

20 January 2021

Ass. Prof. Barry Watson
Independent Chairperson of the NRSPP
Monash University Accident Research Centre (MUARC)
Room G24, Building 70, Ground Floor
21 Alliance Lane
Clayton Campus

Dear Ass. Prof. Watson,

Re: Construction Logistics and Community Safety - Australia (CLOCS-A) Memorandum of Understanding, confirmation as a Steering Group Partner

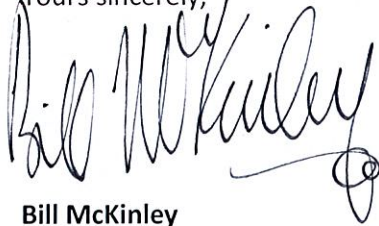
I am delighted to confirm that the Australian Trucking Association (ATA) is proud to commit to the CLOCS-A Memorandum of Understanding (MoU) [Finalised Version 1 December 2020](#) as a Steering Group (SG) Partner.

The MoU records the agreement between SG Partners to form a relationship to work together in improving road safety and the operational efficiency relating to the logistics of the construction of infrastructure projects. The SG will specifically act as a catalyst and champion to guide the establishment of CLOCS-A.

The ATA is a strong advocate for industry safety accreditation. The ATA owns and operates a comprehensive accreditation scheme (TruckSafe). Through this scheme the ATA sees strong evidence of the road safety outcomes that quality schemes realise for both trucking operators and all road users.

The CLOCS-A scheme has the potential to lower incident rates and increase industry safety. The ATA enters into this MoU in good faith with the goal that it provides direction and collaboration between partners from the SG and the Supporting Partners and works to assist the development and establishment of CLOCS-A in Australia.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Bill McKinley". The signature is fluid and cursive, with a large initial "B" and "M".

Bill McKinley

A/ Chief Executive Officer
Chief of Staff

MEMORANDUM OF UNDERSTANDING

amongst

Steering Group Partners for CLOCS-A

and

Supporting Partners

1. Preamble

Infrastructure projects significantly increase the number of heavy vehicle construction related movements within the existing road networks. Within a city environment, the increased heavy vehicle movements also increase the risk for interactions between these vehicles and vulnerable road users. As a result, the additional vehicle movements and often complex transport related logistics for these projects can increase the risks for vulnerable road users if not managed well.

Within the United Kingdom (UK), between 2008 and 2013, 55 per cent of cyclist fatalities in London involved a heavy goods vehicle. A disproportionate number of these were construction vehicles. In 2012 Transport for London (TfL) commissioned an independent review of the construction sector's transport activities to understand the causes of these collisions and how they might be prevented.

The resulting 'Construction Logistics and Cyclist Safety' (CLOCS) report was published in February 2013 by Transport Research Laboratory. In response to this report, the construction logistics industry demonstrated its commitment to change and identified actions in order to improve road safety which led to the establishment of a single standard.

Since the launch of CLOCS, the program and single code of practice has been identified as a world leading approach. CLOCS has expanded beyond London and across the United Kingdom (UK) due to its recognised benefits and evaluated success. The quality and standards of vehicles within the CLOCS program is maintained through TfL's Fleet Operators Recognition Scheme (FORS).

Within Australia a number of major city-based infrastructure projects are underway and those responsible for these projects are equally concerned about the risk for heavy vehicle and vulnerable road user (VRU) interactions. Currently Sydney Metro and Victoria's Major Transport Infrastructure Authority (MTIA) are leading Australian examples that have both individually applied portions of the CLOCS program to city projects.

The National Road Safety Partnership Program (NRSPP) has formed a Steering Group (SG) to adapt CLOCS to the Australian environment and provide a consistent approach for infrastructure construction projects to mitigate VRU risks.

By establishing CLOCS locally, infrastructure projects that identify an increase in risks to VRU arising from their projects would only have to refer to the CLOCS-A code within contract specifications; learnings are able to be shared as they occur; collaboration can occur on key issues; and ensure the standard remains aligned with world's best practice through biannual video conferences between CLOCS and CLOCS-A. Without such an approach, as an example, contracts relating to heavy vehicle specifications would be locked at the time of signing whereas a CLOCS-A reference can ensure safety specifications can evolve.

The SG is seeking to be a catalyst that will guide the establishment of CLOCS-A which operate nationally benefiting industry, the community and government. To achieve this, the SG will identify an organisation to deliver CLOCS-A, and when such an organisation is identified the management of CLOCS-A will be transferred as will the MoU.

2. Purpose

CLOCS-A is to be based on CLOCS whilst being more specific to issues in Australia.

This Memorandum of Understanding (MoU) records the agreement between SG Partners to form a relationship to work together in improving road safety and the operational efficiency relating to the logistics of the construction of infrastructure projects.

To this end, each party of the SG:

- Acknowledges the origins of CLOCS which led to the development of CLOCS-A
- Has agreed to aligning, collaborating, and sharing
- Will be recognised for their contribution
- Has agreed that this alignment is in good faith and that the intention is that these activities will continue regardless of who hosts the code
- Has agreed to align with the Fleet Operator Recognition Scheme (FORS) Standard as an auditing guideline when CLOCS-A is specified for relevant projects
- Agrees that the CLOCS-A standard will be developed in conjunction with industry and key stakeholders and adopted.

