

## CHAIN OF RESPONSIBILITY POLICY

This guide is designed to inform Coastal Transport customers, clients and staff about Chain of Responsibility. At Coastal we believe that no task is so important that it cannot be done safely. Chain of responsibility is a fundamental part of looking after the safety of our workers, customers, subcontractors, suppliers and other road users.

This policy applies to all employees, contractors and visitors within Coastal Transport Services that have responsibility for, or involvement in activities that fall within the scope of the road transport laws.

### WHAT IS CHAIN OF RESPONSIBILITY?

Drivers and operators have traditionally been the focus of road laws. However, breaches are often caused by the actions of others. Under Chain of Responsibility (CoR), complying with transport law is a shared responsibility and all parties in the road transport supply chain are responsible for preventing breaches. This approach recognises the effects of the actions, inactions and demands of off-the-road parties in the transport chain.

On-road safety requires all parties in the chain to behave in ways that ensure that safe vehicles with safe drivers and safe loads are on the roads at all times. This is a shared responsibility that requires everyone to do their part. For most states and territories, Chain of Responsibility is given effect through the Heavy Vehicle National Law (HVNL) which became operational in Australia from February 2014.

### WHERE DOES CHAIN OF RESPONSIBILITY APPLY?

Chain of Responsibility obligations apply to vehicle operations involving vehicles over 4.5 tonne.

Obligations are placed on parties in the chain in relation to:

- mass requirements
- load restraint requirements
- dimension requirements
- speed management
- fatigue management
- vehicle standards and maintenance
- employment and assignment of drivers
- permits and access
- heavy vehicle accreditation, and
- vehicle operations.

In the case of fatigue management, the law captures vehicles above 12 tonne, rather than above 4.5 tonne. Chain of Responsibility obligations also apply to the transport of dangerous goods under separate legislation.

All vehicles regardless of size will be subject to fatigue management.

### MASS AND DIMENSION LIMIT REQUIREMENTS

Coastal Transport must ensure that any vehicle that is loaded with its product or asset, is loaded in line with the Mass Limits of the vehicle.

Coastal Transport will provide the driver or nominated representative with all relevant mass information related to the load prior to loading, and in the case of pre-loaded vehicles, prior to departure.

The driver or nominated representative has the authority to request adjustments to the load if the driver is concerned with the weight of the load.

The gross mass of the load is required to be placed on the vehicle in line with legal and mass limits. As all vehicles are different and drivers know their vehicles best, the driver is responsible to direct the loader to position the load according to the vehicle's axle mass limits.

### LOAD RESTRAINT REQUIREMENTS

The safe loading of vehicles is vitally important in preventing injuries to people and damage to property. There are also economic benefits for the Company if the load arrives intact and without damage.

Every load that leaves a Coastal Transport site must be restrained in line with the National Transport Commissions Load Restraint Guide 2018. The load must be restrained to withstand forces of at least:

- 0.8 g deceleration in a forward direction

- 0.5 g deceleration in a rearward direction
- 0.5 g acceleration in a lateral direction

**And**

If friction or limited vertical displacement is relied on to comply with any of the above:

- 0.2 g acceleration in a vertical direction relative to the load.

Coastal Transport's position on the type of load restraint for each load may differ, however some standards are universally preferred:

- Certified load restraint curtains
- Certified headboards and sides on rigid vehicles
- Plastic angles not metal angles
- 2500kg rated web strapping, never ropes

If you are unsure of what the correct load restraint required for a vehicle or load type is, see your immediate manager.

### SPEED MANAGEMENT REQUIREMENTS

Coastal Transport will not pressure, direct or encourage at any time any driver to speed for any reason. We insist on safe work behaviour and speeding will not be tolerated.

The Company and its transport providers will ensure a robust approach to speed management that can incorporate but is not limited to the following controls:

- Regular consultation with drivers
- Reviewing of driving, work and trip records
- A program to report and monitor (GPS tracking where available or as directed) incidents of speeding and related risks and hazards
- Training and information for drivers, staff and parties in the Chain of Responsibility
- Regular maintenance of vehicle components that relate to complying with speed limits (speed limiters, speedometer, engine management systems)

### FATIGUE MANAGEMENT REQUIREMENTS

Fatigue can affect a person's health, reduce performance and productivity and increase the chance of a work place accident or road crash.

At Coastal Transport all parties in the supply chain must take all reasonable steps to ensure that any risks associated with fatigue are identified, minimised, controlled or eliminated.

Examples include but are not limited to:

- Drivers properly managing their work and rest and not driving if fatigued
- Ensuring trip schedules have sufficient flexibility and are reasonable
- Maintaining effective loading and queuing practices
- Ensuring that commercial arrangements do not incentivise the driver to break the law (eg. Driving excessive hours or speeding to meet deadlines)

### VEHICLE STANDARDS AND MAINTENANCE REQUIREMENTS

Owners and operators of any vehicle are responsible for ensuring that the vehicle is equipped and operated in accordance with any design and licensing requirements, conditions and standards.

Any vehicle used for the transport of goods or assets by road must be registered and maintained in a roadworthy condition and be subject to appropriate pre-trip roadworthiness and safety inspections.

Any driver must be appropriately qualified and licensed to operate any vehicle and equipment provided.

Any vehicle not in accordance with the foregoing should not be used to transport any goods or assets or driven on the road at all.

Any person or company responsible for operating a vehicle must ensure that the implementation of its maintenance management program is routinely monitored, and any non-conformance is investigated and remedied.

Any person or company responsible for a heavy vehicle must conduct at least an annually a re-assessment of the risks of non-compliance with maintenance management requirements and the control measures implemented as part of its maintenance management program.

#### HOW DO I KNOW IF I'M A PARTY IN THE CHAIN?

The table below outlines where parties other than the driver in the supply chain are allocated specific duties or have extended liability applied to them:

Party	Mass	Load	Dimension	Speed	Fatigue	Vehicle Operation
Employer	x	x	x	x	x	x
Prime Contractor	x	x	x	x	x	x
Operator of vehicle	x	x	x	x	x	x
Consignor of goods	x	x	x	x	x	
Packer of goods	x	x	x			
Loading Manager	x	x	x	x	x	
Loader	x	x	x		x	
Consignee (receiver) of goods	x	x	x	x	x	
Scheduler				x	x	
Unloader					x	

In addition to the parties identified above, executive officers and directors of corporations may be liable for breaches of certain provisions of the law.

It is important to understand that a person becomes a party in the chain by virtue of the function they fulfil, not by their job title.

CoR applies regardless of the employment status of the driver or operator, therefore, employees, sub-contractors and casuals are all captured.

#### PRIMARY DUTY

Section 26C of the Heavy Vehicle National Law introduces a primary duty as follows:

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 2b of the HVNL, 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.

## REASONABLY PRACTICABLE

The law recognises that there are limits to the control and influence of even the most diligent individual and organisation. That is why the obligations at 26C of the HVNL extend "so far as is reasonably practicable". Doing what is "reasonably practicable" does not mean doing everything conceivable to ensure safety. It means targeting effort by understanding the nature, likelihood and consequence of hazards and addressing them in proportionate ways.