1. PURPOSE AND SCOPE

The road transport heavy vehicle “Chain of Responsibility” (CoR) recognises that a number of different participants in each road transport ‘chain’ can influence and direct driver’s on-road behaviours, and the state of the heavy vehicle being driven. For this reason, under the Heavy Vehicle National Law, a number of the parties in the road transport ‘chain’ are given responsibility for either:

- Complying with their specific obligations under the laws; or
- Taking all reasonable steps to ensure that other parties in the road transport ‘chain’ achieve compliance and are not encouraged or incentivised to break the law.

The procedure applies to all Lend Lease’s Engineering business (Engineering) operations and all persons working under the supervision or control of Engineering personnel.

Generally speaking, CoR compliance requires duty-holders to address the following four main areas:

- **The load**: ensuring the load is not in excess of the heavy vehicle’s capacity and that it is properly restrained (i.e. mass, dimension and loading);
- **The vehicle**: ensuring that the heavy vehicle is properly maintained and roadworthy;
- **The driver**: ensuring that the driver is not fatigued when driving the heavy vehicle; and
- **The public**: ensuring that the heavy vehicle is not induced or encouraged to speed while on the road, endangering the driver and other members of the public.

The parties in the road transport ‘chain’ include Employers, Loaders, Loading Managers, Consignees, Schedulers and others. Importantly, Engineering entities may perform more than one role in a particular heavy vehicle ‘chain’.

As part of compliance with the core legislative requirements, there is a statutory obligation to obtain and comply with appropriate licences, permits, approvals and notifications. At all times Engineering will hold (and ensure its Service Providers and workers hold) all required licenses, permits, approvals, certificates and registrations.

Under this Procedure and using the resources referred to in this Procedure, Engineering will manage any specific obligations it owes and take reasonable steps to ensure broader CoR compliance in a particular transport ‘chain’. Engineering is committed to acting consistently with community expectations and the standards of civil construction industry participants of its type.

2. DEFINITIONS

For general definitions refer to LLE600A Glossary of Definitions.

CoR
Chain of Responsibility.

HVNL
Heavy Vehicle National Law.

Consignor/Dispatcher
Dispatches good for delivery.

Consignee/Receiver
Orders and/or accepts the goods being delivered.

Loader/Unloader
Loads/unloads goods into/from the vehicle.

Loading Manager
Where goods are loaded or unloaded at regular loading or unloading premises for heavy vehicles, the person who:

- manages the premises; or
- has been assigned by the usual manager of the premises to be responsible for supervising, managing or controlling, directly or indirectly, activities carried out by a loader or unloader of goods at the premises.

Prime Contractor / Carrier / Operator
Operates and/or manages the business dispatching goods.

Scheduler
Schedules the transport of passengers or goods by road and the work times and rest times of the vehicle’s driver.

Employer (for the purpose of CoR)
A person who engages someone else to drive a regulated heavy vehicle.

3. REFERENCES

3.1. Legislative Requirements
The following general core statutory requirements apply to the CoR obligations on the project:

- Heavy Vehicle National Law (HVNL);
- Heavy Vehicle (General) National Regulation;
- Heavy Vehicle (Fatigue Management) National Regulation;
- Heavy Vehicle (Mass, Dimension & Loading) National Regulation;
- Heavy Vehicle (Vehicle Standards) National Regulation;
- Work, Health and Safety laws and regulations;
- LLE601 Safety Risk Management; and
- LLE105 Record Filing and Archiving.

Copies of the relevant Legislation, Codes of Practice, Australian Standards, Publications and Guides can be obtained from the relevant government websites (e.g. National Heavy Vehicle Regulator https://www.nhvr.gov.au/).
4. METHOD

4.1. Engagement of CoR Service Providers

Engineering will establish and maintain a list of prequalified CoR Service Providers based on the competency of and the frequency with which a Service Provider is engaged by Engineering. LLE626C CoR Compliance Audit Checklist will be used to assess suitable Service Providers at the National and Regional level prior to placing them on Engineering’s prequalification list. The list of prequalified Service Providers will be made available to projects.

Where possible, projects shall engage prequalified Engineering CoR Service Providers in preference to non-prequalified providers.