This MoU provided includes a Supporting Party (SP) Tier which includes the ability for other stakeholders to express their support for the establishment of CLOCS-A. SP must provide a letter of Commitment (Please refer to Appendix 1 for generic version of the letter) which is reviewed prior to approval by the SG.

3. Mechanism

The parties enter into this MoU in good faith with the goal that it provides direction and collaboration between partners from the SG and SP.

To this end:

- The MoU represents a common understanding of alignment, collaboration and sharing between FORS, CLOCS and CLOCS-A programs.
- The MoU is made in good faith between the partners of the SG.
- All discussions between the parties shall be held confidential unless agreed otherwise by each party.
- Each party recognises that the development of CLOCS-A is currently being led by the SG partners.
- Each party agrees to establishing a technical point of contact to help facilitate the exchange of knowledge, who will be proactive, grow the local knowledge base and seek to help establish CLOCS-A.
- SP partners will formally apply through Appendix A and be confirmed by the SG
- Each party agrees to explore opportunities for sharing and collaboration including but not limited to:
 - Personnel exchange / secondment
 - Direct communications
 - Provision of documents
 - Technical support
 - Sharing of innovation
 - Stakeholder contacts and feedback
 - Projects
 - Research
 - Evaluation mechanisms
- SG Partners will provide formal letters of support for CLOCS-A which will be posted on the NRSP and CLOCS-A website.
- The MoU can include new SG partners if they apply to join the SG and approved by the current partners.

4. Operation

This MoU is effective as of the date of execution by the appropriate officer of each party, and will remain in force until a decision by the majority of the SG not to continue is agreed or a party chooses to withdraw. It is understood that this MoU merely constitutes a statement of the parties' mutual intentions with respect to the contents of the MoU and each party represents to the other that:

- a) It does not constitute an obligation binding on either party;
- b) It creates no rights in favour of either party.

Nothing in this MoU commits any partner of the SG to insure or otherwise protect the other party. Issues of liability, intellectual property and similar legal matters are to be subjects of project or case specific agreements.

The MoU may be amended at any time by mutual consent of the majority of the SG and shall be reviewed on an annual basis.

5. Auditing

The parties that enter this MoU are agreeing to an auditing requirement at least equal to that of the FORS Standard. FORS is a voluntary accreditation scheme that promotes best practice for commercial vehicle operators. FORS includes all aspects of safety, efficiency, compliances and environment protection through encouraging and training fleet operators to measure, monitor and improve performance. FORS provides accreditation pathways for operators of any type, and for those organisations that award contracts and specify transport requirements. Its purpose is to raise the level of road safety and quality with fleet operations, and to demonstrate which operators are achieving the standard.

6. Agreement

The MoU is agreed between the following SG Partners who provided letters of commitment:

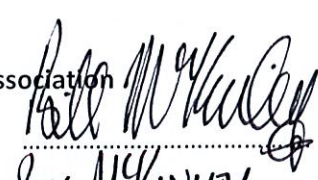
NRSPP Independent Chair – currently leading SG

Date Signed
By Name of Officer
Position Held
Link to Letter

Amy Gillett Foundation

Date Signed
By Named of Officer
Position Held
Link to Letter

Australian Trucking Association

Signed 
By Name of Officer *Bill McKinley*
Position Held *ATG CEO*
Link to Letter

Major Transport Infrastructure Authority

Signed
By Named of Officer
Position Held
Link to Letter

Monash University Accident Research Centre

Date Signed
By Name of Officer
Position Held
Link to Letter

Transport for NSW

Date Signed
By Named of Officer
Position Held
Link to Letter

Sydney Metro

Date Signed
By Name of Officer
Position Held
Link to Letter

Transport for London

Date Signed
By Named of Officer
Position Held
Link to Letter

Truck Industry Council

Date Signed
By Name of Officer
Position Held
Link to letter

Victorian Department of Transport

Date Signed
By Named of Officer
Position Held
Link to Letter

The following lists the MoU SP:

Organisation 1

Date Signed

By Name of Officer

Position Held

Link to letter

Organisation 2

Date Signed

By Named of Officer

Position Held

Link to Letter

Appendix 1 – Supporting Partner Application

Preamble

This MoU will be a live document to reflect the growth of Supporting Partners (SP).

To be included in the MoU SP's must provide a Letter of Commitment which will be reviewed by the SG and once approved the organisation will be added to the MoU. A generic example can be found over the page.

SP may highlight in the letter of Commitment to the MoU how they wish to contribute such as feedback on content provided, attend CLOCS-A forums, commitment to implement CLOCS-A when it comes on line, share stories, act as champions, shared learnings, etc.

What are our expectations of SPs – use it or lose it.

Criteria to become a Supporting Partner:

- *Organisations engaged in related activities of major construction projects*
- *Groups representation VRUs*

If you fail to play you can be dropped off if determined by the SG partners.

Supporting Partner (SP) are recognised as stakeholders that support the SG in seeking to adapt CLOCS to Australia.

An SP will:

- receive regular digital progress updates of CLOCS-A commencing once the MoU has been finalised by the SG,
- be invited to CLOCS-A related events
- be Invited to join technical groups
- acknowledged as part of the CLOCS-A collaboration

The following is a letter template for CLOCS-A Supporting Partners to help guide their application which should be sent to the Director of the National Road Safety Partnership Program (NRSPP), Jerome Carslake via email Jerome.carslake@monash.edu