NHVR

MASTER CODE OF PRACTICE

JANUARY 2026

FOREWORD

Heavy vehicles are an essential part of the Australian economy and our way of life, but their use brings risks to workers in the sector and to the public who share roads with them. Road transport is consistently identified as one of the most dangerous occupations for Australian workers. Where heavy vehicles are involved, the potential for harm to drivers and others is substantially greater.

A feature of heavy vehicle transport is the range of factors that can impact the safety of a journey, many of them beyond the control of the person behind the wheel.

For over 20 years, Chain of Responsibility (CoR) provisions have been part of Australian road transport law – a recognition that persons and businesses other than drivers, have an important role to play in ensuring heavy vehicle safety.

Since 2018, parties in the CoR have had a broad, proactive duty to ensure, so far as reasonably practicable, the safety of their transport activities relating to heavy vehicles.

One of the challenges for CoR parties is knowing how to meet this duty, when each of them has a unique environment and way of operating. The Master Code is designed to assist duty holders work out what can and should be done to improve safety.

This 2026 Master Code is based on comprehensive advice, recommendations and assistance from participants in the heavy vehicle industry and the many associated sectors that rely on heavy vehicles to conduct business or serve the public. The 2026 Master Code builds on the 2018 Master Code developed by the Australian Trucking Association and the Australian Logistics Council in consultation with industry.

The NHVR would like to acknowledge the many participants from the heavy vehicle industry who contributed their time and expertise to developing the content of the 2026 Master Code. A full list of acknowledgements is included at the end of the Code.

INTRODUCTION

PURPOSE

The Master Code (referred to as 'the Code') has been developed to assist parties in the CoR and their executives, to comply with their legal duties to ensure heavy vehicle safety. This is a broad general duty to prevent or minimise harm or damage when heavy vehicles are used on the road.

This Code captures and shares existing knowledge and experience about factors that cause and contribute to heavy vehicle risk and the control measures that can be used to manage risk. CoR parties can then apply that information to their own operations – the how, what, when, where and why of what they actually do – and choose and implement suitable control measures which will eliminate risk so far as reasonably practicable for them.

This Code does not create new legal obligations or replace existing requirements under the *Heavy Vehicle National Law* (HVNL) or its regulations. Rather, it is a source of knowledge which helps duty holders improve safety in their own businesses.

It may be used in diverse ways. It may assist a business to create its first risk register or to review or update an existing one. It may suggest alternatives to existing controls or alternative ways of implementing them.

Two businesses about to form an agreement may use the Code to help prioritise what each requires from the other. The Code may inform the development of a new Safety Management System or a Learning Management System. Persons who don't regularly work with heavy vehicles may find the Code particularly useful.

As an industry Code of Practice, developed and registered in accordance with Guidelines[1] published by the NHVR under s 706, HVNL, the Master Code also has an evidentiary status. Per s 632A, HVNL a court hearing charges of breaches of the Primary Duty or Executive Duty may use the Master Code in assessing what would have been reasonably practicable for a duty holder to have done.

SCOPE

The scope and application of the Master Code are broad, covering every sector that uses heavy vehicles directly or indirectly, whether in commerce, public transport, agriculture, government or industry. Examples of relevant industries include manufacturing, construction, mining, energy, utilities, retail, emergency services, towing, car carrying, import and export, livestock, grain, timber, waste and recycling, bulk tankers, landscaping, container transport, bus services and many others.

The Code is relevant to all parties in the CoR from operators of heavy vehicles to large corporations in the supply chain and includes individuals, businesses and government organisations that rely on heavy vehicles even if they don't own them.

The Master Code is required reading for executives of CoR parties. Their duty to exercise due diligence requires them – among other things – to gain an understanding of their business's transport activities and the hazards and risks associated with those activities.

This Code does not contain information about all hazards, risks and controls. Some hazards are too specific or rare for inclusion in a general code – though they might be prominent in a niche sector. Emerging hazards or ones not sufficiently understood are also omitted.

Nor does the Code identify every possible control measure. It does not include controls that are only effective in some circumstances, which are still being developed or tested or that create new risks.

The Code does identify well known and prevalent hazards and risks and measures that have been demonstrated to be effective in eliminating or minimising risk.

Identifying all relevant hazards and finding appropriate controls to eliminate or minimise the consequent risks is the responsibility of each party in the CoR.

Is the Code relevant to heavy vehicle drivers and employees?

Heavy vehicle drivers (other than owner drivers) are not parties in CoR and the Primary Duty does not apply to them, though drivers have many other obligations under the HVNL.

An owner driver of a heavy vehicle is a party in the CoR because they fall within the definition of an "operator" and the Code is relevant to them.

Any driver or employee who performs one of the CoR functions such as packing, loading or unloading, is also a party in the CoR. The Code is relevant to them and their employers.

Guidance in the Master Code is useful for any employee or person associated with the heavy vehicle industry or related sectors. It may protect them. It may help them understand why their employer requires them to do certain things. It might help them to identify good or bad practice. It might set expectations of the training, equipment and systems that employers should be providing. A shared appreciation of risk is one of the foundations for good safety management.

LEGAL FRAMEWORK

The HVNL applies in all Australian states and territories, except Western Australia and the Northern Territory. It regulates the use of heavy vehicles with a gross vehicle mass or aggregated trailer mass over 4.5t.

The fourteen chapters of the HVNL contain approximately 300 prescriptive obligations, many applying to heavy vehicle drivers and operators. These include regulation of mass and dimension limits, prescribed work and rest hours, vehicle standards, loading requirements, permit conditions and many other obligations.

This Code is relevant to 2 distinct legal duties within Chapter 1A of the HVNL. These are the Primary Duty, which applies to a party in the CoR and the Executive Duty, which applies to an executive of a CoR party.

These duties are different in kind from the requirements in the other parts of the HVNL. They require CoR parties and their executives to be proactive in applying safety risk management to their activities, in order to achieve safe outcomes. This is a different kind of legal obligation.

Table 1. Comparison of prescriptive law and duty-based obligations

Prescriptive Law: Follow the rules	Duty-based Law: Safe outcomes
There is one right way, regardless of the situation	What's required depends on the situation
Provides certainty	Provides flexibility
Scope is defined	Anything affecting safety is in scope
Example: Send vehicle for annual inspection by state authority.	Example: Daily driver checks and program of regular maintenance and inspection by employed mechanics following OEM guidance. Repair and replace components when indicated.

THE PRIMARY DUTY – TERMS AND PRINCIPLES

Who or what is a party in the CoR?

A business or an individual is a 'party in the CoR', when they or their employees perform any of these roles or functions in relation to a heavy vehicle:

- employ a heavy vehicle driver (**employer**)
- engage a self-employed driver to drive a heavy vehicle under a contract for services (**prime contractor**)
- direct the control and use of a heavy vehicle (**operator**)
- schedule the transport of goods and passengers in a heavy vehicle or schedule a driver's work and rest hours (**scheduler**)
- consign goods for transport by a heavy vehicle (**consignor**)
- receive goods delivered by a heavy vehicle (**consignee**)
- pack or assemble goods for transport in a heavy vehicle (**packer**)
- manage premises where 5 or more heavy vehicles are loaded or unloaded each day (**loading manager**)
- load a heavy vehicle (**loader**)
- unload a heavy vehicle (**unloader**).

(Full legal definitions of each term can be found in the Key Terms and Definitions section).

Individual employees can be parties in the CoR, but the business that employs them is expected to take the lead in ensuring that the Primary Duty is discharged. This is because employers generally control hiring, procurement, training, work practices and resources.

Case Study: CoR Parties

Big Red manufactures tinned tomatoes and packs them on pallets to send to Supa Mart daily. They engage TT Trucking to collect loaded pallets each morning and deliver empty pallets each afternoon. Sometimes a Big Red employee loads the pallet and sometimes the driver does. The pallets do not make a full load.

Delivery times are set by Supa Mart and can change throughout the day.

TT Trucking also collects pallets of shampoo from Bubbles, an importer in the same neighbourhood. Those pallets are also transported to Supa Mart.

Bubbles and Big Red use different size pallets. Depending on quantities of product and the order of loading, pallets sometimes must be unloaded or moved around, to improve weight distribution and blocking. Sometimes this is done by an employee of Bubbles or of Big Red or by the driver from TT Trucking.

Pallets of both goods are generally unloaded by an employee of Supa Mart as they have a large depot with trucks arriving every half an hour.

Each business is a party in the CoR. All of them have a role in scheduling.

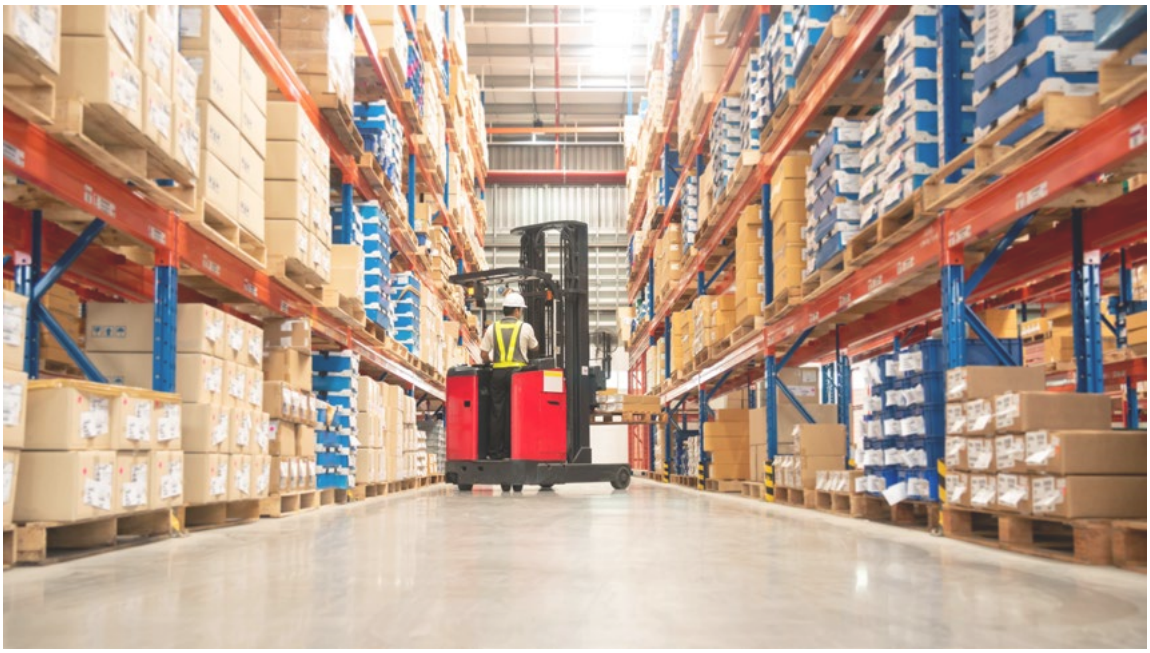
Big Red and Bubbles are packers, loaders and unloaders because their employees do that work. Supa Mart is a Loading Manager because on average, 5 or more heavy vehicles are loaded or unloaded at its premises each day.

Some employees are also CoR parties. Individual employees of each business may also be packers, loaders or unloaders. As a matter of law, this means they are parties in the CoR, but the business that employs them is expected to take the lead in ensuring that the Primary Duty is discharged. This is because employers generally control hiring, procurement, training, work practices and resources.

All CoR parties have the same duty, the Primary Duty. How each of them discharges that duty will be different because each of them does different things and has different opportunities to eliminate or minimise risk.

Who is a party?

	Big Red	Bubbles	TT Trucking	Supa Mart
Operator	–	–	Y	–
Scheduler	Y	Y	Y	Y
Consignor	Y	Y	–	–
Consignee	–	–	–	Y
Packer	Y	Y	–	–
Loading Manager	–	–	–	Y
Loader	Y	Y	Y	–
Unloader	Y	Y	Y	Y



Case Study: CoR Parties
Omnibus and State Transport Department

A state transport department invites tenders to service a scheduled public transport route, using buses supplied by the department. Omnibus Ltd. wins the tender and enters a contract with the department to provide the service for 5 years.

The contract sets out details of the route and timetable and has performance indicators based on adherence to the timetable, driver skills and training and other matters.

Omnibus Ltd. uses its employed drivers to provide the service.

Who is a party?

	Omnibus Ltd	State Transport Dept
Employer	Y	–
Prime Contractor	–	–
Operator	Y	Y
Scheduler	Y	Y

Omnibus is an Operator of the bus fleet and an Employer of the drivers of the buses. It is also a Scheduler because it sets individual drivers' hours of work and rest and their weekly and monthly rosters.

The Department is an Operator of the fleet because it controls or directs the use of the buses by setting and monitoring benchmarks about how the service is provided, including the number and kinds of buses and their fittings and equipment.

The Department is also a Scheduler of the fleet because it controls the capacity of the vehicles that provide the service and directs the frequency of services, times when buses commence each route and the times they arrive at each bus stop.

Case Study: CoR Parties
River Bend College and Mr. Carrier

River Bend is a private school that contracts Mr. Carrier, a self-employed bus driver, to use his bus to transport students to and from weekly sports events and to take them to special social and sports events at night and at weekends. River Bend sets the times when the bus needs to collect and return students, the routes to be taken and drop off locations.

Who is a party?

	River Bend	Mr Carrier
Employer	–	–
Prime Contractor	Y	–
Operator	Y	Y
Scheduler	Y	–

River Bend is a Prime Contractor because it engages the driver under a contract for services. It is also an Operator and a Scheduler because of the way is directs and controls the use the vehicle and makes decisions about routes and times of travel.

Mr. Carrier is an Operator of the bus (as a heavy vehicle driver, Mr. Carrier also has separate obligations under the HVNL).

Each business is a party in the CoR. In each case there are 2 CoR parties who have a Primary Duty in relation to the bus or bus fleet.

All CoR parties have the same duty, the Primary Duty. Each of them will discharge that duty in different ways, according to what they actually do and their capacity to influence or control matters. Sections 26A and 26B provide guidance about the level and nature of each party's responsibility where the duty is shared between parties.

What is common to all 4 parties is that each of them must do what is reasonably practicable for them to do, in their circumstances.

What is the Primary Duty?

The Primary Duty requires a party in the CoR to ensure, so far as is reasonably practicable, that it carries out its transport activities in relation to a heavy vehicle in a way that eliminates or minimises public risks.

This duty can be thought of as having 2 parts: a positive duty to apply risk management and a prohibition against causing others to breach the HVNL.

The positive duty is to eliminate public risk so far as is reasonably practicable and to the extent it is not reasonably practicable to eliminate public risk, to minimise it.

The prohibition is against conduct that could cause or encourage a driver to speed or any person to breach the HVNL.

Managing this second part of the duty requires parties to have a working knowledge of the main obligations in the HVNL, particularly the kinds of breaches which can occur because of pressure or encouragement from another business, such as: driving while impaired by fatigue, failing to meet work and rest hour requirements, overloading a vehicle or travelling without authorisation.

There is detailed guidance about HVNL compliance on the NHVR website, including Court orders and Case learnings.[2]

Serious maximum penalties may be imposed for breaches of the Primary Duty. The maximum penalty for an executive who breaches their duty is equivalent to the maximum penalty for an individual who breaches the Primary Duty.

Table 2. Penalties for breaches of the Primary Duty and Executive Duty.

	Maximum penalty for corporation	Maximum penalty for individual
Category 1 offence (s 26F, HVNL)	$4,113,837	$424,794 or 5-years imprisonment or both
Category 2 offence (s 26G, HVNL)	$2,062,370	$206,237
Category 3 offence (s 26H, HVNL)	$686,350	$68,635
Penalties shown are for the 2025/26 financial year and are indexed to CPI on 1 July each year. Up to date penalty and infringement[3] amounts are published on the NHVR website.		

s 26C – Primary Duty

(1) Each party in the chain of responsibility for a heavy vehicle must ensure, so far as is reasonably practicable, the safety of the party's transport activities relating to the vehicle.

(2) Without limiting subsection (1), each party must, so far as is reasonably practicable –

(a) eliminate public risks and, to the extent it is not reasonably practicable to eliminate public risks, minimise the public risks; and

(b) ensure the party's conduct does not directly or indirectly cause or encourage –

(i) the driver of the heavy vehicle to contravene this Law; or

(ii) the driver of the heavy vehicle to exceed a speed limit applying to the driver; or

(iii) another person, including another party in the chain of responsibility, to contravene this Law.

(3) For subsection (2)(b), the party's conduct includes, for example –

(a) the party asking, directing or requiring another person to do or not do, something; and

(b) the party entering into a contract –

(i) with another person for the other person to do or not do, something; or

(ii) that purports to annul, exclude, restrict or otherwise change the effect of this Law.

Meaning of public risk

The definition of this term in the HVNL relies on definitions of 2 other terms: "safety risks" and risks to "public safety".

s 5, HVNL – Definitions

Public risk means –

(a) a **safety risk**; or

(b) a risk of damage to road infrastructure.

Safety risk means a risk –

(a) to **public safety**; or

(b) of harm to the environment.

Public safety means the safety of persons or property, including the safety of –

(a) the drivers of and passengers and other persons in, vehicles and combinations; and

(b) persons or property in or in the vicinity of or likely to be in or in the vicinity of, road infrastructure and public places; and

(c) vehicles and combinations and any loads in them.

Combining the content of these 3 definitions produces the following definition:

"**public risk**" means –

- risks to the safety of persons or property including:
  - the drivers of and passengers and other persons in, vehicles and combinations
  - persons or property in or in the vicinity of road infrastructure and public places
  - vehicles and combinations and any loads in them
- risk of damage to road infrastructure
- risk of harm to the environment

Meaning of transport activities

A party's "transport activities" are anything it does that is associated with the use of a heavy vehicle on a road. The definition of the term explicitly includes business practices and other examples, but the list of examples is not exhaustive. The key words of the definition support an interpretation that would capture a broad range of activities in addition to those typically associated with heavy vehicles such as loading, packing, maintenance, scheduling, etc.

For example, the term may incorporate facilities maintenance, human resource management, sales and procurement, policy development and review, safety systems, board decisions and any other activity that is "associated with the use of a heavy vehicle on the road".

The Master Code identifies 45 activities and uses them to structure and group suggested control measures. This is not an exhaustive list of all transport activities. Many readers of the Code will be able to identify additional activities that their business carries out, that also meet the definition, because they are associated with the use of a heavy vehicle on a road.

s 5, HVNL – Definitions

Transport activities means activities, including business practices and making decisions, associated with the use of a heavy vehicle on a road, including, for example –

(a) contracting, directing or employing a person:
  (i) to drive the vehicle; or
  (ii) to carry out another activity associated with the use of the vehicle (such as maintaining or repairing the vehicle); or
(b) consigning goods for transport using the vehicle; or
(c) scheduling the transport of goods or passengers using the vehicle; or
(d) packing goods for transport using the vehicle; or
(e) managing the loading of goods onto or unloading of goods from the vehicle; or
(f) loading goods onto or unloading goods from the vehicle; or
(g) receiving goods unloaded from the vehicle.

Business practices of a person, means the person's practices in running a business associated with the use of a heavy vehicle on a road, including –

(a) the operating policies and procedures of the business; and
(b) the human resource and contract management arrangements of the business; and
(c) the arrangements for preventing or minimising public risks associated with the person's practices.

Meaning of reasonably practicable

Doing what is "reasonably practicable" is the standard for complying with the Primary Duty. This term is modelled on the equivalent WHS definition but refers to public risk rather than the health and safety of workers and others.

The definition identifies factors that must be considered in determining what is reasonably able to be done in relation to a duty. Assessing what is reasonably practicable is something that duty holders must do. If a matter comes before a court, then a court also makes an assessment, applying the same principles.

Likelihood

The first factor is the likelihood of a safety risk or damage. This is often expressed as how often something might occur – daily, weekly, monthly, each decade, etc.

Estimating likelihood does not require mathematical prediction but should be based on actual knowledge such as previous events, experience, research or statistics, common knowledge or some other factual basis.

The assessment should consider factors that affect likelihood. For example, the method of unitising goods; the type of road and location; changing weather patterns.

Harm

This is a consideration of the harm or damage that could result from a hazardous incident, event or similar. Where heavy vehicles are involved, there must always be consideration of the potential for death or injury of drivers, passengers and road users.

Other types of harm include damage to road infrastructure, damage to vehicles, loads and property on or near roads and harm to the environment, such as contamination, excessive emissions or the release of biohazards.

Duty holder's knowledge

The next factor to consider is what the duty holder knew or ought to have known about the risk of damage and the ways to remove or minimise the risk, or the ways to prevent or minimise harm or damage.

A person isn't expected to implement a control that they have never heard of or to deal with a hazard or risk that they weren't aware of. For example, until a few years ago, it was not well known that sanding stone kitchen benches caused lung disease. Until that was known, it would not have been reasonably practicable to introduce safeguards. Now, both the hazard and the way to reduce its risk are well known and those safeguards would be considered reasonably practicable.

Ways to prove a person's knowledge include by showing that something was common knowledge within an industry or by proving that the person had actual knowledge, for example, because they attended a seminar on the topic, they spoke about it with an employee or wrote an article about it in a newsletter.

Another way to show that the person knew or ought to have known about something, is to refer to a registered Code of Practice that describes the hazard or the risk or the control. Admissibility of a registered code and how a court may use it are set out in s 632A, HVNL.

> Note: That provision allows a code to be admissible in a hearing of a breach of the Primary Duty or the Executive Duty.

Availability and Suitability

Other important factors to consider are whether a control is available or would be suitable for the situation. For example, equipment compatible with an older engine may no longer be on the market; a training course or an assessment may only be offered in another city.

A control measure may be unsuitable for several reasons. For example, a signal that uses coloured lights would be unsuitable if the employee required to use it is colour blind; load restraint equipment would be unsuitable, even though it is effective, if its weight affects the balance of the vehicle.

Cost

The final factor is the cost of implementing the controls. Cost may be the reason why a control is not reasonably practicable, but only where the cost is grossly disproportionate to the risk, i.e., the risk is very low and the cost is very high.

Otherwise, cost alone is not a basis for concluding that a control measure is not reasonably practicable.

Weighing up the factors

The duty holder – or a court – must take all the above factors into account to determine whether a control or combination of controls, would be considered reasonably practicable or to work out what would be reasonably practicable to manage a risk.

Generally, more effective controls would be expected to be implemented to eliminate or minimise the most serious risks. However, this does not mean that a low overall safety risk can be ignored, particularly if there are suitable controls available.

Where there are no controls or insufficient controls that would be reasonably practicable, a different way of performing the activity should be considered. There may be some risks that are so serious that if there are no available, effective or affordable controls, then the activity that creates the risk should be avoided altogether.

When assessing what is reasonably practicable, the correct approach is to consider what an independent, fair-minded person would conclude, when presented with all the information. The circumstances of the duty holder are relevant to the assessment, especially when considering the suitability and availability of controls, but their opinions, preferences and convenience are not part of the assessment.

Put another way, the assessment should be guided by what a community would think is reasonable, considering the overall public risks.

For further explanation about what is reasonably practicable, refer to Regulatory Advice – Reasonably Practicable[4] on the NHVR website.

s 5, HVNL – Definitions

Reasonably practicable, in relation to a duty, means that which is or was at a particular time, reasonably able to be done in relation to the duty, weighing up all relevant matters, including –

(a) the likelihood of a safety risk or damage to road infrastructure, happening; and
(b) the harm that could result from the risk or damage; and
(c) what the person knows or ought reasonably to know, about the risk or damage; and
(d) what the person knows or ought reasonably to know, about the ways of –
  (i) removing or minimising the risk; or
  (ii) preventing or minimising the damage; and
(e) the availability and suitability of those ways; and
(f) the cost associated with the available ways, including whether the cost is grossly disproportionate to the likelihood of the risk or damage.

THE EXECUTIVE DUTY – TERMS AND PRINCIPLES

An executive of a business that is a party in the CoR for a heavy vehicle, has a duty to exercise due diligence to ensure the business complies with its "safety duty". This is a personal, non-delegable duty. If an executive does not exercise due diligence to ensure that compliance, then the executive may be personally liable for a breach of s 26D, HVNL. Note that it is the executive's failure to exercise due diligence, rather than the outcome, which is the basis of the offence.

There are serious maximum penalties for breaching the Executive Duty, equal to the maximum penalties for an individual who breaches the Primary Duty (see Table 2).

s 26D, HVNL – Duty of executive of legal entity

(1) If a **legal entity** has a safety duty, an executive of the legal entity must exercise **due diligence** to ensure the legal entity complies with the **safety duty**.

(2) The **executive** may be convicted of an offence against subsection (1) even if the legal entity has not been proceeded against for or convicted of, an offence relating to the safety duty.

(2A) Subsection (1) does not apply to an executive of the legal entity acting on a voluntary basis, whether or not the executive is reimbursed for the expenses incurred by the executive for carrying out activities for the legal entity.

s 26D, HVNL definitions

Legal entity means:

(a) a corporation; or
(b) an unincorporated partnership; or
(c) an unincorporated body

Executive, of a legal entity, means:

(a) for a corporation – an **executive officer** of the corporation; or
(b) for an unincorporated partnership – a partner in the partnership; or
(c) for an unincorporated body – a **management member** of the body.

s 5, HVNL – Definitions

Executive officer, of a corporation, means:

(a) a director of the corporation; or
(b) any person, by whatever name called and whether or not the person is a director of the corporation, who is concerned or takes part in the management of the corporation.

Management member, of an unincorporated body, means:

(a) if the body has a management committee – each member of the management committee; or
(b) Otherwise – each member who is concerned with or takes part in, the body's management, whatever name is given to the member's position in the body.

s 26D, HVNL cont:

(3) in this section **due diligence** includes taking reasonable steps –

(a) to acquire and keep up to date, knowledge about the safe conduct of transport activities; and
(b) to gain an understanding of –
  (i) the nature of the legal entity's transport activities; and
  (ii) the hazards and risks, including the public risk, associated with those activities; and
(c) to ensure the legal entity has and uses, appropriate resources to eliminate or minimise those hazards and risks; and
(d) to ensure the legal entity has and implements, processes –
  (i) to eliminate or minimise those hazards and risks; and
  (ii) for receiving, considering and responding in a timely way to, information about those hazards and risks and any incidents; and
  (iii) for complying with the legal entity's safety duties; and
(e) to verify the resources and processes mentioned in paragraphs (c) and (d) are being provided, used and implemented.

> Note: The definition of "due diligence" is an inclusive definition, meaning that steps (a) to (e) of the definition are not an exhaustive list of what constitutes due diligence.

The term "**safety duty**" is a list of 18 HVNL provisions, defined in s 5, HVNL. The most important safety duty – and the focus of the Master Code – is the Primary Duty. Section 26E – Prohibited requests and contracts – is also a safety duty. The full list of safety duties can be found in the "HVNL definitions" section of the Code.

Examples of due diligence:

- Attend seminars, conferences, webinars, subscribe to newsletters or updates, talk to other people in the sector, read Codes of Practice and guidance from safety regulators, attend trade shows and demonstrations of new equipment, software or procedures.
- Familiarise yourself with the full range of activities the business undertakes and the details of how, where, when and why things are done, by whom and with whom. Talk to clients and employees, read reports, complaints and feedback. Walk the floor and keep an open door.
- Arrange for or take part in regular risk assessments that identify all potential hazards associated with the business's activities. Collaborate with technical or subject matter experts where necessary to assess risks and choose relevant controls.
- Read and retain copies of the hazard or risk register and proposed controls.
- Provide funding to procure equipment, training, staff or other resources that eliminate or minimise risks. Prioritise measures that will manage the most serious risks first.
- Establish a schedule for implementing controls if it's not possible to implement all controls immediately.
- Communicate plans to the rest of the business, employees and clients.
- Allocate time and budget for implementing changes to systems and making all employees aware of new control measures.
- Encourage staff to speak up and report about how well new measures are working.
- Identify factors that can be monitored that give the best indication of whether safety systems are working as they should and are effective.
- Use a combination of quantitative and qualitative information to assess the effectiveness of safety systems. For example, look for trends in statistics, camera data, compliance reports, near misses, as well as casual conversations with employees and anecdotes or observations from third parties. Arrange for external audits from time to time and encourage employees to report issues.
- Schedule regular reviews and re-assessments of hazard logs and risk assessments with other executives, subject matter experts and advisors.
- Pay attention and respond to information about safety risks.

More information about the Executive Duty[5] can be found on the NHVR website.

PROHIBITED REQUESTS AND CONTRACTS

One further provision in Chapter 1A should be noted. Section 26E makes it an offence for any person to request direct or contract in a way that would cause or encourage a driver to breach fatigue requirements or speed limits or that would result in another CoR party causing a driver to breach fatigue requirements or speed limits.

This section of the Law applies to any person, not just a party in the CoR.

> Note: Within the HVNL, the term "person" includes an individual or a body politic or corporate.

As noted above, s 26E is one of the "Safety Duties", so for an executive of a CoR party, ensuring the entity does not make prohibited requests or contracts is part of their Executive Duty.

Examples of unreasonable requests and contractual terms include:

- scheduling times which do not take into account delays caused by changing road or traffic conditions or crashes
- scheduling times which cannot be achieved, except by speeding or driving while fatigued
- maximising driving hours through incentive-based schemes and intense work practices
- penalty clauses for late delivery
- price pressures set out in unreasonable contract terms set through tendering cycles.

Unreasonable requests, directions and contracting pressures are a known major safety risk because they may cause or encourage unlawful and unsafe risk-taking behaviours.

More information about Prohibited Requests and Contracts can be found in NHVR Regulatory Advice[6] on this topic.

s 26E, HVNL – Prohibited requests and contracts

(1) A person must not ask, direct or require (directly or indirectly) the driver of a heavy vehicle or a party in the chain of responsibility to do or not do something the person knows or ought reasonably to know, would have the effect of causing the driver –

(a) to exceed a speed limit applying to the driver; or
(b) to drive a fatigue-regulated heavy vehicle while impaired by fatigue; or
(c) to drive a fatigue-regulated heavy vehicle while in breach of the driver's work and rest hours option; or
(d) to drive a fatigue-regulated heavy vehicle in breach of another law in order to avoid driving while impaired by fatigue or while in breach of the driver's work and rest hours option.

(2) A person must not enter into a contract with the driver of a heavy vehicle or a party in the chain of responsibility that the person knows or ought reasonably to know, would have the effect of causing the driver or would encourage the driver or would encourage a party in the chain of responsibility to cause the driver –

(a) to exceed a speed limit applying to the driver; or
(b) to drive a fatigue-regulated heavy vehicle while impaired by fatigue; or
(c) to drive a fatigue-regulated heavy vehicle while in breach of the driver's work and rest hours option; or
(d) to drive a fatigue-regulated heavy vehicle in breach of another law in order to avoid driving while impaired by fatigue or while in breach of the driver's work and rest hours option.

> Notes: See s 632, HVNL for the matters a court may consider when deciding whether a person ought reasonably to have known something.

> On commencement of the HVNL Amendment Act of 2026, s 26E, HVNL will be amended to also prohibit requests or contracts which would result in a driver driving a heavy vehicle when unfit to drive.

SAFETY RISK MANAGEMENT

The Primary Duty places a duty on parties in the CoR to eliminate public risk so far as reasonably practicable and where it is not reasonably practicable to eliminate it, to minimise it. Established principles of risk management are the most effective way for CoR parties to discharge this duty.

Risk management terms for the Master Code

The term "**hazard**" refers to anything with the potential to cause harm or damage, this could be an activity or behaviour, a physical object, a situation or a management practice.

The term "**risk**" refers to the possibility of harm or damage which occurs when a person or thing is exposed to a hazard. A risk is usually described in terms of a possible outcome, the likelihood of that outcome occurring and the severity of the harm or damage.

The term "**control**" refers to measures which can be used to eliminate or minimise risks so far as is reasonably practicable. Some controls can reduce both the likelihood of a risk occurring and the severity of its harm, while other controls may specifically address only one of these aspects.

"**Public risk**" in the HVNL is defined to include "safety risks", which in turn is defined to include risks to "public safety". Taken together, the 3 terms describe risks other than to human safety. They include damage to vehicles, loads, property and road infrastructure and harm to the environment. Each risk identified in relation to a hazard is relevant to the Primary Duty if it could result in one of the public risks occurring. See "Meaning of public risk" for more information.

Key components

Safety risk management generally refers to 6 components, adapted here in relation to the Primary Duty under the HVNL.

1 Identifying hazards

Consider the full context of your business's operations and identify all the hazards. Refer to the list of hazards described in the Master Code to see whether any of them are present in your transport activities.

This includes considering whether your activities create hazards to other parties and their employees, as well as the impact of other parties' practices upon your business's ability to operate safely.

The Master Code documents known hazards within the heavy vehicle industry but may not capture all hazards specific to your operations. As a party in the CoR, your duty is to identify and eliminate or minimise all risks to public safety associated with your transport activities, so it is important to consider the entire context of your operations and identify all hazards accordingly.

There are several useful methods of identifying hazards. For example:

- brainstorming and consulting with employees and business partners and clients
- employee surveys and questionnaires
- review available information (incident or near miss reports, inspection records)
- analysing historical safety papers, articles and investigations
- internal and external safety assessments and audit reports
- workplace inspections or walkthroughs
- review of job descriptions to understand what tasks people perform
- review industry codes and guidance documents (like this one).

Best practice is to create and maintain a hazard log or register, in which the potential risks for each hazard can be assessed and managed. You may wish to incorporate hazards and risks arising from your heavy vehicle transport activities into an existing WHS register or use a template.

2 Assessing Risk

Identify your risks by considering the possible outcomes that could result from each hazard, the likelihood of their occurrence and the severity of the harm that could result. Assess the risk arising from each hazard that you identify whether from the Code or from your own investigations or enquiries.

A common practice is to use a risk assessment matrix to assign an overall severity measure for comparing different kinds of risks – for example an event that almost never happens, but that has grave consequences compared with an event that happens often but has little impact. Using the same risk assessment scale allows comparison of different kinds of risks and helps identify and prioritise the most serious risks.

> Note: that the same hazard may create a different degree of risk in one business compared with another, because of differences in conditions or environment. Your risk assessment should also consider the effect of any existing controls.

Include risks and their assessed level in your hazard or risk register.

Table 3 – Using the Master Code to identify hazards and assess risks

Each company considers whether the hazards described in the Master Code are present and if they create a low, medium or high risk. Each company identifies that Hazard 15 may result in a public risk arising from their Transport Activities, but at different levels.

Table 3. Hazard identification and risk assessment

	Company A	Company B	Company C
	Manufacturer	**Transport Operator**	**Retailer**
	Produces, packs and palletises widgets	Loads and transports widgets	Receives and unloads widgets at retail locations
Hazard 3	Yes – Low	No	No
Hazard 7	Yes – Medium	No	Yes – High
Hazard 12	No	Yes – Low	Yes – High
Hazard 15	**Yes – Medium**	**Yes – High**	**Yes – Low**

3 Selecting control measures

Choose controls or a combination of controls, which will eliminate each risk that has been identified or where it is not reasonably practicable to eliminate the risk, to minimise it so far as is reasonably practicable.

Choose controls that will work and be effective in your business. It may be necessary to use a combination of controls of different kinds. For example, to deal with one risk, you may need to purchase or adapt equipment, change procedures and re-train employees. Another risk may be eliminated by assigning employees to a new task and hiring a new staff member.

Prioritise controls that eliminate a risk altogether, where possible. For example, if night driving creates a fatigue hazard, changing the schedule to daytime would be a preferred control, but if it is not feasible or introduces other risks, then alternative controls would need to be implemented to manage the risk of driver fatigue.

Selecting appropriate controls, monitoring their implementation and monitoring their effectiveness is part of CoR parties' and executives' duty. Where controls are not effective, then alternative or additional controls must be implemented.

Record proposed controls in your hazard or risk register.

It is recommended that you document the assessment process, including its scope and timing, personnel involved, sources of information and the reasoning supporting each decision. You should also document decisions, timing, costs and actions relating to the implementation of each control. These records will be useful to your business in the future.

Is it compulsory to use controls recommended in the Master Code?

You do not have to use every control recommended by the Master Code. As per s 632A, HVNL, you may use different controls altogether – ones not mentioned in the Master Code – if they eliminate or minimise the risk just as effectively.

s 632A Using Code of Practice in proceeding

(4) Nothing in this section prevents a person from introducing evidence of complying with this Law in a way that differs from the Code but that provides a standard of safety or protection equivalent to or higher than the standard required in the Code.

A control from outside the Master Code might be more readily available or more effective in your business because it suits your circumstances better. You may also use a combination of controls from the Master Code and other controls.

If the current controls cannot adequately eliminate or minimise a risk, you must either implement alternative controls to achieve the intended safety outcome or cease the activity until appropriate controls can be implemented.

Table 4 – Using the Master Code to select control measures for each hazard

All 3 companies need to address Hazard 15. They consider the controls available from each of the Activities they participate in, to decide:

- which controls they already have in place
- which controls they could readily implement
- which controls could be implemented over time or with additional resourcing
- which controls are not relevant to their operations.

Table 4. Selecting control measures for hazards

	Company A	Company B	Company C
	Manufacturer	Transport Operator	Retailer
Hazard 15			
Activity B			
Control 1	Yes		Yes
Control 4		Yes	
Control 7	Yes	Yes	
Other Control			Yes
Activity D			
Control 2	Yes	Yes	
Control 3		Yes	Yes
Control 8		Yes	
Control 12	Yes		
Activity K			
Control 1	Yes		
Control 5		Yes	Yes
Other Control			Yes

Each company comes up with a different combination of controls to manage the hazard, including some from the Master Code and others they have identified themselves. Implementing the combination of controls allows the 3 companies to be assured that the risks arising from Hazard 15 have been eliminated or minimised so far as is reasonably practicable.

Other sources of information about hazards, risks and controls.

You can find more information about managing risk by referring to Codes of Practice or other publications produced by safety regulators, such as Safe Work Australia and its state equivalents or in relevant Australian and International Standards (AS/NZS, ISO, ECE Regulations).

Your industry and its networks may be another source of advice and data. For example, the Australian Trucking Association (ATA) publishes Technical Advisory Procedures (TAP) to promote safety, efficiency and sustainability across the road transport industry. Other examples of organised information exchange is the Safer Together[7] initiative in the oil and gas sector whose regular working groups develop bulletins and safety alerts that are sent to members and subscribers and the Safe Load Program[8] which sets common standards and provides training about safe loading and delivery of fuel.

4 Implementation and training

Once you have identified hazards, assessed each risk and determined the appropriate controls, you need to ensure that they are implemented in your business.

Ensuring proper implementation of controls is also part of the Executive Duty. Executives should be aware of the outcome of the risk assessment process and have oversight of the integration of controls into the systems of the business.

To implement new controls, a business may have to review its existing policies, procedures, equipment, premises, staffing, contracts and business practices and make appropriate updates. If it is not possible to implement all suitable controls immediately, then measures that eliminate or minimise the most serious risks should be prioritised.