To become an Engineering prequalified CoR Service Provider:

- LLE626B Communication to Service Provider and LLE626C CoR Compliance Audit Checklist will be provided to the Service Provider;
- Prior to commencing operations for Engineering the Service Provider must complete a self assessment of CoR compliance using LLE626C CoR Compliance Audit Checklist and provide Engineering with the completed checklist and all referenced CoR documentation;
- Engineering must review the documentation for compliance with CoR and site requirements using the same CoR Compliance Audit checklist;
- If the CoR documents are considered non-compliant or inadequate by Engineering, the Service Provider, in consultation with Engineering, is to rectify any issues and resubmit the CoR documentation prior to commencing operations for Engineering;
- Once approved for prequalification, Engineering projects can engage the Service Providers; and
- Service Providers will be reassessed annually for prequalification using the CoR Compliance Audit checklist.

Where a Project Director/Project Manager of a project undertakes to use a non-prequalified CoR Service Provider, the project team must, prior to engaging the Service Provider, carry out a full assessment of the Service Provider’s CoR capabilities using the LLE626C CoR Compliance Audit Checklist to ensure their systems and processes are compliant with CoR and site requirements. Where the Service Provider’s systems and documents are considered non-compliant or insufficient by the project team, Engineering may provide guidance to the Service Provider to achieve compliance with CoR obligations.

Non-prequalified CoR providers can only be engaged by the project after they have successfully satisfied this process. Acceptance of a Service Provider onto a project does not qualify the Service Provider for the national prequalification status.

All audit findings will be recorded in Enablon and any non-conformance tracked until successfully closed out. This audit information will be made available to the Engineering business as required.

LLE626 Attachment 2 Process Map 1 Prequalification of CoR Service Provider Process and LLE626 Attachment 3 Process Map 2 Engagement of Non Prequalified Service Providers Process details the different processes involved when engaging prequalified and non-prequalified Service Providers. In particular, the CoR Process Map indicates the steps that Engineering will take to ensure that the CoR documentation provided by the Service Provider is compliant with the HVNL and sufficient for the purposes of carrying out the works.

Contractual Documentation

Depending on the works required to be undertaken, Engineering will engage the Service Provider using one of the following contracts:

- A short form contract (already standardised as part of the Engineering General Conditions);
- A long form contract haulage contract (provided to non-prequalified Providers).
The contracts set out the key CoR obligations of the Service Provider while undertaking haulage works on the project.

4.2. Risk Management

Preparation of LLE626A Integrated CoR Project Risk Register

The LLE626A Integrated CoR Project Risk Register documents the risk assessment process undertaken by the project team. It is a dynamic document, to be:

- Developed prior to the commencement of any construction activities on site;
- Reviewed and updated at least monthly and when changes take place to the road supply chains/the legislation (whichever is more frequent).

The Integrated CoR Project Risk Register will be used to record and manage all HVNL CoR risks in respect to each ‘chain’ within the project and will also include any residual risks identified at the bid stage. It will identify the road supply ‘chains’, roles, responsibilities, specific risks and appropriate controls to manage, reduce or mitigate these risks.

The Integrated CoR Project Risk Register process is systematically divided into the seven (7) steps as follows:

1. Identification of particular road transport chains in the project;
2. Allocation of responsibilities within the chain;
3. Undertaking a risk assessment by making an evaluation of the level of risk using the CoR Risk Register;
4. Identification of appropriate risk controls using LLE626 Attachments 4.1, 4.2, 4.3, 4.4 Bow Ties, LLE626 Attachments 5.1, 5.2, 5.3, 5.4 CoR Guidelines, LLE626 Attachment 6 Specific CoR Compliance Measures and additional site specific control measures as required;
5. Development and implementation of an Action Plan for each chain;
6. Consultation and communication with Service Providers; and
7. Change management (e.g. change of Provider, source or site conditions).

These steps will be repeated as part of an ongoing process throughout the project delivery.

STEP 1: IDENTIFICATION OF THE ROAD TRANSPORT ‘CHAINS’ IN THE PROJECT

The project team will identify each road transport chain which will be involved in the project.

For example, the project team may identify that, during the project, heavy vehicles will be used in the transport of earth from site, or the delivery of steel and concrete to site.

Each of the identified road transport chains must then be documented in the LLE626A Integrated CoR Project Risk Register.

STEP 2: ALLOCATION OF RESPONSIBILITIES WITHIN THE ‘CHAIN’

a) Identification of Engineering’s role within each ‘chain’

The project team will identify which roles Engineering is to perform in respect of each of the ‘chains’.

For example, Engineering may perform the role of:

- The Consignor, Loader, Loading Manager and Scheduler in the case of the transport of excavation spoil from site, or merely
- The Consignee for deliveries of a third-party produced and transported structure or other materials.

