

Heavy Vehicle Safety Verification

A ready-to-use item for councils discharging the executive due diligence duty under the Heavy Vehicle National Law

PURPOSE

To give the Committee a standing line of sight over heavy vehicle safety controls across the council's owned and contracted fleet, and to create the record an executive would rely on to demonstrate due diligence under the HVNL.

WHY THIS ITEM BELONGS WITH THIS COMMITTEE

- The HVNL due diligence duty attaches to executives personally, not only to the council as an entity. Its final element is verification — checking that controls are actually provided, used and functional at all times
- Contracting a service out does not contract the duty out. The council remains a Chain of Responsibility party for transport activities performed on its behalf.
- This Committee already exists to test whether controls hold up under scrutiny. No new structure is needed — only that heavy vehicle safety is reviewed as a distinct item rather than absorbed into general fleet reporting.

Recommended motion

That the Committee receive heavy vehicle safety as a standing item at least annually, and request management to report against the assurance questions below for both council-owned and contracted heavy vehicles, identifying any control for which verification evidence cannot currently be produced.

EVIDENCE TO REQUEST FROM MANAGEMENT

Management to complete for the Committee. The value of this table is in the blanks — any row that cannot be evidenced is the finding.

Assurance question	Owned fleet	Contracted fleet	Last verified
Number of heavy vehicles performing council transport activities, and who operates each			
Safety controls specified as mandatory, and where that specification is recorded			
Evidence that each specified control is fitted and functioning			
Who checks, how often, and the record of the last check			
What happens when a check fails or a control is found missing			
How safety expectations are set with contractors, and how compliance is verified			

SUGGESTED CADENCE

- Annually — full report against the questions above, ahead of the annual report attestation cycle.
- On change — a major heavy vehicle contract renewed or varied, or a significant acquisition.
- On incident — a heavy vehicle incident, near miss or regulatory contact.

What good looks like: not a policy document, but a current register naming each heavy vehicle, the controls specified for it, the evidence each is fitted, functioning, monitored, and when it was last checked and by whom — covering contracted vehicles on the same basis as owned ones.

REFERENCES

National Heavy Vehicle Regulator — Executive duty and due diligence; Regulatory Advice: Local Government as a CoR Party; HVNL Penalties and Infringements (July 2026). Amended HVNL commenced 1 August 2026; penalties indexed annually. Audit committee obligations differ by state: NSW (ARIC since 4 June 2022; risk management and internal audit from 1 July 2024); Victoria (LGA 2020 s 53 — all councils); Queensland (Brisbane City Council and “large” councils only).