Ensuring the availability of the resources necessary to put controls in place is also part of the Executive Duty.

Training will be an essential component of implementing new controls. In some cases, training will itself be one of the controls, but training about all the new controls will be required. Develop all-staff training to introduce the overall changes, including an explanation of the risk assessment process and the business' legal obligations, so that staff understand the importance of the training.

Identify and deliver specific training for staff according to the functions they perform, where and how they work and the equipment and resources they use. Include sales, human resources and public relations staff in the training program. Deliver training in a way that suits the working environment and gives trainees enough time to learn and adapt. Provide training support during the change period and ensure that staff know how to access training documentation.

You should also identify training needs of your business partners and clients. In some cases, e.g. new procedures at premises, it may be necessary to provide information or training to third parties and employees. For example, by providing on-site training, by obtaining assurance about existing skills or by providing visual guidance or updated web content.

5 Monitor and report on the effectiveness of controls

You will need a way to monitor whether the controls you implement are effective. If you have already been monitoring appropriate safety indicators, you may be able to compare outcomes after the controls have been implemented and assess whether they are improving your business' safety.

Care needs to be taken in choosing what you measure or monitor. Some measures based on outcomes – e.g. number of crashes – may not provide useful insights. For example, there may be long periods where, by good fortune there are no crashes despite the existence of a hazard, so this measure would provide no information.

Use what you learnt from the risk assessment process and your detailed knowledge of your own business, to identify indicators that will inform you whether the controls are being implemented consistently across your business and what effect they are having on known hazards and risks. You may need to combine various kinds of information and information from several sources to achieve this, e.g. inspections, driver surveys, absenteeism rates, engine data, technical reports, near misses, maintenance records, customer complaints, audit reports.

It may be possible to perform continuous monitoring. If not, you should establish a monitoring cycle that is appropriate for the level of risk associated with your activities. Decide what should be considered normal variation in the indicators that you measure and what changes warrant further investigation or intervention.

Monitoring the effectiveness of controls, ensuring that employees can report issues and be heard and making necessary changes are all part of an Executive's Duty.

6 Review

Your controls and their implementation should be reviewed if your monitoring demonstrates that the controls in place are not effective at eliminating or minimising public risk. There are also other events that might trigger a review, for example:

- concerns raised by employees
- a serious incident or near miss
- control failures
- audit results
- data showing increased risk-based on operational outcomes
- changes to business operations e.g. new client,

business expansion, new staff
- emerging hazards and risks
- changes to the physical or regulatory environment.

You should also establish a cycle of periodic review. A combination of minor and incremental changes over time can escape notice but create a substantially different risk environment, which may catch a business off guard.

Regular review allows a business and its executives to confirm that systems are still fit for purpose. They are also an opportunity for executives and staff to re-focus on safety and avoid complacency. The frequency of review should depend on the overall risk. If the risk is higher, then reviews should be more frequent.

Your business may have the resources to conduct its own review. You may also consider engaging external experts from time to time or to review some parts of your system.

The review process should follow the same steps as the initial assessment and the same requirements for implementation and documentation apply.

If the outcome of the review is that changes should be made, then training should be developed and delivered for employees, business partners and clients.

Safety Management Systems

By following the recommendations in this Code, your business will develop new documents such as risk or hazard registers, schedules, records and documented policies and procedures. Applying and adapting those into your existing systems and setting priorities and timelines will require attention and coordination, particularly at the start of the change process.

A Safety Management System (SMS) can be used to better integrate safety management processes into a single system. Having an SMS is a legislative requirement for many transport sectors, but not for road transport. (Note: On commencement of the HVNL Amendment Act of 2026, enrolment in the National Heavy Vehicle Accreditation Scheme (NHVAS) will be conditional upon an operator having a SMS).

An SMS provides an organisation with a systematic approach to continuously monitor and improve safety performance. It manages risk through setting goals, capturing data, measuring performance and refining the system.

An SMS is integrated into the way the organisation operates, to enable effective risk-based decision-making processes across the business where risks are identified and continuously managed to an acceptable level. There is no one size fits all SMS that caters for all organisations; therefore, the resources applied to an SMS can be scaled to suit the size, nature and complexity of the operation to ensure the hazards and associated risks are effectively managed.

For more information, guides and templates about SMS, refer to NHVR's webpage about Safety Management Systems.[9] TruckSafe publishes SMS components and elements for transport companies and single vehicle owner-drivers on its website, including business rules and Codes of Conduct.

Resources

For guidance on the principles of risk management, the NHVR recommends AS/NZS ISO 31000:2018 Risk Management – Principles and Guidelines.[10] You might also find AS/NZS ISO 45001: 2018 Occupational Health and Safety Management Systems[11] useful.

More information about risk management is available from Safe Work Australia or your state or territory's workplace health and safety regulator.

COMPARING THE PRIMARY DUTY AND THE WHS DUTY

Applying safety risk management is a requirement of both the Primary Duty under the HVNL (HVNL duty) and the Primary Duty of care under the WHS law (WHS duty). This is because the HVNL adopts and adapts concepts from WHS law and applies them to parties in the CoR.

Many CoR parties are also duty holders under WHS laws and should already be familiar with WHS principles and terminology.

That knowledge is a good foundation on which to build compliance with the HVNL duty, however there are some differences and similarities between the 2 frameworks.

Similarities

- Application of a general duty, rather than prescriptive requirements
- Legal entity has the duty
- Focus is on safe outcomes
- Concept and definition of "so far as is reasonably practicable" (SFAIRP)
- Duty to eliminate risk SFAIRP or else to minimise risk SFAIRP
- Distinct personal duty of officers/executives
- Principles about duties and shared responsibility
- Codes of practice provide more detailed recommendations
- Similar penalty orders.

Differences

The main difference between the 2 laws is their objects or the things the laws are intended to achieve. The WHS duty is concerned with the health and safety of workers and others in a workplace. The HVNL duty is concerned with eliminating or minimising public risk. There are examples where these objects diverge and where they overlap.

Protecting road infrastructure fits within the definition of public risk. Therefore, managing vehicle mass to protect roads from repeated wear is part of the HVNL Primary Duty. Failing to manage the mass of loads would be a breach of that duty. However, that failure would not be a breach of the WHS duty if the vehicle was still safe to drive. If on the other hand, the vehicle was overloaded to the point where the brakes and steering were affected and drivers and passengers were at risk, then it would also be breach of the WHS duty.

Driver safety is an object of both laws, so controls that ensure the safety of drivers help businesses meet both duties. There are further controls, which have multiple consequences, that are relevant to both duties, though they manage different risks. For example, driver health, including mental health, is one of the main objects of the WHS duty, but it is not directly identified as part of the HVNL duty. However, it has an important connection to the HVNL duty. Ensuring a driver's physical and mental health improves their ability to drive safely, thereby protecting drivers, passengers and road users.

Some further examples exploring the differences and connections between the 2 duties are shown in Table 5.

Overlapping obligations

Some of the above examples show the potential for the 2 duties to overlap. For example, an injury to an employee, in or near a vehicle, may be a breach of both duties. There is guidance for duty holders who have obligations under both laws in Parts (1) and (1A) of Section 18, HVNL.

s 18, HVNL – Relationship with primary work health and safety laws

(1) If a provision of this Law and a provision of the primary WHS Law deal with the same thing and it is possible to comply with both provisions, a person must comply with both provisions.

(1A) However, to the extent it is not possible for the person to comply with both provisions, the person must comply with the provision of the primary WHS Law.

Note: further subsections of s 18 deal with admissibility of evidence of compliance or breaches of one law in proceedings against the other and protection against double jeopardy.

Shared duties

Both legal frameworks incorporate principles that apply when more than one duty holder is responsible for the same thing, (s 16, *Work Health and Safety Act*, s 26B, HVNL). Those principles are relevant when businesses are working together under agreements or in the same location. WHS case law deals in detail with the obligations of principal contractors and sub-contractors.

The HVNL has an additional principle, of "shared responsibility" (s 26A, HVNL). Noting that the HVNL duty applies to 10 potential parties, some of whom have no contractual relationships with each other, care should be taken in using WHS case law about shared duties to interpret comparable HVNL provisions.

Hierarchy of controls

The WHS regulations are explicit about prioritising some kinds of controls over others, for minimising risk. The HVNL has no similar provision, though it does prioritise eliminating risk over minimising risk, as does the WHS duty.

Table 5. Comparing controls and their relevance to the WHS Duty and HVNL Duty

Control	WHS Duty	HVNL Duty
Managing driver health	Part of the object of the duty. Fit and healthy driver is a safer driver, less likely to crash and harm self and passengers.	Fit and healthy driver is less likely to crash and harm self, passengers or other road users.
Safe packaging and unitisation of goods.	Reduces risk of injury to workers stacking or moving freight in a warehouse.	Reduces the risk that a load disintegrates, protrudes from or falls from the vehicle, distracts driver or affects vehicle handling, with potential of harm to driver, passengers, other road users and road infrastructure.
Training employees in safe animal handling. (Calm animals travel better and are less likely to fall or injure themselves during the journey).	Minimises the risk of a worker being injured by an animal during loading or unloading. Minimises the risk that a driver will have to stop and climb into a trailer to attend to a fallen animal and sustain an injury.	Minimises the risk that a driver will have to stop and climb into a trailer to attend to a fallen animal and sustain an injury. Minimises the risk that a driver will have to stop and climb into a trailer to attend to a fallen animal which may delay the journey, thereby increasing the risk of the driver being impaired by fatigue and a hazard to himself and other road users.
Installing a deck or bay at a loading facility so that drivers can safely climb up to inspect a load at level.	Minimises the risk of a fall from height by the driver.	Driver is better able to apply or inspect load restraint, minimising the risk that a load will fall from the vehicle and endanger the public.
Installing weighbridge at loading premises		Reduces the risk of overloading and damage to road infrastructure.

SHARING RESPONSIBILITY

The shared nature of the Primary Duty requires CoR parties to pay special attention to how they communicate and collaborate with other parties and other businesses.

The importance of information

Special challenges in complying with the HVNL duty are the complexity and remoteness of connections between hazard and risk. Whether the separation is one of time or distance, many duty holders will be unable to directly observe or analyse causes and effects, whether associated with their own activities or another's.

Some parties won't see a heavy vehicle at all, only interacting through multi layered contractual arrangements or some ad hoc communication. That vehicle might be loaded, scheduled, driven, unloaded by a person they've never met, at a place they've never been. Parties who operate vehicles may have limited knowledge about a load, a route or a destination.

Of the different parties for each vehicle journey, some may have agreements and channels of communication between them, but the connections and obligations between others may be limited.

Managing safety across this whole network depends on information – the right information, at the right time, to the right person. Information is required in advance to plan and optimize a journey. Exchanging information during the journey is critical for responding to changing conditions – and in heavy vehicle transport, change tends to be the rule rather than the exception. At the end of the journey, information enables all parties to review, adjust and improve.

Many of the activities and controls within the Master Code are concerned with information sharing.

Working with other parties

Each party in the CoR has its own Primary Duty to ensure safety, but no party acts in isolation. Transport businesses and other supply chain parties are inextricably linked. Recognition of that connectedness is the foundation of the CoR principle and the origin of the term.

Under an earlier form of CoR laws, a party could be automatically liable when others breached certain prescribed offences. That form of liability is not a part of the Primary Duty, but many businesses still fear being liable when another party or driver does something wrong.

Attempts by businesses to protect themselves from this obsolete form of liability can be counterproductive. Too much focus on monitoring the performance of others can divert attention and resources from a business's own safety performance.

Many larger businesses do take on the role of monitoring the compliance of a smaller business, particularly transport sub-contractors. There is nothing wrong with this approach, but it's important to note that this is not an explicit requirement of the HVNL. Rather, the Law requires that when parties work together, they share responsibility for the same matters and must each perform their duty according to what they do, the associated risk and their capacity to control, eliminate or minimise risk (see s 26A & 26B, HVNL).

Working with others has the potential to create new hazards and risks, but is no different from any other risk, in terms of the duty. It is a part of a business's transport activities and therefore requires them to eliminate the consequent risks, so far as reasonably practicable or to minimise them.

Good practice is to assess how working with another business will affect risk, before commencing work with them and to have arrangements in place that enable the business to monitor and manage risks and to respond appropriately.

For different kinds and sizes of business, what would be reasonably practicable for monitoring shared operations may vary. For example, one business might have cameras that capture number plate data and integrate it with computer records about vehicles and loads and reports from on-site staff. Another business may use a paper-based system and rely on customer feedback and financial records. A small transport operator might train staff to record and report average waiting times, facilities and the skill of loading or unloading employees.

Safety monitoring is not the responsibility of one party, it is something that all parties should be doing, as a regular part of safety management. They should be monitoring:

- the effectiveness of their own systems
- their impact on the safety of other businesses
- the impact of other businesses' actions upon them
- new hazards or risks from any source.

Recommendations in this Code propose ways that consignors, consignees and loading managers can report on their performance to transport operators, particularly in relation to delay. These suggestions are consistent with the shared legal obligation between parties, as well as being practical measures for enhancing efficiency of all parties involved.

s 26A, HVNL – Principle of shared responsibility

(1) The safety of transport activities relating to a heavy vehicle is the shared responsibility of each party in the chain of responsibility for the vehicle.

(2) The level and nature of a party's responsibility for a transport activity depends on –

  (a) the functions the person performs or is required to perform, whether exclusively or occasionally, rather than –

    (i) the person's job title; or

    (ii) the person's functions described in a written contract; and

  (b) the nature of the public risk created by the carrying out of the transport activity; and

  (c) the party's capacity to control, eliminate or minimise the risk.

Case Study: Steep descents

Controls in the Master Code are arranged according to Activities that parties in the CoR may perform. To effectively manage a hazard and eliminate or minimise a risk, different parties will apply different controls, at different times, arising from different Activities. This is the principle of shared responsibility described at s 26A, HVNL. By combining controls in this way, the CoR parties can ensure they are eliminating or minimising the risk so far as is reasonably practicable.

To illustrate how the Master Code can be used in this way, consider the External, Environmental, or Infrastructure Based Hazard H12k – Hazard: Steep Descents. The following controls are all relevant to managing this hazard. If a CoR party identified that this hazard may result in a public risk arising from their transport activities, they may consider which of these controls is available to them through the Activities they perform and which may be available for their business partners to implement.

The best safety outcome is achieved by the combined effect of all the controls, especially when parties collaborate to create a system where all the elements are integrated.

Table 6. Activities and controls for steep descents

Activity	Controls		Implement ourselves	Business partners
14 Managing distraction and inattention	14.9	At the start of a journey, remind drivers about hazards on the route to bring them to the driver's attention.	Yes	
15 Training drivers	15.8	Ensure drivers have appropriate training for general and specialised driving tasks they may perform.	Yes	
	15.18	Provide training to drivers about how to respond in an emergency.	Yes	
17 Using monitoring devices and safety systems	17.6	Make use of monitoring device data to identify gaps in safety and to inform training and processes. Combine data sets to generate new insights.	Yes	
19 Maintaining vehicles and equipment	19.1	Create a service, inspection and maintenance schedule for each heavy vehicle and its auxiliary equipment, at a frequency appropriate for their use.	Yes	
	19.8	Develop pre-start and post-operation inspection procedures to be used before and after a driving shift.	Yes	
22 Managing loading and unloading premises	22.11	Provide information to site users that enables safe vehicle operation and planning.		Yes
23 Arranging for the transport of goods	23.5	Provide the transporter with information about locations where the load is being collected from and transported to.		Yes
27 Route planning and selection	27.7	Obtain information about other hazards on the proposed route and assess possible hazards.	Yes	Yes
	27.14	Implement a system to assist the driver to navigate and remain on the selected route.	Yes	

Sub-contractors and Prime Contractors

Liability for the failings of sub-contractors is frequently the subject of WHS and OHS case law. Those cases indicate that a principal contractor must take care in engaging, guiding and instructing a sub-contractor, but is not automatically liable for their negligence.

Care should be taken in applying WHS law principles to the HVNL due to the differences between them. As noted above, the large number of potential duty holders for the HVNL duty may be a basis for distinguishing WHS precedent about concurrent duties.

> Note: There is also potential to confuse the WHS term "principal contractor" with the HVNL CoR party definition "prime contractor". They are not the same thing.

A "prime contractor" is an individual or business who engages a self-employed driver under a contract for services. (The provision ensures that the Primary Duty applies to the person that instructs and remunerates a driver, regardless of the form of employment or contract).

Case Study – Prime and principal contractors

Alpha Ltd. is a statutory corporation. It contracts with Beta to build a hospital.

Beta Ltd. is a large construction company. It contracts with Gamma for transport services.

Gamma Ltd. is a large transport company. It contracts with Delta for waste removal.

Delta Ltd. is small transport company. It engages Mr. Driver under a contract for services.

Delta is the "prime contractor" for Mr. Driver and is a party in the CoR.

Alpha and Beta may be "principal contractors" for the purpose of WHS law. Gamma is a CoR party. Beta is likely a CoR party. None of Alpha, Beta or Gamma is the "principal contractor" for Mr. Driver.

Care should also be taken to avoid taking WHS or OHS case law about principal contractors and attempting to apply it to situations involving prime contractors.

s 26B, HVNL – Principles applying to duties

(1) A person may have more than 1 duty because of the functions the person performs or is required to perform.

(2) More than 1 person can concurrently have a duty under this Law and each duty holder must comply with that duty to the standard required by this Law even if another duty holder has the same duty.

(3) If more than 1 person has a duty for the same matter, each person –

  (a) retains responsibility for the person's duty in relation to the matter; and

  (b) must discharge the person's duty to the extent to which the person –

    (i) has the capacity to influence and control the matter; or

    (ii) would have had that capacity but for an agreement or arrangement purporting to limit or remove that capacity.

(4) A duty under this Law may not be transferred to another person.

ABOUT THE MASTER CODE

Legal status of the Master Code

The Master Code does not create new legal obligations or replace existing requirements in the HVNL or its regulations. It is primarily guidance for CoR parties.

However, the Code may be used by a court as evidence in relation to a breach of the Primary Duty or the Executive Duty (see s 632A, HVNL).

Specifically, its content may be used as evidence of what CoR parties and executives know or ought to know, about hazards, risks, risk assessments and controls relevant to the safe use of heavy vehicles. Knowledge of these is relevant to the question of what is reasonably practicable.

s 632A, HVNL – Using Code of Practice in proceeding

(1) This section applies in a proceeding for an offence against this Law.

(2) A registered industry Code of Practice is admissible as evidence of whether or not a duty or obligation under this Law has been complied with.

(3) The court may –

  (a) have regard to the Code as evidence of what is known about a hazard or risk, risk assessment or risk control, to which the Code relates; and

  (b) rely on the Code in determining what is reasonably practicable in the circumstances to which the Code relates.

(4) Nothing in this section prevents a person from introducing evidence of complying with this Law in a way that differs from the Code but that provides a standard of safety or protection equivalent to or higher than the standard required in the Code.

(5) However, the person may introduce the evidence mentioned in subsection (4) only if the person has given written notice of the person's intention to do so to the complainant at least 28 days before the day fixed for the hearing of the offence.

How a Code of Practice assists duty holders

The Primary Duty and Executive Duty require duty holders to achieve a safety outcome – eliminating or minimising public risk – but the Law doesn't state exactly how they should achieve this. There are good reasons for this.

Firstly, there is diversity in the ways CoR parties operate and in their working environments. It would not be possible to provide detailed guidance for every situation. Secondly, the nature of the legal obligation is a recognition that duty holders are the experts in their own operations and accordingly are tasked with finding the best ways to manage risk in their own circumstances.

The purpose of the Master Code is to help bridge the gap between the overarching duty and the detail of day-to-day operations. It does not prescribe how every party should operate. Rather, it is a tool to help parties better understand opportunities to manage risks, by identifying hazards and risks that arise in the use of heavy vehicles and proposing options for eliminating or minimising public risks.

Other hazards and risks

It is important to note that the Master Code does not capture every single hazard and risk but concentrates on those that are widespread and most serious. Nor does it identify every possible control. There may be controls in use or under development that were not known at the time the Code was developed or that are only effective in limited cases.

Duty holders must identify all hazards and eliminate or minimise all risks associated with their transport activities, regardless of whether those hazards or risks are identified in a registered Code of Practice.

Other legal obligations

The Master Code aims to give guidance, to assist parties to comply with the Primary Duty and Executive Duty, but it is not a guide to compliance with prescriptive elements of the HVNL or any other law.

It should be read in conjunction with the HVNL, the Load Restraint Guide 2025,[12] WHS law, relevant Australian Standards and other industry specific guidance. To be clear, all those materials may be relevant in a consideration of whether a CoR party did what was reasonably practicable to ensure safety and to eliminate (and, to the extent it was not reasonably practicable to eliminate, minimise) public risks.

Drafting style and terminology in this Code

Controls in this Code are written as directions or instructions e.g. "implement", "establish", "develop", "maintain", etc. rather than suggestions or invitations. This drafting style is used for clarity and brevity. It should not be taken to mean that any control is a mandatory requirement. Parties are always expected to consider, assess and evaluate all relevant matters before deciding to implement a control.

"Person" – the HVNL definition of "person" includes an individual, a business or partnership and a government body. CoR party definitions and some HVNL obligations refer to "persons" in this sense, but in parts of the HVNL the term "person" has its ordinary meaning.

"Individual or business" – is frequently used instead of "person" when a legal person, such as a party in the CoR, is being referred to. The phrase should be taken to also refer to a government body, organisation or other legal person, unless the context indicates otherwise.

"Work Health and Safety (WHS)" – references to WHS should be taken to also refer to Occupational Health and Safety (OHS) unless the context indicates otherwise.

Use of examples

Many of the controls in this Code include a list of examples or dot points. Those examples are illustrative only and should not be interpreted as limiting the ways a control could be implemented or the situations where it could be relevant.

Currency of the HVNL

This Code is based on the version of the HVNL that was current on 1 December 2025. Reference is made in places to pending changes to the Law in 2026.

Reference materials and currency of technical standards

Documents, websites and other materials referenced in the Master Code are included for information purposes and to assist users of the Code to obtain further details about a topic. They do not have the same evidentiary status as content included directly in the Code itself. This includes information published by the NHVR.

References and links in this Code to technical standards and information resources were current at the time of publication. If you refer to any of them, you should ensure that you are consulting the current version.

OVERVIEW OF HAZARDS AND RISKS

The following lists summarise hazards and potential consequences identified by stakeholders in the heavy vehicle sector. The hazards are grouped into categories for ease of reading. Identifying or assessing risk is a two-part process requiring consideration of a possible outcome, then assessment of its likelihood and the seriousness of the harm or damage that could be caused.

This Code does not attempt to categorise or evaluate different risks. That assessment must turn on specific circumstances and is the responsibility of the duty holder who is better equipped to make the assessment.

Nor does this Code explicitly map connections between specific hazards and controls, although it suggests the kinds of activities that can be used to address hazard types.

This is because heavy vehicle incidents often have complex causes and multiple contributing factors. Attempting to map all possible causal pathways is beyond the scope of this Code. The Code is designed to assist duty holders to make their own risk assessments, by highlighting hazards and suggesting controls, across a broad range of transport activities, that in combination, will create a safer system. It is hoped that this methodology may be a useful guide, even in relation to novel or unique hazards and risks.

One of the categories of hazards is "External, Environmental, or Infrastructure Based Hazards" which are things largely beyond the control of CoR parties to eliminate or to minimise, but for which there are still opportunities to minimise the harm that they will cause. For example, training drivers to anticipate and respond to bad driving by other road users.

The lists of hazards and potential consequences include harm or injury that might also fall within the ambit of the WHS or OHS duty. Those items have been deliberately included, either because they are emerging issues or because the relevant controls or some of those controls, can be implemented by a party other than an employer.

Ensuring safety for the Primary Duty

Ensuring safety for the Primary Duty requires CoR parties to eliminate or minimise "public risks". This is defined in the HVNL to include "safety risks" and in turn risks to "public safety".

To comply with the Primary Duty, CoR parties must eliminate or minimise these risks if they are created through their heavy vehicle transport activities:

- risks to the safety of persons or property
- risks to the safety of the drivers, passengers and other persons in vehicles and combinations
- risks to the safety of persons or property in or in the vicinity of road infrastructure and public places
- risks to the safety of vehicles and combinations and any loads in them
- risk of damage to road infrastructure
- risk of harm to the environment.

Hazards

H1 Hazards to heavy vehicle drivers – other than vehicle crashes

H1a Hazard: Aggressive bus passengers

H1b Hazard: Powerlines at loading or unloading premises

H1c Hazard: Equipment / machinery at loading or unloading premises

H1d Hazard: Traffic near stopping places on roadways

H1e Hazard: Auxiliary vehicle equipment

H1f Hazard: Remote or isolated work

H1g Hazard: Vehicle fumes in vehicle cabin

H1h Hazard: Vehicle fumes in loading or unloading premises

H2 Negligent or dangerous driving behaviours

H2a Hazard: Heavy vehicle driver intentionally disregards speed limits or speed recommendations

H2b Hazard: Heavy vehicle driver consumes alcohol or illicit drugs

H2c Hazard: Heavy vehicle driver intentionally or knowingly drives while fatigued

H2d Hazard: Heavy vehicle driver drives recklessly

H2e Hazard: Heavy vehicle driver disables or allows disablement of safety technology

H2f Hazard: Heavy vehicle driver drives while unsafely interacting with phone or device

H2g Hazard: Heavy vehicle driver intentionally fails to maintain safe following distance

H3 Driver skill and competence

H3a Hazard: Driver not current, competent or supported to drive well

H3b Hazard: Driver misjudges appropriate speed for prevailing conditions

H4 Driver performance or impairment

H4a Hazard: Driver is impaired by fatigue

H4b Hazard: Driver's mental health impacts fitness to drive

H4c Hazard: Driver's physical health impacts fitness to drive

H4d Hazard: Driver is impaired by alcohol or other drugs

H4e Hazard: Driver fails to maintain attention to driving task due to monotony or boredom

H4f Hazard: Driver's attention is diverted from driving task due to secondary tasks or distraction

H5 State or condition of vehicle

H5a Hazard: Vehicle poorly maintained

H5b Hazard: Vehicle not configured to protect driver or passengers in crash

H5c Hazard: Vehicle configuration limits driver's view of vulnerable road users

H5d Hazard: Vehicle emissions, fuel and oil leaks

H5e Hazard: Vehicle safety systems or components not functioning as intended or designed

H5f Hazard: Vehicle lacks appropriate auxiliary equipment

H5g Hazard: Safety systems in trailers and prime movers not compatible

H5h Hazard: Combination of prime mover and trailers is not safe

H5i Hazard: Vehicle is not appropriate for the task

H6 Load restraint equipment

H6a Hazard: Lashings and tensioners inadequate for loads

H6b Hazard: Attachment points, blocking structures, curtains are not adequate for forces

H6c Hazard: Equipment (pumps, hoses, outriggers, etc.) lack locking mechanisms.

H6d Hazard: Containment equipment not adequate for load

H6e Hazard: Storage compartments not adequately secured

H7 Load restraint

H7a Hazard: Load not adequately restrained

H7b Hazard: Goods are poorly packaged or consolidated

H7c Hazard: Remainder of load not adequately restrained after partial delivery

H7d Hazard: Goods inside shipping containers not packed or restrained appropriately

H7e Hazard: Loose items or luggage inside driving or passenger compartments of vehicle

H8 Nature of load

H8a Hazard: Hazardous contents in load are not known or identified

H8b Hazard: Waste load contains lithium-ion batteries

H8c Hazard: Load contains hazardous materials

H8d Hazard: Load contains environmental contaminants

H8e Hazard: Load contains exotic vertebrates or invertebrates

H8f Hazard: Load contains parasites, weeds, seeds, infectious material

H8g Hazard: Load contains materials harmful to human health

H9 Oversize Loads

H9a Hazard: Over dimension vehicle

H9b Hazard: Overmass vehicle

H10 Loading and unloading premises

H10a Hazard: Traffic congestion or queuing vehicles outside premises

H10b Hazard: Loading and unloading machinery and equipment

H10c Hazard: Bullying, harassment, threats, abuse

H10d Hazard: Loader/unloader is not competent or adequately trained

H11 Organisational or commercial hazards

H11a Hazard: Drivers are paid in a way which encourages unsafe behaviour

H11b Hazard: Safety is not integrated in commercial arrangements

H11c Hazard: Businesses with different standards, systems, procedures working together

H11d Hazard: Inconsistent requirements and lack of transparency in multi-layered contracts

H11e Hazard: Contract terms not adjusted when operating conditions change

H11f Hazard: Criminal infiltration or blackmail

H11g Hazard: Heavy vehicle operations are not the core business of organisation

H11h Hazard: Organisational structure and systems do not adequately support heavy vehicle operations

H11i Hazard: Executive/management have little understanding of heavy vehicle operations

H12 External, Environmental, or Infrastructure Based Hazards

H12a Hazard: Driving behaviour of other road users

H12b Hazard: Negative interactions or conflict with other road users

H12c Hazard: Roads in poor condition

H12d Hazard: Restricted roads and access

H12e Hazard: Rail overpasses

H12f Hazard: Level crossings

H12g Hazard: Lack of adequate rest areas

H12h Hazard: Traffic congestion

H12i Hazard: Lack of space in built up areas

H12j Hazard: Natural disasters, weather, animals on roads

H12k Hazard: Steep descents

Potential consequences

C1 Loss of vehicle control causing fatality or injury to drivers, passengers or road users

C2 Loss of load resulting in fatality or injury to one or more road users

C3 Driver hit by vehicle on roadside resulting in fatality or injury

C4 Driver or individual hit by vehicles, loading machinery or loads, causing fatality or injury

C5 Driver or individual injured by auxiliary vehicle equipment, causing fatality or injury

C6 Collision causing fatality or injury to one or more road users

C7 Electrocution causing fatality or injury

C8 Assault on bus driver causing fatality or injury

C9 Road users collide with queuing or reversing vehicles causing fatality or injury

C10 Fire or explosion

C11 Damage to human health from vehicle emissions

C12 Loss of vehicle control causing damage to vehicles, loads or property or harm to environment

C13 Loss of load causing damage to vehicles, road infrastructure or property

C14 Damage to loads; injury to livestock

C15 Damage to road infrastructure

C16 Damage to vehicles or loads during loading or unloading

C17 Introduction or spread of invasive species in or on vehicles or loads

C18 Spread of livestock diseases

C19 Traffic disruption or obstruction

ACTIVITIES AND CONTROLS

Having identified hazards and risks relevant to your activities and considered the possible outcomes and their likelihood and seriousness, you then need to select suitable control measures. Each of the activities in the following sections of the Code propose many controls for eliminating or minimising risk.

Reflecting that safety relies on contributions from many sources – actions or decisions carried out at different times and places, by different duty holders, the controls are divided up among different activities. Each activity presents different opportunities for eliminating or minimising risk and if combined, should produce better safety outcomes.

> Note: Activity descriptions have been used to make it easier for users of the Code to find content that is relevant to what they do.

Parties should review the list of activities to see which of them their business is involved in, then start to consider the choice of controls that can be implemented in their business. Some businesses or individuals will only need to consider a handful of activities that they carry out. A larger business may need to consider many more.

It is useful to remember that more than one CoR party will often be involved in undertaking any activity, so it is rarely the responsibility of one party alone to implement all possible controls. When thinking about the activities you are doing, identify the controls which could or should be implemented by other businesses.

If another party is implementing an effective control, then you may not need to implement that control yourself. However, if you rely on that party to perform that action, then you may also need to be satisfied that they do it consistently.

An alternative approach might be to implement your own controls, even if they are redundant, because it is easier to monitor and improve the actions of your own business than to rely on accurate information from another.

It may also be useful to consider what controls another party could implement before negotiating an agreement with them. For many reasons, it may be more cost effective for one party rather than another to implement a particular control. For example, they may already have the necessary equipment, resources or training to wrap a pallet or inspect a load or to let a driver rest.

The other party's implementation of a control measure may become a term of the contract which should also enable monitoring of their performance in relation to the control measure.

Each control suggested in these activities should be interpreted in a way and at a scale, that is appropriate for your business. They should be read as an idea and a starting point and can be adapted in a way that would suit your operations. This is part of doing what is reasonably practicable. None of these controls is mandated, the only thing you must do is to eliminate or minimise public risk.

FOUNDATION ACTIVITIES

These Foundation Activities are relevant to all businesses and organisations which are parties in the CoR, regardless of what transport activities are being undertaken, because they describe the way that safety is embedded in everything a business does, long before a driver gets into or a load gets onto, a heavy vehicle.

They illustrate the breadth of what the definition of "transport activities" means for the Primary Duty and how ensuring public safety when a heavy vehicle is used on the road touches every aspect of how a business operates.

The way an organisation engages with these Foundation Activities contributes to how an executive discharges their duty to exercise due diligence. See "s 5, HVNL – Definitions" for more information about Executive Due Diligence.

1 Activity: Developing organisational safety capability

Safety capability is a product of an organisation's engagement with safety as a foundational element of how work is performed. It is built by implementing systems to ensure safety, establishing a culture of safety leadership and teamwork and investment in skills and training to develop workforce competence. Systems, culture and competence are recurring themes throughout this Master Code.

Mature safety capability may look different depending on the scale of the businesses. For example, in a large business, communication and visibility of employees has its own challenges and the scale of operations may result in greater risk and greater variety of risk. At the same time, larger businesses may be able to develop safety capability as a program with dedicated resources.

A smaller business may foster safety capability in less formal or structured ways but may be equally successful in building good safety focus and practices through trusting and open communication and commitment from all employees and leaders.

Hallmarks of safety capability are shared attitudes, patterns of behaviour and work practices that prioritise safety, enabled by good communication, empowered employees and a willingness to listen, learn, adapt and change. Businesses with these characteristics understand that safety will also lead to compliance, productivity and profitability.

Developing organisational safety capability will assist leaders and managers to carry out their Executive Duty. Beyond their own businesses, leaders can influence or encourage business partners to do the same, resulting in improved safety for each business, their employees and the public.

> Note: s 699, HVNL creates an offence for an employer who dismisses or takes prejudicial action against an employee for complaining about a contravention of the HVNL to various parties, including public authorities or law enforcement agencies. See the full definition in the "HVNL definitions" section of the Code.

The below controls describe how a business should respond when an employee raises such issues, as a demonstration of high safety capability.

1.1 **Control: Demonstrate a commitment to safety throughout the business.**

It is the responsibility of executives to lead the development of safety capability. They do this by showing their genuine commitment through their words, attitude and behaviour. They demonstrate it by their actions such as encouraging the reporting of safety issues, setting organisational policy and objectives, implementing changes to equipment, systems and training to manage safety, by continuing to provide necessary resources and through communicating with and supporting employees.

1.2 **Control: Establish clear expectations of acceptable and unacceptable behaviour for all employees, including managers and executives, to promote accountability and support high safety capability.**

Acknowledge and learn from mistakes due to lack of training, inexperience or human error and act decisively on deliberate, reckless or repeated rule breaking, gross negligence or turning a blind eye to serious safety breaches.

Policies should make it clear that serious or repeated breaches will be subject to disciplinary action and these policies should be followed.

The implementation of "Just Culture" principles in an organisation is the most effective way to promote and support safety capability. See definition of Just Culture in the "Key terms and definitions" section of the Code.

1.3 **Control: Encourage employees to take personal responsibility for their own safety and that of their co-workers and the public.**

1.4 **Control: Keep employees informed and focused on risks associated with heavy vehicles and the principles of safety management.**

For example: by informal talks, guest speakers, email messages, online learning modules, forums or conferences.

1.5 **Control: Identify and manage psychosocial hazards that affect heavy vehicle safety**

Adopt a zero-tolerance approach to psychosocial hazards in the workplace, including bullying, harassment, discrimination and aggression, which may all contribute to hazards to heavy vehicle safety if not managed.

For example, drivers and employees who experience any of these harms may:

- be distracted from their work
- suffer long term impacts on mental and sleep health
- lack confidence to stop driving when unfit or fatigued
- be discouraged from reporting safety concerns
- leave the industry, taking skills and experience with them.

1.6 **Control: Promote open discussions about safety amongst all employees and executives of the business and create opportunities for communication from top-down, bottom-up and between employees.**

Manage obstacles to open communication such as:

- differences in status or authority
- fear of blame or punishment
- lack of privacy protection
- cultural and linguistic diversity
- employees and drivers working across different locations.

1.7 **Control: Train and empower workers to identify and promptly report safety issues.**

For example:

- new hazards, near misses, inadequate controls
- changes in circumstances which create new risks or exacerbate risks
- obsolete, cumbersome, inconsistent or ineffective procedures
- missing, faulty or inadequate equipment, systems that lack resources
- failures to follow procedures or communicate information
- inadequate training or information
- failure of coordination or communication
- threats, bullying, harassment, blackmail or duress
- issues arising from the ways other businesses work
- issues arising from interactions with employees of other business
- hazards or risks that may arise due to personal circumstances, health or wellbeing.

1.8 **Control: Establish effective channels for directly reporting safety issues to the business, by any person. Instruct all employees, executives and others how to use them.**

For example: a dedicated phone line or email address, a nominated employee or health and safety representative, a QR code connected to a web-form, a suggestion box.

1.9 **Control: Respond positively to all reports in a timely manner regardless of their seriousness or appropriateness.**

1.10 **Control: Assess and investigate reported incidents, issues and hazards promptly and thoroughly, seeking input from relevant people or parts of the business.**

1.11 **Control: Inform employees about reported issues which represent a genuine risk or need additional controls. Provide information about proposed solutions, interim measures and timelines for implementation.**

1.12 **Control: Monitor, measure and report on how well the business identifies and rectifies safety issues.**

1.13 **Control: Train and empower all workers to respond immediately when they become aware of a serious safety risk.**

For example, by implementing a procedure or process that will mitigate the risk or by stopping work if the risk cannot be mitigated immediately. In each case, workers should be trained to report the incident.

Safety capability empowers employees to speak up, without fear of reprisal about potential safety concerns and issues, including their own ability to safely perform tasks. This 'openness' is essential in roles critical to operational safety, where early identification of potential risks can prevent incidents before they occur.

1.14 **Control: Involve employees with community programs or initiatives to promote public safety and a sense of belonging.**

1.15 **Control: Demonstrate and explain your business' approach to safety to your business partners and clients and encourage them to provide input and feedback.**

1.16 **Control: Incorporate procedures and safety performance indicators into agreements with other businesses to identify and resolve safety issues together.**

1.17 **Resources for Developing organisational safety capability:**

- NHVR Regulatory Advice on Developing a positive safety culture[13] provides more information about how a positive safety culture offers numerous benefits for businesses that utilise heavy vehicles in their operations.
- NHVR Regulatory Advice on Discrimination against or victimisation of employees[14] provides guidance on employee protections against discrimination and victimisation under section 699, HVNL.
- The Model Code of Practice: Work health and safety consultation, cooperation and coordination[15] from SafeWork Australia provides practical guidance on how to effectively consult with workers about work health and safety and may provide useful information about worker engagement.