In order to undertake this assessment, the project team will refer to the LLE600A Glossary of Definitions and LLE626 Attachment 1 CoR Responsibilities Matrix.

b) Identification of the roles of other parties within the ‘chain’

The project team will also identify the roles that the other parties in the ‘chain’ are to perform.
STEP 3: UNDERTAKING A RISK ASSESSMENT

In respect of each ‘chain’ on a particular project, Engineering will undertake ongoing assessment of:

a) The risks of CoR breaches occurring within that ‘chain’ and the potential consequence if it does occur;
b) The degree to which Engineering has the ability to reduce these risk of breaches occurring (and the specific role it performs in relation to those risks, and the control it may have (if any) in relation to them); and

c) Whether there are any controls or specific measures available to mitigate these risks (see step 4 for further information).

The risk assessment will be undertaken in accordance with LLE601 Safety Risk Management.

This risk assessment process is to be undertaken:

- Prior to the commencement of any CoR activities on site;
- On a monthly basis thereafter, or when changes take place to the road transport chains on the project (whichever is more frequent).

The risk assessment process will also be revisited if there are any changes in the HVNL.

Generally speaking, the following factors in Table 1 below will impact the relative risk rating to be applied to a particular supply chain:

**Table 1**

<table>
<thead>
<tr>
<th>CoR Initiating Event</th>
<th>Factors to be Considered</th>
</tr>
</thead>
</table>
| Non-compliant load mass, distribution or size         | - Prequalification status of Service Provider  
- Oversize element                                     |
|                                                       | - Requirement for transport permit                                                      |
|                                                       | - Frequency                                                                             |
|                                                       | - Route                                                                                 |
|                                                       | - Low Structures on route                                                               |
|                                                       | - Viscosity of material                                                                 |
|                                                       | - Site conditions for loading/unloading                                                 |
|                                                       | - Methodology to confirm mass                                                          |
|                                                       | - Vehicle type and condition                                                           |
|                                                       | - Driver accredited in load restraint for HV                                           |
|                                                       | - Load distribution of container                                                       |
| Uncontrolled movement of load during transport        | - Prequalification status of Service Provider  
- Oversized or unusual element                          |
|                                                       | - Vehicle type and condition                                                           |
|                                                       | - Load restraint design                                                                 |
|                                                       | - Driver accredited in load restraint for HV                                           |
|                                                       | - Site conditions for loading/unloading                                                 |
| Scheduling resulting in driver fatigue or incentive to| - Prequalification status of Service Provider  
- Fatigue Management Plan available                      |
| speed                                                 | - Distance to/from site                                                                |
|                                                       | - Site working hours                                                                    |
|                                                       | - Driver behaviour                                                                      |
|                                                       | - Site conditions for loading/unloading                                                 |
|                                                       | - Potential for delays to/from site                                                    |
|                                                       | - Potential for delay at site                                                          |
|                                                       | - Access to suitable rest areas en route or at site                                    |
| Mechanical failure of heavy vehicle                   | - Prequalification status of Service Provider                                          |
STEP 4: RISK CONTROL

When undertaking the risk assessment and developing the LLE626A Integrated CoR Project Risk Register, the project team will use the following technical resources as reference tools to identify control measures for CoR activities:

- CoR Bow Ties which provide information on the minimum control measures to manage the risks associated with each chain;
- LLE626 Attachment 6 Specific CoR Compliance Measures which provides detail for the control measures identified in the relevant Bow Tie.

The LLE CoR Bow Ties include:

- LLE626 Attachment 4.1 Load Restraint;
- LLE626 Attachment 4.2 Mass, Dimension and Loading;
- LLE626 Attachment 4.3 Vehicle Inspection and Maintenance; and
- LLE626 Attachment 4.4 Fatigue and Speed.

These LLE CoR Bow Ties visually present:

- The causes of an incident/breach of the HVNL;
- The system preventative and mitigating control measures which may be available to prevent or reduce the risk of the incident/breach occurring; and
- The consequences of an incident/breach if it does occur.

The project team must also identify:

- Any additional site specific measures deemed appropriate to further minimise exposure to CoR breaches and incidents;
- The frequency of CoR inspections. The frequency of these inspections will be determined by the risk identified for the activity being undertaken;
- Those responsible for ensuring controls are implemented; and
- Requirement for third party verification.

The project team will record these control measures in the project’s LLE626A Integrated CoR Project Risk Register.

A review of the effectiveness of controls for a ‘chain’ will be carried out through the inspection and monitoring process (refer to Section 3).

STEP 5: DEVELOPMENT AND IMPLEMENTATION OF ACTION PLAN

Having carried out the assessment of a ‘chain’, the Project Manager/Project Director or nominated person will develop and implement an Action Plan specific to that ‘chain’. The Action Plan sets out the specific controls and measures that will be implemented by Engineering to manage the CoR risks identified for the ‘chain’ and the key people responsible for the implementation of those control measures.

