

# Local Government Model Clause Implementation



Department  
of Transport  
and Planning

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Construction Trucks & Community Safety Model Clauses

## Overview and purpose

This document explains how councils can improve road safety of construction vehicles by including appropriate clauses in their construction and other relevant contracts, to keep the public safe around construction sites. The model clauses are provided under the Appendix to this document and cover truck safety features, driver training, traffic management planning around vulnerable road users and route selection.

We engaged with Councils to consider how the model clauses could be adopted into various Council activities, including construction contracts and their other truck related business. We received input from a broad range of council officers, including representatives from procurement, engineering, sustainable transport and project management.

The purpose of this overview is to demonstrate how councils might embed the model clauses into their relevant contracts.

## Project background and broader objective

The *Construction Trucks and Community Safety* project is a multi-stakeholder project supported by Road Safety Victoria, within the Department of Transport and Planning, Victoria. Project partners include Municipal Association Victoria (MAV), Bicycle Network, Transurban and Traffic Accident Commission (TAC). A key objective of the project is to encourage the use of the model contract clauses to uplift community safety during construction, and other truck-related projects.

## Where to begin?

There are various possible pathways for embedding the model clauses into local government contracts. As a start, we suggest convening a working group to discuss the possible pathways for embedding the model clauses into your council's relevant contracts. The working group should include representatives from the development permits team (or similar), engineering (including road reconstruction), procurement and active transport. All model clauses are included in the Appendix and on the project page on the [Transport Victoria website](#).

## Possible Model Clause Implementation Options

The below table provides some possible options for your working group to consider.

Pathways	Areas of council involved	Possible officers involved	Applicable clauses	Comments
<b>Council owned contracts</b>				
<b>WASTE</b>				
<b>Cleansing contracts</b>	Cleansing department, procurement department.	Project officers, procurement officers, project managers.	All	The contract is on a particular renewal timescale, so check when next procurement activity is due to commence and how best to influence that contract. Include clauses from tender stage onwards.
<b>Waste management contracts</b>	Road maintenance department, procurement department.	Project officers, project managers, procurement officers.	All	The contract is on a particular renewal timescale, so check when next procurement activity is due to commence and how best to influence that contract. Include clauses from tender stage onwards.
<b>Street cleaning contracts</b>	Road maintenance department, procurement department.	Project officers, project managers, procurement officers.	All	The contract is on a particular renewal timescale, so check when next procurement activity is due to commence and how best to influence that contract. Include clauses from tender stage onwards.

Pathways	Areas of council involved	Possible officers involved	Applicable clauses	Comments
<b>CONSTRUCTION</b>				
<b>Road/building/park construction contracts</b>	Road construction department, Open Space Planning, procurement department	Procurement officers, engineers, open space planners, active transport officers.	All	Include clauses from tender stage onwards. Write clauses into construction contracts.
<b>Development contracts</b>	Development Engineering Team, Development permits team, procurement department.	Development engineers, project officers, procurement officers.	All	Include clauses from tender stage onwards. Write clauses into contracts.
<b>Urban design contracts</b>	Urban design team, Engineering team, procurement department.	Development engineers, urban planners, procurement officers.	All	Include clauses from tender stage onwards. Write clauses into contracts.
<b>Civil Infrastructure Services contract</b>	Project managers, procurement department, civil works team.	Project officers, project managers, procurement officers.	All	Include clauses from tender stage onwards. Write clauses into contracts.
<b>All other large scale project contracts including major events</b>	Project managers, procurement department.	Project officers, engineers, active transport officers, project managers, procurement officers.	All	The renewal process of these major project contracts may present a timely opportunity to update the contracts via embedding the clauses. Include clauses from tender stage onwards.
<b>VEHICLE PROCUREMENT</b>				
<b>Fleet contracts/policies</b>	Project/fleet management team, procurement officers, risk assessment team.	Fleet manager, project managers, project officers, procurement officers, safety officers.	All	Purchasing of new vehicles i.e. waste vehicles, heavy machinery, or review of current fleet vehicles in relation to retrofitting the standards/clauses.

Pathways	Areas of council involved	Possible officers involved	Applicable clauses	Comments
				<p>Include clauses from tender stage onwards.</p> <p>Note: check with Municipal Association of Victoria MAV procurement group regarding national truck purchasing panel and standards they meet.</p>
<b>Weighting of prospective suppliers in procurement evaluation process</b>	Project management team, procurement department.	Procurement officers.	All	<p>Include clauses from tender stage onwards. Could consider introducing a percentile requirement e.g. 10% of the fleet are required to adopt the key truck safety features, and this portion of trucks are used in high VRU activity/suburban areas (particularly relevant if regional/rural Shire).</p>
<b>OTHER</b>				
<b>Training for heavy vehicle operators within council</b>	All those that employ heavy vehicle drivers.	Training and operations departments to influence internal works, waste, events, areas where drivers employed.	Driver training	Run internal driver training using resources on project <a href="#">webpage</a> .
<b>Broader route selection training</b>	For staff involved in strategic planning for bicycle routes, pedestrian routes, road closures.	Training department, strategic planning branch management.	Route selection tool (HIRA)	Run internal staff training using resources on project web page.
<b>Permits for Council works</b>	Permits team, development permits team, transport team.	Permit officers, active transport officers.	Driver training	Write clauses into permits for works undertaken by Council.