2 Activity: Ensuring executives understand the business

Because of their personal, non-delegable duty, executives (including senior managers and directors) should be acutely aware of how the business operates, what its transport activities are and what controls are in place to manage the hazards and eliminate or minimise the risks created by those transport activities.

This should include having knowledge of the policies, procedures and systems of work established by the business which guide how employees perform their roles.

See "The Executive Duty – terms and principles" for more information about Executive Due Diligence.

2.1 **Control: Ensure executives are provided information to enable them to understand the Executive Duty and how to carry out due diligence specifically in relation to heavy vehicle safety.**

2.2 **Control: Ensure executives have training in risk identification and safety management.**

2.3 **Control: Ensure executives have or have access to, comprehensive, detailed knowledge of the business' activities, how it works with other businesses and the operational environment.**

2.4 **Control: Ensure executives and managers have oversight of employee training sessions so they learn what their employees know and do.**

3 Activity: Establishing policies and procedures

As a CoR party, having effective policies, procedures and systems for work enables the business to ensure the safety of its transport activities. The types of policies and procedures required and their scope and complexity, depends on the size and nature of the business and the variety of roles and activities it performs.

Policies and procedures create the opportunity for a party to set out all the various controls being implemented in the business to manage a particular risk. They might describe how each control is being applied and when. They might also address other controls being implemented by business partners to manage the same risk. Describing what effective implementation of a control looks like might also be useful to include in policies and procedures.

3.1 **Control: Develop a CoR Policy for the business.**

A CoR Policy should establish that the business is the CoR party and outline all the CoR functions it performs, along with identifying all the heavy vehicle transport activities the business undertakes and the types of activities it participates in.

It should confirm that the business is accepting responsibility as the duty holder, that procedures

and systems have been established to guide how the various transport activities and CoR party functions are to be performed and that employees undertaking those roles must follow that guidance. The policy should establish the protocols required to manage safety, describe the legal obligations as a party and the consequences of non-compliance.

The policy should make clear the business' intention that all heavy vehicle transport activities are to be undertaken with safety at front of mind and that employees are empowered to stop what they are doing if they identify a serious safety issue and to escalate the matter, without fear of reprisal.

3.2 **Control: Develop other policies and procedures to guide how transport activities are to be performed.**

All transport activities must be managed by the business. There should be a policy (if appropriate), procedures and work instructions developed to ensure the various tasks are completed safely.

These policies and procedures may contain information for employees performing CoR party functions about what the Law says and what it means for them. However, these policies and procedures should reinforce that the business has the overall duty and employees are required to perform their work in accordance with the business requirements.

Policies may also be used as an opportunity for a business to describe in one place all the various controls being applied to eliminate or minimise a particular risk.

4 Activity: Recruiting and employing (all employees)

Recruiting and employing staff is an important activity in every business. Employing drivers requires particular attention (see Activity 9), but every business can improve the safety of its operations in the way it attracts, screens and employs its staff.

4.1 **Control: Recruit for attitude and behaviour as well as skills.**

For example, position descriptions, selection criteria or interview questions can focus on identifying employees who:

- show a commitment to safety
- accept responsibility
- collaborate with others
- follow policies and procedures
- show respect and consideration for workmates, customers and public
- like learning and adapting.

4.2 **Control: Ensure referee checks ask specific questions about the applicant's commitment to safety and adherence to safety policies.**

For example: compliance with safety-related laws such as those relating to speeding, fatigue and use of drugs.

4.3 **Control: Require referees to disclose any non-work connection with the applicant and ensure that they directly supervised or worked with the applicant.**

5 Activity: Training employees

Effective training is at the heart of safety management and is an explicit requirement under WHS or OHS laws. It requires substantial investment in time and money but pays off in improved safety and efficiency which in turn means reduced downtime and legal costs and greater customer confidence and satisfaction.

It is well understood that training is necessary for safety critical roles such as driving, loading and unloading, operating machinery, working with animals and restraining loads. Training is also essential for employees who do administrative work. The decisions, communication, actions and inactions of these employees can have a flow-on effect that creates or eliminates public risks.

5.1 **Control: Allocate appropriate time and resources for training.**

Training should be regarded as a fundamental ongoing business investment, not an optional extra. Because of their personal, non-delegable duty, executives (including senior managers and directors) should be acutely aware of the importance of effective training. Not only will this protect employees and the public, but it should also avoid downtime, reduce expenditure on worker's compensation insurance and legal support and assist in protecting the executive from personal liability. It may also make a business more likely to attract customers.

5.2 **Control: Set aside time in individual employees' rosters and in the whole-of-business calendar, for employees to participate in training – whether as trainer or trainee.**

5.3 **Control: Assess competency requirements, training needs and training resources.**

Work out the training necessary for each role in your business, according to the type of task, the operating environment, equipment and procedures and the people the employee will interact with.

Verify the competence of new employees and assess their training needs, based on demonstrated skill and expertise. Regardless of skills, all new employees will need to be trained in the business' own procedures so that their skills can be applied in the new environment. They should also be introduced to key elements of the business' safety capability and strategies.

Consider the full range of skills that employees will need not just technical skills or system skills.

For example:

- communication skills
- problem solving
- decision-making
- teamwork
- stress management
- prioritising tasks
- managing time
- identifying and managing psychosocial hazards

Work out the best way to provide each kind of training, whether it be formal training, in person or online, on the job training, mentoring or supervision.

Assess the need for additional training or refresher training in response to organisational changes which affect employees. This could include the introduction of new equipment or infrastructure, new policies, processes or procedures. Prioritise providing critical safety training, ahead of administrative requirements.

5.4 **Control: Identify the best external resources for delivering formal training and the most effective way to train within the business.**

Consider implementing a learning management system (LMS) that identifies training needs, records training, assesses the effectiveness of training and schedules refresher or new training.

5.5 **Control: Put training into practice.**

Recognise that for an employee to retain what they learn, a substantial part of their training should be done on the job, where their knowledge and skills can be applied and embedded. Practical training is also necessary for the employee to apply their knowledge to the actual working environment – their working conditions, the people and equipment they work with, their employer's procedures and clients and the available time to perform tasks.

Look for ways to reinforce formal training through resources, discussions and examples in the work environment. Identify the employees with knowledge and experience and encourage newer employees to learn from them. Treat this informal training as a valuable part of the work performed by experienced employees, rather than as a distraction from their real jobs or time wasting.

Deliver training in smaller blocks, followed by implementation, before starting each new topic. As well as providing the content, provide the rationale. Explain why things are done in a particular way. Explaining why this matters helps the employee understand the value and purpose of a procedure or a rule.

5.6 **Control: Cater to the learning needs of employees.**

Considerations may include:

- Provide training that is appropriate for the literacy level of the learners.
- Provide training in a language which employees understand and in a way that is respectful of attendees' cultural values or practices.
- Use different training materials or approaches for different topics and for different employees. For example: videos or storytelling, group or individual sessions, classroom or in situ training, weekly question and answer sessions, apps or visual aids or reminders in the workplace or inside or on a vehicle, as well as written materials such as a driver's manual.
- Use the material or channels that employees are familiar with. For example: a drivers' message group for "frequently asked questions", a video app for sharing "how to" clips.
- Consider the order in which to provide training. Train easier activities earlier in the program to provide a skills basis for more difficult or complex tasks.
- Allocate more time and emphasis to training activities which carry a higher safety risk.
- For some trainees, the standard approach of classroom instruction first and practical training second will be most effective. Others who learn by doing will benefit from understanding the problem in context, before more formal instruction to consolidate the solutions.
- Consider the attention span – and available time – of employees and adapt training accordingly. Some employees might learn well in longer sessions once per month; for other employees, a series of short sharp bursts, delivered by a co-worker and followed by practice, might be more effective at building competency.
- Encourage and reward employees to direct their own learning and to help other employees. Provide access to learning resources, tools and personnel to assist and support them.
- Observe what works well and continue to adapt or develop ways to provide training.

5.7 **Control: Ensure all employees undergo induction and recurrent training that is specific to their safety responsibilities.**

5.8 **Control: Provide training to all employees about policies and procedures in place in the business and how they should be followed when performing work.**

5.9 **Control: Provide training to all employees about how the business manages safety in its transport activities and is doing what is required as a party in the CoR.**

5.10 **Control: Conduct on-the-job supervised training and assessment of competency.**

The benefit of formal training using in-house trainers is that it can be customised to the actual tasks that employees are doing and will be easier to implement and retain. Trainers should have suitable skills and verified qualifications and must be able to communicate effectively with trainees.

5.11 **Control: Supervise inexperienced workers.**

Allocate skilled or experienced workers to accompany or monitor new employees or employees using new skills or doing new tasks in different environments.

For example:

- employees operating new machinery
- employees working at a new location
- employees using a new software program

5.12 **Control: Ensure all employee qualifications or certifications remain current in undertaking their responsibilities.**

Currency is particularly relevant to organisations where heavy vehicle operations are not their core business or where employees change roles regularly.

5.13 **Control: Provide ongoing training.**

Plan to provide refresher training on a range of topics throughout the period of employment.

Establish a refresher training calendar for all employees, focusing on a different topic each month.

Provide training updates when there are changes in personnel, technology, laws, equipment, software, procedures, premises, customers, networks, the size of the business, etc.

Review safety data to identify procedures or skills that require further training.

5.14 **Control: Maintain training records.**

Document the skills and competencies necessary for each role in a business.

Document the training each employee receives and when and the timing for refresher training.

5.15 **Control: Involve business partners in training your employees and vice versa.**

Considerations may include:

- Employees of different businesses might have done the same formal training, but it's not unusual for businesses to implement requirements in different ways. The result may be conflicting approaches, miscommunication, lost time, confusion or aggravation.
- When collaboration is likely to be ongoing, make time to exchange information with other businesses before working together. Find out about their employees, fleet, premises, equipment, procedures or policies. Provide information about your own business and employees.
- Ways to provide information include: a leaflet, a QR code linked to web content, contact details for a training manager, site visit or induction, information pack, etc.
- Try to identify differences in advance and then work with the other business and your employees, to agree on a common approach or procedure.
- Encourage employees to note and report on issues or inconsistencies when working with other businesses, locations, equipment, practices, etc. and compile the information to address with the other parties.
- Arrange joint training sessions with employees of other businesses, to ensure that they are getting the same training. Invite employees from other businesses to attend your training sessions and send your employees along to theirs.
- Understanding the questions and concerns of employees from other businesses may improve all trainees' understanding of their impact on others.

5.16 **Control: Provide training to all employees about the impact of delay or time pressure on drivers' fitness to drive and the effect of fatigue upon driver competence.**

Employees who may unwittingly contribute to fatigue or speeding risks include:

- sales staff who overbook time slots or promise early delivery times
- loaders and unloaders who disrupt the order in which vehicles are loaded
- employees managing the movement of vehicles on a site
- recruiters who don't appreciate the importance of a loader's speed and efficiency
- clients who order goods at the last moment and ask transporters to make up lost time.

5.17 **Control: Provide training or information to other CoR Parties about how their actions and inactions can affect the safe operation of heavy vehicles.**

Document and provide case studies or examples of how certain actions or inactions, poor system or premises design or insufficient employee training have produced unfavourable or unsafe outcomes.

5.18 **Resources for training employees:**

- NHVR Regulatory Advice on Managing the risks of undertrained workers[16] provides guidance on identifying and managing the safety risks associated with insufficiently or inadequately trained workers in the heavy vehicle industry.
- NHVR Regulatory Advice on Operating in the agricultural sector[17] provides guidance for individuals and businesses who operate in the agricultural sector about seasonal workers, inexperienced and underprepared staff.

6 Activity: Managing fitness to work

An employee who is unfit for work presents a significant safety risk to themselves, other employees and the public and can impact the safety of a business' transport activities. It is essential that an employee is fit to safely carry out their duties when they sign on to work and remains fit throughout the duration of their shift.

Fitness to work means an employee is physically, mentally and emotionally able to carry out their work in a manner that does not endanger the health and safety of themselves or others. Being fit to work is more than not being impaired by fatigue or by alcohol or other drugs. When considering if someone is fit to work you need to consider a range of factors, including their physical, mental and social wellbeing.

Employers and other CoR parties already have a Primary Duty to ensure driver fitness. On commencement of the HVNL Amendment Act of 2026, heavy vehicle drivers will also have an explicit duty to avoid driving a heavy vehicle when unfit to drive, reinforcing the need for employers to have systems in place which allow drivers to assess and declare they are unfit to drive.

The management of fatigue is a critical component of managing fitness to work. See Activity 13 – Managing Driver Fatigue, for relevant controls.

The HVNL includes a definition of "fit, to drive a heavy vehicle" (see the "HVNL definitions" section in the Code).

A range of conditions and factors may impair an employee's ability to work safely, particularly those in roles critical to operational safety, such as driving heavy vehicles, maintaining heavy vehicles or overseeing vehicle operations.

The following non-exhaustive list outlines conditions and factors that may require appropriate management in the workplace if experienced by an employee.

Medical conditions

- cardiovascular conditions
- diabetes
- neurological conditions
- musculoskeletal conditions
- psychiatric conditions
- sleep disorders
- vision and eye disorders
- respiratory conditions

Temporary conditions

- temporary injury or illness
- adapting to new medications or treatments
- effects of stress or trauma from adverse life events
- anaesthesia and post-surgery effects

Substance misuse

- non-prescribed use of prescription medications
- illicit drug use
- alcohol use

> Note: When considering the management of fitness to work and the controls below, individuals and employers need to also consider their compliance and obligations with other laws, including the *Fair Work Act 2009* (Cth), the *Privacy Act 1988* (Cth) (if applicable), discrimination laws and any other laws or obligations that may apply regarding workplaces, privacy and confidentiality. If required, independent advice should be sought in relation to controls in this Activity.

Any medical report or records, drug and alcohol testing information or information about the health of an employee, should be kept confidential, securely and appropriately stored by an employer and not disclosed to third parties, unless required by law or with the employee's express consent.

6.1 **Control: Implement a plan to manage employees experiencing conditions which may cause them to be unfit for work.**

In some cases, developing an appropriate workplace management plan will require input from the employee and their medical practitioner(s) (requiring appropriate consents from the employee). Other factors, such as substance misuse, may be readily identifiable and actionable using other workplace drug and alcohol policies.

Any management plan should take into account the organisation's operational context and the specific tasks performed by the employee, with a focus on whether those tasks can be carried out safely.

Key considerations should include:

- Does the condition affect the employee's ability to obtain and process sensory information from their environment (e.g. visual information, auditory information, perception of space, movement and direction)?
- Does the condition impair the employee's cognitive processes essential to their tasks (e.g. attention, concentration, judgement, decision-making and reaction time)?
- Does the condition affect physical capabilities required for their tasks (e.g. joint mobility, strength, endurance and coordination)?
- Does the condition carry a risk of sudden incapacitation during their tasks?

All management plans should prioritise the health and wellbeing of employees.

6.2 **Control: If the employee is driving a heavy vehicle and there is concern about their condition and ability to operate safely, they should not drive or should cease driving immediately.**

6.3 **Control: If the employee is also a heavy vehicle driver, ensure their reporting obligations to the relevant driver licensing authority are understood.**

6.4 **Control: Train employees about fitness for work.**

Training should include:

- signs that a person may be unfit for work (See Resources for Managing fitness for work 6.14)
- fitness for work procedures and expectations
- drug and alcohol use policies
- observing signs and behaviours in others that may indicate they are unfit to work
- reporting procedures when observing suspected impairment in others.

6.5 **Control: Empower employees to assess their fitness for work before and during shifts and to speak up about issues which may affect their performance over the length of a scheduled shift.**

Employees should be supported to notify their supervisor if they feel unfit for work due to physical, mental or social issues.

Safety capability empowers employees to speak up, without fear of reprisal, about potential safety concerns and issues, including their own ability to safely perform tasks. This 'openness' is essential in roles critical to operational safety, where early identification of potential risks can prevent incidents before they occur.

6.6 **Control: Implement measures which support employee mental health.**

Consider a range of options:

- mental health first aid training to a nominated person or persons
- peer support programs or Employee Assistance Program (EAP)
- demonstrating acceptance of mental health issues
- opportunities to debrief before and after a shift or if involved in an incident
- access to counselling services, particularly where someone is involved in or witnesses an incident
- a right to disconnect policy consistent with the requirements of the *Fair Work Act*
- adopt a zero-tolerance approach to psychosocial hazards in the workplace, including bullying, harassment, discrimination and aggression.

SafeWork Australia has published a model Code of Practice for Managing the Risks of Psycho-Social Hazards.

6.7 **Control: Promote a healthy lifestyle.**

Provide employees with educational resources that promote healthy lifestyle choices including nutritious food, regular physical activity, responsible use of alcohol and the avoidance of drugs and smoking. For example, using resources such as Healthy Heads – Better Nutrition for Truck Drivers[18] or NRSPP Toolbox Talks[19].

6.8 **Control: Require medical clearance after an incident.**

Ensure employees do not return to work after a serious injury or illness, without clearance from a medical practitioner and only if they feel fit to do so.

Queensland WHS law defines a serious injury or illness as one requiring the person to have treatment as an in-patient in a hospital.[20]

If required, manage an employee's return to the workplace in accordance with Control 6.1.

6.9 **Control: Include terms in employment contracts requiring employees in safety critical roles to submit to drug and alcohol testing throughout the employment period.**

The contract term should reference a policy about drug and alcohol testing. Consider also including this type of provision in Enterprise Agreements.

Safety critical roles, for a heavy vehicle, include driving and other work which directly affects the safety of a heavy vehicle and its load during a journey. This includes functions such as scheduling, packing, loading and unloading and inspecting or maintaining a heavy vehicle.

6.10 **Control: Implement drug and alcohol testing to manage fitness to work for employees in safety critical roles.**

- Ensure testing is authorised through employment contracts or Enterprise Agreements.
- Ensure confidentiality about the outcome of any tests.
- Ensure there is a policy about drug and alcohol testing in place. The drug and alcohol policy should cover both targeted and random drug and alcohol testing.
- Ensure drug and alcohol testing is performed by a trained and competent person.

  Examples of targeted testing could include:
  - testing around activities or times that have identified increased risks
  - evidence of substance use or scent of alcohol coming from employee
  - changes in mood or behaviour or erratic behaviour
  - reports or observations of unsafe or unusual behaviour from co-workers or others.
- Ensure a lack of predictability about when random tests will occur.

Additional Controls for managing fitness to drive

6.11 **Control: Empower a driver to stop driving when unfit to drive.**

Safety capability empowers employees to speak up, without fear of reprisal, about potential safety concerns and issues, including their own ability to safely perform tasks. This 'openness' is essential in roles critical to operational safety, where early identification of potential risks can prevent incidents before they occur.

6.12 **Control: If a driver identifies that they are unfit to drive or will become unfit, substitute another driver.**

6.13 **Control: Enlist business partners to monitor and immediately report a driver who is unfit to drive.**

6.14 **Resources for Managing fitness to work:**

- NHVR Regulatory Advice on Managing the risks of employees impaired by alcohol and other drugs[21] provides guidance on managing the risks associated with alcohol and other drug use impairment in the workplace.
- NHVR Regulatory Advice on Fitness to work[22] provides guidance on how Human Factors and organisational performance impact a worker's fitness to work.
- NHVR Regulatory Advice on Fitness to drive: Mental health[23] provides guidance on mental health and wellbeing in the heavy vehicle transport industry.
- NHVR Regulatory Advice on Fitness to drive: Physical health[24] provides guidance on the management of known and unknown medical conditions of drivers and other workers in the heavy vehicle industry.
- NHVR Regulatory Advice on Bus and Coach Driver Fatigue and Health and Wellbeing[25] provides guidance on the management of fatigue and driver health and wellbeing in the bus and coach industry.
- Healthy Heads – Better Nutrition for Truck Drivers[26] is a resource to support drivers in making practical changes to improve their nutrition and overall health and wellbeing.
- NRSPP Toolbox Talks[27] provide information and resources on a range of health and wellbeing related topics relevant to heavy vehicle drivers.
- NHVAS fatigue management modules[28] provides information about the requirements to qualify for fatigue management accreditation as part of NHVAS, including the requirement for medical examinations for drivers participating in the scheme.
- More information about fatigue and distraction detection technology (FDDT) is available on the NHVR website.[29]
- More information on the "right to disconnect" is available on the Fair Work Ombudsman website.
- Signs a person may be unfit for work:

In addition to the conditions and factors which may cause someone to be unfit for work described at the beginning of this Activity, there are multiple observable signs which may indicate a person is unfit for work. The following is a non-exhaustive list of signs:

- unhealthy physical appearance (e.g. flushed or pale skin, excessive sweating, swelling)
- evidence of substance use or smell of substance coming from driver breath or clothes
- bloodshot eyes, glassy eyes or dilated pupils
- impairment of motor control (unsteady gait, poor balance, difficulty standing, fumbling of objects, clumsiness)
- drowsiness, excessive yawning, excessive head nodding, falling asleep, microsleeps, lethargy
- shortness of breath
- signs of physical impairment, exertion or difficulty
- signs of pain or discomfort
- inability or difficulty concentrating, focussing or paying attention on immediate task
- poor memory
- slurred, incoherent, disorganised. or unusually fast/slow speech
- inability to follow simple instructions
- erratic changes in mood or irritability
- impairment verbally stated by driver
- dizziness (difficulty walking or maintaining balance, involuntary rapid eye movement)
- lowered inhibitions – doing or saying inappropriate things
- sense of confusion or being 'spaced out'
- periods of hyperactivity ('being wired') or giddiness
- appears significantly fearful, anxious or paranoid.

7 Activity: Working with other businesses

Working with other businesses who are not on the same page as your business in relation to safety or who do not understand their safety duties, can expose your business to potential risks. A weak link, such as a partner who pressures drivers to meet unsafe schedules or fails to maintain vehicles, can undermine safety across the transport task.

Selecting and collaborating with businesses who are equally committed to safety, will strengthen your ability to meet your Primary Duty.

Work with your business partners to identify what functions each organisation performs in the transport activities and what each can do to eliminate or minimise the public risks arising from the activities.

Business partners are those other businesses with which your business has an ongoing relationship.

Many interactions in the transport supply chain are transactional – single loads or one-off transport tasks between businesses which don't

engage again. Other relationships are recurring, where the same businesses are providing similar services to one another frequently and over extended periods of time. These recurring interactions create the opportunity for businesses to partner together to deliver an improved safety outcome.

By taking the time to understand how each business work, business partners can gain trust and confidence in the ability of each business to execute the transport task. They may leverage opportunities to align their operations, to exchange ideas and information and to develop protocols for monitoring and assurance of how the transport tasks are being completed.

Enhanced safety outcomes, along with improved compliance, productivity and profitability would be expected from successful business partnerships.

7.1 **Control: Consider whether your business partner demonstrates a commitment to safety, collaboration and communication.**

For example, businesses that:

- proactively share information that improves safety
- understand what their heavy vehicle transport activities are, both within the business and those they undertake with other parties
- have established policies and procedures about how their employees undertake their work
- adopt a zero-tolerance approach to psychosocial hazards in the workplace, including bullying, harassment, discrimination and aggression
- encourage workers to speak up and to stop working or driving when unsafe
- communicate well internally and with others
- value training and experience
- are accredited in the National Heavy Vehicle Accreditation Scheme or another scheme
- retain their employees for long periods.

7.2 **Control: Consider whether your business partner monitors its own operations and the effectiveness of its procedures.**

7.3 **Control: Consider whether your business partner offers employment terms conducive to safety.**

For example: paying drivers based on hours worked, rather than distance or task or sham contracting.

7.4 **Control: For ongoing or longer-term relationships, take sufficient time to find out more detail about your business partners' operations.**

7.5 **Control: Determine the resources or services your business needs and choose business partners with the capacity to provide them safely.**

For example:

- has the operational capacity to undertake the transport task (vehicles, drivers, loading bays, etc.)
- has the necessary premises and equipment
- has experience and skilled employees
- demonstrates a commitment to safety, collaboration and communication
- factor in margins to allow for breakdowns, leave, repairs, etc.
- For example, if you need to send 10 loads per day, a business with only 10 vehicles may not be suitable.

7.6 **Control: Work with your business partners to assess the risks arising from the transport activities you are undertaking together.**

Discharging the Primary Duty requires assessing risk. Often, one party in isolation will not be able to understand the full extent of the risk created by an activity. Only through engaging with your business partners will you be able to assess the risk in its entirety.

7.7 **Control: Work with your business partners to identify what tasks you will each be performing and what controls each of you already have in place to eliminate or minimise each risk.**

7.8 **Control: Work with your business partners to decide whether new controls will be required, which business will implement which controls and what monitoring and assurance will be required to understand if controls are operating effectively.**

7.9 **Control: Consider safety and other factors, not just price, when deciding which other businesses to work with.**

8 Activity: Monitoring and assurance

Assurance is what a duty holder needs to be satisfied that things are operating safely and that processes and procedures are working as intended. This may be in relation to the duty holder's own employees and operations; it may refer to confirmation that a business partner is meeting expectations.

CoR parties aren't automatically liable for everything their business partners do or don't do, but their Primary Duty and their own business interests require them to be doing what's reasonably practicable to ensure the safety of the shared activities. This includes a requirement to be paying attention, making reasonable enquiries, verifying information and monitoring how their partners manage safety.

Each party also needs to look at the combined effect of the 2 businesses working together. Each business might operate safely on its own, but a failure to coordinate and communicate might create new hazards.

Some assurance about a business can be gained in the pre-contract stage, but it is essential to obtain ongoing information and oversight.

8.1 **Control: Include provisions in agreements that facilitate assurance.**

8.2 **Control: Use a combination of methods to obtain assurance.**

For example:

- obtain information about the business' monitoring processes
- request a sample of monitoring reports that can be verified against independent data
- identify parameters to monitor, obtain regular updates and identify trends or changes
- conduct random spot checks of specific requirements
- compare performance measures before and after commencing work with the other business
- seek feedback from your own employees about interactions with the other business
- note changes in employee morale, absenteeism, frequency of customer complaints.

8.3 **Control: Use audits or internal reviews as part of the assurance process.**

For example:

- require the business to undertake an audit or internal review, conduct your own audit or request a copy of a recent audit report (ask the business to disclose any prior associations with the auditor) or internal review findings
- while audits often evaluate compliance with administrative procedures, they are also effective in assessing the operational effectiveness of safety control measures
- audits and internal reviews should include evaluations of whether control measures are achieving their intended results and effectively mitigating risks, rather than solely assessing procedural adherence
- audits and reviews require a structured process for addressing audit findings or identified non-compliances, e.g. document each corrective action, assign responsibility and ensure non-conformities are closed out effectively
- use audit findings and monitoring outcomes to improve safety measures and adjust systems to reflect changing risks or operational needs.

8.4 **Control: Adapt assurance requirements as circumstances change.**

For example: changes to the nature of the transport task or different businesses become involved in undertaking the task.

8.5 **Control: For each control implemented to manage a hazard, decide what "success" looks like.**

If a control requires an employee to do something, is there a way to record or document what was done or to check that the thing was done and can those records be collected and retained? (e.g. pre-start or post operation vehicle checks)

If the control is intended to prevent something from happening or to reduce the frequency of something happening and the thing does happen, is there a system for those things to be reported? (e.g. telematics alerts for vehicle over speed events)

Is there a way to understand if the control was done well or done poorly and who might be in a position to check? Is there a system for that person to report those things? (e.g. proper application of load restraint)

8.6 **Control: Decide what can be measured, assessed or analysed from the information gathered about controls.**

Some of the records and information gathered in 8.5 will require immediate attention and intervention because it shows something important has been missed. Other records and information will lend itself to tracking how an activity is performed over time.

Some records and information will inform the activities of other parts of the business, for example highlighting training needs or changes in maintenance processes and frequency.

Some records and information will also have value to your business partners, because it demonstrates that a control in place for a shared activity is working as intended.

9 Activity: Sharing information

Transport and logistics is a complex and dynamic sector. It involves multiple parties, in different places, constantly adapting to changing conditions. As much as anything, ensuring safety in the sector is a communications task.

Businesses do communicate all the time, to get goods or passengers from origin to destination or to get work done, but the information they need to ensure safety isn't the same as commercial information.

Managing safety across this whole network depends on useful information reaching the right person at the right time.

Useful information is:

Complete – contains everything recipients need, includes time and date, identifies source and contact details.

Clear – unambiguous, uses common terminology, explains acronyms or new terms, has a logical structure.

Concise – repetition and irrelevant information are removed.

Timely – provided as soon as available, at a time useful to the recipient and is accurate at the time.

Targeted – sent directly to the people who need it, who are identified; not broadcast

Accessible – in a form the recipient can readily use or read; uses plain language; uses the right language

Transferable – serves multiple purposes and can be readily shared with others.

Recordable – receipt can be acknowledged and information can be readily stored or converted to a record.

Determining the information another business needs and optimising how it is provided requires consultation between businesses. Much of the safety information a business needs might already be contained in commercial documents but is not likely to be readily available to the person who needs it. It may also be lost in irrelevant information, that distracts from the critical safety information and makes it harder to verify that key information is present.

Workers with limited literacy or who speak English as a second language may find it more difficult to find the relevant information, increasing the risk of error and requiring more time. This is an example of where too much information can be a problem. The same principle applies in communications. Too many messages can result in important messages being missed or ignored.

Send specific information only to the people who need it, rather than to all parties or all employees.

Ensure all employees know how information is circulated and stored and how to retrieve it, so that critical information can still be readily obtained even when some staff are not working.

Uses of Information

Different kinds of information are critical at different times and are used for different purposes. Broadly speaking they could be described as:

Pre-contract information: information about other businesses' resources and procedures.

Task information: details of a job, origin, destination, load, route, vehicle, time and date.

Dynamic information: critical or changing information during a journey.

Feedback or monitoring information: enabling review, adjustment and improvement.

Sharing information within a business

It is also important to share information within a business, for different purposes, at different times. It should not be assumed that information exchange within a business is easier than sharing externally. Within a business, differing priorities, business structures, physical separation, software resources and record keeping practices can all be obstacles to timely sharing of information.

For example:

- executives aren't alerted to issues about new equipment
- safety staff aren't included in contract or procurement processes
- sales and marketing staff are in a different office from warehouse and scheduling staff
- contract staff do not have access to vehicle maintenance records or schedules
- trainers are not consulted prior to the purchase of new equipment
- some employees do not have time to attend training about new procedures.

Current technology makes it very easy to transmit information quickly, but sharing useful information requires forethought, consultation and planning.

Effective information sharing is one of the most important control types for managing safety.

9.1 **Control: Determine the information you need to carry out your transport activities safely.**

- assess your own transport activities to determine information you require
- consider the purpose and importance of each kind of information your business requires and determine how it should be received, in what form and when
- consider information required from other businesses or persons
- consider information your own business has and what needs to be shared between employees.

9.2 **Control: Consult with other businesses to work out what information they require from you, so that both businesses can carry out their transport activities safely.**

Consider the type of information, in what form, when required and who it should be directed to.

Work out the source/s of the information they need and the best way to provide it to them.

9.3 **Control: Develop resources and processes for sharing useful information.**

Develop pre-contract information packages to provide to other businesses. For example:

- information about premises, locations, opening hours
- contact details of operational staff
- specifications about products and packaging
- skills, qualifications and training records of employees
- fleet information
- performance reports and data.

Obtain consent before sharing personal information.

Extract relevant information from commercial documents and provide it in a succinct form, tailored for different purposes or needs, at different times or places or stages in a journey.

Use a single set of data but provide different views of the data for different purposes.

Use available means to share information with other parties. Smaller businesses may use phone calls, emails, signage or documents to share information. Larger businesses may use more sophisticated systems.

Find ways to share real time information such as telematics, on board mass, arrival and departure times. Consider APIs (application programming interfaces), software platforms, message applications or other means.

9.4 **Control: Provide dynamic information to other parties as soon as possible.**

Develop a way to immediately share or transmit real time information that could affect driver schedules or work and rest hours. For example:

- delays at other businesses
- road closures, weather or traffic events
- changes in load or destination
- equipment breakdown or delays at loading or unloading premises
- number of vehicles in a queue and average wait time
- time until a driver needs to rest or stop working
- availability of planned locations for rest breaks
- changes to deadlines, schedules, opening hours.

Develop a way to immediately share or transmit real time information about a driver's location and estimated arrival time at other businesses.

9.5 **Control: Ensure that information which is time critical for safe operations has been received by the relevant party.**

For example:

- speak directly with the relevant party
- set up read receipts on emails
- use software that logs access to every record
- require recipients to confirm receipt in another way.

9.6 **Control: Find a way that multiple parties can share information in real time.**

Consider mobile applications; sending information to a central point for dissemination via multiple channels; using a software platform, etc.

9.7 **Control: Share information about trips and loads with multiple parties.**

Businesses that work together can share information relevant to each of their transport activities. For example:

- number of vehicles in a queue
- vehicle arrival and departure times
- time loaded
- weight when loaded

9.8 **Control: Review and analyse information, in consultation with other parties and find ways to improve planning and address safety breaches.**

9.9 **Control: Store information in ways that allow it to be readily accessed for monitoring and review.**

9.10 **Resources for Sharing information:**

- NHVR Regulatory Advice on Providing false or misleading information[30] explains why providing false or misleading information about your heavy vehicle transport activities is prohibited by law.

10 Activity: Making agreements

The process of making agreements – whether formal or informal – is an opportunity for businesses to put things in place that will help each of them to improve safety outcomes, comply with their Primary Duty and to collaborate effectively.

> Notes: under the HVNL, a party in the CoR cannot use a contractual agreement or arrangement to delegate all or part of their Primary Duty to another person or business.

> s 26E, HVNL prohibits any person from requesting, directing or contracting in a way that would cause or encourage a driver to breach fatigue requirements or speed limits or that would result in a CoR party causing a driver to breach fatigue requirements or speed limits. A similar prohibition exists at s 26C, HVNL for CoR Parties and engaging is such conduct would be considered a breach of the Primary Duty.

See "Prohibited requests and contracts" and "The Primary Duty – terms and principles" for more information.

10.1 **Control: Ensure agreements do not contribute to safety risks.**

Agreements should:

- afford drivers the right to stop driving if fatigued or unfit to drive without penalty
- afford employees the right to refuse to perform tasks that create public risk
- afford flexibility in scheduling, to accommodate safety delays or unexpected delays
- require a zero-tolerance approach to psychosocial hazards in the workplace, including bullying, harassment, discrimination and aggression.

Agreements should not directly or indirectly induce or encourage:

- the use of unsafe vehicles
- shortcuts in safety procedures
- driving whilst impaired by fatigue or unfit
- drivers to breach work and rest hour obligations
- lengthy queuing or circling in traffic
- speeding.

For example: punitive or tight slot booking times, sending a vehicle to the back of a queue, excessive demurrage fees, limited access at delivery sites.

10.2 **Control: Ensure the terms of an agreement will enable your business to operate safely and productively.**

For example:

- factor in time for employees to attend medical assessments and treatment, to obtain mental health care and to attend to personal matters
- factor in time off-road for regular maintenance, delaying maintenance in favour of maximising haulage capacity can lead to unsafe vehicles or vehicles out-of-service for lengthy repairs

- factor in time and resources for performing business support functions, training and consultation.

10.3 **Control: Ensure payment amounts reflect the cost of undertaking the transport task safely.**

Use your understanding of the cost of similar transport tasks to assess whether further information may be required. There are many reasons why an operator offers a lower price to undertake a transport task.

Discuss any concerns with the other party to understand how safety related costs are being met under the proposed agreement terms and to assure yourself that the other party and their subcontractors are not failing to invest in safety, for example by skipping vehicle maintenance.

10.4 **Control: Afford rights or obligations necessary for safe operations.**

For example:

- driver's right to stop driving if fatigued or unfit to drive
- right or obligation to direct a driver to exit vehicle if they appear fatigued or unfit to drive
- right or obligation to detain a vehicle at premises if the vehicle, driver or load is unsafe.

Safety capability empowers employees to speak up, without fear of reprisal, about potential safety concerns and issues, including their own ability to safely perform tasks. This 'openness' is essential in roles critical to operational safety, where early identification of potential risks can prevent incidents before they occur.

10.5 **Control: Create obligations to share or report information.**

For example:

- operational data or compliance data
- incident or near-miss reports
- safety research, expert reports
- changes to the transport activities being undertaken by the parties
- changes to risk ratings or new risks
- new or updated controls that have been implement or are required.

Consider what safety or performance related information is required to provide assurance that controls are operating effectively and delivering the intended outcome.

10.6 **Control: Afford rights to be provided with information and documentation, to visit sites, to speak to workers, to inspect vehicles or loads and obligations to meet reasonable requests.**

10.7 **Control: Establish clear expectations of how work will be done and what functions employees of each business will perform.**

10.8 **Control: Agree on common terminology, communication channels and contingency plans.**

10.9 **Control: Include terms that will improve the safety of operations.**

For example:

- how goods are packaged or prepared for loading
- provision of fatigue awareness training to all employees
- safety or monitoring equipment
- limits on waiting, loading or unloading times
- provision of rest facilities
- participation in public safety education.

10.10 **Control: Include scheduled contract review dates or state conditions, such as changes in the economic, regulatory or operating environment, in which performance of the contract may be reviewed or varied.**

For example:

- goods are heavier now due to new requirements
- the bridge has closed and the detour adds an hour
- we no longer operate on Saturdays
- drivers now must do their own loading
- average mass of containers has increased
- new bridge only has a 4.5m height clearance
- now using a new data system that requires updates of all truck GPS.

10.11 **Control: Include terms ensuring sub-contractors meet the same safety standards and information sharing obligations as contractors.**

10.12 **Control: Establish common standards, information sharing mechanisms and access to information for each business in a multi-layered contract arrangement.**

10.13 **Resources for Making agreements:**

- NHVR Regulatory Advice on Prohibited requests and contracts under the HVNL[31] provides guidance on how to comply with obligations under section 26E, HVNL.

11 Activity: Recruiting and employing heavy vehicle drivers

Australia faces a significant truck driver shortage of over 26,000 unfilled positions, with road freight projected to increase by 77% from 2020 to 2050. Driver shortages in Australia, are expected to double in the next 5 years.

The average age of a truck driver in Australia is 49, with 47% of drivers aged 55 or older. This is a considerable challenge for supply chains and the availability of goods.

Unskilled or inexperienced drivers (including those returning to the industry) may not be accustomed to working with or around modern heavy vehicles or may not have received any relevant training. e.g. working holiday makers. Other factors to consider when recruiting are driver experience and non-technical attributes such as communication skills and attitudes towards safety.

11.1 **Control: Provide incentives to attract and retain the best drivers.**

For example: by ensuring high safety capability in the business or by providing favourable conditions of employment other than remuneration.

