22 March 2021	Adoption of Policy by MANEX only.
v2.0	6 December 2023	Review of Policy by MANEX for Council adoption.
V3.0	20 February 2024	Adoption of Policy by Council