Pathways	Areas of council involved	Possible officers involved	Applicable clauses	Comments
<b>Influencing external parties</b>				
<b>PERMITS</b>				
<b>Permit process for traffic management applicants</b>	Permit department	Permit officers, active transport officers.	Traffic management clause and route selection clause	Some councils are currently undertaking training in traffic management control - (RIIWH205E), (RIIWH302E). Make them familiar with model clause and resources. Write traffic management clause into permit requirements.
<b>Permit process for events</b>	Major Events Team	Events officers, project officers.	Traffic management, truck standards and truck driver training	Write clauses into permits.
<b>Planning permits for developments</b>	Development permits department, Building and Planning Team, Development Engineering team.	Development engineers, project officers, active transport officers.	All	Write clauses into permits.
<b>Consent for works permit</b>	Development permits department, Building and Planning Team, Development Engineering team.	Development engineers, project officers, active transport officers.	All	Write clauses into permits.
<b>Road Reserves permit</b>	Road construction department, procurement department.	Procurement officers, engineers, active transport officers.	All	Write clauses into permits.
<b>DEVELOPERS</b>				

Pathways	Areas of council involved	Possible officers involved	Applicable clauses	Comments
<b>Construction management plans</b>	Road construction department, development permits department, permit department.	Engineering, permit officers, active transport officers, project officers.	All	Write clauses into plans.
<b>Standard Memorandum of Authority (MOA)</b>	Procurement department.	Procurement officers.	All	Write clauses into MOA.
<b>Code of Practice for Building, Construction and Works</b>	Building and planning team, development permits department, procurement department.	Development engineers, project officers, procurement officers.	All	Write clauses into Code of Practice.
<b>Educating the Community about trucks</b>				
<b>Community education messages</b>	To local communities	Via communications department and Council channels	Key community road safety messages	Available for use from web page: animations, tiles, community animations.

**Key Council options:**

- Ensure all Development Plans/Consent for Works incorporate model clauses
- Ensure all Capital Works contracts incorporate model clauses
- Ensure all traffic management permits incorporate relevant clauses
- Ensure all services/activity that involves truck movements requires the truck safety features and truck driver training to be incorporated and made into standard practice
- Educate the community about how to stay safe near trucks

## Supportive resources

Through the *Construction Trucks and Community Safety* project, a range of resources are available to assist you with embedding the contract clauses and uplifting public safety during construction projects. These include the Human Impact Route Selection tool, toolbox talks for truck drivers and various case studies.

All project resources can be found on the *Construction Trucks and Community Safety* [webpage](#) on the Transport Victoria web site.

## Contacts

Please reach out to [roadsafetyvictoria@transport.vic.gov.au](mailto:roadsafetyvictoria@transport.vic.gov.au) for more information on the project and resources.



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## Appendix – Model Clauses

### **Truck Safety Features**

#### Safe Vehicles – Specialist VRU Equipment

Ensure heavy vehicles used in the carrying out of contract activities:

1. have side under-run protection;
2. have front, rear and side blind-spots eliminated or minimised through the use of direct and indirect vision aids, sensors and audible or visual driver alerts;
3. have audible means of warning other road users of a left-turn manoeuvre; and
4. have prominent signage on the vehicle warning cyclists and other road users of the dangers of manoeuvring past the inside of the vehicle or getting too close to the vehicle.
5. use fluorescent and retroreflective tape to outline the body of the truck and trailer, and increase the visibility of the drawbar.
6. use trucks that meet a minimum of Euro 4, but preferably Euro 5 or above standard.

### **Driver Training**

#### Safe People – Training

Heavy vehicle drivers working on the Major Construction undertake training and continuous professional development covering the safety of VRU and on-road hazard awareness. The training is to include a mix of theoretical, practical and on the job training.

### **Traffic Management Planning and vulnerable road users guideline**

#### Safe Traffic Management – Improve Standards to Accommodate Vulnerable Road Users

Ensure the highest standard of traffic management planning that follows all standards required, to provide for safe and secure movement of vulnerable road users around every work site.

### **Route Selection**

Undertake route selection workshops using the Human Impact Route Assessment (HIRA) tool, in order to investigate the impact of different routes on vulnerable road users (VRU) and examine community impacts. Avoid routes that go through areas of high VRU use where possible or implement suitable protection mechanisms.