11.2 **Control: Offer employment terms conducive to safety.**

For example:

- offer payment terms based on hours worked, rather than distance or task
- ensure that non-driving requirements are included as work time:
  - pre-trip and post-journey checks
  - loading, unloading, washing, getting fuel
  - attendance at induction sessions at new premises
  - consultation with other workers, including from other businesses.

11.3 **Control: Foster a respectful and inclusive work environment that actively promotes psychological safety and prevents bullying and harassment.**

For example:

- adopt a zero-tolerance approach to psychosocial hazards in the workplace, including bullying, harassment, discrimination or aggression
- ensure there are clear channels in place for drivers to confidentially report safety concerns
- offer training on recognising psychosocial hazards, stress management and resilience
- educate drivers on mental health resources including how and where to access support
- develop incident response protocols that include mental health support
- develop a policy for responding to aggressive or abusive passenger behaviour
- maintain regular check-ins with drivers, including remote or long-haul drivers.

11.4 **Control: Plan career pathways and transition options to retain drivers long term, to keep their knowledge and experience within the business.**

Businesses gain maximum benefit from the time and resources invested in training employees if they can find a way to retain those skills, knowledge and experiences within the business.

Examples might include roles in training or mentoring new drivers, scheduling, allocating or operations manager.

11.5 **Control: Recruit for non-technical skills and personal traits as well as driving skills.**

For example, look for employees who:

- value safe driving, in themselves and others
- communicate effectively in a range of settings
- collaborate effectively with their team and other businesses and customers
- take responsibility for their actions and show leadership
- follow policies and procedures and accept feedback or guidance
- are proactive about safety concerns
- can maintain concentration and situational awareness
- respond well and adapt to dynamic or complex circumstances
- maintain a healthy lifestyle.

11.6 **Control: Verify experience, skills, licenses and accreditation during the recruitment or on-boarding processes.**

For visa holders who have given you permission use the Visa Entitlement Verification Online (VEVO)[32] tool to see the visa conditions.

11.7 **Control: Include contract terms preventing or limiting secondary employment.**

Fatigue management becomes more complex if a driver is driving for more than one employer. To manage this risk effectively, employers must first be aware that secondary employment of this type is being undertaken.

11.8 **Control: If secondary employment is to be permitted, include contract terms requiring the driver to inform the employer of any other employment undertaken by the driver.**

Practical considerations would then include monitoring and assessing fatigue of the driver, tracking work and rest hours for each employer and managing work diaries or multiple EWDs.

For more information about managing driver fatigue, see Activity 13.

Case Study: Secondary employment and managing fatigue

Angelo drives a heavy vehicle during the day, doing local work across suburban Melbourne delivering for Bob's Furniture where he is employed full-time. To supplement his income, Angelo also drives ride share during his spare time.

It is not unusual for Angelo to work 16 hours in a 24-hour period. This includes 10 hours doing deliveries for Bob's Furniture and then 6 hours at night logged in to Uber doing ride share jobs. He sometimes naps in the car while waiting for his next Uber trip, but generally finishes around midnight, goes home and sleeps for 5 hours and is up again at 6am to commute to the Bob's Furniture depot for his shift starting at 7am.

What are the issues?

The hazard is created by Angelo's fatigue impacting on the driving task and how having secondary employment makes it more difficult for Bob's Furniture to manage Angelo's fatigue. In addition to the legislated work and rest hours that Angelo needs to comply with as a heavy vehicle driver, he also has a general duty under s 228, HVNL not to drive while fatigued.

However, as Angelo's employer, Bob's Furniture has a Primary Duty under s 26C, HVNL, to eliminate or minimise public risks created through their transport activities. This means that in managing its drivers, Bob's Furniture needs to manage driver fatigue.

Although Angelo may be complying with legislated work and rest hours during his employment with Bob's Furniture, the cumulative workload from his secondary employment likely reduces his opportunity for restorative rest. This presents a fatigue-related safety risk and therefore a public risk. Bob's Furniture has a duty to eliminate or minimise this risk and ensure safety.

Some of the control measures Bob's Furniture could adopt include:

- providing employment conditions conducive to safety and providing incentives to make secondary employment unnecessary
- asking employees to declare secondary employment, acknowledging it happens and putting rostering measures in place to manage fatigue
- training all employees and drivers about what causes fatigue (including lifestyle and other non-work factors), the importance of restorative rest and how to observe signs of fatigue in themselves and others
- training all employees, particularly those responsible for scheduling and rostering, about the risks of driving or working while fatigued and the potential consequences of doing so
- empowering employees to speak up if they witness unsafe behaviour or to stop driving immediately if they are feeling fatigued.

Case Study: A driver who works for multiple employers

Craig is a professional truck driver, employed by Titan Haulage. He usually drives line haulage, working up to 48 hours over 4 days. Craig also assists his friend Steve, who owns AB Transport, driving up to 12 hours a week doing local work in south-east Queensland. This work is more ad hoc with jobs averaging 5-6 hours. Craig does these ad hoc jobs on his days off from Titan or sometimes if he has a free afternoon or evening.

Craig is mindful of safety and compliance with the HVNL but finds that both Titan Haulage and AB Transport are focused on getting as much work done as possible. Each employer monitors his hours of work when he's working for them, but neither considers the cumulative effect of his work throughout the week. Nor do they consider the extra mental load of working in 2 workplaces with different staff, equipment, policies and ways of working.

What are the issues?

If not properly managed, Craig's situation significantly increases the risk that he will be impaired by fatigue or otherwise unfit to drive. Neither employer has the full picture of Craig's actual work hours, so it's harder for each of them to ensure Criag is not impaired by fatigue when he is on the road. Without proper management, the situation exposes the public to risk and could result in both employers breaching their Primary Duty.

Some of the control measures Titan Haulage and AB Transport could consider are:

- including contract terms limiting secondary employment or requiring details
- requiring Craig to report all planned work times for other businesses to the person responsible for scheduling his work
- liaising with the other business to confirm details of Craig's hours of work, both completed and planned
- explore options to integrate the EWD systems of both employers, to allow employee work hours to be accurately managed
- having multiple drivers to call on to ensure that Craig is not being asked to do too much when AB Transport has extra work
- regularly checking in with Craig about his physical and mental well-being, including meeting in person
- ensuring Craig (and all employees) are trained to recognise signs of fatigue in themselves and others and how and where to report any concerns
- encouraging other employees and employees of business partners to observe and report signs of fatigue in drivers
- if not already, consider using telematics to monitor driving performance in real time
- regularly reviewing Craig's work and rest hour to ensure they don't exceed prescribed limits, including the 7-day, 14 day and 28-day maximum work limits.

11.9 **Control: Include contract terms requiring a driver to notify the employer of any criminal history, driving offence, infringement, loss of points or changes to condition of any licence or authorisation immediately once the driver becomes aware of them.**

11.10 **Control: Maintain records of each driver's traffic history and license throughout the course of their employment. Verify its accuracy at regular intervals.**

11.11 **Resources for Managing drivers:**

- SafeWork Australia has developed a model Code of Practice for Managing psychosocial hazards at work[33] which is adopted by Tasmania and the ACT. WorkSafe Qld and SafeWork NSW have each developed their own Code of Practice: WorkSafe Qld: Managing the risk of psychosocial hazards at work[34] and SafeWork NSW: Managing psychosocial hazards.[35]
- Victoria has legislated Occupational Health and Safety (Psychological Health) Regulations[36] commencing 1 December 2025.

12 Activity: Managing driver health

Health issues can adversely impact heavy vehicle drivers' ability to safely operate a vehicle. If not detected or left untreated, these medical conditions can have catastrophic outcomes on safety in the workplace and on the road.

It is important that parties in the CoR work with heavy vehicle drivers to ensure they are fit to drive by managing known and unknown medical conditions. There are a range of things that parties in the CoR and heavy vehicle drivers can do to help manage and overcome medical conditions.

> Note: When considering the management of driver health and the controls below, individuals and employers need to also consider their compliance and obligations with other laws, including the *Fair Work Act 2009* (Cth), the *Privacy Act 1988* (Cth) (if applicable), discrimination laws and any other laws or obligations that may apply regarding workplaces, privacy and confidentiality. If required, independent advice should be sought in relation to controls in this activity.

Any medical report or records or information about the health of an employee, should be kept confidential, securely and appropriately stored by an employer and not disclosed to third parties, unless required by law or with the employee's express consent.

12.1 **Control: Understand the limitations of driver licencing medical assessments.**

All Australian states and territories have regulations and standards for assessment of commercial drivers by medical professionals. This framework has a role in improving safety in the industry, but duty holders should understand the limitations of the system when ensuring that drivers are fit and remain fit to drive.

- Each jurisdiction recommends the frequency of assessments, based on driver age and licence category, but there are notable differences between them, indicating that the recommendations are general and provide no guarantees in relation to individual drivers.
- Each jurisdiction creates an obligation for drivers to notify licencing authorities of illness or injury that would affect their fitness to drive, but only 2 participating jurisdictions in the HVNL place a similar duty on healthcare professionals to make notifications.
- There is no guarantee about the period for which an assessment will provide an accurate picture of the driver's health.

In summary, medical assessments that are part of licencing requirements may not provide complete assurance that a driver is fit to drive.

CoR parties should use a range of measures to promote and monitor driver fitness and should implement more or more effective measures according to the driver's age and health risk and the nature of the driving task.

12.2 **Control: Require a medical fitness to drive assessment in accordance with Austroads Assessing Fitness to Drive (AFTD) Standards[37] as part of the recruitment process.**

For example: require an assessment by a practitioner familiar with the Austroads Standards or request a report of a recent assessment.

12.3 **Control: Include contract terms requiring a driver to notify their employer if they are not fit to drive.**

12.4 **Control: Include contract terms requiring a driver to undergo periodic or triggered fitness to drive medical assessments by a medical practitioner nominated by the employer.**

Fitness to drive medical assessments should be conducted in accordance with the AFTD Standards.

Consider an appropriate interval for scheduling assessments. For example:

- at intervals prescribed by the AFTD Standards
- at more frequent intervals nominated by the employer
- if the driver reports health concerns
- if the employer has reasonable concerns about the employee's fitness to drive
- if there is an underlying health condition that requires monitoring
- if the driving task is high risk (e.g. transporting dangerous goods, driving between midnight and dawn)
- at intervals required by other regulations or codes.

Note: For drivers nominated in NHVAS fatigue management modules,[38] examinations must be conducted at least once every 3 years for drivers aged 49 or under and yearly for drivers aged 50 or above. This may be a useful general guide for an appropriate assessment interval.

12.5 **Control: Identify an appropriate medical practitioner to undertake fitness to drive medical assessments.**

The starting point for assessing fitness to drive should be a review of the tasks and actions a driver is required to perform in the context of their working conditions and environment. The assessment should then address the person's ability to perform actions safely and competently, informed by comprehensive information about the driver's health, fitness and wellbeing.

Best practice is to use a practitioner experienced with using the AFTD Standards in the context of heavy vehicle driving and to provide them with relevant clinical information from the driver's general practitioner.

The driver's general practitioner may also perform the assessment if they have experience in applying the AFTD Standards. Note that carrying out the assessment thoroughly takes time and cannot be undertaken in a 10-minute appointment. In some cases, it may be necessary to provide information about the AFTD Standards to the medical practitioner conducting the assessment, including the working conditions and environment of the driver.

Accessing medical practitioners in rural and remote areas can be challenging, particularly for high-risk conditions requiring a more thorough evaluation, such as sleep disorders. Telehealth assessments may be appropriate in circumstances where access to medical practitioners is limited. Consideration can be given to a model where the physical examination is conducted in-person by a trained allied health professional and the medical review is completed via telehealth by a doctor who can access all relevant clinical data.

12.6 **Control: Include contract terms requiring a driver to provide written authority for their employer to obtain information from their medical practitioner(s) about how to manage the driver's conditions or ailments in the workplace which were identified through fitness to drive assessments.**

This written authority would relate to condition management advice and not extend to records held by the practitioner, including for previous conditions or ailments.

12.7 **Control: Include contract terms requiring employers to implement policies and procedures, training and resources about managing driver health and to ensure the privacy of employees' medical and other records.**

12.8 **Control: Ensure that time is afforded to manage a driver's health and wellbeing on an ongoing basis.**

Provide time for:

- training
- health and fitness to drive assessments
- accessing counselling and support

12.9 **Resources for managing driver health:**

- NHVR Regulatory Advice on Fitness to drive: Mental health[39] provides guidance on mental health and wellbeing in the heavy vehicle transport industry.
- NHVR Regulatory Advice on Fitness to drive: Physical health[40] provides guidance on the management of known and unknown medical conditions of drivers and other workers in the heavy vehicle industry.
- NHVR Regulatory Advice on Bus and Coach Driver Fatigue and Health and Wellbeing[41] provides guidance on the management of fatigue and driver health and wellbeing in the bus and coach industry.
- Austroads Assessing Fitness to Drive (AFTD) Standards[42] details the regulatory requirements for driver testing in each state and territory.
- The TruckSafe website[43] provides links to forms and information about medical assessments using the AFTD Standards.

13 Activity: Managing driver fatigue

Fatigue is a factor in a significant proportion of accidents and near misses. The worst possible outcome of driver fatigue is a driver falling asleep at the wheel, but well before that might happen, fatigue can impair a driver's focus, perception, decision-making and reaction times. Over time, fatigue also affects physical and mental health. Managing fatigue is rightly recognised as one of the most important measures for reducing public risk when heavy vehicles are used on the road.

Chapter 6 of the HVNL creates a detailed set of obligations to ensure that drivers of fatigue-regulated heavy vehicles (FRHVs) comply with prescribed work and rest arrangements[1] and that they and their employers or record keepers maintain records of those hours. In addition, the chapter includes a provision that imposes a duty on drivers not to drive a heavy vehicle whilst impaired by fatigue.

The Primary Duty is a broader overarching duty to ensure safety. It applies in relation to all heavy vehicles, not just FRHVs and requires a risk management approach, rather than compliance alone. Meeting the requirements of chapter 6 is not a guarantee of compliance with the Primary Duty, although it is certainly a strong foundation.

To understand the difference between these 2 obligations, consider the following case study:

1 s 243, HVNL

Case study

Stokers Transport is based in an area prone to bush fires. Half of their drivers volunteer with the rural fire brigade and are on call on weekends in bush fire season.

Stokers' compliance manager and scheduler work together to make sure that schedules allow drivers to comply with work and rest hour limits. They review work diaries regularly and respond when drivers exceed work hours or skip rest periods, either by re-education, sanctions or adjustments to arrangements, depending on the issue.

However, they make no provision for the likelihood that drivers will be fatigued during bush fire season, for example by:

- adjusting rosters to reduce drivers' hours of work
- allocating drivers to do non-driving work when they report fatigue
- establishing and using a pool of alternate or relief drivers to fill in
- training drivers and schedulers about the causes and effects of fatigue
- training drivers and other employees to identify the signs of fatigue
- supporting drivers to stop driving immediately when fatigued.

Stokers is complying with Chapter 6 obligations, but failing to discharge its Primary Duty.

This activity focuses mainly on measures that will help CoR parties meet their Primary Duty and refers in part to requirements in chapter 6.

Managing driver fatigue can be complex. Most businesses will need to implement a combination of controls or different parts of multiple controls, to build a system which will adequately manage driver fatigue.

Fatigue is also addressed in many of the other activities in the Master Code, because the way those other Activities are carried out can also affect a driver's risk of fatigue. The management of fatigue is also a critical component of managing fitness to work. See Activity 6 – Managing fitness to work, for relevant controls.

13.1 **Control: Assess the operational capacity of the business before committing to undertake an activity.**

At an organisational level, fatigue can arise when too much work needs to be completed by too few employees or in too little time. Understanding what the operational capacity of the business is, by considering how many employees, vehicles, equipment and other resources are available to undertake the required tasks can be an important component of how work is designed and ultimately how many tasks the business commits to perform.

An assessment of operational capacity should inform business decision-making and be monitored over time. As the operational capacity of the business changes, ensure that the processes, decisions and strategies impacted by the business capacity are also updated.

13.2 **Control: Maintain a register of relief drivers who can replace a driver impaired by fatigue.**

Relief drivers are also at risk of impairment by fatigue if they have not had sufficient rest before commencing driving or if they are asked to start driving at different times on successive days.

Best practice is to assign each relief driver to an agreed and regular work pattern. For example, the night shift relief driver is contacted to replace a night driver, the day shift relief driver is called to replace a day driver.

Relief drivers should be given as much advance warning as possible and should have a second-person fatigue assessment before commencing driving. See Control 13.19 for information about second-person fatigue assessments.

For more information on managing this risk, refer to Guide for Managing the Risk of Fatigue[44] from SafeWork Australia.

13.3 **Control: Choose business partners who implement measures to minimise delays and improve drivers' opportunity to rest.**

For example, businesses that:

- schedule timeslots to reduce queuing
- provide off-street parking and rest facilities for drivers

- enable drivers to rest while waiting to load or unload
- provide early notification of delays
- monitor and manage waiting, loading and unloading times.

13.4 **Control: Provide training for all employees about the risks of driver fatigue impairment and the importance of procedures and systems to eliminate or reduce fatigue.**

Training should include how to complete a fatigue self-assessment, how to conduct a second-person fatigue assessment and how to use fatigue risk evaluation tools (see Control 13.19).

13.5 **Control: Provide training for all employees about non-work factors that cause fatigue impairment.**

Factors that employees should be trained in and encouraged to focus on as part of their own duty to keep themselves and others safe include:

- the quality and quantity of rest
- recognising the signs of psychological wellbeing
- physical health and diet
- the potential impact of medication
- the impact of drug use
- responsible use of alcohol
- medical conditions, including sleep apnoea and other sleeping disorders
- the importance of properly preparing for work
- exposure to environmental factors such as heat, cold, noise, vibration and dust
- lifestyle factors, other work, recreational activities or family demands.

13.6 **Control: Provide training for all employees about how to identify signs of fatigue impairment and steps to take at any time when a driver is assessed as impaired by fatigue, by themselves or another.**

See Resources for Managing Driver Fatigue (13.29) for the definition of "sign of fatigue".

13.7 **Control: Adopt a zero-tolerance approach to psychosocial hazards in the workplace, including bullying, harassment, discrimination and aggression.**

Stress and psychological wellbeing are established factors which contribute to fatigue. Parties should take action to reduce workplace stress on drivers.

13.8 **Control: Implement rosters that provide drivers with consistent and predictable work and rest schedules/patterns.**

13.9 **Control: Ensure the driver's schedule allows sufficient opportunities for rest including long rest breaks.**

A schedule that allows a driver to take periods of rest as prescribed in the Work and Rest Requirements[45] for fatigue-regulated heavy vehicle drivers is a useful starting point for managing driver fatigue. Proper rest is the best treatment for fatigue however the prescribed rest periods may not always adequately address the risk as many other factors can affect a driver's level of fatigue.

> Note: drivers of non-fatigue-regulated heavy vehicles are exposed to the same risk of fatigue.

13.10 **Control: Implement a system for drivers to be alerted to delays enroute or at destinations, about schedule changes or when it is their turn in a queue.**

13.11 **Control: Identify non-driving work that may contribute to a driver's level of fatigue.**

The HVNL definition of "work" recognises that non-driving work can also contribute to fatigue and includes tasks associated with the use of the vehicle within the definition. In respect of drivers of FRHVs, counting time spent on those tasks is a legal requirement.

Time spent on these tasks also contributes to the fatigue of drivers of non- FRHVs.

Hours spent on such tasks should inform fatigue risk assessment of all heavy vehicle drivers.

Examples of non-driving work include:

- instructing or supervising another person driving a fatigue-regulated heavy vehicle
- loading, unloading, load restraint and load inspection
- pre- and post-trip vehicle checks or inspections
- servicing or repairing the vehicle
- attending to passengers or arranging for the transport of passengers
- spelling livestock being transported by the vehicle
- washing vehicles and equipment
- refuelling or recharging a vehicle
- performing marketing tasks, arranging the transport of goods or canvassing for orders
- completing and checking paperwork, including work diaries and fatigue records
- interception by authorised officers.

> Note: "performing another task relating to the use of a fatigue-regulated heavy vehicle" is also defined as "work". Examples may include operating the vehicle to perform a task or operating equipment fitted to the vehicle. Further information about this topic is available on the NHVR website.

These examples show that the number of hours a driver is available to drive a heavy vehicle is likely to be less than their rostered hours of work.

See the "HVNL definitions" section of the Code for the definitions of "**work**" and "**work time**" in relation to a fatigue-regulated heavy vehicle.

13.12 **Control: Identify other work for the business that may contribute to a driver's risk of fatigue.**

Tasks drivers do for their employer, other than driving a heavy vehicle (or those listed in Control 13.11), must also be accounted for in driver rosters and schedules.

For example:

- work done in another part of the business
- operating plant or machinery transported by a heavy vehicle

- travel or driving in light vehicles prior to driving a heavy vehicle
- health screenings or assessments
- drug and alcohol testing.

These examples further illustrate that the number of hours a driver is available to drive a heavy vehicle is likely to be less than the number of hours they are rostered to work.

13.13 **Control: Identify non-work activities that may contribute to a driver's risk of fatigue.**

Encourage drivers to share information about activities such as driving to work, work done for another employer, weekend activities, volunteer work or other lifestyle factors, which may all contribute to a driver's fatigue levels.

Adjust rosters and schedules when these activities result in an employee being fatigued on arriving at work or when experiencing fatigue more quickly after commencing their shift.

13.14 **Control: Identify features of the transport task that contribute to a driver's risks of fatigue.**

Fatigue risk varies depending on factors like the length and duration of the journey, the complexity of the driving route, driving conditions, the type of vehicle and cabin fit out, as well as the nature of any non-driving work and facilities at the destination (see further examples in the Journey Planning Activities).

13.15 **Control: Consider all relevant factors that contribute to fatigue risk and implement suitable controls.**

Examples of fatigue management controls include:

- up to date driver medical assessments
- scheduling appropriate work hours for each day, week and fortnight
- require a second person fatigue risk assessment before commencement of driving (see Control 13.19)
- check-ins with the driver over the course of the journey and shift
- review of GPS or telematics data for indications of fatigue.

13.16 **Control: Where possible, avoid rostering driving between midnight and dawn.**

The hours between midnight and dawn can be particularly high risk for fatigue, as this is when circadian rhythms are at their lowest and most people experience their highest levels of sleepiness and lowest levels of alertness.

While driving should be avoided between midnight and dawn, it's also important to consider what other non-driving work or activities may be occurring during these hours and how this could impact subsequent driving and fatigue levels.

13.17 **Control: Where possible, avoid rostering drivers with split shifts.**

13.18 **Control: Where circumstances increase overall risk, implement extra fatigue risk management controls.**

Examples of elevated risk include:

- driving between midnight and dawn
- drivers who operate on split shifts
- vehicles transporting dangerous goods.
- vehicles operating in urban environments
- vehicles carrying passengers.

Examples of additional fatigue risk management controls:

- reduce the driver's total weekly driving hours
- require further fatigue risk assessments throughout the shift and at the end of the shift
- schedule additional rest breaks
- telephone check-ins with the driver throughout the shift
- use of fatigue and distraction detection technology (FDDT)
- schedule medical assessments more frequently
- check work diary records more often.

13.19 **Control: Develop and implement a process to assess a driver's fatigue level.**

Measures that prevent drivers becoming fatigued are preferred, but drivers may nonetheless experience fatigue during their work hours and this is a hazard that must also be managed. Therefore, it may be necessary to use a process to assess the fatigue of a driver at multiple points during a driver's work period.

A fatigue assessment process should involve a combination of driver self-assessments supported by second-person assessments and/or fatigue-risk evaluation tools.

Second-person assessments involve another person engaging with the driver to identify physical signs of fatigue such as slow blinking, unsteadiness or lack of balance or inattention to conversation/details.

Any fatigue assessment process should be adapted to the specific circumstances in which the business and employees operate and consider the following principles:

- Numerous factors affect fatigue, including the nature of the work and the work environment, shift start times and duration and the work performed by the driver over previous days. The driver's age and overall health will also impact the risk of fatigue. For example, undiagnosed sleep apnoea is a recognised risk for professional and casual drivers alike. Other health conditions may also alter a person's sleep requirements.
- Self-assessment of fatigue levels is a basic element of fatigue management. It begins before the worker starts work and should continue throughout the shift. It is also part of a worker's own duty to keep themselves and others safe. Self-assessment is most effective when workers are trained about the causes, indicators and consequences of fatigue and where there are procedures in place that support them to stop driving when they identify that they are at risk of being impaired by fatigue. A properly

trained driver may have the earliest opportunity to detect that they are at risk of fatigue. Recognised self-reported sleepiness tools such as the Karolinska Sleepiness Scale and the Epworth Sleepiness Scale are available online.

- The fatigue assessment process will be improved by supporting self-assessments with objective assessments such as second-person assessments and the use of fatigue risk evaluation tools. Objective fatigue assessments reduce the risk that bias, lack of awareness/understanding about fatigue or fatigue impairment, affects the assessment outcome.
- Best practice combines self-assessments with a second-person assessment. Where there is no other person present, a second-person assessment could be conducted via video call or phone call, though this may reduce the opportunity to observe non-verbal cues. An in-person, second-person assessment could also be conducted at the next sensible opportunity. An exchange of text messages would not constitute a second-person assessment.
- A fatigue risk evaluation tool asks for information about factors which cause fatigue and uses this as the basis of an objective assessment. There are a variety of scientifically backed and validated tools available, for example, online tools, smart phone applications or paper-based tools that include calculations. You should verify for yourself which tools are suitable or whether a similar tool should be adapted for your operations.

Also consider that a person's fatigue level changes over the course of a shift and should be re-assessed from time to time using objective fatigue assessment measures. Appropriate times to re-assess may include:

- before the driver commences or recommences driving
- when there are indications of fatigue
- at the time at which a fatigue risk evaluation tool predicts there will be an increased level of fatigue related risk.

Implementation of the procedure should include the development of relevant documentation and training for employees about how the procedure operates and how information is recorded and shared.

13.20 **Control: Enlist business partners to monitor and immediately report a driver who is suspected to be impaired by fatigue.**

13.21 **Control: Install Fatigue and Distraction Detection Technologies (FDDT) into vehicles and integrate their reporting and data outputs into the broader business.**

FDDT detects possible fatigue and distraction events, using in-vehicle cameras to analyse video footage of the driver and detect the signs of fatigue (e.g. eye closures) or distraction (e.g. looking away from the road).

These systems produce real-time auditory in-cab alerts to the driver, which may be accompanied by haptic seat vibrations designed to wake the driver if they have fallen asleep. Additionally, the system transmits an alert to the business that a fatigue or distraction event has occurred.

> Note: FDDTs are a reactive rather than predictive tool. They are a last line of defence against fatigue and should be combined with other fatigue controls as part of a fatigue management system.

The data from FDDT provides an important input when reviewing the fatigue impairment risk of drivers. For example, the data generated from these technologies could illustrate whether fatigue and distraction events are occurring at specific times of day, during certain shift types, among specific drivers, on certain routes or following certain types of non-driving work. These insights can assist in improving the associated work practices, such as scheduling, route planning or driver health assessments.

Use of FDDT provides an educational opportunity for the driver to be shown footage of the fatigue event, to understand how readily fatigue events can occur.

See Activity 17 for more considerations about the use and implementation of FDDT, including consideration of legal obligations regarding confidentiality, privacy and workplace surveillance.

13.22 **Control: Empower a driver who feels fatigued to stop driving and rest immediately.**

Safety capability empowers employees to speak up, without fear of reprisal, about potential safety concerns and issues, including their own ability to safely perform tasks. This 'openness' is essential in roles critical to operational safety, where early identification of potential risks can prevent incidents before they occur.

13.23 **Control: Ensure a driver who is assessed as impaired by fatigue or assesses themselves as impaired by fatigue, does not drive a vehicle.**

13.24 **Control: Have a procedure in place for taking practical actions to support a fatigue impaired driver to rest immediately.**

For example:

- maintain a register of potential relief drivers with necessary experience, health and fitness
- establish protocols with customers and business partners that afford flexibility
- send a relief driver to take over
- arrange for the driver to rest where they are or be taken home or to accommodation
- reschedule the task.

13.25 **Control: Assess the circumstances of the driver's impairment and determine whether fatigue controls need to be adjusted or other changes made.**

13.26 **Control: Regularly monitor the fatigue impairment risk of all drivers, using and comparing all available information and adjust control measures where appropriate.**

Sources of information:

- reports of fatigue incidents or near misses
- work diaries for drivers of FRHVs and work schedules for drivers of non-FRHVs
- in-vehicle monitoring systems, FDDT and GPS data
- driver and employee notifications
- outcome of fatigue risk assessments
- driver and employee surveys
- reports from business partners or members of the public
- observable changes in driver's mental or physical health, behaviour or mood
- patterns in absenteeism/presenteeism
- the need to action fatigue procedures during the driving task.

13.27 **Control: Use a staged approach or allow an extended interval between shifts if it is necessary to change a driver's work pattern.**

For example, swapping from night to day shifts is more taxing and may require more rest than swapping from day to night.

For more information on managing this risk, refer to Guide for Managing the Risk of Fatigue[46] from SafeWork Australia.

13.28 **Control: Manage drivers' readjustment to shift work after periods of leave.**

Where possible, drivers should return on schedules that align with their 'standard' sleep/wake patterns. If not possible, they should be advised of their return schedules as far in advance as possible and informed about the impacts and risks of changing sleep/wake patterns.

If drivers are returning to night work after leave, where possible, use slow, forward-rotating scheduling to transition from 'standard' to night work sleep/wake patterns.

13.29 **Resources for Managing driver fatigue:**

- NHVR Regulatory Advice on Fitness to drive: Fatigue[47] provides guidance on fatigue in the heavy vehicle transport industry and outlines obligations under the HVNL.
- NHVR Regulatory Advice on Bus and Coach Driver Fatigue and Health and Wellbeing[48] provides guidance on the management of fatigue and driver health and wellbeing in the bus and coach industry.
- NHVR Regulatory Advice on Operating in the agricultural sector[49] provides guidance about fatigue to individuals and businesses who operate in the agricultural sector.
- Validated self-reported sleepiness tools such as the Karolinska Sleepiness Scale and the Epworth Sleepiness Scale are available online. These tools can be helpful but do not take account of drivers underestimating or deliberately under-reporting their sleepiness at work.
- The HVNL provides a definition for a "sign of fatigue" (s 221, HVNL) – means any sign that a person was, is or will be fatigued while driving a fatigue-regulated heavy vehicle on a road (whether the sign manifests itself before, during or after the driver drove the vehicle).

  For example:

  - lack of alertness
  - inability to concentrate
  - reduced ability to recognise or respond to external stimuli
  - poor judgment or memory
  - making more mistakes than usual
  - drowsiness or falling asleep, at work (including microsleeps)
  - finding it difficult to keep eyes open
  - needing more frequent naps than usual
  - not feeling refreshed after sleep
  - excessive head-nodding or yawning
  - blurred vision
  - mood changes, increased irritability or other changes to the person's mental health
  - changes to the person's health or fitness.
- The Guide for Managing the Risk of Fatigue[50] from SafeWork Australia provides practical guidance on how to manage fatigue to ensure it does not contribute to health and safety risks in the workplace.
- Training modules are available under the Australian Skills Quality Authority (ASQA) framework in relation to the management of fatigue. To find nationally recognised training and trainers accredited to provide this training, visit training.gov.au[51].

  Relevant units of competency include:

  - TLIF0005 – Apply a fatigue risk management system
  - TLIF0006 – Administer a fatigue risk management system
  - TLIF0007 – Manage a fatigue risk management system
- NHVR's Guidance on Fatigue and Distraction Detection Technologies (FDDTs)[52] provides good practice guidance to support industry uptake of FDDTs.
- Safer Together has published a guideline for the Management of Heat Stress, to drive a consistent approach across industry to preventing heat stress.

14 Activity: Managing distraction and inattention

Driver distraction has emerged as a key factor in crashes involving heavy vehicles, with NTI/NTARC reporting that inattention or distraction remains the single largest contributor to incident rates, representing 17.9% of all crashes[2] in 2024.[53]

For a heavy vehicle driver, distraction is the diversion of attention away from critical driving tasks to competing events, objects or conditions, either inside or outside the vehicle.

2 Within the NTARC dataset

Distractions can occur as a result of things which are:

Internal to vehicle:

- use of mobile phones
- screens or human machine interfaces (HMIs)
- alerts and alarms
- loose or unsecured items in the cabin

External to the vehicle:

- behaviour of other road users
- activity near or alongside the road
- wildlife on or near roads
- emergency situations
- changes in weather

Driver based:

- physical health concerns causing pain or discomfort
- mental or psychological concerns including:
  - workplace conflicts, bullying, harassment, discrimination or aggression
  - concern about meeting deadlines or finding safe stopping places
  - non-work concerns.

Distractions can prevent drivers from dedicating their full attention to the driving task and may lead to mind wandering, a cognitive process where attention shifts from the current task to internal thoughts, which may be future-oriented, past-oriented, or unrelated to the immediate environment.

For example, driving a new route can involve distractions such as searching for landmarks or addresses. Conversely, repeatedly traveling the same route can cause a driver to stop paying conscious attention and rely on learned, automatic behaviours to reach their destination. This loss of conscious attention can be a contributing factor to incidents such as failing to identify or stop at level crossings or failing to identify low lying bridges.

A driver's performance throughout a journey will depend on individual factors, including their mental and physical state on any given day. Implementing control measures that improve fitness to drive will also enhance a driver's ability to maintain attention on the driving task.

14.1 **Control: Consider the number of driver aides, audio and visual devices in the cabin of each vehicle and remove those not necessary for the driving or transport task.**

Distraction can be minimised by reducing the number of devices in the cabin. Excessive devices may obstruct the driver's sightlines of the external road environment and compromise compliance with road rules and ADR42 requirements.

14.2 **Control: Arrange phone calls to drivers for times when they are not driving and not on a scheduled rest break.**

14.3 **Control: Restrict the use of mobile phones during driving and install phone mounting equipment for drivers to receive calls while driving.**

Restrict the use of apps and social media not required for the driving or transport task.

14.4 **Control: Educate drivers to stop at a safe place before making mobile phone calls.**

14.5 **Control: Make time to debrief with drivers at the end of each shift, so their experiences and frustrations about the shift can be resolved or addressed before their next shift.**

See Control 11.3 for more information about managing psychosocial hazards for drivers.

14.6 **Control: Install compartments, boxes or holders in vehicle cabins to restrain items that could move during travel. Instruct drivers to secure all loose items in the cabin, before starting to drive.**

14.7 **Control: Provide training to drivers about the safe use of driver assist technologies, to reduce their cognitive load while driving.**

For example: adaptive cruise control, lane keeping systems, GPS or route management devices.

14.8 **Control: At the start of a journey, remind drivers about hazards on the route to bring them to the driver's attention.**

See Control 27.7 for the types of hazards a driver might encounter on their route.

14.9 **Control: Use visual prompts inside the cabin to remind drivers to pay attention to hazards, places or times on the route.**

For example: a sticker displaying the vehicle's loaded height, the location of a detour, a recommended speed limit through roundabouts.

14.10 **Control: Check in on drivers throughout longer journeys or use in-vehicle monitoring systems to gauge their attention throughout the day.**

14.11 **Control: Use GPS geo-fencing to set alerts at key parts of a journey, to remind drivers of hazards ahead.**

14.12 **Control: For complex or hazardous journeys, allocate a person to accompany the driver and help them navigate the route and its hazards.**

14.13 **Control: Provide training to drivers about dealing with stress or provide access to a confidential counselling service.**

14.14 **Resources for Managing distraction and inattention:**

- NHVR Regulatory Advice on Driver distraction[54] provides guidance on managing the safety risks associated with driver inattention and distraction.
- NHVR's Guidance on Fatigue and Distraction Detection Technologies (FDDTs)[55] provides good practice guidance to support industry uptake of FDDTs.

15 Activity: Training drivers

Driving a heavy vehicle is a complex and ever-changing set of tasks and problems to be solved, usually a long way from home and often without support. It's not possible to train a driver once, at the beginning and expect that training to equip them to deal with every situation.

Drivers need many different types of training. They need to know how to drive each vehicle, on each route, with each load, in all weather conditions and at every time of day. They need to know how to work with each business they visit, where the gate is, who's in charge, where to wait and what the rules are.

They need to know their legal obligations and rights and what to do when things don't go to plan. They need to understand their own health and well-being and how it affects their own survival, community safety and their loved ones' happiness.

Employers can ensure that drivers are trained to do all those things, but it can't be done overnight and it doesn't all come from one source.

Drivers play a critical role in ensuring heavy vehicle safety. Executives, including senior managers and directors, should be keenly aware of the value of investing in appropriate driver training. Failure to provide the support could be seen as a failure of due diligence and therefore a breach of the Executive Duty.

15.1 **Control: Allocate appropriate time and resources for driver training.**

15.2 **Control: Assess the competency of drivers to operate each vehicle before permitting them to drive it.**

Prior experience with the same vehicle may not be a guarantee of competency as people learn in different ways and at different rates. A driver with experience with a different employer may have had inadequate training or may have established bad habits.

Provide training and the opportunity for drivers to gain experience before assessing their ability to drive the vehicle.

Assessments should be carried out by a suitably trained, experienced or qualified person.

15.3 **Control: Supervise inexperienced workers.**

Allocate skilled or experienced workers to accompany or monitor employees using new skills, doing new tasks or working in different environments.

For example:

- new drivers
- drivers on different routes,
- drivers with a load that performs differently

15.4 **Control: Induct drivers into new or different vehicles.**

Include driver induction as part of the process when changes or upgrades are made to the fleet or drivers move to a different type or make of vehicle. Use a suitably skilled or experienced person to show drivers the features of new vehicles and how to operate them, using information from OEMs where available.

15.5 **Control: Maintain a register of regular drivers and their skills and experience.**

Keep a record of:

- which vehicles each driver is licensed and competent to drive
- how much experience they have had with different vehicle and combination types
- other skills or qualifications that they have.

15.6 **Control: Periodically reassess the competency of drivers.**

15.7 **Control: Periodically provide refresher training.**

15.8 **Control: Ensure drivers have appropriate training for general and specialised driving tasks they may perform.**

For example:

- safe speeds for different driving conditions – rough surfaces, narrow roads, tight bends
- defensive driving, hazard avoidance
- navigating steep descents including gear choice and use of safety ramps/arrester beds
- operating vehicles over 4.3m high or vehicles with a high centre of gravity
- different requirements for operating laden and unladen vehicles
- techniques for transporting specialised loads e.g. slosh in bulk tankers
- how to recognise and respond to changes in a load during the journey
- operating vehicle systems, safety systems and auxiliary equipment fitted to the vehicle
- brief, effective and respectful UHF radio use.