The close out of the actions will be reviewed and monitored monthly by the Project Director/Project Manager as part of their regular management review.

Refer to tab in LLE626A Integrated CoR Project Risk Register.
LLE626 Chain of Responsibility Compliance

STEP 6: CONSULTATION AND COMMUNICATION WITH SERVICE PROVIDERS

Consultation
Consultation with Service Providers will require that:

- Relevant CoR information is shared;
- Reasonable opportunity is provided to express their views;
- Reasonable opportunity is provided to contribute to the decision making process;
- Views are taken into account before making a decision; and
- Outcomes are advised in a timely manner.

Communication
The project team will coordinate with the Service Providers of a ‘chain’ to ensure that the control measures set out in the Action Plan are effectively communicated and agreed on in a timely manner.

STEP 7 CHANGE MANAGEMENT
The LLE626A Integrated CoR Project Risk Register and Action Plan are dynamic documents and will be reviewed for effectiveness on a monthly basis by the Project Director/Project Manager and amended where required to take account for:

- Where a new road transport ‘chain’ is identified or required;
- Changes of key Service Providers in the ‘chain’;
- Significant proposed changes to the project scope;
- Where the risk assessment is no longer valid or a revaluation of existing controls is required;
- Following any potential or actual incident with critical consequences;
- Any adverse audit findings or where non-conformance is identified;
- Identified lessons learnt or changes in best industry practice; and
- Where there are changes to legislation, Regulations, Codes or Guidelines.

Changes to the LLE626A Integrated CoR Project Risk Register will be communicated to relevant parties in the ‘chain’.

4.3. Monitoring and Inspection

4.3.1. CoR Inspections and Observations
CoR observations will be undertaken in accordance with LLE603 Safety Inspections and Observations using LLE603F Observation Report. Identified CoR hazards and breaches will be recorded into Enablon, with actions closed out as specified by the agreed allocated timeframes.

The level and frequency of monitoring for CoR compliance will be determined by the Project Director/Project Manager through the risk assessment process and will be undertaken by a suitably nominated person/persons.

Table 2

<table>
<thead>
<tr>
<th>CoR Initiating Event</th>
<th>Frequency of Inspection</th>
<th>Inspection Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>Non-compliant load mass, distribution or size.</td>
<td>High Risk - 7% of heavy vehicles arriving at/ departing from the site.</td>
<td>LLE626D.1 CoR Inspection Form A</td>
</tr>
<tr>
<td></td>
<td>Medium Risk - 5% of heavy vehicles arriving/ departing from the site.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Low Risk - 1% of heavy vehicles arriving at/ departing from the site.</td>
<td></td>
</tr>
</tbody>
</table>
### CoR Initiating Event

<table>
<thead>
<tr>
<th>CoR Initiating Event</th>
<th>Frequency of Inspection</th>
<th>Inspection Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>Uncontrolled movement of load during transport.</td>
<td>High Risk - 7% of heavy vehicles arriving at/ departing from the site.</td>
<td>LLE626D.1 CoR Inspection Form A</td>
</tr>
<tr>
<td></td>
<td>Medium Risk - 5% of heavy vehicles arriving at / departing from the site.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Low Risk - 1% of heavy vehicles arriving at/ departing from the site.</td>
<td></td>
</tr>
<tr>
<td>Scheduling resulting in driver fatigue or incentive to speed.</td>
<td>As determined though the risk assessment by the Project Director/Project Manager.</td>
<td>LLE626D.2 CoR Inspection Form B</td>
</tr>
<tr>
<td>Mechanical failure of heavy vehicle.</td>
<td>As determined though the risk assessment by the Project Director/Project Manager.</td>
<td>LLE626D.2 CoR Inspection Form B</td>
</tr>
</tbody>
</table>

Inspection findings will be entered into Enablon and closed out as specified by the agreed allocated timeframes.

#### 4.3.2. Auditing

The following resources will be used by Engineering when conducting audits of the Service Providers on any project:

- The implementation of the this Compliance Procedure will be verified within the initial three (3) months of the project start up;
- Ongoing system audits will be carried out in line with the project system audit schedule.

Additional audits of the project CoR compliance that may be required or requested will be completed, where possible, by auditors independent of the project.

#### 4.4. Training and Licences

At the commencement of a project a documented Training Needs Analysis of the project skills and training needs for CoR will be undertaken and actioned by the Project Director/Project Manager.