15.9 **Control: Ensure drivers have appropriate training or information for using equipment or systems at loading premises.**

For example:

- use of loading and unloading equipment (cranes, lifts, excavators, etc.)
- using effluent dumps, animal loading ramps or cross loaders
- correct positioning of vehicle for loading or unloading
- how to use scales and weighbridges.

Identify training needs by obtaining information from premises managers (see Control 22.11 and 22.13). Send drivers for induction at premises they will attend regularly (see Control 22.12).

15.10 **Control: Provide training to drivers about fatigue management and compliance.**

For example:

- how to manage their own fatigue and fitness to drive
- how to use fatigue self-assessment tools
- applicable work and rest hours, how to count hours and how to record work and rest hours and complete work diary entries.

15.11 **Control: Provide training to drivers about loading and load restraint.**

For example:

- HVNL loading requirements and loading performance standards
- how to interpret and apply loading plans
- loading and unloading techniques for the load being transported
- how to distribute loads
- how to interpret and use the Load Restraint Guide 2025[56]
- difference between tie-down and direct restraint
- understanding co-efficient of friction and lashing angles
- calculating lashing requirements using the Load Restraint Guide 2025[57]
- correct use of load restraint equipment
- policies or procedures to follow to safely restrain loads.

15.12 **Control: Provide training to drivers about compliance with dimension requirements.**

15.13 **Control: Provide training to drivers about compliance with mass requirements.**

For example:

- gross limits, axle limits and axle spacing limits per Schedule 1, Heavy Vehicle (Mass, Dimension & Loading) National Regulation[58] (MDL Reg.)
- mass exceptions and concessions
- mass limits in a notice, permit or PBS vehicle approval and applicable conditions
- conditions attached to mass requirements such as tyre width, signage, route, etc.
- accreditation status and compliance with Intelligent Access Program (IAP), Telematics Monitoring Application (TMA) or Road Infrastructure Management (RIM)[59] requirements
- route or infrastructure limits.

Drivers should know that where there are conflicting mass requirements, the lowest applies.

15.14 **Control: Provide training to drivers to identify hazards before they start driving.**

For example:

- they or someone else is or appears, unfit to drive
- the vehicle is not rated or suitable to carry the required load
- the vehicle has a fault or a component that does not function correctly and may pose a serious risk if the vehicle continues to be used (identified through a pre-trip inspection)
- the vehicle does not have necessary load restraint equipment
- the load is not safely restrained
- containerised freight is not properly distributed or restrained
- the vehicle exceeds a dimension limit or is overmass
- the vehicle is not authorised to travel on a route
- packaging materials and methods are unsuitable
- livestock is unwell or not fit to load
- vehicle or load is leaking
- the contents of a load are suspicious or unknown
- vehicle or load is unsafe for any other reason.

15.15 **Control: Empower and support drivers to refuse to drive a vehicle if it is unsafe.**

Safety capability empowers employees to speak up, without fear of reprisal, about potential safety concerns and issues, including their own ability to safely perform tasks. This 'openness' is essential in roles critical to operational safety, where early identification of potential risks can prevent incidents before they occur.

15.16 **Control: Provide training to drivers about the risks of driving, loading or unloading near overhead electrical infrastructure and safe clearances to be maintained.**

For example: use resources such as the "Look up and Live"[60] website and WHS regulator codes.

15.17 **Control: Provide training to drivers to always apply the park brake when stationary at a loading or unloading facility and about the vehicle roll-away system fitted to the vehicle.**

Other vehicle roll-away systems include:

- auto-apply park brakes, which activate upon detecting no weight on the driver seat or when the vehicle is shifted into park
- park brake alarms, which sound when the driver door is open and the park brake is not engaged.

Further information about managing the risk of vehicle roll-aways is available from Safe Work Australia[61] and WorkSafe Queensland.[62]

15.18 **Control: Provide training to drivers about how to respond in an emergency.**

For example:

- collision or breakdown
- brake deterioration or failure
- runaway lithium-ion battery fire
- system or equipment malfunction
- extreme weather event
- medical emergency
- dangerous goods or hazardous substance spill
- evacuating passengers

15.19 **Control: Create a process for drivers to follow when transporting un-weighed goods.**

For example:

- provide verified information about the mass of the vehicle and the mass limits applying to the

vehicle, to CoR parties who load, receive or weigh vehicles
- if the goods are weighed at the point of unloading, retain or record a copy of any mass information provided
- communicate any comments or information about the load mass back to the operator, loader or other relevant CoR Party.

15.20 **Control: Provide training to drivers about checking loads for the presence of invasive pests such as fire ants, particularly when transporting soil, landscaping products, earth moving machinery, etc.**

15.21 **Control: Provide training to drivers to immediately submit defect notices and use existing procedures that alert maintenance staff of the issue** (See Control 19.11).

15.22 **Control: Require drivers to provide feedback and ensure it receives a response.**

Ask for feedback on topics such as:

- concerns with vehicle safety or roadworthiness
- unsafe behaviour they observe in others
- the suitability of the route
- delays at loading or unloading premises
- delays affecting trip time, e.g. congestion, detours, roadworks, weather.
- other factors that impact on their or others' safety, either positively or negatively.

15.23 **Resources for Training Drivers:**

- NHVR has published Regulatory Advice on Seatbelt use compliance in the heavy vehicle industry.[63]
- NHVR has published Regulatory Advice on Managing the risks associated with heavy vehicles travelling down steep descents,[64] especially steep descents which requires the use of low gear.
- The Austroads National Heavy Vehicle Driver Competency Framework[65] was developed to set minimum competency and assessment standards for heavy vehicle drivers.
- The Agitator Rollover Prevention Course[66] from Cement Concrete and Aggregates Australia provides participants with an understanding of what a rollover is, how they occur and most importantly, what can be done to prevent a rollover.
- The Heavy Vehicle Rollover Awareness Program (HVRAP),[67] developed by the Livestock, Bulk and Rural Carriers Association (LBRCA), provides tools and resources aimed at reducing heavy vehicle rollovers and crashes and preventing the loss of life or serious injury in the Australian road freight industry.

16 Activity: Equipping drivers

Providing drivers with the right equipment, in good working order, allows drivers to operate safely, respond to emergencies and meet their legal requirements.

16.1 **Control: Provide drivers who work in remote areas with communications equipment, such as satellite radios, emergency position indicating radio beacons (EPIRBS) or fall alerts.**

16.2 **Control: Provide drivers who work at night with lighting equipment they can carry or fit to their person.**

16.3 **Control: Provide drivers who carry loads of variable dimensions with measuring devices such as height sticks, lasers and tape measures.**

16.4 **Control: Provide all drivers with suitable personal protective equipment (PPE) and other equipment required to work outside the vehicle.**

16.5 **Control: Ensure drivers carry medical aids or equipment required to manage health.**

For example:

- Epi-pen
- Ventolin inhaler
- CPAP (continuous positive airway pressure) machine for sleep apnoea

17 Activity: Using monitoring devices and safety systems

In-vehicle monitoring systems (IVMS) including telematics and other safety technologies can help transport operators identify areas for improvement, including in relation to risky driver behaviour and operational inefficiencies, such as at partner facilities.

In this section, monitoring devices refers to any safety system or technology which generates data or information about a vehicle's performance or the way it is driven. It includes systems like telematics, fatigue and distraction detection technologies (FDDTs) or engine management systems.

Safety systems are typically features or technologies fitted to the vehicle which have a safety purpose. These include adaptive cruise control, lane departure warnings, lane keeping assist or electronic braking system (EBS), etc.

Consideration must also be given to confidentiality, privacy and workplace surveillance obligations when implementing monitoring devices.

17.1 **Control: Provide information and engage with drivers, their representatives and other employees about the decision to introduce or use monitoring devices or safety systems.**

Considered engagement will promote participation and instil confidence in the new system and technology.

Before new technology is used, explain to drivers and other employees:

- what the system is and how it works
- why the decision was made to implement the system
- how the system will improve driver safety, as well as public safety
- what data or information will be produced by the system
- how the data or information will be used by the business
- other changes to processes and procedures required to make the system operational
- how privacy will be maintained around data which identifies individuals.

Consultation with employees on this topic is also a requirement under WHS and OHS legislation in each jurisdiction.

17.2 **Control: Implement systems and adjust processes to integrate monitoring devices into the business.**

Considerations include:

- information generated by monitoring devices must be collected and interpreted to have value
- ensure competent employees are available to analyse data and information from monitoring devices
- commit to the timely analysis of data and information
- for systems that generate alerts and incident reports in real time, procedures are required to action these, as soon as possible and to guide appropriate operational responses
- excessive false positive alerts can cause distraction and then complacency unless systems and settings are recalibrated, this may be an iterative process and will take time
- use collected data to inform safety decisions and influence change to policies and procedures.

17.3 **Control: Provide support and training to drivers and other employees about the use of new monitoring devices and safety systems.**

This includes during on-boarding of new employees and may necessitate the off-boarding of existing employees who are unwilling to engage with safety systems and monitoring devices.

17.4 **Control: Develop procedures and training about interference, tampering or disengaging systems and immediately address if detected.**

For example:

- repositioning fatigue detection cameras away from the face
- covering cameras
- failing to connect the trailer Anti-Lock Braking System (ABS)/Electronic Braking System (EBS) pass-through wiring rendering the technology ineffective
- disengaging autonomous cruise control or lane departure warnings
- falsifying electronic work diary (EWD) entries.

17.5 **Control: Debrief with drivers following events detected by monitoring devices.**

For example:

- show footage of micro sleeps to drivers after a fatigue incident
- encourage and reinforce correct driver use of monitoring devices
- review driver incidents with a safety-first mindset rather than a disciplinary approach.

17.6 **Control: Make use of monitoring device data to identify gaps in safety and to inform training and processes. Combine data sets to generate new insights.**

For example:

- compare data for individual drivers at different times of multi-day trips or points in the roster to understand patterns that may increase risk. For example: more fatigue events at the end of a trip or at certain hours of the day or night.
- compare data between drivers undertaking the same routes to recognise points where a risk may be higher. For example: sharp corners or steep descents, these high-risk locations can then be highlighted to drivers or geofenced (a virtual boundary marked on a GPS) to help reduce the risk of incidents occurring.
- compare vehicle speeds with speed limits, including limits for particular vehicles (e.g. speed limiters)
- speed compared to engine performance or braking or acceleration.

17.7 **Control: Conduct regular safety meetings to discuss events and trends identified from the data and implement learnings to improve safety.**

For example: events may impact future route planning and scheduling.

17.8 **Control: Systematically review the effectiveness of the monitoring devices and the relevant policies and procedures used by the business to ensure they remain effective.**

17.9 **Resources for using monitoring devices and safety systems:**

- NHVR Regulatory Advice on Heavy vehicle safety technology and telematics[68] provides guidance on best practice for using safety technologies and telematics to improve the safety of transport activities.
- NHVR's Guidance on Fatigue and Distraction Detection Technologies (FDDTs)[69] provides good practice guidance to support industry uptake of FDDTs.

VEHICLES AND EQUIPMENT

Selecting the correct vehicle for the task, ensuring vehicles are maintained and making decisions about fittings and modifications directly influences the safety, efficiency and compliance of transport activities.

The following activities provide practical guidance for parties to help them meet their safety duties when procuring vehicles, managing fleets and undertaking additions or modifications. It outlines how to assess vehicle suitability, integrate safety technologies and manage maintenance.

These activities are relevant to any individual or business that owns or operates heavy vehicles, including vehicle hirers. They are also informative for parties making decisions about which businesses to work with.

18 Activity: Vehicle procurement and fleet management

18.1 **Control: Assess suitability for planned use before purchasing or hiring a vehicle.**

For example:

- the distance and duration of trips
- route characteristics (topography, rough roads, temperatures, remoteness)
- the types of loads to be carried, mass and dimension
- special requirements for the task or environment
- availability and suitability of fuels, including alternate fuels and EV chargers
- emissions control system
- availability of parts and repair services.

18.2 **Control: Consider safety systems and technology that are part of the vehicle or can be fitted.**

For example:

- electronic stability control
- pedestrian detection systems (consider guidance and resources from CLOCS-A)
- features that reduce the severity of a crash, such as side underrun protection
- electronic braking systems or autonomous emergency braking
- lane keeping systems, lane departure warning systems and adaptive cruise control
- GPS-based telematic systems
- in-cab driver (fatigue and distraction) monitoring systems
- vehicle immobilisation technology
- driver safety screens (low floor buses)
- fault detection systems which notify the operator of problems with vehicle components that develop during the journey (e.g. wheel ends, tyre pressure, tyre temperature, air pressure systems)
- high-efficiency particulate air filters to remove particulate matter
- filters containing activated charcoal to absorb volatile organic compounds
- automatic engine shutdown or neutral idle systems to reduce fuel consumption.

Autonomous systems like autonomous emergency braking, autonomous cruise control or lane keeping systems provide the additional benefit of initiating vehicle control interventions, thereby eliminating delays from human perception and reaction time.

18.3 **Control: Consider how vehicle features will affect driver fatigue and health.**

For example: excessive noise or vibration, seat design and comfort, glare, cabin noise, air conditioning, requirements for sleeper berths and climate control to enable restorative rest.

18.4 **Control: For the purchase of second-hand vehicles, consider the operating history, prior use and maintenance records of the vehicle.**

Ensure Information is current, accurate and comprehensive and includes details of all services, maintenance, modifications or repairs.

Assess available information to understand ongoing maintenance requirements or operational limitations.

18.5 **Control: Assess intended use before purchasing or specifying rigid vehicle body.**

Considerations include:

- freight to be carried
- restraint points
- rated headboards / tie rails / tail gates
- driver/loader access aids
- loading and unloading equipment

18.6 **Control: Choose the safest vehicle and body that meets business requirements.**

18.7 **Control: Manage the life cycle of the vehicle fleet.**

Considerations for fleet life cycle include:

- changes to the transport task which require a different vehicle to be used
- different or more effective vehicle safety systems become available
- improved efficiency and reduced environmental impact of newer makes and models
- increased maintenance requirements and costs for older equipment
- a fleet of vehicles of the same make can streamline maintenance and driver training
- staggering the purchase and retirement of vehicles in the fleet to take advantage of incremental improvements in safety and vehicle design and to spread the expenditure over a longer period.

18.8 **Resources for Vehicle procurement and fleet management:**

- NHVR Regulatory Advice on Managing the safety risks of light to medium heavy vehicles[70] provides guidance about identifying and managing the safety risks and legal obligations for the use of light to medium heavy vehicles under the HVNL.

- SafeWork Australia's Code of Practice Managing the risks of plant in the workplace[71] includes recommendations about purchasing new and second hand vehicles.
- The National Heavy Vehicle Standards (Bus Driver Safety Screen) Exemption Notice 2025 (No.1)[72] exempts public passenger transport ultra-low floor buses modified for the installation of a driver safety screen from certain prescribed heavy vehicle standards.
- The Bus Industry Confederation's Driver Safety Screens Guide[73] provides advice about the vehicle standards requirements when installing driver safety screens as part of any in-service modifications.

19 Activity: Maintaining vehicles and equipment

19.1 **Control: Create a service, inspection and maintenance schedule for each heavy vehicle and its auxiliary equipment, at a frequency appropriate for their use.**

Considerations include:

- OEM specifications and service schedules in the operator manual
- relevant Australian Standards governing maintenance or servicing requirements
- recommendations from engineers, mechanics or installers who fitted auxiliary equipment
- operating conditions which require more frequent servicing. For example: frequently operating on unsealed roads, regularly transporting over size overmass loads, exposure to harsh environments, often travelling down steep descents
- intermittent or seasonal use of the vehicle
- safety critical components prone to sudden failure if not regularly inspected, such as leaf springs or couplings.

Examples of auxiliary equipment that requires service, maintenance or calibration include:

- fire extinguishers and fire-retardant systems
- telematics, record-keeping and communications equipment
- load restraint equipment including container twist locks, curtains, bins, cages and vessels, headboards, gates and tie rails
- on-board mass and other weighing devices
- vehicle loading cranes, outriggers and other moveable plant.

Service schedules should be established by a suitable qualified or experienced person.

19.2 **Control: Schedule a combination of regular focused inspections and less frequent but more thorough inspections.**

19.3 **Control: Ensure that operational schedules allow for maintenance to be undertaken in accordance with the service schedule established for the vehicle.**

19.4 **Control: Use suitably qualified or experienced people to carry out all work. Confirm that they comply with OEM recommendations and use parts of suitable quality.**

19.5 **Control: Arrange for specialist inspection and servicing of auxiliary equipment.**

19.6 **Control: Ensure that vehicles are thoroughly washed prior to mechanical inspection so that latent defects such as cracking or metal fatigue are visible.**

19.7 **Control: Perform additional inspection and maintenance of vehicles that have been exposed to adverse conditions.**

For example: travelled through flood water.

19.8 **Control: Develop pre-start and post-operation inspection procedures to be used before and after a driving shift.**

Provide a template or list of items that should be checked. NHVR's Guide to creating heavy vehicle daily checks[74] recommends inclusions for a suitable daily check procedure.

Also include items recommended by maintenance staff or OEMs and items on or in the vehicle such as:

- load restraint equipment including tensioners, curtains, rails, headboards, twist locks
- latches, guards or mechanisms for securing doors or equipment such as outriggers, pumps, hoses, etc.
- hydraulic, lifting, opening or closing mechanisms
- operation of safety systems, including connections between vehicle and trailers (EBS)
- auxiliary equipment fitted to the vehicle or required to carry out work.

The purpose of the procedure is to immediately identify obvious faults, to highlight priorities for upcoming maintenance or to ground vehicles if required. Emphasise gaining useful information, rather than asking a driver to pass or fail something.

Provide a form or an app that has space for drivers to make observations such as changes in condition, leaks, stains, cracks, etc., rather than asking for ticks. Ask drivers to send photos of problem areas to a nominated person. If in doubt, a driver should be able to obtain advice.

The benefit of post shift inspections is that they allow more time to arrange immediate repairs or to arrange an alternative vehicle before the next shift. The driver might also have useful indications of where to look for faults based on the vehicle's performance during the shift.

> Note: These procedures are not a substitute for regular inspection by suitably qualified or experienced people. They are part of regular monitoring and potentially an early warning system when vehicle condition deteriorates.

19.9 **Control: Ensure drivers' pre-start and post-operation checks are part of their paid work time.**

For drivers who take vehicles home, the time required to complete pre-start or post-operation checks should be counted as work time, even if it is carried out at home.

19.10 **Control: Provide training to drivers and other employees about the vehicle maintenance procedure, including how to conduct pre-start and post-operation checks.**

19.11 **Control: Create an information channel between drivers and the people undertaking maintenance for sharing performance and diagnostic information including feedback about pre-start or post-operation checks.** (See control 15.21)

19.12 **Control: Implement a system for ensuring that vehicle maintenance issues, defects or defect notices are recorded and actioned and that defective vehicles that pose an imminent safety risk are removed from service and not returned to service until repaired.**

Considerations include:

- a reporting system to identify recurring faults as an indicator of unresolved or underlying problems or issues with vehicles or with the quality of repairs
- a tag out and remove from service system or keep the vehicle keys in a secure location such as a locked key box or lock out trailing equipment airlines.

19.13 **Control: Encourage other parties to observe, record and report vehicle maintenance issues or defects to the driver or vehicle operator.**

19.14 **Control: Develop shut down and start up procedures for managing the maintenance of vehicles used intermittently or for seasonal work, paying attention to those systems and components which can deteriorate during storage.**

For example:

- tyres – check for flat spots, cracking and ensure correct pressures
- battery – check charge levels, fluid levels and general condition
- brakes – components may have seized due to surface rust (auto slack adjusters, brake calliper pistons, etc.)
- air system – look for water and/or oil contamination in air tanks
- fuel – degradation of diesel which has been sitting in a tank for extended periods
- diesel exhaust fluids – additives such as AdBlue can degrade over time
- communications system still works when network changes
- vehicle systems or electronics which may be damaged by rodent infestation or attack.

19.15 **Control: Use information from multiple sources to regularly assess the effectiveness of the vehicle inspection and maintenance program including fault monitoring.**

19.16 **Control: Adjust and improve the effectiveness of the program.**

For example:

- increase the frequency of inspection and maintenance
- allow more time for inspection and maintenance
- provide additional training to drivers about detecting and reporting faults
- randomly conduct audits or pre-start and post-operation inspections.

19.17 **Control: Establish a plan for responding to vehicle breakdowns**

Considerations include:

- any plan should address the requirements for responding to and recovering the vehicle and any load or passengers
- support the response plan with training and information for drivers
- provide necessary guides and instructions in the vehicle for the driver to access
- provide the required equipment
- ensure the plan includes points of contact or escalation.

19.18 **Control: For dry hire arrangements, obtain information about the operating and mechanical condition of the vehicle from the vehicle owner.**

Information obtained must be current, accurate and comprehensive and should include details of the last service or maintenance activity and each daily or pre-start inspection reports since that service activity.

19.19 **Resources for Maintaining Vehicles and Equipment:**

- NHVR Regulatory Advice on Maintenance of heavy vehicles used in agricultural or seasonal work[75] provides guidance on managing the risks associated with poorly maintained or unroadworthy heavy vehicles used in agricultural or seasonal work, such as harvest or snow activity.
- Original equipment manufacturer (OEM) specifications provide detailed instruction for the frequency with which routine maintenance should be carried out on each part of a vehicle and recommend appropriate spare parts or replacements. If OEM specifications are not available, a suitably qualified and experienced person should be engaged to develop a pre-start inspection checklist for the heavy vehicle.
- The NHVR's National Heavy Vehicle Inspection Manual (NHVIM)[76] provides pass/fail criteria that assist a person maintaining a vehicle to systematically check all vehicle systems. It also contains a pre-start inspection checklist. For further information about vehicle standards and modifications, refer to the NHVR website.
- NHVR's Guide to creating heavy vehicle daily checks[77] provides guidance and suggestions for creating a suitable daily check procedure.
- NHVR's Post flooding safety check[78] provides advice and suggestions for checking vehicles exposed to water.

- NHVR's NHVAS Maintenance Management Accreditation Guide[79] provides information about the requirements to qualify for maintenance management accreditation as part of NHVAS. It may contain useful information for a business establishing a maintenance management system.
- The Australian Trucking Association (ATA) publishes Technical Advisory Procedures (TAP)[80] to promote safety, efficiency and sustainability across the road transport industry.

20 Activity: Equipping and modifying vehicles

This Activity contains guidance on the process of fitting vehicle parts or accessories after purchase. This includes ensuring the fitments is appropriate, does not create new risks and is conducted according to the manufacturer's or supplier's instructions and any relevant industry or Australian Standards or Codes of Practice.

20.1 **Control: Understand the requirements of the transport task and the fit-out of existing vehicles in the fleet, when deciding what auxiliary equipment is required.**

20.2 **Control: Identify and install systems and technology that improve safety.**

For example:

- fatigue and distraction detection technologies (FDDTs), telematics systems
- communication equipment or emergency beacons that function in remote areas
- cameras or sensors that detect and warn of vulnerable road users
- sensors for detecting infrastructure hazards (low bridges or tunnels, level crossings)
- air pressure system monitors and suspension management systems
- baffles inside tanks
- onboard mass measuring systems
- warning devices for secure restraint of crane outrigger legs or similar
- in-cabin air quality monitoring
- tyre temperature and pressure monitoring systems
- compartments, boxes or holders to restrain items in the vehicle's cabin
- high visibility markings or lights for emergency or recovery vehicles
- GPS or other route planning and monitoring devices
- secondary lockout for in-cab release systems/switches (e.g. trailer detachment, dog release)
- intrinsically safe wiring/isolation when transporting flammable liquids/gases.

20.3 **Control: Install vehicle immobilising technology.**

Examples of vehicle immobilising technologies are a park brake alert system or a fail-safe automatic braking system that instantly applies the vehicle park brake if it is not applied by the driver or operator before they exit the cabin.

20.4 **Control: Identify and install auxiliary equipment required for the transport task.**

For example:

- emergency response equipment (extinguishers, fire detection, fire suppression systems, first aid kits)
- driver device restraints (phone holders)
- load restraint equipment
- rated headboards, tailboards, cab guards
- measures to minimise movement of cargo/luggage in compartments
- signage indicating maximum passenger capacity
- baffles in vehicles for transporting liquid
- tarpaulins for vehicles that transport fine particulate matter or agricultural produce
- load handling equipment, remote controls for truck-mounted equipment
- effluent tanks, rubber matting to reduce livestock falls
- height marking inside tippers or on stanchions for estimating volume or mass
- air-conditioning for buses or prisoner transport.

20.5 **Control: Follow manufacturers' recommendations, VSB6 and Australian Standards when fitting auxiliary equipment or designing and planning modifications.**

All modifications, including the fitting of auxiliary equipment, must:

- not affect the safety of the vehicle or its components
- be performed in such a way that any new hazards are minimised
- meet the Code of practice for vehicle modifications
- be fit for purpose
- be carried out by suitably qualified mechanics, engineers or fitters
- be undertaken in accordance with good engineering practice.

20.6 **Control: Engage an approved vehicle examiner to assess all modifications other than minor modifications.**

20.7 **Control: Ensure storage compartments, frames and brackets have secure access doors/hatches and fastenings that are durable enough to withstand the forces applied to them.**

20.8 **Control: If storage compartments are retrofitted to a heavy vehicle, design access doors/hatches to open from the top or if opening from the side have a design which resists unplanned opening.**

Proper design will minimise the risk of storage compartments opening during travel or if a latch or lock malfunctions, it will be less likely that items will fall out.

20.9 **Control: Establish the total mass of a vehicle after additions and modifications.**

20.10 **Control: Identify service or maintenance requirements and replacement intervals for all auxiliary equipment and include in maintenance schedules.**

20.11 **Resources for Equipping and modifying vehicles:**

- NHVR Regulatory Advice on Heavy vehicle safety technology and telematics[81] provides guidance on best practice for using safety technologies and telematics to improve the safety of transport activities.
- The Heavy Vehicle (Vehicle Standards) National Regulation[82] establishes uniform national standards for the safety, performance and environmental compliance of heavy vehicles.
- NHVR's Code of Practice for the Approval of Heavy Vehicle Modifications[83] outlines the requirements and approval processes to ensure that heavy vehicle modifications comply with safety and regulatory standards of the HVNL.
- Vehicle Standards Bulletin 6[84] (VSB6) provides clear guidelines and technical requirements for modifying heavy vehicles in compliance with the Australian Design Rules (ADRs) and the Heavy Vehicle National Law (HVNL) to ensure safety and consistency.
- The Australian Dangerous Goods Code[85] prescribes equipment that must be fitted or carried on vehicles transporting relevant volumes of different classes of goods.
- NHVR's Guidance on Fatigue and Distraction Detection Technologies (FDDTs)[86] provides good practice guidance to support industry uptake of FDDTs.

PREMISES

Well-designed loading and unloading premises need to support safe interactions between vehicles, drivers and site personnel. This includes minimising delays, managing congestion, supporting driver wellbeing and enabling safe load handling. Effective premises management also involves clear communication, coordinated scheduling and robust traffic and safety systems. Together these control measures should help reduce risks, improve operational performance and allow parties to meet their safety duties.

The following sections provide guidance for any business that operates premises where vehicles are loaded or unloaded. It will be relevant to businesses like distribution centres, manufacturers, stevedores, warehouses, saleyards, freight forwarders or other businesses where goods or commodities are regularly picked up, loaded or unloaded.

These Activities should be read in conjunction with relevant Activities in the "Foundation Activities", "Managing Drivers", "Operations", "Journey Planning" and "Loads, Loading, Unloading" sections of the Master Code.

21 Activity: Design and characteristics of loading/unloading premises

21.1 **Control: Situate, design, build, lease or adapt premises to minimise delays to drivers and avoid congestion outside the premises.**

For example:

- ensure there are sufficient loading / unloading docks or ramps, storage capacity and other facilities or equipment, for the expected throughput of goods and vehicles
- ensure that stationary vehicles will not prevent other vehicles from moving in or out of the premises or from moving from place to place within the premises
- situate the entry and exit points to premises having regard to effects on local traffic and connections to present and future heavy vehicle networks
- eliminate or minimise the need for vehicles to reverse out of the premises
- install cameras to monitor queues and record the times when vehicles arrive at or in the vicinity of the premises and the times when vehicles arrive and depart different locations within the premises – automatic or electronic systems (or analogue alternatives) may be suitable for this purpose.

Consideration must also be given to confidentiality, privacy and workplace surveillance and other surveillance obligations when implementing some automatic or electronic recording systems.

21.2 **Control: Build, mark or identify a queuing location that allows drivers to park or park and leave their vehicles, while waiting, without losing their place in a queue.**

21.3 **Control: Situate, design, build, lease or adapt premises to allow drivers to rest while waiting.**

For example:

- allocate waiting areas within the premises or identify nearby areas where vehicles can be parked
- locate waiting areas away from roads or machinery to reduce noise. Prefer shaded areas
- provide rest facilities for drivers, in the vicinity of waiting areas, with safe pedestrian access between them
- ensure driver comfort within the rest facility by providing bathroom and kitchen amenities and maintaining a comfortable temperature
- facilities should be hygienic, safe and accessible for all genders; provide for cultural practices where relevant.

21.4 **Control: Situate, design, build, lease or adapt premises or site to ensure the safe movement of vehicles, workers and pedestrians within the premises.**

For example:

- when making decisions about where to locate premises entry and exit points, consider pedestrian safety, as well as the impacts on local roads and traffic
- traffic management plans – consider guidance and resources from CLOCS-A[87]
- apply Loading and Unloading Exclusion Zone (LUEZ) Guidelines[88] in designing spaces accessed by pedestrians, including public access, loading and unloading areas
- separate heavy vehicles from large equipment
- separate pedestrian paths from areas used by heavy vehicles with physical barriers or clearly marked boundaries; use signage to draw attention to shared areas
- ensure suitable lines of sight for workers directing vehicle movements
- where possible, separate lanes for vehicles travelling in different directions
- ensure sufficient width and separation for vehicles to pass other vehicles, having regard to the dimension and swept path of vehicles that use or may use the premises
- install signage indicating position and movement around the site and the location of emergency exits and assembly points
- ensure that areas where vehicles stop are flat; identify places where the ground is not level and install warning signs
- support vehicle immobilisation practice during site inductions and by displaying reminders at unloading premises
- locate EV charging infrastructure in a dedicated area where parked vehicles will not obstruct access or traffic flow.

21.5 **Control: Situate, design, build, lease or adapt premises to enable the safe construction and restraint of loads and safe unloading of loads.**

For example:

- ensure sufficient space, shade and lighting for safe loading and unloading
- install ramps, walkways or other structures that enable workers to safely load, restrain and inspect loads
- height of loading docks is suitable for vehicles that use them or there is a choice of docks of different heights or of adjustable height
- provide a safe vantage point for drivers to observe load construction and restraint
- ensure loading and waiting areas are level – or sloped towards the loading dock
- install rattlers, shakers or sprinklers at the exit of construction sites or quarries
- use blowers to remove chaff or trash from agricultural products as they are loaded
- install truck washes facilities or effluent dumps where livestock are loaded or unloaded
- provide waste receptacles for disposing of load restraint consumables such as wrapping or strapping and for spillage from loads, particularly produce
- install livestock loading ramps (refer to AS 5340:2020)[89] and cross loaders.

21.6 **Control: Situate, design, build, lease or adapt premises to enable monitoring of the safety of vehicles, drivers and loads.**

For example:

- provide height or width measuring equipment for incoming or exiting vehicles and a system to record height measurements. (height measurements marked on gantries or walls, lasers or infrared devices)
- provide weighing equipment (weighbridge, weigh in motion (WIM), container weighing stands, etc.) for incoming or exiting vehicles; or provide equipment for weighing goods prior to loading or after unloading
- install cameras to identify hazards or unsafe behaviour within the premises.

21.7 **Control: Situate, design, build, lease or adapt premises to enable workers to deal safely with unsafe vehicles, drivers or loads.**

For example:

- identify separate areas where unsafe vehicles can be taken
- provide equipment or infrastructure that will reduce the risk of harm when the vehicle is unloaded (e.g. lifting equipment, bunding, chains, elevated work platforms)
- provide ready access to third parties to address the safety risk or tow the vehicle
- supply drug and alcohol testing equipment and sick bays or waiting areas
- install boom gates to control entry to and exit from the premises
- ensure availability of waste receptacles, appropriate for the kind of waste.

21.8 **Control: Situate, design, build, lease or adapt premises to prevent damage or harm to vehicles or loads.**

For example: build and maintain roadways so that they retain a suitable surface and camber, despite repeated use and in all weather conditions.

21.9 **Resources for Design and characteristics of loading / unloading premises:**

- NHVR Regulatory Advice on Managing the risks associated with non-compliant heavy vehicles arriving at premises[90] provides guidance on how to manage the risk of non-compliant heavy vehicles arriving at premises.
- NHVR Regulatory Advice on Managing the risks of time slot bookings[91] provides guidance on recognising and managing the risks associated with the scheduling of delivery or pick-up times for heavy vehicles.
- NHVR Regulatory Advice on CoR for Owners and Operators of Weighbridges[92] provides guidance for parties who own or operate weighbridges and outlines expectations of what may be considered reasonably practicable actions.
- The CLOCS-A Program has a primary goal of reducing road trauma associated with construction logistics. Case Studies,[93] Vehicle Safety Resources[94] and the CLOCS-A Standard[95] are available on the CLOCS-A website[96].
- The Loading and Unloading Exclusion Zone (LUEZ) Guidelines[97] provide advice on the design of locations accessed by pedestrians, including public access, loading and unloading areas.
- The Australian Standard on Livestock loading/unloading ramps and forcing pens[98] (AS 5340) sets out requirements for loading/unloading ramps and forcing pens, to enable the safe loading and unloading of livestock from vehicles and to ensure the welfare of livestock and the safety of livestock handlers.

22 Activity: Managing loading and unloading premises

This activity is intended for CoR parties which operate premises where heavy vehicles are loaded or unloaded. These may be premises with space onsite for vehicles to access, where there are dedicated loading bays or space for vehicles to stop off the road and be loaded or unloaded. These may also be premises receiving deliveries from heavy vehicles without dedicated loading spaces or facilities.

As a CoR party which uses heavy vehicles to transport goods, part of your transport activities includes considering where at your premises a heavy vehicle can stop to be loaded or unloaded safely. If there are limitations created by the space available or the amount of traffic at the location, you should consider this when scheduling when heavy vehicles arrive at your premises.

22.1 **Control: Identify a location at your premises where heavy vehicles can stop safely (and lawfully) to be loaded or unloaded.**

If a heavy vehicle arriving at your premises cannot drive onto the site, you must consider locations nearby where the vehicle can stop safely. This includes the vehicle being able to stop in a location it is permitted to stop and where it will not obstruct other traffic.

The location must also allow the driver and other employees to have space to work around the heavy vehicle safely during loading or unloading.

22.2 **Control: Establish and implement a traffic management plan for heavy vehicle movements around the premises.**

22.3 **Control: Provide access to onsite or offsite weighbridges, for loads that may need to be weighed prior to every journey.**

22.4 **Control: Ensure mass measuring equipment used during the loading process is calibrated and operated in accordance with OEM requirements.**

22.5 **Control: Support vehicle immobilisation practice during site inductions and by displaying reminders at unloading premises.**

22.6 **Control: Identify the training requirements of employees at the premises, provide training and verify the competency of each employee.**

Note special training requirements for particular operations, for example:

- forklift operators, loaders, unloaders
- animal handlers
- administration staff
- weighbridge operators

All staff should have a working knowledge of mass and dimension limits for common heavy vehicle types and combinations.

22.7 **Control: Train employees in procedures to follow, including reporting, where there is an unsafe vehicle or driver at the premises.**

For example:

- the driver appears fatigued or unfit to drive
- the vehicle is overloaded or the load is unevenly distributed
- the vehicle or its load exceeds a dimension limit
- the load is improperly restrained or packaging is unsuitable
- livestock need veterinary attention
- the vehicle appears unsafe for use on a road.

Consider the available equipment and skills of employees to determine the best way to respond to the issue. Procedures for each situation should be communicated to business partners in advance and be in included in written agreements. Incidents and the measures taken, should be reported to the premises manager and CoR parties.

22.8 **Control: Train employees to identify and report all safety issues.**

For example:

- problems with equipment, communication, lighting, barriers
- lengthy delays or queuing
- unsafe actions or conduct of drivers or visitors
- bullying, aggression or harassment directed at drivers by premises staff.

22.9 **Control: Ensure all employees are informed about the impact of fatigue on heavy vehicle drivers.**

22.10 **Control: Train employees who interact with drivers to identify the signs of fatigue.**

For example:

- constant yawning or falling asleep at work
- short-term memory problems and difficulty concentrating
- finding it hard to join in conversations
- poor decision-making and judgment
- reduced hand-eye coordination or slow reflexes.

22.11 **Control: Provide information to site users that enables safe vehicle operation and planning.**

For example, information about:

- height, length, width, swept path constraints at the site
- height of loading docks
- local traffic hazards or restrictions and access limitations including applicable heavy vehicle networks and permit requirements
- local rest areas or areas where a vehicle can park up
- best entry point, hazards on site (e.g. power line location and height), traffic management plans or vehicle movement plans, pedestrian movement and safe zones,
- pre-requisites for vehicles to use the premises (e.g. communications systems, equipment or fittings, competency requirements for drivers)
- system that will be used to communicate with drivers and operators in real time (e.g. UHF channel, signals or signs, phone number) and how it works
- driver amenities such as toilets, meal rooms, rest areas and washing facilities.
- waste disposal, including biohazard or contamination controls
- location of firefighting, first aid or spill containment equipment, location of duress alarms, shut off switches, emergency assembly points, etc.
- information on emergency exits, muster points and the procedure to follow in case of emergency of injury (e.g. fire, spill or medical incident)
- use and location of cameras
- site access when premises are unstaffed (e.g. light switches, gate codes)
- hours of operation, employee contact numbers.
- how to report complaints or safety issues (e.g. a hazard report form, app, website, phone number, QR code or physical box).

22.12 **Control: Offer site inductions for drivers and CoR parties who use the site regularly.**

22.13 **Control: Provide information to CoR parties about how the premises will operate.**

Information about the operation of the premises may include:

- details of the system to keep schedulers and drivers apprised of delays and whether timeslots are operating according to schedule
- reliable estimates of average waiting, loading and unloading times for each category of vehicle and type of load
- services the centre will provide, for example assistance to load or unload
- skills and training of employees performing those services, for example trained to identify fatigued drivers or trained to identify whether loads are properly secured
- non-driving tasks that drivers will be expected to do in relation to loading or unloading
- equipment that will be available to drivers to use for loading, unloading, load restraint or vehicle washing
- procedures to be followed when a safety issue is identified, (see 22.7)
- zero-tolerance approach to psychosocial hazards at the premises, including bullying, harassment, discrimination or aggression.

22.14 **Control: Provide information in a way and at the time, it is required by CoR parties.**

- make information available and accessible to parties loading or unloading at the premises prior to their arrival
- incorporate information about the site into open-source maps for use by drivers and CoR parties to schedule and plan journeys
- provide information using plain language; use diagrams or maps where suitable; provide a glossary or explain technical terms or terms that have a special meaning at the premises
- where possible, provide information in languages other than English.

22.15 **Control: Establish a common set of requirements for persons or vehicles visiting the site to maintain safe standards.**

22.16 **Control: Obtain relevant information about vehicles and drivers from other parties, prior to their arrival.**

Relevant Information to be obtained may include:

- mass limits of each vehicle, including gross and axle limits
- mass and dimensions of vehicles, including deck height and whether adjustable
- whether drivers have been trained and have the skills to safely restrain the load
- distance from drivers' base
- any hazard that the visiting party may introduce to the site, along with control measures.

22.17 **Control: Agree on a method for communicating with drivers to:**

- send alerts about delays or issues, at the earliest opportunity
- notify drivers when it is their turn to load or unload.

Use a method for contacting a single driver and a method for sending a general alert to all relevant parties e.g. in the event of machinery breakdown.

The method for contacting a driver should be approved by the driver's employer (where relevant) and should be one that prevents delay in informing the driver.

Suitable methods may include UHF, phone calls, SMS or an app and may be manual or automated. At premises, electronic displays or other signalling systems may be appropriate.

Early information about delays may allow drivers to stop and rest at alternate locations and avoid queuing or make other adjustments to their schedule.

Avoid unnecessary or protracted communications with drivers, keeping communication to a minimum to avoid contributing to driver distraction.

22.18 **Control: For multiple deliveries or collections, stagger when trucks arrive on site.**

22.19 **Control: Allocate timeslots according to the capacity of the premises to load or unload vehicles in the allocated time.**

- avoid allocating 100% of time slots, to retain capacity to respond to delays or other contingencies
- allow flexibility in booking systems to afford time for problematic loads or containers to be detected and dealt with, without penalty to transporters.

22.20 **Control: Roster sufficient employees to load or unload vehicles within planned timeframes.**

22.21 **Control: Monitor average waiting and loading or unloading times and share the information with other CoR parties.**

Start timing from when the vehicle is stationary, whether or not it is inside the premises.

22.22 **Control: Adjust scheduling or staffing when turnaround times exceed targets or when truck queues on public roads create a hazard for other road users.**

22.23 **Control: Implement a queuing system that allows drivers to park or park and leave their vehicles, while waiting, without losing their place in a queue.**

22.24 **Control: Accommodate and communicate delays including adjusting or reprioritising loading or unloading times as required.**

22.25 **Control: Provide regular information to CoR parties about vehicle movements at premises.**

Provide a mixture of operational data, monthly reports for trend monitoring and real time updates that assist schedulers.

For example:

- monthly report of average waiting times or times to load
- detail about vehicle arrival and departure times, time loaded
- detail about mass on arrival and on departure
- real time updates about delays, causes and estimates
- real time updates about the number of vehicles in a queue
- real time updates of changes to closing times or procedures.

22.26 **Control: Incorporate targeted truck turnaround times into agreements with CoR parties.**

Consider terms that identify acceptable waiting times, how delay should be measured and adjustments to payment terms for excessive delays. Require all parties to communicate information that would help to manage delays.

22.27 **Control: Include terms in agreements with CoR parties that enable procedures for dealing with unsafe vehicles or drivers** (see Control 22.7).

For example:

- assistance or amenities for unfit drivers
- requiring a driver to undergo drug or alcohol testing
- detaining a vehicle or its load until it can be safely handled
- arrangements for unloading, storing or transferring goods
- arrangements for the removal of an unsafe vehicle.

22.28 **Control: Maintain records of each type of safety incident and use this information to inform changes to processes, procedures and premises design.**

22.29 **Control: Provide feedback to other parties about safety issues at the earliest opportunity.**

Ensure feedback is provided to the appropriate recipient and that drivers are not subjected to complaints about the actions of their employer or about circumstances beyond their control.

22.30 **Control: Report road maintenance/improvement issues in the vicinity to the relevant road owner or manager.**

22.31 **Control: Provide public information about the site and vehicle movements.**

For example:

- affix signs displaying safety information, warnings or instructions about heavy vehicles
- place signage to advise members of the public of vehicle movements

- install signs on roads in the vicinity of the premises, about the presence of heavy vehicles in the area
- highlight vehicle manoeuvrability limitations and specify minimum safe separation distances for other road users (e.g. on signage attached to trucks).

22.32 **Resources for Managing loading and unloading premises:**

- NHVR Regulatory Advice on Managing the risks associated with non-compliant heavy vehicles arriving at premises[99] provides guidance on how to manage the risk of non-compliant heavy vehicles arriving at premises.
- NHVR Regulatory Advice on Managing the risks of time slot bookings[100] provides guidance on recognising and managing the risks associated with the scheduling of delivery or pick-up times for heavy vehicles.
- NHVR Regulatory Advice on CoR for Owners and Operators of Weighbridges[101] provides guidance for parties who own or operate weighbridges and outlines expectations of what may be considered reasonably practicable actions.
- The CLOCS-A Program has a primary goal of reducing road trauma associated with construction logistics. Case Studies,[102] Vehicle Safety Resources[103] and the CLOCS-A Standard[104] are available on the CLOCS-A website.[105]
- The Loading and Unloading Exclusion Zone (LUEZ) Guidelines[106] provide advice on the design of locations accessed by pedestrians, including public access, loading and unloading areas.

OPERATIONS

The safe operation of heavy vehicle transport relies on well-planned and coordinated activities across parties. The following sections provide guidance for parties who are involved in arranging the transport of goods, commodities or livestock. It is relevant to large corporations who send and receive goods all over Australia. It is relevant to a builder collecting an elevated work platform for a local job and it is relevant to everything in between.

It outlines practical controls to ensure vehicles are suitable, loads are accurately described, risks are identified and managed proactively and drivers are supported through clear communication and accurate information sharing.

23 Activity: Arranging for the transport of goods

23.1 **Control: Establish the mass of the goods.**

For example:

- weigh the load on calibrated scales
- calculate mass based on manufacturer information plus mass of packing material
- calculate mass based on volume and density of a product
- use records of previous weighed loads to estimate the mass of similar loads
- use a vehicle fitted with on-board mass measuring equipment.

Consider that the mass may increase for loads that are affected by weather, for example, hay may absorb water, increasing its overall weight.

23.2 **Control: Calculate or measure the dimension of the goods when packaged or prepared for transport.**

23.3 **Control: Provide the transporter with mass and dimension information.**

23.4 **Control: Provide the transporter with other relevant information about the load.**

For example:

- loading plans or diagrams, including load distribution
- unloading plans
- the type of goods (including hazardous materials), handling or transport requirements
- equipment required for loading, unloading and restraint
- how goods have been assembled, packaged or unitised for transport
- strength of material used for unitising goods on a pallet
- coefficient of friction between packaging materials and loading surfaces
- suitability of dunnage and stillage
- volume and ullage of liquid loads
- centre of gravity of tall loads
- rating and location of anchorage points on items

- density of material and size of particles
- recommendations about restraint after partial unloading
- details of restraint inside shipping containers.

23.5 **Control: Provide the transporter with information about locations where the load is being collected from and transported to.**

For example:

- access routes and operating hours
- proposed loading and unloading times
- pickup and delivery locations on site or how to receive further instructions on arrival
- average waiting, loading and unloading times at premises
- local traffic hazards or restrictions/curfews
- whether the location is in a residential area
- dimension or height limits
- UHF channel, if used
- how the queuing system works
- how to communicate with those on site
- access arrangements when unstaffed (light switches, gate codes, etc.)
- site rules and emergency procedures

Provide links to information in advance and in accessible formats.

23.6 **Control: Ensure that a suitable vehicle is used to transport the load.**

A vehicle may be unsuitable if, for example, it is:

- not rated to carry the required load
- the wrong type of vehicle to transport the load
- not carrying the necessary load restraint equipment
- in poor mechanical condition.

23.7 **Control: Arrange pickup and delivery times according to the capacity of the premises, access to suitable loading and unloading space and availability of employees to load or unload vehicles.**

23.8 **Control: For multiple deliveries or collections, stagger when vehicles arrive on site.**

For example, by allocating times when vehicles should arrive at a site and communicating them to relevant parties.

23.9 **Control: Provide a flexible time frame for pickup and delivery.**

23.10 **Control: Avoid delaying the driver.**

For example, ensure:

- gates are open
- goods are ready
- documents and labels are available and complete
- staff are available to assist
- nothing blocking driveway or loading bay
- livestock fenced in

23.11 **Control: For long-term business partners and their employees, provide an on-site induction and tour.**

Ensure there are opportunities to repeat the induction for new drivers or employees or when conditions change.

23.12 **Control: Consult with the transporter in advance and establish clear expectations of who will do each task and what resources they will provide.**

For example:

- who will provide loading and load restraint equipment
- how the load will be lifted and placed
- who will load livestock
- who will be involved in the loading process
- who will restrain the load.

23.13 **Control: Consider contingency arrangements in consultation with transporters in the event of delays or other unforeseen events.**

Considerations include:

- escalation and response procedures in the event of an emergency or an issue with the load which cannot be rectified by the driver
- at what point the business stops doing the transport task or make changes to how it is done
- whether there is a safe alternative way to perform the transport task
- that other parties are on the same page regarding contingency arrangements
- that risks and hazards have been assessed for contingency arrangements and controls identified.

23.14 **Control: Ensure drivers are alerted of delays at the earliest opportunity, using the method agreed with the transporter.**

For example:

- contact driver directly using UHF, phone or SMS
- call the driver's employer or scheduler.

Providing information about delays at the earliest opportunity may allow drivers to stop and rest at alternate locations and avoid queuing.

23.15 **Control: Provide feedback after the transport task is complete and request the same of the transporter. Take required action to address what is identified.**

Feedback could cover any issues with:

- vehicle condition
- site access
- the appropriateness of scheduling
- load restraint or the way the load was packaged
- staffing
- any unknown hazards on the route
- what worked and what could be improved

23.16 **Control: Engage transporters whose vehicles have immobilising technology.**

24 Activity: Arranging for a vehicle to perform a task

24.1 **Control: Obtain or provide information about the location where the task is to be completed.**

For example:

- access routes and operating hours
- proposed arrival times
- local traffic hazards or restrictions
- dimension or height limits
- UHF channel if used
- how to communicate with those on site
- site rules and emergency procedures.

Provide links to information in advance and in accessible formats.

24.2 **Control: Ensure the location or premises will be open and accessible and that staff will be present when the vehicle is on site.**

24.3 **Control: Ensure there is flexibility for arrival times at the location.**

24.4 **Control: Ensure information is provided at the earliest opportunity about delays or limitations for accessing the site.**

24.5 **Control: Engage transporters whose vehicles have appropriate safety technology.**

For example, those described in Control 18.2.

24.6 **Control: Provide and receive feedback after the transport task is complete. Take required action to address what is identified.**

JOURNEY PLANNING

Decisions made before a journey begins, such as selecting a suitable driver, planning and selecting a suitable route and considered scheduling, are fundamental to ensuring the safety of transport operations.

The following activities highlight the many inputs necessary for good decision-making, including information about driver competency and fitness, vehicle suitability, the task and the route. For clarity, this has been described as 4 separate decision-making processes.

It is recognised that, in practice, these decisions might be made in a different order or all at once, depending on the task and the parties involved. The guidance should be considered as a whole and controls adopted that lead to informed decision-making that takes account of all the impacts on safety and allows for contingencies.

25 Activity: Allocating a driver to a driving task

Driver allocation is distinct from employing a driver long term. This activity focuses on choosing the right driver for a task on the day or for a route over a longer period or a job in the future.

The controls in this activity fall into 3 categories – fitness to work, competency and information – all of which are necessary for safety.

25.1 **Control: Obtain information about drivers' licensing, skills and experience, including non-driving skills.**

25.2 **Control: Confirm details of the transport task.**

For example:

- identify what is being transported (such as freight, liquids, goods, people or livestock)
- where from and where to
- location where the heavy vehicle will perform the task
- time considerations or constraints (relevant to the fatigue risk)
- details of the vehicle to be used
- special requirements for load restraint.

25.3 **Control: Establish whether there are further competencies, experience or knowledge required by the driver.**

For example, that the driver:

- has completed a necessary site induction
- has the appropriate high-risk license to unload mobile plant
- is trained in animal handling and the Land Transport Standards and Guidelines (LTSG)
- is trained to safely restrain a large indivisible load
- knows how to use loading or unloading equipment or load restraints
- is competent to drive in snowy conditions or extreme weather
- is competent and appropriately licensed to work with dangerous goods

- has other skills or qualifications necessary to transport a particular load type (e.g. cold chain, HACCP, safe loading program).

25.4 **Control: Only allocate drivers to a task if they are competent to drive the relevant vehicle.**

25.5 **Control: Assess a driver's present and anticipated level of fatigue and fitness for duty, including their record of work and rest hours, before allocating them to a driving task.**

Consider all relevant circumstances about the driver and the task before making the assessment. For example, consider examples mentioned in Controls 13.11, 13.12 and 13.13, distance from the driver's home, availability of accommodation during longer trips, etc.

25.6 **Control: Provide drivers with information about the allocated vehicle.**

For example:

- axle and gross mass limits
- dimension limits
- any access limits or conditions
- number of seats
- luggage capacity
- lifting capacity
- safe speeds in different road conditions
- emergency equipment and spill containment kits

25.7 **Control: Provide drivers with information about the load.**

For example:

- loading plans or diagrams, including load distribution
- unloading plans
- the type of goods, including hazardous materials, handling or transport requirements
- mass and dimension of the load
- recommendations about restraint after partial unloading
- details of restraint inside shipping containers.

25.8 **Control: Provide drivers with information about premises they will visit and allow time for them to attend induction sessions where warranted.**

For example:

- Information about where to go when arriving at premises or who to contact on arrival
- information about timeslots
- whether there is a site induction
- location of driver facilities including rest and meal areas and toilets
- information about traffic control
- if there is specific equipment (and ensure they are trained in using it).

25.9 **Control: When programming future transport tasks, ensure drivers and vehicles will be suitable to allocate to those tasks.**

For example:

- adjust driver work schedules to ensure the required number of work and rest hours will be available, including consecutive driving days if required
- schedule allocated drivers for rest days in advance of the transport task, to maximise the available number of work and rest hours
- provide drivers with the relevant information, equipment, training and inductions in advance of the task
- ensure required vehicle and equipment maintenance has been completed in preparation for the transport task.

25.10 **Control: Provide information about drivers' future tasks to their scheduler to ensure that longer rest breaks are allowed for in schedules.**

25.11 **Resources for allocating a driver to a driving task:**

NHVR has published Regulatory Advice on Managing the risks associated with heavy vehicles travelling down steep descents,[107] especially steep descents which require the use of low gear.

26 Activity: Scheduling transport tasks

Key considerations for trip scheduling are driver fatigue and fitness to drive and the availability of a safe, suitable vehicle. In developing a schedule, allowance needs to be made for rest breaks and time allowed for non-driving tasks which drivers are still required to do. Schedules for the use of vehicles also need to allow for out-of-service periods when vehicles can be maintained, inspected or refitted.

> Note: s 26E, HVNL prohibits any person from requesting, directing or contracting in a way that would cause or encourage a driver to breach fatigue requirements or speed limits or that would result in a CoR party causing a driver to breach fatigue requirements or speed limits. A similar prohibition exists at s 26C, HVNL for CoR parties and engaging is such conduct would be considered a breach of the Primary Duty.

See "Prohibited requests and contracts" and "The Primary Duty – terms and principles" for further information about this topic.

26.1 **Control: Provide training to all employees involved in creating rosters and schedules about the risks arising from working while fatigued or speeding and about prohibited requests.**

See "Prohibited requests and contracts" for further information about this topic

26.2 **Control: Include time in driver's schedules for non-driving tasks.**

For example:

- training
- preventative health care, fitness to drive assessments
- attendance at induction sessions at new premises
- consultation with other workers, including from other businesses.

26.3 **Control: Include time in vehicle operating schedules for out-of-service tasks.**

For example:

- regular inspection, maintenance and repair
- installation of new safety equipment.

26.4 **Control: Obtain information about driver's present and anticipated level of fatigue and fitness for duty, including their work and rest hours.**

Find out all relevant information about the driver and their work, including examples mentioned in Controls 13.11, 13.12 and 13.13.

26.5 **Control: Obtain information about the vehicle, load, origin, route and destination.**

For example:

- realistic estimate of time for vehicle to complete the journey
- whether the vehicle has an approved sleeper berth
- whether load requires special handling or equipment to load or unload
- access routes and operating hours at origin and destination
- restrictions on travel on certain days or times
- proposed loading and unloading times
- average waiting, loading and unloading times at premises.

> Note: Navigation and driving apps should not be relied on for estimating travel time since they are based on the performance of light vehicles and may be inaccurate for heavy vehicles. The Route Planner tool[108] on the NVHR website provides better estimates for heavy vehicle travel.

26.6 **Control: Ensure the complete task the driver is required to perform is accounted for when establishing the driver's schedule.**

For example, allowing time for:

- pre- and post-trip inspections
- non-driving tasks such as loading, unloading, load restraint, being intercepted, getting fuel, paperwork, attending to the load, passengers, etc.

26.7 **Control: Obtain information about facilities required by the vehicle, driver, passengers or livestock and at what stage during the journey they will be required.**

For example:

- place to stop, park or rest
- hygienic rest facilities, wash facilities and accommodation
- nutritious food
- fuel
- weighbridges
- places to clean equipment to meet quarantine requirements
- animal spelling or effluent disposal facilities

26.8 **Control: Propose a schedule for the journey which meets the requirements and which allows drivers to stop and rest at suitable places.**

26.9 **Control: Ensure schedule allows adequate time for the proposed route to be completed without causing drivers to feel pressured – directly or indirectly – to speed, to drive while fatigued or when unfit to drive or to breach work and rest hours.**

26.10 **Control: Make sure the schedule is flexible enough to allow unexpected delays or changes to be managed.**

Causes of delay:

- poor communication/confusion
- freight not ready for pickup, equipment not available or backlog at loading facility
- traffic congestion, major roadworks, adverse weather or road closures
- safety incidents
- vehicle or load problems in transit
- driver has to stop driving due to feeling fatigued or unfit to drive
- unloading facility closed or not ready to receive load.

Consider systematically including a buffer period when scheduling trips.

26.11 **Control: Consult with other CoR parties about planning loading and unloading times, including potential delays and flexibility.**

26.12 **Control: Where possible, schedule time slots to minimise driving between midnight and dawn.**

26.13 **Control: Implement extra fatigue risk management controls for drivers who drive between midnight and dawn.**

See Control 13.18 for examples of additional controls.

26.14 **Control: Provide information about the schedule to the driver.**

Schedule information should include:

- departure and arrival times
- anticipated journey times
- proposed stopping times, rest times and locations

26.15 **Control: Consult with the driver about the proposed schedule and adjust it to incorporate driver feedback.**

26.16 **Control: Identify or establish a procedure for communicating with other parties and drivers in real time to allow early notification of issues that will affect the schedule.**

This allows appropriate alternative arrangements to be made and can reduce queuing time.

26.17 **Control: Alert drivers and other parties of delays that will alter the schedule.**

26.18 **Control: Monitor average journey times and adjust future schedules accordingly.**

26.19 **Control: Monitor average waiting, loading and unloading times and adjust future schedules accordingly.**

26.20 **Control: Review the scheduled time for bus routes at regular intervals, including when changes occur to passenger numbers, the road alignment or traffic volumes on the route**

26.21 **Control: Conduct reviews of trip schedules used for repeated trips.**

Reviews should be undertaken following a collision or other driving incident and when a driver returns from a period of leave. In all other cases, trip schedules should be reviewed at least quarterly.

26.22 **Control: Provide feedback to other CoR parties about the suitability of bus routes or schedules.**

26.23 **Resources for scheduling transport tasks:**

- NHVR has published Regulatory Advice on Obligations for Restricted Access Vehicles.[109]

27 Activity: Route planning and selection

Route selection needs to consider the suitability of the route for the vehicle and load, access conditions or limitations, requirements of the vehicle, driver, passengers or livestock during the journey and any possible hazards that may be encountered on the journey.

27.1 **Control: Obtain information about the vehicle allocated to the transport task.**

For example:

- axle and gross mass limits
- dimension limits
- permitted routes or access limits or conditions
- fuel sources and operating range.

27.2 **Control: Obtain information about the load.**

For example:

- loading plans or diagrams, including load distribution
- the type of goods, including hazardous materials or dangerous goods
- handling or transport requirements
- mass and dimension of the load.

27.3 **Control: Obtain information about the origin and destination of the journey.**

For example, are they:

- prone to flooding
- being accessed during harvest time
- in a densely populated urban zone
- in a school zone
- in a declared biohazard zone (for the control of fire ants, ticks, etc.)
- subject to special conditions due to drought.

27.4 **Control: Obtain information about potential infrastructure hazards such as low bridges or tunnels relevant to the vehicle height.**

This is particularly relevant for vehicles taller than 4.3m. Use NVHR or road manager information resources, driver apps or industry knowledge.

27.5 **Control: Obtain information about facilities required by the vehicle, driver, passengers or livestock.**

For example:

- places to stop, park or rest
- hygienic rest and wash facilities suitable for all genders
- accommodation
- nutritious food
- refuelling requirements
- weighbridges
- locations for driver changeover or to split combinations
- places to clean equipment to meet quarantine requirements
- animal spelling or effluent disposal facilities.

27.6 **Control: Identify appropriate stopping locations along the route which allow sufficient space for the vehicle to be stopped safely.**

Considerations include:

- wide enough so the driver can access all parts of the vehicle and load without being on the roadway
- long enough so the full length of the vehicle is off the roadway
- quiet enough so the driver can rest, if required
- have the facilities required by the driver, passengers or livestock at that point of the journey.

27.7 **Control: Obtain information about other hazards on the proposed route and assess possible hazards.**

For example:

- level crossings
- high traffic density
- presence of vulnerable road users, e.g. small towns, schools, shopping precincts
- sharp, closing radius or off-camber bends, roundabouts, narrow shoulders, etc.
- multiple bends in quick succession
- steep descents
- T-junctions
- local weather effects, such as fog or ice, high or low temperatures, high wind
- extremely rough road.

27.8 **Control: Propose an alternative route to avoid hazards.**

27.9 **Control: If an alternative route is not practicable, implement suitable controls to manage the risk.**

For example:

- extra time or a different travel time
- a different or more experienced driver
- additional training for the driver
- different configuration of combination

- modifications to the vehicle or load
- survey the route or visit hazard locations in advance
- scope hazards along the route using Google Maps Street View.

27.10 **Control: Propose a route that meets the requirements, on which the vehicle can safely operate and for which the vehicle and load are authorised.**

27.11 **Control: For over-size over-mass (OSOM) loads, ensure the permitted route is surveyed to establish whether it is suitable for the overall dimension of the combination transporting the large indivisible item, including swept path and tail swing.**

27.12 **Control: Establish a procedure for drivers to identify appropriate and safe locations for unplanned stops or if planned locations are not available.**

27.13 **Control: Provide information about the route to the driver.**

Route information should include:

- departure and arrival times and locations
- path of travel including access limitations or conditions
- intermediate stops for vehicle, driver, passenger or livestock amenity
- locations for driver changeover or splitting combinations
- identified hazards on the proposed route and suitable controls.

Information should be provided in a format the driver can use (e.g. physical maps or GPS data).

27.14 **Control: Implement a system to assist the driver to navigate and remain on the selected route.**

Considerations include:

- technology to prompt the driver about route features or hazards (exits, detours, low bridges, slow points, steep descents)
- Allocate a second driver or navigator to the transport task.

27.15 **Control: Require drivers to provide feedback on the suitability of the route.**

27.16 **Control: Conduct reviews of route plans used for repeated trips.**

Reviews should be undertaken following a collision or other driving incident and when a driver returns from a period of leave. In all other cases, route plans should be reviewed at least quarterly.

27.17 **Control: Ensure drivers, including pilot and escort drivers, are aware of the route conditions of any notice or permit and have access to a copy of the document.**

> Note: For Class 1 heavy vehicles, Schedule 8 of the Heavy Vehicle (Mass, Dimension and Loading) National Regulation[110] contains a requirement to be satisfied, that the route has been assessed to avoid disruption to relevant services including electricity, telecommunications, rail, gas, water or sewerage services and damage to a road (including a bridge), structure, rail crossing or tree.

27.18 **Resources for route planning and selection:**

- NHVR has published Regulatory Advice on Managing the risks associated with heavy vehicles travelling down steep descents[111], especially steep descents which require the use of low gear.
- NHVR has published Regulatory Advice on Obligations for Restricted Access Vehicles.[112]
- Refer to tools on the NHVR website[113] such as the Route Planner tool[114] and National Network Map,[115] for further information about heavy vehicle access, including approved routes and obtaining permits.
- Consult resources such as the "Look up and Live"[116] website and the WHS regulator codes and guides listed in the References section of this Code.

28 Activity: Allocating or accepting a vehicle for a transport task

28.1 **Control: Obtain information about the mass and dimension limits (such as tare, gross and axle mass limits, widths and lengths) and loading requirements that apply to each vehicle or combination.**

28.2 **Control: Obtain information about the load.**

For example:

- loading plans or diagrams, including load distribution
- the type of goods, including hazardous materials, handling or transport requirements
- mass and dimension of the load.

28.3 **Control: Obtain information about the schedule and the route, including access conditions and hazards.**

28.4 **Control: Obtain information about facilities and conditions at the destination and assess whether the vehicle is suitable.**

See examples in Controls 22.11 and 22.13.

28.5 **Control: Confirm whether any CoR party has special conditions or requirements in relation to the transport task.**

For example:

- site specific safety requirements (e.g. park brake alarms, wheel nut indicators, markings/ lights, squawking reverse sirens)
- tyre pressure and/or temperature monitors
- roll stability control or electronic stability control
- onboard mass of particular accuracy
- side loading
- fire detection and fire suppression system
- automatic tarpaulins for dust
- effluent tanks of certain capacity
- snow chains
- adjustable deck height.

28.6 **Control: Ensure vehicles or combinations have the capability, capacity and equipment to match the mass, dimension and loading requirements for the transport task.**

These considerations include:

- mass and dimension limits
- mass management accreditation schemes
- access limits or conditions
- fuel type, availability and operating range
- dangerous goods requirements
- capacity of restraint fittings such as headboards, gates, curtains or tie rails
- passenger capacity.

28.7 **Control: Only allocate (or agree to the allocation of) a vehicle that is suitable for the task.**

For example:

- the vehicle and its components are roadworthy and maintained in safe working order
- the vehicle mass and dimensions meet the requirements of the planned route
- the vehicle has the capacity to safely carry the load
- the vehicle is appropriate for the number and kind of passengers to be transported
- the loaded vehicle will have a low centre of gravity (or high static rollover threshold (SRT)
- the vehicle has the necessary load restraint or other equipment for the load
- the vehicle is otherwise fit for purpose.

28.8 **Control: Engage an external transport provider for the task if there is no appropriate heavy vehicle or combination in your own fleet.**

28.9 **Control: Provide information about the vehicle allocated to the transport task to the driver and relevant CoR parties.**

For example:

- axle and gross mass limits
- dimension limits
- any access limits or conditions
- deck height
- number of seats, luggage capacity
- lifting capacity
- safe speeds in different road conditions
- capacity of restraint fittings such as headboards, gates, curtains or tie rails.

28.10 **Control: Refuse to undertake the transport task if an appropriate vehicle cannot be allocated to complete the task safely.**

29 Activity: Accepting transport tasks as an owner driver

Accepting transport tasks as an owner driver requires different considerations to those of businesses with multiple drivers and fleets of vehicles. The driver and the vehicle involved in the transport task are known in advance and the variable will be the load and whether it can be transported safely (and lawfully).

Most owner drivers will also be experts at the tasks they do repeatedly with their vehicles. Often, issues only arise when the party responsible for the load provides incorrect, incomplete or false information.

The following Controls provide advice to owner drivers about the information that should be obtained before agreeing to undertake a transport task. Having this information in advance will make it easier to plan the task and ensure it can be completed safely.

This is also information that the parties responsible for the loads should have (including consignors/consignees or senders/receivers) and should be providing to owner drivers, as part of discharging their Primary Duty. Failing or refusing to provide this information or providing information they know to be false would be breaches of their duty or could constitute other offences under the HVNL.

29.1 **Control: Obtain details of the transport task and whether there are any special requirements.**

For example:

- identify what is being transported (such as freight, liquids, goods, people or livestock)
- where from and where to
- time considerations or constraints (relevant to the fatigue risk)
- suitability of your vehicle for the task
- special requirements for load restraint or other equipment
- requirements for safety systems or other technologies (e.g. tyre pressure or temperature monitors, roll stability control or electronic stability control, onboard mass)
- fire detection and fire suppression system inside the body
- automatic tarpaulins for dust
- effluent tanks of certain capacity.

29.2 **Control: Establish whether there are further competencies or knowledge you require to undertake the transport task.**

For example, that you:

- have completed a necessary site induction
- have the appropriate high-risk license to unload mobile plant
- are trained in animal handling and the Land Transport Standards and Guidelines (LTSG)
- are trained to safely restrain a large indivisible load
- know how to use loading or unloading equipment or load restraints
- are competent to drive in snowy conditions or extreme weather
- are competent and appropriately licensed to work with dangerous goods
- have other skills or qualifications necessary to transport a particular load type.

29.3 **Control: Provide information about your vehicle to other parties to ensure the intended load can be transported safely (and lawfully).**

For example:

- axle and gross mass limits
- dimension limits
- capacity of components for restraining loads such as headboards, gates, curtains or tie rails
- any access limits or conditions
- safe speeds in different road conditions
- emergency equipment and spill containment kits.

29.4 **Control: Assess your level of fatigue and fitness to drive, including your record of work and rest hours, before agreeing to undertake a transport task.**

29.5 **Control: Obtain detailed information about the load.**

For example:

- the type of goods, including hazardous materials, handling or transport requirements
- loading plans or diagrams, including load distribution
- unloading plans
- mass and dimension of the load
- recommendations about restraint after partial unloading
- details of restraint inside shipping containers.

29.6 **Control: Obtain information about the premises to be visited and allow time to attend induction sessions where required.**

For example:

- access routes, hazards or limitations
- where to go when arriving at premises or who to contact on arrival
- information about timeslots
- whether there is a site induction
- location of driver facilities, including rest and meal areas and toilets
- information about traffic control
- if there is specific equipment and whether you are trained in using it.

29.7 **Control: Only agree to undertake transport tasks for which you and your vehicle or combination have the capability, capacity and equipment.**

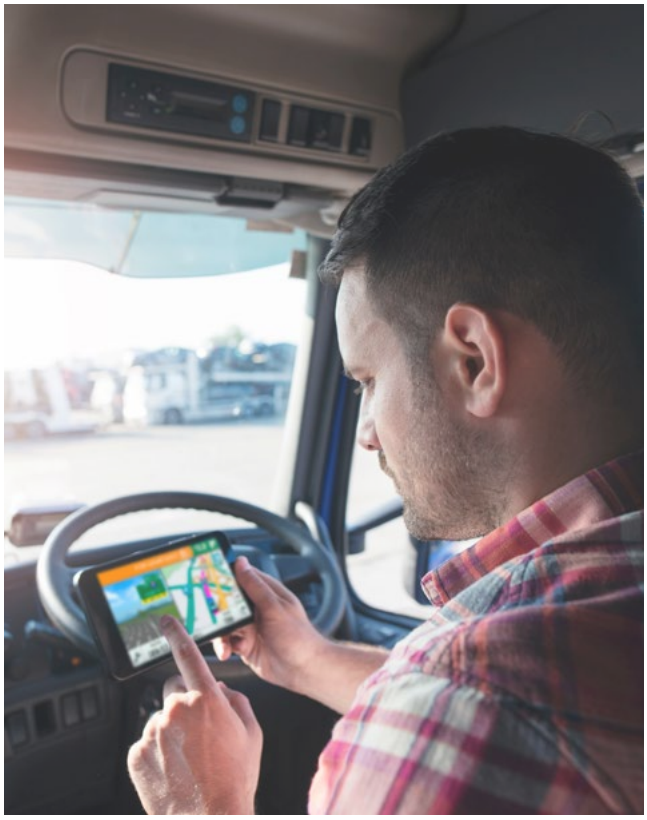
These considerations include:

- fatigue and fitness to drive are managed (including work and rest hours)
- mass and dimension limits
- mass management accreditation schemes
- access limits or conditions
- fuel type, availability and operating range
- dangerous goods requirements
- load restraint equipment and capacity of components for restraining loads such as headboards, gates, curtains or tie rails.

29.8 **Control: Ensure the transport task you agree to undertake today doesn't impact your availability to complete any tasks already agreed to for the future.**

Considerations should include:

- adjusting your work schedules to ensure the required number of work and rest hours will be available, including consecutive driving days if required
- scheduling yourself rest days in advance of the transport task, to maximise the available number of work and rest hours
- ensuring you are prepared for the transport task by obtaining the relevant information, equipment, training and inductions in advance of the task
- ensuring required vehicle and equipment maintenance has been completed in preparation for the transport task.



LOADS, LOADING, UNLOADING

The way goods are prepared, loaded, restrained and unloaded and accurate information about their size, weight and dimension, play a critical role in the safety of the transport task. Parties involved in these activities, from manufacturing, packaging goods for transport, loading or unloading vehicles, to operating weighbridges, share a responsibility to ensure that loads are secure, stable and within safe limits.

This section provides practical guidance to help CoR parties work together to manage risks associated with mass, dimension, load restraint and determining the weight of a vehicle. It encourages a proactive approach to communication, planning and monitoring, so that loads are handled in a way that protects drivers, road users and infrastructure.

> Note: recommendations in Activities 30–36 relate only to goods and not to passengers. Livestock fall within the definition of "goods" in s 5, HVNL.

Refer to the Load Restraint Guide 2025[117] for technical information, detailed diagrams and worked examples to determine the restraint required for heavy vehicle loads.

The HVNL loading requirements and loading performance standards are set out in Schedule 7 of the Heavy Vehicle (Mass, Dimension and Loading) National Regulation.

30 Activity: Manufacturing and packaging goods

30.1 **Control: Consider the method of transportation and loading of the item during design or when specifying packaging methods and materials.**

Considerations include:

- whether the item will be transported on a pallet and brick stacked vs column stacked
- how many items will be stacked on top of each other, creating requirements for carton or container strength
- will the items be unitised using glue or wrapped and how will the pallet be restrained (refrigeration and condensation)
- whether the item will be moved or handled by a forklift
- whether the item will be restrained directly or blocked or contained (or some combination of these)
- if goods are to be tied down, consider the characteristics of the deck and blocking surfaces of the vehicle, to determine the coefficient of friction (CoF) of the point of contact between goods and vehicle
- road conditions during transport and exposure to the elements or to agitation.

30.2 **Control: Design and construct goods and their containers to withstand the forces prescribed in the loading performance standards during transport.**

Considerations include:

- incorporate anchorage points in the design of large objects or plant certified by a professional engineer
- use containers strong enough for the mass of their contents
- appropriate friction levels of all layers or interfaces of the load
- unitisation to avoid toppling of unstable loads
- if unsure about packaging suitability, seek advice from the manufacturer of packaging or a professional engineer or follow guidance in the Load Restraint Guide 2025.[118]

> Note: Forces on individual goods/containers may be higher than the performance standards relative to their individual mass depending on loading configuration/interaction with other parts of the load. For example: goods placed beneath other goods will experience higher forces than if loaded with nothing on top.

30.3 **Control: Use or recommend a packaging method or process that ensures packaged goods are robust enough to withstand handling and transport.**

For example:

- advise how goods should be configured on a pallet
- ensure the appropriate level of tension on banding
- advise unitising goods using wrapping
- provide or recommend appropriate dunnage and transport stillage/frame in the product or its packaging
- limit the mass of goods to be transported on a pallet to the load rating of the pallet or to the load rating of curtains of the transporting vehicle.

30.4 **Control: Use a process to monitor the quality and suitability of packaging material**

For example:

- obtain independent testing of the strength of consumables such as plastic wrap
- replace lashings and other equipment when indicated as per OEM instructions
- monitor pallet quality and remove pallets that deform when loaded or are damaged.

30.5 **Control: Clearly and accurately label palletised goods**

Information should include:

- type of goods, verified weight, dimensions and density
- co-efficient of friction where relevant
- specific requirements such as being perishable or requiring refrigeration
- dangerous goods or the presence of dangerous or hazardous materials
- directions for load handling, stacking or orientation.

30.6 **Control: Provide documentation to parties involved in loading and restraining goods.**

For example:

- loading plans detailing load distribution, positioning and restraint methods
- unloading plans
- diagrams, work procedures, work instructions and task specific training for loading or unloading.

30.7 **Control: Seek feedback from other CoR parties about the design of goods and their containers and the suitability and performance of packaging materials and methods. Change or improve the type of packaging materials used if problems are identified.**

30.8 **Control: Communicate changes to products, container design, packaging, processes or resources to relevant CoR parties.**

31 Activity: Loading

31.1 **Control: Ensure employees have access to the equipment required for loading.**

For example: ramps, forklifts, hoists, trolleys or cranes.

31.2 **Control: Provide training to employees about how to load vehicles safely.**

Training should include:

- information to be obtained before a vehicle is loaded
- procedure for obtaining or preparing loading plans
- how to interpret and use loading plans
- how to construct a load on a vehicle
- ensuring load distribution, axle and gross mass compliance
- load restraint, loading requirements and the loading performance standards
- correct use of load restraint equipment, including understanding how much tension is actually required
- correct use of loading equipment
- policies or procedures to follow to safely load vehicles, including not climbing onto loads
- how to recognise unsafe load distribution or restraint.

31.3 **Control: Obtain relevant information about the load, its distribution and restraint requirements.**

For example:

- loading plans or diagrams, including load distribution
- the type of goods (including hazardous materials), handling or transport requirements
- mass and dimension of the load
- equipment required for loading
- how goods have been assembled, packaged or unitised for transport
- strength of material used for unitising goods on a pallet
- coefficient of friction of packaging materials
- suitability of dunnage and stillage (including transport frames and pallets)
- volume and ullage of liquid loads
- centre of gravity of tall loads
- rating of anchorage points on items
- density of material and size of particles
- recommendations about restraint after partial unloading
- details of restraint inside shipping containers.

31.4 **Control: Obtain information about the vehicle allocated to the transport task.**

For example:

- axle and gross mass limits
- dimension limits
- capacity of restraint equipment such as headboards, gates, curtains or tie rails

31.5 **Control: Obtain or prepare a loading plan that describes how to place, distribute, arrange or restrain a load for transport.**

Considerations include:

- ensure the mass (gross and axle) and dimension limits applying to the allocated vehicle are not exceeded
- ensure loads are restrained to meet the HVNL loading requirements and loading performance standards, following guidance in the Load Restraint Guide 2025[119]
- stillage and dunnage requirements are identified and described
- recommendations for the redistribution and restraint of loads after partial unloading
- for ongoing pick-up and delivery operations, consider how the total mass of the load will change with each collection or delivery and how that will affect axle mass and load restraint requirements
- computer programs and other tools are available to assist with developing loading plans.

31.6 **Control: Consult with an OEM or professional engineer (civil or transport) to identify proper methods for loading, restraining, transporting and unloading a large indivisible item.**

31.7 **Control: Load goods onto the vehicle as per the loading plan, relevant policies and procedures or OEM instructions.**

31.8 **Control: Establish the total mass of the heavy vehicle before it drives on a road.**

- calculate the total mass based on the mass of the load and the vehicle
- use a weigh bridge
- communicate with the driver if the vehicle is fitted with OBM to verify mass
- load commodities up to marked lines indicating volume for commodities of known density.

31.9 **Control: Ensure the mass of the load does not exceed mass limits for the vehicle.**

31.10 **Control: Provide information to the driver before driving commences.**

Information should include:

- the distribution and restraint of the load (or loading plan for the load)
- relevant vehicle masses
- recommendations or plans for redistribution and restraint after partial unloading
- unloading plans for the load.

31.11 **Control: Reconfigure load distribution, blocking and restraint following pickup and delivery of part loads, in accordance with the loading plan.**

31.12 **Control: Empower employees, including drivers, to refuse to work with or transport loads that are unsafe.**

31.13 **Resources for Loading:**

NHVR has published Regulatory Advice on Managing the risk of a light or empty lead trailer in a laden B-double.[120]

32 Activity: Restraining loads

The loss of loads or partial loads is a critical safety risk to road users. Care must be taken to restrain equipment and objects carried with the vehicle and components of the vehicle itself.

32.1 **Control: Provide load restraint equipment with sufficient capacity for its purpose.**

Refer to Australian Standards and the Load Restraint Guide 2025.[121]

32.2 **Control: Periodically check the integrity of lashing and restraint equipment in accordance with OEM requirements and Australian Standards.**

32.3 **Control: Ensure headboards, gates, curtains, tie rails and other vehicle components used to restrain loads are designed and constructed to meet Australian Standards and to withstand the forces applied to them.**

Ensure vehicle components used to restrain loads are maintained. See Activity 19.

32.4 **Control: Provide training and periodic refresher training, to employees about how to restrain loads safely.**

Training should include:

- meaning of the HVNL loading requirements and loading performance standards
- how to interpret and use loading plans
- correct use of load restraint equipment
- difference between tie-down and direct restraint
- co-efficient of friction and lashing angles
- calculating lashing requirements using the Load Restraint Guide 2025[122]
- policies or procedures to follow to safely restrain loads.

32.5 **Control: Ensure employees have ready access to the information or resources required to restrain loads safely.**

For example: the Load Restraint Guide 2025[123] and other reference material such as loading plans or guides.

32.6 **Control: Develop loading plans or a load restraint system, for common or repeated load types.**

Loading plans should be developed to meet the HVNL loading requirements and loading performance standards, in accordance with the Load Restraint Guide 2025.[124]

Load restraint systems should be designed and certified by a professional engineer (civil or transport) as meeting the HVNL loading performance standards. Consider whether professional engineering advice is also required when designing loading plans.

Manufacturers or suppliers of large, heavy items of plant, equipment or fabricated steel structures should consider load restraint in the design and manufacturing process and incorporate restraint attachment points certified by a professional engineer. They should also develop and supply loading plans for these items, to ensure they are correctly and consistently restrained.

32.7 **Control: Ensure loads are restrained in accordance with loading plans or relevant policies and procedures.**

32.8 **Control: Ensure all loads are restrained using the correct type of restraint equipment or method.**

32.9 **Control: Use containers, bins, cages or vessels suitable for the size of the goods or particles being transported, engineered to have sufficient strength to contain the load and meet the HVNL loading performance standards.**

32.10 **Control: Ensure the lids and closures for all external storage compartments and fastenings for external removable equipment, are checked and secure prior to road travel.**

32.11 **Control: Ensure all moveable plant fitted to the vehicle is properly secured and restrained prior to road travel.**

For example: Concrete pump booms, vacuum truck hoses, vehicle loading crane booms, amusement ride components, concrete agitator chutes, mobile crane hooks and auxiliary equipment, outrigger legs.

32.12 **Control: Where possible, ensure tanks or vessels used to transport bulk liquid loads are full or empty, during transport or minimise the need for vehicles to travel with partially filled tanks.**

By doing this, the effect of fluid slosh is greatly reduced, so that the distribution of the liquid remains largely unchanged when driving.

Drivers should be trained in the operation of vehicles with partially filled tanks. See Control 15.8.

32.13 **Control: For tankers with multiple compartments, fill each compartment fully or empty each compartment fully, before filling or emptying another compartment.**

If possible, leave only one compartment with a partial load.

See advice from the National Road Safety Partnership Program about minimising the risk of bulk tanker rollover.[125]

32.14 **Control: Ensure sufficient time is allowed in the transport schedule for loads to be properly restrained.**

32.15 **Control: Ensure an appropriate location is available at loading or unloading premises for loads to be properly restrained.**

32.16 **Control: Ensure that the driver of the heavy vehicle has the opportunity to participate in restraining the load or to satisfy themselves that the load has been properly restrained.**

32.17 **Control: Provide training to drivers about monitoring and rectifying issues with load restraint which occur during travel.**

32.18 **Control: Provide feedback and encourage other CoR parties to provide feedback about the effectiveness of restraint methods.**

32.19 **Resources for Restraining Loads:**

- NHVR Regulatory Advice on Loading and load restraint[126] provides guidance on how parties in the CoR can ensure the safety of packing, loading, unloading and load restraint practices.
- The Load Restraint Guide 2025[127] provides technical information, detailed diagrams and worked examples to determine the restraint required for heavy vehicle loads.
- Q&A on Bulk Tanker Rollovers[128] from NRSPP explores the background of bulk tanker rollovers and provides insight into how bulk tanker operators ensure safety.
- Industry sector loading and load restraint guidance is available from several businesses. For example, Coates Hire has produced guidance for the restraint of mobile plant and equipment and BlueScope Steel for the restraint of steel products.

33 Activity: Unloading

33.1 **Control: Ensure employees have access to the equipment required for unloading.**

This includes ramps, forklifts, hoists or trolleys.

33.2 **Control: Provide training to employees about how to unload vehicles safely.**

Training should include:

- procedure for obtaining or preparing unloading plans
- how to interpret and use unloading plans
- correct use of load restraint equipment
- correct use of unloading equipment
- policies or procedures to follow for unloading vehicles
- how to recognise unsafe load distribution, construction or restraint.

33.3 **Control: Obtain or prepare an unloading plan to ensure goods can be unloaded safely.**

33.4 **Control: Unload goods from vehicles as per the unloading plan or relevant policies and procedures.**

33.5 **Control: Ensure that unloaders are notified of problems detected during transport that may create a hazard during unloading or would require specialised equipment or skills to deal with.**

33.6 **Control: Establish procedures for when poorly secured or overmass loads arrive at premises.**

For example:

- a load that has shifted
- a load inside a container that was not sufficiently restrained
- a load that was contained by rear doors but is no longer restrained because the doors have been opened before the vehicle reverses into the dock, due to incompatible deck and loading bay heights.

33.7 **Control: Document and provide feedback to CoR parties about loads which were not properly secured when they reached their destination.**

34 Activity: Measuring, communicating and monitoring mass

Having access to correct, timely information about the mass of the load is essential for a safe journey. All relevant parties also need access to this information and for loads and journeys to be planned accordingly.

The Mass requirements are set out in s 5, HVNL and Part 2 of the Heavy Vehicle (Mass, Dimension and Loading) National Regulation.

For more information about Mass and Dimension,[129] see the NHVR website.[130]

34.1 **Control: Train employees how to operate or read mass measuring equipment according to OEM requirements.**

34.2 **Control: Identify the mass limits that apply to each vehicle and any conditions attached to those limits.**

For example:

- gross limits, axle limits and axle spacing limits per Schedule 1, Heavy Vehicle (Mass, Dimension & Loading) National Regulation[131] (MDL Reg.)
- mass limits in a notice, permit or PBS vehicle approval
- mass exceptions and concessions
- conditions attached to mass requirements such as tyre width, signage, route, etc. accreditation status and compliance with Intelligent Access Program (IAP), Telematics Monitoring Application (TMA) or Road Infrastructure Management (RIM)[132] requirements
- route or infrastructure limits.

> Note: Gross vehicle mass is usually displayed on a vehicle. This is a useful indication of the mass limits that apply to a vehicle, however, there may be reasons why actual mass limits are reduced

(e.g. tyre width) or increased (e.g. exemptions or exceptions).

34.3 **Control: Establish the mass of the vehicle and its equipment.**

- regularly weigh vehicles on certified weighbridges to confirm their tare mass
- weigh vehicles when fully equipped as per normal use e.g. with full fuel tanks
- re-weigh vehicles after modifications
- Subtract the unloaded vehicle's mass from its gross mass limits to determine the maximum load it can carry.

34.4 **Control: Ensure that employees who arrange the transport of goods have ready access to information about the mass and the mass limits for each vehicle.**

34.5 **Control: Provide drivers with documents or electronic data that allows them to confirm vehicle mass and mass limits for themselves and to other parties.**

34.6 **Control: Provide verified information about vehicle mass and mass limits to CoR parties, particularly parties who load the vehicle or weigh the loaded vehicle.**

Where there are ongoing arrangements, provide verification in writing or by entering information into a register or database used by CoR parties.

34.7 **Control: Establish the mass of loads, using an appropriate method.**

For example:

- weigh the load on calibrated scales
- calculate mass based on manufacturer information plus mass of packing material
- calculate mass based on volume and density of a product
- use records of previous weighed loads to estimate the mass of similar loads.

34.8 **Control: Provide information about the measured mass of loads to CoR parties.**

Include details about the weight of packaging materials, pallet, stillage or dunnage to better equip CoR parties to manage mass.

34.9 **Control: Before loading commodities onto a vehicle, verify the name of the operator and driver, the destination of the load and the mass and mass limits of the vehicle.**

34.10 **Control: Use loading equipment that weighs or provides an indicative weight for loading commodities.**

34.11 **Control: Communicate with the driver of a vehicle fitted with on board scales to determine the mass of commodities as the vehicle is loaded.**

- ensure the vehicle is on firm level ground
- release brakes and apply park brake
- check that air pressure is sufficient for scales to be accurate
- sight the displayed information before the vehicle leaves.

34.12 **Control: Transmit mass information to CoR parties and others in real time, using on board mass equipment connected to communication systems.**

34.13 **Control: Determine the average volume of material that loading equipment picks up and calculate the estimated mass of a load of commodities using information about its density.**

34.14 **Control: Determine the specific gravity of liquid loads and use this information when calculating maximum loading volumes.**

34.15 **Control: Load to marked lines in a tipper body or trailer and calculate the estimated mass of a load of commodities using information about its density.**

34.16 **Control: Share information about the density of commodities with other parties and make the information available to loaders and drivers.**

For example, by displaying it on loading equipment or through training or documentation.

34.17 **Control: Where it is not possible to accurately determine the mass of the loaded vehicle, aim to load less than the maximum limit.**

34.18 **Control: Direct driver, where possible, to establish the gross and/or axle masses of the loaded vehicle immediately after loading and return to the loading location to offload part of the load if mass limits are exceeded.**

34.19 **Control: Provide access, space and equipment for returning drivers to offload partial loads and help them to offload before loading other vehicles.**

34.20 **Control: Maintain records of all vehicles loaded, including information about the amount of the commodity and the information provided by the transporter or driver.**

34.21 **Control: Communicate estimated mass information (load, vehicle or combined) to other CoR Parties.**

Include details of the accuracy and precision of weighing equipment that was used, including scales, load cells on forklifts, on-board mass fitted to heavy vehicles, weighbridges.

34.22 **Control: Request information about the mass of loads from CoR parties who weigh loads when received.**

34.23 **Control: Provide weighbridge or weigh-in-motion (WIM) data to CoR parties.**

34.24 **Control: Compare estimated mass with confirmed mass and adjust targeted tolerances or use the information to reassess how accurately loading equipment measures mass or volume.**

34.25 **Control: Use alternative methods to establish the gross mass of vehicles transporting loads which are never taken to premises for weighing.**

Such loads may include waste, construction materials, landscaping materials, car bodies, scrap metal, quarry materials or demolition waste.

Alternative methods may include:

- use vehicles with onboard scales

- regularly test-weigh sample loads at certified weighbridges, noting the volume or height of test loads
- use insights from the test weighing to inform loaders and drivers.

34.26 **Control: Verify ongoing mass compliance at an agreed frequency, based on the severity of risk.**

34.27 **Control: Ensure payment terms do not cause or encourage other parties to exceed mass limits.**

34.28 **Resources for Measuring, communicating and monitoring mass:**

- NHVR Regulatory Advice on CoR for Owners and Operators of Weighbridges[133] provides guidance for parties who own or operate weighbridges and outlines expectations of what may be considered reasonably practicable actions.
- Check information from the OEM for the maximum safe load for each vehicle.
- Refer to the NHVR website for information about permits and exemptions.[134]

> Note: Mass limits can apply for individual roads or bridges. Where there are conflicting limits, you must comply with the lowest limit.

- The NHVR Registration Checker app[135] provides information about a vehicle's GVM and accreditation status.

35 Activity: Measuring, communicating and monitoring dimension

A heavy vehicle that is over dimension presents significant risks to safety and property. A vehicle or load that exceeds set limits for height, width, length or front or rear over-hang creates hazards for pedestrians and for other road users, both on the road, when stopping at lights or rail crossings or when exiting or driving onto a road.

Excess height increases the risk of single vehicle rollover and of damage to bridges, tunnels and other structures and infrastructure. Wide loads or vehicles with wide swept paths also pose risks of damage to road furniture and private property.

35.1 **Control: Ensure employees have access to and are trained to use or read equipment or systems that measure the dimension of a vehicle and its load.**

35.2 **Control: Establish the dimensions of incoming and outgoing loads, using the appropriate means or equipment and communicate the information to other CoR parties.**

35.3 **Control: Compare estimated dimension with measured dimension and take variations into consideration in future loading activities.**

35.4 **Control: Verify ongoing dimension compliance at an agreed frequency based on severity of risk.**

35.5 **Control: Display information inside the driver cabin about the height of the vehicle.**

35.6 **Resources for Measuring, communicating and monitoring dimension:**

Prescribed dimension limits are found in Schedule 6 of the Heavy Vehicle (Mass, Dimension and Loading) National Regulation.[136] Conditions that apply to over-dimension vehicles travelling under notice or permit are found in Schedule 8 of that same regulation.

More information about Mass and Dimension Requirements[137] and about Permits[138] can be found on the NHVR website.[139]

36 Activity: Operating a weighbridge

Many CoR parties use weighbridges to calculate payment for commodities being delivered or to manage the mass of loads. Accurate information about the mass of a loaded vehicle is useful information, particularly when the mass limits for the vehicles are also known. Verifying that information is one of the challenges for weighbridge operators. Providing information to other parties is an essential element of mass management across the supply chain.

As per other guidance in this Code, the suggested controls are recommendations for the business that owns or operates the weighbridge, rather than the individual. However, to successfully implement controls, it will be necessary to establish procedures and train employees to follow them.

Weighbridge owners should also consider customisations and other data matching or insights capability available for their weighbridges. In some cases, detection and reporting can be automated, improving efficiency and eliminating human error.

36.1 **Control: Regularly calibrate weighbridges, noting OEM recommendations, standards and legislation governing measuring equipment.**

36.2 **Control: Require operators or drivers to provide verified information about the mass and the mass limits of a vehicle, before or at the time the vehicle is weighed.**

36.3 **Control: Train employees to recognise common vehicles and combinations and learn the mass limits applying to them.**

Training and reference resources include:

- GTSN Truck Book
- NHVR – Common Heavy Freight Vehicle Combinations[140]
- Heavy Vehicle (Mass, Dimension and Loading) National Regulation[141]
- NHVR National Notices[142]

36.4 **Control: Train employees to compare provided mass limit information with information from other sources, for a sample of vehicles or when there is doubt about the accuracy of the information provided.**

For example: use the NHVR Registration Checker App[143] to verify gross mass limits and accreditation status.

36.5 **Control: Weigh the vehicle in accordance with weighbridge OEM recommendations and compare this with the mass limits applying to the vehicle and its load.**

36.6 **Control: Create and retain a record of relevant information about the vehicle being weighed.**

For example:

- registration number of each vehicle
- name of operator and driver
- mass limit and vehicle mass nominated by driver or operator
- date and time
- gross mass and/or axle masses
- commodity being carried
- unique load identifier (if generated).

36.7 **Control: Provide details of measured gross and/or axle masses to the driver or operator of the vehicle.**

For example:

- provide a printed docket or text or email an electronic docket
- record the information in a shared database.

36.8 **Control: Provide CoR Parties with information about the vehicle's mass at departure.**

36.9 **Control: Immediately alert the driver and CoR parties if a vehicle's mass exceeds limits.**

36.10 **Control: Establish a safe area where loads can be adjusted prior to departure, if the vehicle is over-mass.**

36.11 **Control: Retain records about vehicle masses measured at the weighbridge for 3 years and provide these to the NHVR if requested.**

36.12 **Control: Conduct audits of a sample of transport operators, to assess the information provided about mass limits.**

This may involve requesting copies of permits, vehicle approvals, certifications and comparing that information and GVM information with operator provided information about the mass and mass limits of a vehicle.

36.13 **Control: Provide feedback to CoR Parties about:**

- inaccurate information or delays in obtaining information
- repeated or extreme overloads.
- inconsistency in the mass of loads from the same source e.g. a vehicle loaded with the same commodity multiple times a week but with vastly different masses on arrival.

36.14 **Control: Establish contractual terms that set clear expectations of safety standards and mass compliance, particularly for ongoing business relationships.**

For example, terms highlighting the expectations on information sharing about vehicle mass and how non-compliance will be managed.

36.15 **Control: Communicate expectations, policies and procedures to all CoR parties through inductions, by publicly displaying them at the entry to the premises, on the business website and on social media pages.**

36.16 **Control: Notify the NVHR if a pattern of non-compliance is not addressed.**

Information about safety issues can be provided to the NHVR anonymously via the Heavy Vehicle Confidential Reporting Line (HVCRL). Information about the HVCRL is available on the NHVR website.[144] The HVCRL can be contacted on 1800 931 785.

36.17 **Resources for operating a weighbridge:**

NHVR Regulatory Advice on CoR for Owners and Operators of Weighbridges[145] provides guidance for parties who own or operate weighbridges and outlines expectations of what may be considered reasonably practicable actions.

The National Measurement Institute provides information about using operating a public weighbridge[146] and relevant legislation for measuring instruments.

ADDITIONAL SECTOR SPECIFIC CONTROLS

Some transport activities present distinct operational challenges and opportunities for risk mitigation that require tailored safety approaches.

Whether running an online platform, operating on construction sites, recovering vehicles, transporting dangerous goods or managing containerised freight, these sectors involve environments and tasks that may present unique challenges. The following sections suggest additional controls to help parties ensure safety.

These sections need to be considered along with other guidance in the Code that is relevant to each activity.

37 Activity: Arranging for the collection and transport of livestock

Arranging livestock movements confronts many of the same challenges as the transportation of other goods but also requires unique treatments. The recommended controls in this Activity are alternatives to or additional to controls recommended in Activities in the "Journey Planning" sections of the Master Code. Relevant activities are shown in brackets.

37.1 **Control: Prepare livestock for transport so that they travel well.**

- remove animals from some types of feed or provide quality dry feed instead of green
- separate or join herds as little as possible in the days before transport
- use handling, yarding and loading best practices to minimise livestock stress
- do not allow animals that are not fit to travel to be loaded .

Refer to the Fit to Load Guide[147] from Meat and Livestock Australia (MLA) for more information about deciding whether an animal is fit to be loaded for transport.

37.2 **Control: Share information about the livestock to be transported.**

For example:

- the number, species, condition, class and mass of livestock being transported
- how the livestock has been prepared for transport including time off feed and water
- specific handling or transport requirements for the livestock
- provide National Vendor Declaration or other relevant paperwork.

37.3 **Control: Share information about the locations where livestock are to be collected from and delivered to.**

Information includes:

- safe access routes and access hazards which may need to be controlled
- specific information regarding the entry to the property, such as signs or identifying features
- site layout and vehicle dimension limits
- vehicle movement information while on site, including pedestrian locations
- loading ramps, cross loaders, yarding and other equipment at the site
- availability of staff to assist with loading or unloading
- presence of truck wash and effluent disposal facilities or location of nearby facilities.

37.4 **Control: Allocate a driver to the livestock transport task** (see also Activity 25)

Ensure the driver is trained and experienced in animal handling, loading and unloading livestock, ramp and pen operations, biosecurity, rural hazards and is familiar with the requirements of the Australian Animal Welfare Standards and Guidelines – Land Transport of Livestock[148] (LTSG).

37.5 **Control: Allocate an appropriate vehicle** (see also Activity (see also Activity 28)

Additional considerations include:

- ensure the vehicle has appropriate carrying capacity for the number, species, condition, class and mass of livestock to be transported
- ensure the vehicle has sufficient effluent containment capacity for the transport task
- ensure vehicle is clean and equipment is functioning properly e.g. ramp mechanisms.

37.6 **Control: Establish a Livestock Spelling Plan for the journey**

A Livestock Spelling Plan applies the factors described in the LTSG for managing the welfare of livestock during extended journeys. It is important for managing total time off water and maximising livestock fitness for travel.

Consider also appropriate times and locations for resting with animals on board the vehicle.

37.7 **Control: Select an appropriate route** (see also Activity 27)

Additional considerations when selecting the route include:

- requirements of the Livestock Spelling Plan
- the location and availability of effluent disposal facilities
- access limitations or hazards for the collection or delivery location
- contingency plans for animal welfare incidents – locations for spelling along the route (saleyards, resting yards).

37.8 **Control: Establish a schedule for the livestock transport task** (see also Activity 26)

Additional considerations include:

- the Livestock Spelling Plan for the transport task and any other relevant factors from the LTSG
- pick-up and arrival times which best manage animal welfare risks, in particular total time off water
- plan the journey to reduce the risk of effluent spillage

- where possible, plan so that livestock are loaded in the early morning
- where possible, plan so that livestock arrive at the destination at the scheduled time and when people are present to receive them.

37.9 **Control: Ensure the route and schedule enhance animal welfare by considering weather impacts on livestock when stationary or moving.**

Plan appropriate locations and times for driver rest breaks with regard to weather conditions.

In hot conditions:

- stopping locations should be in the shade
- schedule driving for the hottest hours to take advantage of wind chill
- schedule stops outside the middle of the day, for when temperatures have cooled.

In cold conditions:

- schedule stops during the coldest hours overnight to minimise exposure of livestock to wind chill
- stopping locations should be protected from prevailing winds.

37.10 **Control: Ensure the driver has information about the vehicle, route, collection and delivery locations and the number, species, condition and class of livestock being transported.**

37.11 **Control: Only load (or present for loading) the number, volume or mass of livestock which can be carried by the vehicle without exceeding mass or volume limits.**

37.12 **Control: Ensure loading/unloading ramps and forcing pens comply with the Australian Standard (AS 5340:2020).**

37.13 **Control: Ensure sufficient staff are on-site at premises for the scheduled loading or delivery of livestock.**

37.14 **Control: Empower drivers to refuse to load or unload livestock in circumstances where it is not safe to do so.**

This may include circumstances where:

- the loading or unloading location is unsafe or unsuitable
- the ramps, pens and other equipment provided for loading are in unsafe condition
- there are not sufficient staff available at the location for livestock to be loaded or unloaded safely
- the incorrect number, volume or mass of livestock or animals that are not fit to travel, are presented for loading.

Safety capability empowers employees to speak up, without fear of reprisal, about potential safety concerns and issues, including their own ability to safely perform tasks. This 'openness' is essential in roles critical to operational safety, where early identification of potential risks can prevent incidents before they occur.

37.15 **Control: Ensure collection and delivery schedules are flexible and accommodate changes without imposing a penalty.**

37.16 **Control: Provide information about delays to relevant CoR Parties at the earliest opportunity.**

37.17 **Control: Provide facilities for drivers to rest, away from their vehicle while waiting to load or deliver livestock.**

37.18 **Resources for the collection and transport of livestock:**

- The Registered Industry Code of Practice on Managing Effluent in the Livestock Supply Chain[149] focuses on measures to eliminate or minimise the risks of livestock effluent loss into a road corridor.
- NHVR Regulatory Advice on Livestock[150] provides guidance to businesses and individuals that use or engage the use of heavy vehicles to transport livestock by road.
- NHVR Regulatory Advice on Operating in the agricultural sector[151] provides guidance to individuals and businesses who operate in the agricultural sector.
- The Australian Standard on Livestock loading/unloading ramps and forcing pens[152] (AS 5340:2020) sets out requirements for loading/unloading ramps and forcing pens, to enable the safe loading and unloading of livestock from vehicles and to ensure the welfare of livestock and the safety of livestock handlers.
- The Fit to Load Guide[153] from Meat and Livestock Australia (MLA) provides information about deciding whether an animal is fit to be loaded for transport.
- The Preparing livestock for transport checklist[154] from MLA provides information for producers and transporters to ensure livestock has the best chance of getting to their destination safely and in optimum condition.
- The Australian Animal Welfare Standards and Guidelines – Land Transport of Livestock (LTSG)[155] provides information about animal welfare and handling practices during road transport.
- WorkSafe Victoria has published a quick guide on Safe cattle yards: Livestock loading and unloading,[156] as a guide to check the safety of livestock loading.

38 Activity: Running an on-line freight platform

On-line platforms enable transport operators, particularly owner operators, to deal directly with potential customers. Some of those customers may have little experience with heavy vehicle transport and may not be aware of safety requirements. Transporters may have limited opportunity to find out more about the people they will be dealing with, before making binding agreements with them.

Individuals or businesses who run these platforms are performing CoR functions and have opportunities to minimise risks of unsafe arrangements.

38.1 **Control: Seek all relevant information before requests for quotes can be posted on the platform:**

- nature of load and special requirements
- load dimensions and weight
- clarity about how the load will be loaded, restrained and unloaded
- clarity about who will provide equipment and services
- location and destination
- information about site access, opening times, facilities
- assurance that the load is not contaminated.

38.2 **Control: Enable the driver to communicate directly with the sender of the load to clarify details relevant to safety.**

38.3 **Control: Do not allow senders to post jobs whose payment terms may cause a driver to speed, cut short or skip rest breaks, to drive while impaired by fatigue, to drive while unfit to drive or to breach another legal requirement.**

For example, by:

- including terms in conditions that prohibit such posts
- monitoring a proportion of posts.

38.4 **Control: Include a process for varying the original quote if job specifics change.**

For example:

- time
- distance
- date
- load.

38.5 **Control: Include protections for drivers who have not been paid for work, have been unfairly left negative reviews or who have been provided inaccurate information about a job and incurred a loss as a result.**

For example:

- implement a complaints process and / or dispute resolution process
- report and or ban senders who include false or misleading information
- compensate drivers who incur loss or damages through relying on information on the platform

39 Activity: Operating on and around construction sites

There are unique hazards associated with the movement of heavy vehicles on construction sites and in transporting materials and waste to and from sites. These hazards include:

- construction industry participants not seeing themselves as parties in the CoR
- multi-level contracts and the invisibility of other parties leading to a lack of oversight
- unskilled or poorly managed sub-contractors
- poor vehicle maintenance / unroadworthy vehicles
- accelerated deterioration of mechanical components due to the operating environment
- the type of loads being transported to and from site – rubbish, building materials, gravel, fill, spoil or debris
- interactions with pedestrians and other vulnerable road users
- limited areas for vehicles to safely queue – congestion on adjoining roads
- set work hours, particularly on large infrastructure projects
- absence or lack of access to mass and dimension measuring equipment
- delays on site creating uncertainty for scheduling.

> Note: The following controls address known or prevalent hazards related to construction but are not a complete set of controls for the sector. Duty holders must also consider controls associated with each other transport activity that they and their business partners carry out.

39.1 **Control: Develop traffic management plans and/ or site access maps, to show vehicle movement and travel paths around the site, exclusion zones, areas of conflict with other site users or operations, site entry and exit locations and loading and unloading zones.**

Share this information with other CoR parties and during site inductions and ensure drivers attending the site have access to this information.

These plans can be informed by construction safety publications like CLOCS-A or other sources such as the Loading and Unloading Exclusion Zone (LUEZ) Guidelines.

39.2 **Control: Identify the training requirements of employees at the premises, provide training and verify the competency of each employee.**

Note special training requirements for particular operations, e.g.

- operating forklifts, cranes, cement dispensers, etc.
- loading, unloading and restraining different materials and commodities
- restraining large machinery and other indivisible items
- scheduling and project management
- site control.

39.3 **Control: Ensure that tasks scheduled for heavy vehicle drivers enable them opportunities to rest. Consider time spent driving to and from a site and other tasks or actions required of them.**

For example:

- arriving early to queue for materials
- stopping to wash or fuel a vehicle on the way home.

39.4 **Control: Provide information, instruction and training to workers at the site to identify hazards with a vehicle before it drives onto a road.**

For example, the:

- driver appears fatigued or unfit to drive
- vehicle is not rated or permitted to carry the required load
- vehicle has a defect or a component that does not function correctly
- vehicle does not have necessary load restraint equipment
- load is not safely restrained
- vehicle exceeds a dimension limit or is overmass
- vehicle or load is unsafe for any other reason.

39.5 **Control: Empower workers at the site to take action to rectify a hazard with a vehicle before it drives onto a road.**

39.6 **Control: Provide mass and dimension measuring equipment for incoming or exiting vehicles.**

For example: weighbridges, height measurements marked on gantries or walls, lasers or infrared devices.

39.7 **Control: Use loading machinery with mass measuring capability.**

Ensure equipment is calibrated and used in accordance with OEM instructions.

39.8 **Control: Recommend that vehicles loaded at the site have onboard mass measuring capability.**

39.9 **Control: Provide information to the driver of a vehicle about the mass and dimensions of the vehicle as it enters or leaves the site.**

39.10 **Control: Provide equipment or infrastructure to ensure vehicles can be loaded and loads assembled, restrained and measured safely.**

39.11 **Control: Provide equipment or infrastructure to ensure vehicles can be unloaded safely.**

For example: lifting equipment, bunding, chains, elevated work platforms.

39.12 **Control: Register for monthly updates from CLOCS-A[157] to stay abreast of safety issues in and around construction sites and best practice for eliminating risk.**

39.13 **Resources for Operating on and around construction sites:**

- NHVR Regulatory Advice on Managing the risks of heavy vehicle transport activities in the construction industry (Principal Contractor)[158] provides guidance for Principal Contractors in the construction industry about how to manage risks when engaging in heavy vehicle transport activities.
- NHVR Regulatory Advice on Managing the risks of heavy vehicle transport activities in the construction industry (Operator)[159] provides guidance for Operators in the construction industry about how to manage safety risks and hazards associated with their heavy vehicle transport activities.
- NHVR Regulatory Advice on CoR for Owners and Operators of Weighbridges[160] provides guidance for parties who own or operate weighbridges and outlines expectations of what may be considered reasonably practicable actions.
- The CLOCS-A Program has a primary goal of reducing road trauma associated with construction logistics. Case Studies,[161] Vehicle Safety Resources[162] and the CLOCS-A Standard[163] are available on the CLOCS-A website.[164]
- The Loading and Unloading Exclusion Zone (LUEZ) Guidelines[165] provide advice on the design of locations accessed by pedestrians, including public access, loading and unloading areas.

40 Activity: Recovery vehicles and operations

Recovery of broken down or crashed vehicles presents unique hazards and risks including proximity to moving traffic, space restriction and hours of work. In many cases, the work has an element of urgency, increasing inducements to speed or to fail to manage driver fatigue effectively. Recovery operations may involve several different parties, making communication and coordination particularly important.

> Note: Recovery vehicle operations may also be subject to state legislation e.g. *Accident Towing Services Act 2007* (Vic), the *Tow Truck Act 2023* (Qld), road rules and other laws.

40.1 **Control: Ensure the vehicle deployed to a recovery operation is suitable (sufficient capacity and capability) to safely undertake the recovery task.**

40.2 **Control: Ensure sufficient recovery vehicles are available (tow trucks, tilt trays, truck mounted crash attenuators) for vehicles to be recovered in the shortest possible time.**

40.3 **Control: Ensure vehicles undertaking recovery operations are equipped with signage, lights, traffic management equipment and personal protective equipment (PPE).**

40.4 **Control: Ensure drivers and employees undertaking recovery vehicle operations are qualified and authorised in accordance with jurisdictional requirements.**

40.5 **Control: Provide training to drivers and employees conducting recovery operations about how to undertake the task safely.**

Training should include safe locations for the driver or passengers during the recovery process.

40.6 **Control: Deploy truck mounted crash attenuators or other protective barriers to create separation between recovery operations and other traffic.**

40.7 **Control: Establish an exclusion zone or implement traffic management, to create a safe distance between recovery operations and other traffic.**

40.8 **Control: Undertake recovery operations only in circumstances where it is safe to do so.**

For example:

- the vehicle being recovered is well off the roadway
- traffic conditions are light and visibility is good
- traffic is under the control of a traffic controller.

40.9 **Control: Choose a different time to recover a vehicle, to ensure recovery can be undertaken safely.**

If immediate recovery is unsafe for the recovery vehicle operator or other road users, decide whether the vehicle can safely be left in place to be recovered later, for example at night, outside peak traffic times or when there is less traffic on the roadway.

40.10 **Control: If the vehicle being recovered has been involved in a collision, be aware of the risk of the vehicle catching fire, including ignition of alternative fuel sources.**

For example, there is a risk of fire:

- of the vehicle due to collision damage
- if the skin of a lithium-ion battery has been perforated or compromised
- if the fuel reservoir is leaking or damaged.

Further information is available in the Emergency Response Guides produced by electric vehicle manufacturers.

41 Activity: Transporting dangerous goods or explosives

The presence of dangerous goods in a load significantly alters the risk profile of the transport task. In a collision or loss of load, dangerous goods in a load pose increased risks to public safety and the environment – for example, fire, explosion, chemical reactions or environmental contamination.

The nature and quantity of the goods play a crucial role in determining the nature and level of risk involved. For instance, flammable liquids pose different hazards compared to toxic substances or corrosive materials. Larger quantities of dangerous goods increase the potential impact of any incident, necessitating more stringent controls and precautions.

The Primary Duty in the HVNL requires operators to ensure the safety of their transport activities by applying proactive risk management. This involves continuous monitoring and the implementation of best practices tailored to the specific risks associated with the goods being transported.

The potential for severe consequences when a vehicle carrying dangerous goods is involved in an incident means that while compliance with the Australian Dangerous Goods Code or the Australian Code for the Transport of Explosives by Road and Rail (the Explosives Code), is essential and provides a solid foundation for safe transport, it may not be sufficient to fulfil the Primary Duty. All persons involved in the movement of these goods need to take steps to ensure the safety of the journey.

41.1 **Control: Verify the transport of dangerous goods is undertaken per the requirements of the Australian Dangerous Goods Code or the Australian Code for the Transport of Explosives by Road and Rail.**

The Australian Dangerous Goods Code[166] (ADG Code) and the Explosives Code[167] establish the requirements for the transport of dangerous goods and explosives, respectively, by road and rail in Australia. The codes set out rules and guidelines for classifying, packaging, marking, labelling, documenting and transporting dangerous goods and explosives safely.

41.2 **Control: Identify the competent authority in your jurisdiction for operational advice.**

For operational advice relating to the ADG Code and the Explosives Code, please direct questions to the competent authority in your state or territory.[168] As the regulators, they can authoritatively advise on operational issues such as documentation, labelling, packaging, quantities or placarding.

41.3 **Control: Provide emergency equipment in the vehicle that would be required to manage different kinds of incidents and in different situations.**

For example:

- fire suppression or detection devices, in the absence of emergency services or fire hydrants in remote or rural areas
- communication equipment in areas with no or poor network coverage
- signage and traffic control management equipment
- personal protective equipment (PPE)
- first aid supplies.

41.4 **Control: Ensure all employees involved in the transport of dangerous goods are adequately trained and hold the appropriate licenses and qualifications to handle and transport these materials safely.**

41.5 **Control: Ensure drivers are trained in emergency response procedures as per the Australia and New Zealand Emergency Response Guidebook.**

This resource can be found online here.[169]

41.6 **Control: Ensure that Emergency Response Plans and emergency contact details are carried in a readily accessible area of the vehicle.**

41.7 **Control: Ensure the premises where the dangerous goods are being transported to is equipped to receive the load.**

For example:

- waiting areas away from roads
- waiting areas with shade
- the appropriate number of trained staff
- appropriate storage
- designated loading and unloading zones
- procedures for completing documentation (e.g. declarations)
- emergency response equipment is available.

42 Activity: Packing and restraining goods in shipping containers

There are unique challenges in the safe transport of goods in containers, because hazards are not visible once a container has been packed and it may not be possible to open and inspect the container before it is loaded for road transport. If heavy vehicle drivers do become aware of problem loads inside containers, there are often obstacles to addressing the problem in a timely way, including the lack of safe places to stop or restrictions and risks from opening or inspecting containers. Sources of risk inside containers include the mass and mass distribution of the contents, the suitability of load restraint and the presence of invasive species, biohazards or hazardous materials.

Refer to the Load Restraint Guide 2025[170] for technical information, detailed diagrams and worked examples to determine the restraint required for heavy vehicle loads, including loads inside shipping containers.

42.1 **Control: Obtain information about the load, its distribution and restraint requirements.**

For goods to be transported by sea, consider requirements for maritime shipping or the Code of Practice for the packing of Cargo Transport Units[171] (CTU Code).

42.2 **Control: Choose the appropriate container for the load.**

For example:

- size
- carrying capacity
- rated attachment points
- single tripper
- floor rails
- refrigerated.

42.3 **Control: Provide training to employees about how to recognise and manage damaged containers.**

42.4 **Control: Develop a loading plan for the container which ensures goods are appropriately distributed and properly restrained and gaps in the container are filled.**

See Activities 31 and 32 for more information about loading, load restraint and the development of loading plans.

42.5 **Control: Pack goods into the container according to the loading plan:**

- use lashings and load restraint equipment rated and appropriate for the task
- calculate gaps in the container and determine dunnage requirements
- make sure appropriate dunnage and stillage is used for the task and that any packaging materials, pallet, stillage or dunnage is in good condition
- ensure sufficient load restraint is applied at the open end of the container
- seek specialist advice if required.

42.6 **Control: Document the loading process by taking photos as goods are loaded and restrained in the container.**

42.7 **Control: Verify the gross mass of the loaded container and share with other CoR parties.**

This may include sharing a completed Verified Gross Mass (VGM) declaration or Container Weight Declaration (CWD).

42.8 **Control: Share detailed loading and mass information with other CoR parties, especially for containers with a high centre of gravity or uneven mass distribution.**

This includes the loading plan used to pack and restrain the goods inside the container and the photos documenting the container being packed and restrained.

42.9 **Control: Seek professional advice about the restraint system used to secure machinery or heavy loads transported in shipping containers.**

42.10 **Control: Provide training to employees about indications that containers may be unsafely loaded.**

42.11 **Control: Seek feedback from other CoR parties about the distribution and restraint of goods in the container.**

43 Activity: Importing goods in shipping containers

The challenges of transporting goods in containers may be exacerbated when the container is imported, because overseas businesses such as manufacturers, packers and loaders of containers are not bound by the HVNL. Other legal requirements – such as international conventions about shipping – are not uniformly or reliably enforced at the point of origin.

It may be impracticable to inspect import containers before they are loaded onto heavy vehicles due to:

- the method and speed of unloading containers from vessels
- limited space or time for vehicles to stop at ports
- restrictions on opening some containers under Commonwealth legislation
- WHS/OHS risks associated with opening containers.

As part of their Primary Duty, CoR parties in Australia with responsibility for the goods inside the container must understand the risks involved with importing goods in shipping containers. This includes businesses performing the functions of consignors, consignees or schedulers, such as freight forwarders or customs agents.

CoR parties in Australia must eliminate or minimise the risks created by the unknown nature of the contents of the container, to ensure public safety when the container is transported on the road.

43.1 **Control: Choose to purchase goods from businesses that can demonstrate that loads will be safely restrained and accurately weighed.**

Cease working with businesses unable or unwilling to ensure goods are safely packed, loaded and restrained inside containers.

> Note: Businesses in other countries may not be aware of requirements under Australian law and are outside Australian courts' jurisdiction for the HVNL.

43.2 **Control: Make enquiries with shipping lines, customs brokers and freight forwarders about the packing and loading services and skills offered by businesses in overseas ports.**

Share information with business partners and clients about available services in overseas ports.

43.3 **Control: Choose to work with manufacturers with knowledge of and demonstrated capability to comply with the CTU Code[172] and the HVNL.[173]**

Ensure that business partners are provided with and understand the legal requirements for shipping containers to Australian ports.

For example:

- load restraint
- mass distribution and gross mass limits
- dangerous goods requirements
- managing biohazards.

43.4 **Control: Provide material about legal requirements that has been translated into the manufacturer's language or direct them to translation tools.**

43.5 **Control: For ongoing business relationships, include contractual terms requiring the manufacturer to ensure that goods are safely packed and restrained and to provide accurate mass information.**

Include contract terms allowing termination of the contract where goods are not safely packed and restrained inside containers.

43.6 **Control: Implement additional controls or contract requirements for ensuring safe loads.**

For example:

- specify restraint equipment and methods and/or loading plans for each container
- require the manufacturer to engage a specialist packing and loading service
- engage or send a trainer to work with employees of the manufacturer to ensure that they have the skills to safely load goods into containers.

43.7 **Control: Require a loading plan for each container and a series of photos taken during the loading process, showing how lashings and other restraints are applied.**

Require provision of the photos immediately after loading.

43.8 **Control: Require the manufacturer to provide information about the type of goods, their mass, mass distribution, load height, centre of gravity and any other relevant factors (e.g. may absorb moisture and be heavier upon arrival).**

43.9 **Control: Pass on all information about the load to CoR parties involved in loading, transporting or unloading the container when it arrives.**

Provide information at the earliest opportunity.

43.10 **Control: Inspect or arrange for inspection of containers at the first safe and practicable opportunity after landing, to assess how well goods were packed and secured and to identify any other hazards.**

43.11 **Control: Provide feedback to manufacturers, packers and/or loaders and work with them to maintain and improve the quality of their work.**

43.12 **Control: Record and share information about non-compliance with loading plans or load restraint failures with other CoR parties.**

44 Activity: Transporting shipping containers

Transporting goods in containers carries some specific risks related to the fact that there is no visibility of the goods inside the container. Often, another party is packing the container and it is difficult to identify hazards around mass, mass distribution, centre of gravity, load restraint and how goods are secured inside the container, prior to it being loaded to transport.

44.1 **Control: Obtain accurate information about the type of goods, their mass, mass distribution, centre of gravity, the method of restraining the goods inside the container and any other relevant information**

This includes the loading plan used to pack and restrain the goods inside the container and the photos documenting the container being packed and restrained. Control: Obtain verified gross mass information from the relevant CoR party.

44.2 **Control: Obtain assurance from the relevant CoR party that loads inside imported containers have been safely restrained and that the mass of a loaded container has been accurately reported.**

44.3 **Control: If assurance is not available that goods in a container have been restrained in accordance with the HVNL loading performance standards, load the container road transport with doors to the rear where possible.**

44.4 **Control: Provide training to drivers and other employees about the procedure and actions to be taken if a non-compliant container is identified.**

Training should include indications that a container is unsafe or non-compliant, for example: visible damage, bulges, protrusions, broken seals or signs of leakage. Containers may also be identified as being overmass or with uneven weight distribution during unloading.

Training should include obtaining authorisation to open and inspect containers if necessary and appropriate procedures at the location.

44.5 **Control: Establish a procedure, agreed with other CoR parties, for actions to be taken when a non-compliant container is suspected or identified.**

44.6 **Control: Report non-compliant containers to relevant CoR parties.**

44.7 **Resources for Transporting shipping containers:**

- NHVR Regulatory Advice on Managing the risks of transporting freight in shipping containers[174] provides guidance on identifying and managing the safety risks of transporting freight in shipping containers by road.
- The CoR Safe (Logistics Safety Solutions) Safe Container Loading and Transport Guide[175] details the steps required when loading and restraining containers for transport within Australia and New Zealand.

45 Activity: Managing premises where shipping containers are loaded and/or unloaded

Stevedores and freight forwarders have a unique opportunity to identify non-compliant import containers before they are loaded for road transport. With the right combination of infrastructure, procedures and training these parties have the opportunity to detect and deal with containers before they create risks to the public.

45.1 **Control: Nominate safe places for drivers to stop in the vicinity of loading and unloading premises, if a non-compliant container is detected.**

45.2 **Control: Establish a location and provide equipment where non-compliant containers can be opened safely or identify the closest place where containers can be taken for safe opening.**

45.3 **Control: Use weighing equipment to assess gross mass and mass distribution of containers.**

45.4 **Control: Train operators of loading and unloading equipment to identify containers suspected of exceeding mass limits or with uneven mass distribution (which may indicate that load restraint inside the container has failed).**

45.5 **Control: Train employees to identify import containers suspected of harbouring invasive species.**

45.6 **Control: Isolate non-compliant containers for further investigation and open and inspect when authorised and when safe to do so.**

45.7 **Control: Establish a procedure, agreed with other CoR parties, for actions to be taken when a non-compliant container is suspected or identified.**

For example, refuse to load or release for transport a container which is identified as over-mass or unevenly distributed until the issue is rectified with the party responsible for the load or container.

45.8 **Control: Display contact information for entities who need to be contacted before containers can be opened and for persons who will be required to assist if a non-compliant container is detected.**

For example: Australian Border Force, Australian Quarantine and Inspection Service, WorkSafe

45.9 **Control: Implement a procedure for responding to identified safety hazards or risks, including isolating suspect containers for further investigation.**

45.10 **Control: Allow heavy vehicle drivers to return to stevedore premises when a mass, mass distribution or loading issue has become apparent after the vehicle carrying the container has left the premises.**

45.11 **Control: Report any identified non-compliance to CoR parties for the container.**

45.12 **Resources for Managing premises where shipping containers are loaded and unloaded:**

The Guide for Unpacking Shipping Containers[176] from SafeWork NSW provides information on how to manage health and safety risks when unpacking containers transported by land or sea.

REFERENCE LIST

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Australian Children's Education and Care Quality Authority (2020) Safe Transport of Children Info Sheet

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GTSN (Grain Transport Safety Network) (2025) GTSN Truck Book

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NTARC (The National Truck Accident Research Centre) (2024) Major Incident Investigation Report 2024

NHVR (National Heavy Vehicle Regulator) (2018) Master Industry Code of Practice

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(2020) Code of Practice for the Approval of Heavy Vehicle Modifications

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(2021) Fatigue Management Accreditation Guide

(2021) Maintenance Management Accreditation Guide

(2022) Managing Effluent in the Livestock Supply Chain Industry Code of Practice

(2022) Post flooding safety check

(2024) National Heavy Vehicle Inspection Manual v3.1

(2024) Waste and Recycling Industry Code of Practice

(2025) Load Restraint Guide 2025

(2025) Mobile Crane Industry Code of Practice

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NHVR Regulatory Advice (n.d.) Developing a positive safety culture

(2021) Managing the risks associated with non-compliant heavy vehicles arriving at premises

(2021) Managing the risks of transporting freight in shipping containers

(2022) Discrimination against or victimisation of employees

(2022) Driver distraction

(2022) Fitness to drive: Fatigue

(2022) Fitness to drive: Mental health

(2022) Fitness to drive: Physical health

(2022) Maintenance of heavy vehicles used in agricultural or seasonal work

(2022) Managing the risks associated with non-compliant heavy vehicles arriving at premises

(2022) Managing the risk of a light or empty lead trailer in a laden B-double

(2022) Managing the risks of employees impaired by alcohol and other drugs

(2022) Managing the risks of heavy vehicle transport activities in the construction industry (Operator)

(2022) Managing the risks of heavy vehicle transport activities in the construction industry (Principal Contractor)

(2022) Managing the safety risks of light to medium heavy vehicles

(2022) Managing the risks of time slot bookings

(2022) Managing the risks of undertrained workers

(2022) Obligations for Restricted Access Vehicles

(2022) Operating in the agricultural sector

(2022) Prohibited requests and contracts under the HVNL

(2022) Providing false or misleading information to the NHVR

(2022) Seatbelt use compliance in the heavy vehicle industry

(2023) Heavy vehicle safety technology and telematics

(2023) Managing the risks associated with heavy vehicles travelling down steep descents

(2024) Livestock

(2024) Loading and load restraint

(2025) Bus and Coach Driver Fatigue and Health and Wellbeing

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(2025) Fitness to work

NRSPP (National Road Safety Partnership Program) (n.d.) Toolbox Talks

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NT Department of Infrastructure, Planning and Logistics (2024) Guidelines for choosing informal bus stop locations

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Transport for NSW (2023) Guide to Appointed School Bus Stops

UN ECE (United Nations Economic Commission for Europe) (2014) Code of Practice for Packing of Cargo Transport Units (CTU Code)

WorkSafe QLD (2019) Safe immobilising of vehicles self-assessment checklist

OTHER RESOURCES

Australian Institute of Health and Safety (2020) OHS Body of Knowledge (Chapters on Fatigue and Chain of Responsibility)

Austroads (2019) Guidelines for the Provision of Heavy Vehicle Rest Area Facilities

Austroads (2022) Vehicles as a Workplace Work Health and Safety Guide

CLOCS (Construction, Logistics and Community Safety – UK) (2024) The CLOCS Standard

NZ Transport Agency (2017) The Official NZ Truck Loading Code

SafeWork Australia (2021) Managing the Risks of Plant

SafeWork NSW (2022) Managing Risks of Plant

St John's Ambulance Australia, NatRoad (National Road Transport Association) (2023) Truckie First Aid Awareness Course

Standards New Zealand (2005) NZS 5444:2005 Load Anchorage Points for Vehicles

TruckSafe SMS trucksafe.com.au/sms-info/2024-sms/

UN ECE (United Nations Economic Commission for Europe) (2023) Consolidated Resolution on the Construction of Vehicles

WorkSafe QLD (2021) Managing the Risks of Plant

KEY TERMS AND DEFINITIONS

HVNL definitions

ATM – aggregate trailer mass (s 5, HVNL), of a heavy trailer, means the total maximum mass of the trailer, as stated by the manufacturer together with its load and the mass imposed on the towing vehicle by the trailer when the towing vehicle and trailer are on a horizontal surface.

Business practices (s 5, HVNL), of a person, means the person's practices in running a business associated with the use of a heavy vehicle on a road, including:

- the operating policies and procedures of the business; and
- the human resource and contract management arrangements of the business; and
- the arrangements for preventing or minimising public risks associated with the person's practices.

Consign and consignor (s 5, HVNL) – A person consigns goods and is a consignor of goods, for road transport using a heavy vehicle, if –

(a) the person has consented to being and is, named or otherwise identified as a consignor of the goods in the transport documentation relating to the road transport of the goods; or
(b) the person engages an operator of the vehicle, either directly or indirectly or through an agent or other intermediary, to transport the goods by road; or
(c) if paragraphs (a) and (b) do not apply – the person has possession of or control over, the goods immediately before the goods are transported by road.

Consignee, of goods (s 5. HVNL)

(a) means a person who –
  (i) has consented to being and is, named or otherwise identified as the intended consignee of the goods in the transport documentation relating to the road transport of the goods; or
  (ii) actually receives the goods after completion of their road transport; but
(b) does not include a person who merely unloads the goods.

Dimension requirement (s 5, HVNL) means:

- a prescribed dimension requirement (under HVNL s 101); or
- a requirement as to a dimension limit relating to a heavy vehicle under a condition to which a mass or dimension authority is subject (where the dimension limit is more restrictive than the relevant prescribed dimension requirement); or
- a requirement as to a dimension limit under a PBS vehicle approval; or
- a requirement as to a dimension limit indicated by an official traffic sign; or
- a requirement as to a dimension limit for a component vehicle as prescribed by a heavy vehicle standard.

Discrimination against or victimisation of employees (s 699, HVNL)

(1) An employer must not dismiss an employee or otherwise prejudice an employee in the employee's employment, for the reason that the employee –
  (a) has helped or given information to a public authority or law enforcement agency in relation to a contravention or alleged contravention of this Law; or
  (b) has made a complaint about a contravention or alleged contravention of this Law to an employer, former employer, fellow employee, former fellow employee, union or public authority or law enforcement agency.

Examples of prejudicial conduct in relation to an employee's employment –

- demotion of the employee
- unwarranted transfer of the employee
- reducing the employee's terms of employment.

(2) An employer must not fail to offer employment to a prospective employee or in offering employment to a prospective employee treat the prospective employee less favourably than another prospective employee would be treated in similar circumstances, for the reason that the prospective employee –
  (a) has helped or given information to a public authority or law enforcement agency in relation to a contravention or alleged contravention of this Law; or
  (b) has made a complaint about a contravention or alleged contravention of this Law to an employer, former employer, fellow employee, former fellow employee, union or public authority or law enforcement agency.

(3) In a proceeding for an offence against subsection (1) or (2), if all the facts constituting the offence other than the reason for the defendant's action are proved, the defendant has the onus of proving that the defendant's action was not for the reason alleged in the charge for the offence.

(4) In this section –

employee includes an individual who works under a contract for services.

employer, of a prospective employee, includes a prospective employer of the employee.

Due diligence (s 26D, HVNL) includes taking reasonable steps –

(a) to acquire and keep up to date, knowledge about the safe conduct of transport activities; and
(b) to gain an understanding of –
  (i) the nature of the legal entity's transport activities; and
  (ii) the hazards and risks, including the public risk, associated with those activities; and
(c) to ensure the legal entity has and uses, appropriate resources to eliminate or minimise those hazards and risks; and
(d) to ensure the legal entity has and implements, processes –

(i) to eliminate or minimise those hazards and risks; and
(ii) for receiving, considering and responding in a timely way to, information about those hazards and risks and any incidents; and
(iii) for complying with the legal entity's safety duties; and

(e) to verify the resources and processes mentioned in paragraphs (c) and (d) are being provided, used and implemented.

Duty of executive of legal entity (s 26D, HVNL)

(1) If a legal entity has a safety duty, an executive of the legal entity must exercise due diligence to ensure the legal entity complies with the safety duty.

Employee (s 5, HVNL) means an individual who is employed by someone else.

Employer (s 5, HVNL) means a person who employs someone else.

Executive (s 26D, HVNL), of a legal entity, means:

(a) for a corporation – an executive officer of the corporation; or
(b) for an unincorporated partnership – a partner in the partnership; or
(c) for an unincorporated body – a management member of the body.

Executive officer, (s 5, HVNL) of a corporation, means:

- a director of the corporation; or
- any person, by whatever name called and whether or not the person is a director of the corporation, who is concerned or takes part in the management of the corporation.

Fit, to drive a heavy vehicle, (s 5, HVNL) or to start or stop its engine, for a person, means the person –

(a) is apparently physically and mentally fit to drive the vehicle or start or stop its engine; and
(b) is not apparently affected by either or both of the following –
(i) alcohol;
(ii) a drug that affects a person's ability to drive a vehicle; and
(c) is not found to have an alcohol concentration in the person's blood or breath exceeding the amount permitted, under an Australian road law of this jurisdiction, for the driver of a heavy vehicle; and
(d) is not found to be under the influence of a drug or to have present in the person's blood or saliva a drug that the driver of a heavy vehicle is not permitted to have present in the driver's blood or saliva under an Australian road law of this jurisdiction.

GCM (gross combination mass) (s 5, HVNL), of a motor vehicle, means the total maximum loaded mass of the motor vehicle and any vehicles it may lawfully tow at any given time –

(a) if the registration authority has specified the total maximum loaded mass of the motor vehicle and any vehicles it may lawfully tow at any given time – specified by the registration authority; or
(b) otherwise – stated by the motor vehicle's manufacturer.

GVM (gross vehicle mass) (s 5, HVNL), of a vehicle, means the maximum loaded mass of the vehicle:

- if the registration authority has specified the vehicle's maximum loaded mass – specified by the registration authority; or
- otherwise – stated by the vehicle's manufacturer.

Heavy Vehicle (s 6, HVNL) means a vehicle with a GVM or ATM of more than 4.5t or a combination that includes a vehicle with a GVM or ATM of more than 4.5t.

Load, when used as a verb and loader (s 5, HVNL) – A person loads goods in a heavy vehicle and is a loader of goods in a heavy vehicle, if the person is a person who –

(a) loads the vehicle or any container that is in or part of the vehicle, with the goods for road transport; or
(b) loads the vehicle with a freight container, whether or not it contains goods, for road transport.

Loading manager (s 5, HVNL), for goods in a heavy vehicle, means:

(a) a person who manages or is responsible for the operation of, regular loading or unloading premises for heavy vehicles where the goods are –
(i) loaded onto the heavy vehicle; or
(ii) unloaded from the heavy vehicle; or
(b) a person who has been assigned by a person mentioned in paragraph (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.

Loading requirements and **loading performance standards** (s 110 and s 115, HVNL), are the requirements and standards prescribed in Schedule 7 of the Heavy Vehicle (Mass, Dimension and Loading) National Regulation, about securing a load on a heavy vehicle or a component of a heavy vehicle. The loading requirements and loading performance standards include requirements and standards about the restraint or positioning of a load or any part of it on a vehicle or trailer.

Management member, of an unincorporated body (s 5, HVNL), means:

(a) if the body has a management committee – each member of the management committee; or
(b) otherwise – each member who is concerned with or takes part in, the body's management, whatever name is given to the member's position in the body.

Mass Requirement (s 5, HVNL) means:

(a) a prescribed mass requirement (under section 95[177]); or
(b) a requirement as to a mass limit relating to a heavy vehicle under a condition to which a mass or dimension authority is subject (where the mass limit is lower than the relevant prescribed mass requirement); or
(c) a requirement as to a mass limit under a PBS vehicle approval; or
(d) a requirement as to a mass limit indicated by an official traffic sign; or
(e) a requirement as to a mass limit under the GVM or GCM for a heavy vehicle; or
(f) a requirement as to a mass limit for a component

vehicle as stated by the manufacturer or as prescribed by a heavy vehicle standard.

Operate and operator (s 5, HVNL) means:

A person operates a vehicle or combination and is an operator of the vehicle or combination, if the person is responsible for controlling or directing the use of –

(a) for a vehicle (including a vehicle in a combination) – the vehicle; or
(b) for a combination – the towing vehicle in the combination.

Pack and packer (s 5, HVNL) – A person packs goods and is a packer of goods, if the person –

(a) puts the goods in packaging, even if that packaging is already on a vehicle; or
Example for the purposes of paragraph (a) – a person who uses a hose to fill the tank of a tank vehicle with petrol, packs the petrol for transport.
(b) assembles the goods as packaged goods in an outer packaging, even if that packaging is already on a vehicle; or
(c) supervises an activity mentioned in paragraph (a) or (b); or
(d) manages or controls an activity mentioned in paragraph (a), (b) or (c).

Party in the chain of responsibility (s 5, HVNL), for a heavy vehicle, means each of the following persons:

(a) if the vehicle's driver is an employed driver – an employer of the driver
(b) if the vehicle's driver is a self-employed driver – a prime contractor for the driver
(c) an operator of the vehicle
(d) a scheduler for the vehicle
(e) a consignor of any goods in the vehicle
(f) a consignee of any goods in the vehicle
(g) a packer of any goods in the vehicle
(h) a loading manager for any goods in the vehicle
(i) a loader of any goods in the vehicle
(j) an unloader of any goods in the vehicle.

Person (sch. 1, s 12, HVNL)

A person includes an individual or a body politic or corporate.

Primary Duty (s 26C, HVNL)

(1) Each party in the chain of responsibility for a heavy vehicle must ensure, so far as is reasonably practicable, the safety of the party's transport activities relating to the vehicle.

(2) Without limiting subsection (1), each party must, so far as is reasonably practicable –

(a) eliminate public risks and, to the extent it is not reasonably practicable to eliminate public risks, minimise the public risks; and
(b) ensure the party's conduct does not directly or indirectly cause or encourage –
  (i) the driver of the heavy vehicle to contravene this Law; or
  (ii) the driver of the heavy vehicle to exceed a speed limit applying to the driver; or
  (iii) another person, including another party in the chain of responsibility, to contravene this Law.

Prime Contractor (s 5, HVNL) of the driver of a heavy vehicle, means a person who engages the driver to drive the vehicle under a contract for services. Example – a logistics business that engages a subcontractor to transport goods.

Public place (s 5, HVNL) means a place or part of a place:

(a) that the public is entitled to use, is open to members of the public or is used by the public, whether or not on payment of money; or
(b) the occupier of which allows members of the public to enter, whether or not on payment of money.

Public risk (s 5, HVNL) means:

(c) a safety risk; or
(d) a risk of damage to road infrastructure.

Public safety (s 5, HVNL) means the safety of persons or property, including the safety of:

(a) the drivers of and passengers and other persons in, vehicles and combinations; and
(b) persons or property in or in the vicinity of or likely to be in or in the vicinity of, road infrastructure and public places; and
(c) vehicles and combinations and any loads in them.

Reasonably practicable (s 5, HVNL), in relation to a duty, means that which is or was at a particular time, reasonably able to be done in relation to the duty, weighing up all relevant matters, including –

(a) the likelihood of a safety risk or damage to road infrastructure, happening; and
(b) the harm that could result from the risk or damage; and
(c) what the person knows or ought reasonably to know, about the risk or damage; and
(d) what the person knows or ought reasonably to know, about the ways of –
  (i) removing or minimising the risk; or
  (ii) preventing or minimising the damage; and
(e) the availability and suitability of those ways; and
(f) the cost associated with the available ways, including whether the cost is grossly disproportionate to the likelihood of the risk or damage.

Regular loading or unloading premises (s 5, HVNL) for heavy vehicles, means premises at or from which an average of at least 5 heavy vehicles are loaded or unloaded on each day the premises are operated for loading or unloading heavy vehicles.

Road (s 8, HVNL) is an area that is open to or used by the public and is developed for or has as 1 of its uses, the driving or riding of motor vehicles. Examples of areas that are roads – bridges, cattle grids, culverts, ferries, fords, railway crossings, tunnels or viaducts.

Road infrastructure (s 5, HVNL) includes:

(a) a road, including its surface or pavement; and
(b) anything under or supporting a road or its surface or pavement; and
(c) any bridge, tunnel, causeway, road-ferry, ford or other work or structure forming part of a road system or supporting a road; and
(d) any bridge or other work or structure located above, in or on a road; and

(e) any traffic control devices, railway equipment, electricity equipment, emergency telephone systems or any other facilities (whether of the same or a different kind) in, on, over, under or connected with anything mentioned in paragraphs (a) to (d).

Safety duty (s 5, HVNL) means a duty imposed under any of the following provisions –

(a) section 26C
(b) section 26E(1) or (2)
(c) section 89(1)
(d) section 93(1), (2) or (3)
(e) section 129(1), (2) or (3)
(f) section 137
(g) section 150(1)
(h) section 153A(1)
(i) section 186(2), (3), (4) or (5)
(j) section 187(2) or (3)
(k) section 335(1)
(l) section 336(1)
(m) section 337(2)
(n) section 454(1) or (2)
(o) section 467
(p) section 470(2), (3) or (4)
(q) section 604
(r) section 610

These 18 duty and offence provisions are defined for 2 purposes. These are the provisions for which an executive has a duty to exercise due diligence to ensure compliance. They are also provisions for which specially authorised officers have extra investigative powers under s 570A.

The most important duty in this category is the Primary Duty, s 26C.

Safety risk (s 5, HVNL) means a risk –

(a) to public safety; or
(b) of harm to the environment.

Scheduler (s 5, HVNL) for a heavy vehicle, means: a person who –

(a) schedules the transport of any goods or passengers by the vehicle; or
(b) schedules the work times and rest times of the vehicle's driver.

Transport activities (s 5, HVNL) means activities, including business practices and making decisions, associated with the use of a heavy vehicle on a road, including, for example –

(a) contracting, directing or employing a person:
  (i) to drive the vehicle; or
  (ii) to carry out another activity associated with the use of the vehicle (such as maintaining or repairing the vehicle); or
(b) consigning goods for transport using the vehicle; or
(c) scheduling the transport of goods or passengers using the vehicle; or
(d) packing goods for transport using the vehicle; or
(e) managing the loading of goods onto or unloading of goods from the vehicle; or
(f) loading goods onto or unloading goods from the vehicle; or
(g) receiving goods unloaded from the vehicle.

Unload and unloader (s 5, HVNL) – a person unloads goods in a heavy vehicle and is an unloader of goods in a heavy vehicle, if the person is a person who –

(a) unloads from the vehicle or any container that is in or part of the vehicle, goods that have been transported by road; or
(b) unloads from the vehicle a freight container, whether or not it contains goods, that has been transported by road.

Work, in relation to a fatigue-regulated heavy vehicle (s 221, HVNL), means –

(a) drive a fatigue-regulated heavy vehicle; or
(b) instruct another person to drive or supervise another person driving, a fatigue-regulated heavy vehicle; or
(c) perform another task relating to the use of a fatigue-regulated heavy vehicle, including, for example –
  (i) load things onto or unload things from, the heavy vehicle; and
  (ii) inspect, service or repair the heavy vehicle; and
  (iii) inspect or attend to a load on the heavy vehicle; and
  (iv) if the heavy vehicle is a bus, attend to passengers on the bus; and
  (v) clean or refuel the heavy vehicle; and
  (vi) perform marketing tasks in relation to the use of the vehicle; and
  Examples for the purposes of subparagraph (vi) –
  - arranging for the transport of goods or passengers by the heavy vehicle
  - canvassing for orders for the transport of goods or passengers by the heavy vehicle
  (vii) help another person to perform or supervise another person performing, a task mentioned in any of subparagraphs (i) to (vi); and
  (viii) record information or complete a document, as required under this Law, a corresponding fatigue law or otherwise, in relation to the use of the vehicle; or
(d) occupy the driver's seat of a fatigue-regulated heavy vehicle while its engine is running.

Work time, for the driver of a fatigue-regulated heavy vehicle (s 221, HVNL), means any time the driver spends undertaking work in relation to the vehicle.

Other terms and definitions

ANPR – automatic number plate recognition. This is a technology which uses cameras to read vehicle number plates then transmit that information to a computer for processing.

Assurance refers to information or processes for confirming that systems are working as intended. It may include reviewing records or data, making enquiries, conducting or requesting audits, inspecting documents, interviewing employees or any other means of obtaining relevant information. A business typically looks for assurance about its own processes and systems and for assurance about the safety performance of business partners.

Australian Dangerous Goods Code (ADG Code) provides consistent technical requirements for the land transport of dangerous goods across Australia. The ADG Code should be read in conjunction with relevant state or territory law.

Australian Design Rules (ADRs) contain mandatory requirements for the safe design and construction of vehicles and for the control of emissions and noise.

Australian Standards are voluntary documents that set out specifications, procedures and guidelines that aim to ensure products, services and systems are safe, consistent and reliable. They cover a variety of subjects, including consumer products and services, the environment, construction, energy and water utilities and more.

Axle mass or axle group load means the total mass on an axle group, including the mass due to the truck and the mass due to the load.

Business partner means an individual, business or organisation that a CoR party works with, in any capacity, whether under a formal agreement or not. A business partner may not be a CoR party.

Chain of Responsibility (CoR) is the principle that recognises that heavy vehicle safety depends upon the whole supply chain. The term 'party in the chain of responsibility' is defined under the HVNL as each person performing any one of 10 functions, in relation to a heavy vehicle. Any person or business that performs one of those functions has a Primary Duty to ensure, so far as is reasonably practicable, the safety of their transport activities. See HVNL s 5, s 26C, s 26F, s 26G, s 26H.

Code of Practice is a document which provides information about hazards, risks and controls and which helps parties in the chain of responsibility to identify, analyse, evaluate and mitigate risks to public safety associated with their transport activities.

Coefficient of Friction (CoF) – The co-efficient of friction (μ) is a measure of friction between 2 surfaces. Loads on vehicles with low friction surfaces generally need more or stronger restraint. Increasing friction, for example by using high friction matting, improves overall restraint. (See the Load Restraint Guide 2025[178] for more information).

Commodity – an agricultural product, raw material, landscaping supplies or other type of goods loaded and transported in bulk. For example: grain, gravel, spoil or fill, waste, scrap metal.

Consequence is the outcome of an event affecting the objectives of an organisation (objectives can include financial, health and safety and environmental goals for example).

Container weight declaration (CWD) is a written declaration of the weight of a container and its contents. It may be either in hard copy or electronic form or a placard attached to the freight container.

Control refers to measures which can be used to eliminate or minimise public risks. Some controls do not reduce risk but do minimise the potential injury or damage that may be caused.

Dangerous goods – any material which is classified as a dangerous good in the Australian Dangerous Goods Code or which has characteristics that require special handling precautions to ensure safety during transport. Dangerous goods must be stored and handled in accordance with relevant Australian Standards for dangerous goods storage and handling.

Driver or heavy vehicle driver – An employed driver is not a party in the CoR, however, if a driver is a self-employed owner-operator then they fall within the definition of an 'operator' under the HVNL.

Direct restraint – a form of load restraint where the load is restrained by containing, blocking or attaching.

Dunnage – packing placed either between items of a load or between the base of a load and the surface of the vehicle's loading deck.

EWD – electronic work diary.

Fatigue-regulated heavy vehicle – a motor vehicle with a GVM of more than 12t; a combination with a GVM of greater than 12t; a fatigue-regulated bus.

FDDT – fatigue and distraction detection technology.

Freight container or container – a re-usable container that is designed for the transport of goods by one or more modes of transport.

Hazard refers to anything with the potential to cause harm or damage, this could be an activity or behaviour, a physical object, a situation or a management practice.

Heavy Goods Vehicle, under ADRs – a goods vehicle with a GVM exceeding 12.0 tonnes.

HVNL – Heavy Vehicle National Law.

Human Factors is about understanding human behaviour and performance. When applied to business operations, human factors knowledge is used to optimise the fit between people and the systems in which they work to improve safety and performance.

Internal review is a way of something being assessed through the collection of objective evidence. It provides critical information to the decision makers of the organisation and is used to confirm that the organisation meets specified requirements.

Just culture – principles which balance a blame-free reporting environment with individual accountability by encouraging the reporting of errors and focusing on system improvements rather than punishment. It requires acknowledging human fallibility, fostering psychological safety, clearly distinguishing between human error, at-risk and reckless behaviour and holding individuals responsible for reckless conduct while supporting those who make unintentional mistakes.

Likelihood is the chance of something happening (sometimes called probability).

Livestock – A group of animals of a class of cattle, sheep, goats, pigs, horses, poultry, emus, ostrich, alpaca, deer, camel or buffalo.

Load restraint or restraint, is the way loads are effectively restrained on a vehicle. Loads can be restrained by 2 basic methods: tie-down or direct restraint (which includes containing, blocking and attaching).

Load Restraint Guide 2025 provides guidance about designing and implementing a load restraint system that will meet the loading performance standards (see above). The Load Restraint Guide 2025[179] is published on the NHVR website.

LTSG – Land Transport Standards and Guidelines – the Australian Animal Welfare Standards and Guidelines, Land Transport of Livestock. Information about animal welfare and handling practices during road transport, published by the Animal Welfare Task Group, part of the Commonwealth Department of Agriculture, Fisheries and Forestry.

MDL – mass, dimension and loading.

Mass requirements are the requirements about the mass of heavy vehicles and the mass of components of heavy vehicles – section 95 of the HVNL. The mass requirements applying to a heavy vehicle are stated in Schedules 1 to 5A of the Heavy Vehicle (Mass, Dimension and Loading) National Regulation.

NHVAS, the National Heavy Vehicle Accreditation Scheme, is an accreditation scheme NHVR manages. Accreditation is based on meeting standards for individual modules such as maintenance management or advanced fatigue management.

NHVR – National Heavy Vehicle Regulator. The NHVR is Australia's independent regulator for all vehicles over 4.5 tonnes gross vehicle mass.

OEM – Original Equipment Manufacturer.

OBM – On-board mass is a system that monitors all the axle groups in the vehicle combination and provides the mass readings of these axle groups to an Intelligent Access Program (IAP) system.

PBS – Performance Based Standard.

PPE – Personal Protective Equipment.

Policies are clear, simple statements of how your organisation intends to conduct its business practices. They provide a set of guiding principles to help with decision-making.

Procedures describe how policies will be put into action in your organisation. Procedures outline who will do what, the steps to take and the documents or forms to use.

Process (method or mechanism) is a series of actions or steps taken in order to achieve a particular end, objective or outcome.

Psychosocial Hazards are anything that can cause harm to someone's mental health. Psychosocial hazards can create stress which over time, may manifest as psychological or physical harm in the form of conditions like anxiety, depression, sleep disorders or post-traumatic stress disorder. Poorly managed psychosocial hazards have the potential to create a public risk.

RICP – Registered Industry Code of Practice; an RICP has an evidentiary status under s 632A of the HVNL. A court may have regard to the contents of a registered Code of Practice when determining whether a party in the CoR, charged with a breach of the Primary Duty, has done what was reasonably practicable to ensure safety.

Specifically, the contents of a code can be used as evidence of what a party knew or ought to have known, about hazards, risks, risk assessments and controls in relation to the subject matter of the Code.

Risk refers to the potential harm or damage that could occurs when a person or thing is exposed to a hazard.

Risk management is the coordinated activities to identify and control the risks arising from the activities of an organisation. The risk management process consists of 4 key steps, including identifying hazards; assessing risks; controlling risks; and monitoring and reviewing controls.

Safety, for the Primary Duty under the HVNL, means eliminating or minimising the risks described in the definitions of "public risk", "public safety" and "safety risk" in Section 5 of the HVNL.

That is, a risk:

- to the safety of persons or property
- to the safety of the drivers, passengers and other persons in vehicles and combinations
- to the safety of persons or property in or in the vicinity of road infrastructure and public places
- to the safety of vehicles and combinations and any loads in them
- of damage to road infrastructure
- of harm to the environment.

Safety critical roles, for a heavy vehicle, includes driving and other work which directly affects the safety of a heavy vehicle and its load during a journey. This includes functions such as scheduling, packing, loading and unloading and inspecting or maintaining a heavy vehicle.

SMS – Safety Management System.

SRT – Static Rollover Threshold. It is a measure of the sideways force required to roll a stationary vehicle and is a useful indication of vehicle stability. The number is expressed as a decimal. A higher number indicates better stability. Vehicles carrying Dangerous Goods must have an SRT of 4.0; PBS vehicles must have an SRT of 3.5. To calculate SRT, refer to S.R.T. – Calculator (ternz.co.nz),[180] Payload Pilot (Advantia)[181] or another online tool.

Stillage – a structure such as a cage or frame, used to contain individual items of a load, particularly items that are fragile or unusually shaped.

System is a set of resources and activities integrated in a business that all work together to help improve safety and other business imperatives. The system details the required documentation of policies, procedures and operational records associated with business practices.

The Code (this Code) – this Registered Industry Code of Practice.

Tie down restraint, is a form of load restraint where the load is restrained by friction (also called "indirect restraint").

Vehicle Standards or Heavy Vehicle Safety Standards, are the standards derived from Australian Design Rules, HVNL and Heavy Vehicle (Vehicle Standards) National Regulation that set out the minimum safety, emissions and anti-theft requirements that apply to heavy vehicles. The vehicle standards are used to guide heavy vehicle inspections as published in the National Heavy Vehicle Inspection Manual (NHVIM).

VSB6 (Vehicle Standards Bulletin 6) provides clear guidelines and technical requirements for modifying heavy vehicles in compliance with the Australian Design Rules and the HVNL to ensure safety and consistency.

WHS – Work Health and Safety, also known as Occupational Health and Safety (OHS).

CODE ADMINISTRATION

This Code will be maintained by the NHVR in accordance with the conditions of registration in Section 706(2) of the HVNL and the Guidelines for Preparing and Registering Industry Codes of Practice.

Providing Feedback

Feedback is invited on the Master Code from any stakeholder with an interest in the heavy vehicle industry. Feedback should be submitted to codes@nhvr.gov.au

All feedback received will be considered by the NHVR as part of the on-going code management process.

Further Information

If you require further information about the process for developing Codes of Practice or about how to provide feedback, please see the NHVR website at www.nhvr.gov.au/codes-of-practice
or email codes@nhvr.gov.au

Contact details

National Heavy Vehicle Regulator
codes@nhvr.gov.au

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CoR Comply
CoRsafe
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DGL Group
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Eglinton Bros Pty Ltd
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Grain Trade Australia
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GTS Freight Management
JJ's Waste & Recycling
Kmart Group (Kmart and Target)
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Qube Logistics
Safer Together
Safety Accelerator Systems
Saltera Training
Shamrock Civil
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Supply Chain Safety Excellence
Teys Australia Pty Ltd
Thales Group
Transit Systems Group
Transport Compliance Solutions
Visy Logistics
Viva Energy Australia
Waste Contractors and Recyclers Association of NSW (WCRA)
Woolworths Group

ENDNOTES

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