The project will ensure that appropriate training is provided to Engineering personnel and Service Providers, depending on their role and their ability to influence specific CoR issues. The purpose of such training is to ensure that all personnel involved in operations that may impact on CoR compliance by Engineering or another party are made aware of the CoR requirements. Records of the training will be maintained.

This training will occur:

- Initially, when the procedures are implemented;
- When procedures are updated refreshing their knowledge;
- In the event legislation changes causing material change to the requirements and
- At intervals deemed necessary by the project.

The following training will be provided to identified target groups:
CoR Introductory Training
Objectives include gaining an understanding of the:

- Fundamentals of CoR legislation;
- Risks of Fatigue and Speed;
- Risks of Load Restraint;
- Risks of Mass, Dimension and Loading;
- Roles and responsibilities within CoR;
- Liability and penalties for breaches of CoR; and
- This LLE626 CoR Compliance Procedure.

CoR Load Restraint Training
Objectives include:

- Gain a basic understanding of load restraint;
- Understand the danger of poor load restraint;
- Understand the technical impacts of load restraint; and
- Undertake load process inspections and audits.

Training / Information Resources
Training and information resources available include:

- LLE600A Glossary of Definitions - Provides guidance on the nature and role of specific parties within the ‘chain’, as defined in the NHVL.
- LLE626 Attachment 6 Specific CoR Compliance Measures - Provides information on specific CoR compliance measures in accordance with the requirements of the NHVL that projects must implement for load mass, dimension, loading, restraint, fatigue, speed, heavy vehicle inspection and maintenance.
- LLE626 Attachment 1 CoR Responsibilities Matrix - Sets out the various roles that Engineering may perform within a road supply ‘chain’ and the key responsibilities it owes in respect of each of those roles.
- CoR Guidelines - The CoR Guidelines provide detailed information about site specific control measures to manage the risks associated with each ‘chain’. The available Guidelines include:
  - LLE626 Attachment 5.1 Load Restraint;
  - LLE626 Attachment 5.2 Load Mass, Dimension and Loading;
  - LLE626 Attachment 5.3 Vehicle Inspection and Maintenance; and
  - LLE626 Attachment 5.4 Fatigue and Speed.
- LLE626 Attachment 7 Frequently Asked Questions (FAQ): This document is available to all Engineering personnel and contains:
  - A series of questions and answers on fatigue management, speed management, mass, dimension, loading, prosecution and penalties under the HVNL;
  - Examples and scenarios to provide practical guidance to Engineering personnel when undertaking CoR obligations on the project.

Any CoR questions raised on the project should be discussed with the Project Director/Project Manager for response and included in the FAQ document for broader communication throughout the business.

Licences
Heavy vehicle drivers will hold a copy of the appropriate class of driver’s licence for the heavy vehicle and provide a copy of the current licence at the site induction. Where a medical assessment is required for a class of driver’s licence, evidence of such completed assessments will be requested from the Operator.

Drivers of heavy vehicles will be required to demonstrate competence in their understanding of the CoR requirements (including fatigue). Where the driver(s) are contracted by Engineering, Engineering will require the Operator to supply evidence that their personnel’s training is current.
5. **REPORTING**

**Compliance Reporting**
The Project Manager is required to report monthly on CoR conformance using Enablon data collated from inspections, observations and events.

**Breach Reporting**
Service Providers must also ensure the project team is notified immediately of any NHVL regulatory authority notices issued to them for project-related transport work.

**Record Keeping**
The project will ensure accurate document records are kept evidencing CoR compliance activities. Records generated will be managed in accordance with LLE105 Records Filing and Archiving.

CoR records are required to be kept for thirty (30) days unless a CoR related breach has occurred, in which case the time period is a minimum of two (2) years (Note: WHS recording requirements will take precedence if the event results in a safety incident). Documents that may be applicable include:

- Schedules;
- Weigh Bridge Dockets;
- Container Weight Declarations;
- Dispatch Dockets;
- Over mass and dimension approvals;
- Details of vehicle inspections;
- Calibration records of equipment; and
- Fatigue Management Declarations Forms.

Senior management will evaluate project CoR performance as part of their regular management reviews against regional objectives, targets, statistics and trends, providing feedback to the Project Manager at quarterly project management reviews.

6. **RECORDS AND ATTACHMENTS**

- LLE626 Attachment 1 Chain of Responsibility Matrix
- LLE626 Attachment 2 Process Map 1 Prequalification of Service Providers
- LLE626 Attachment 3 Process Map 2 Engagement of Non Prequalified Service Providers
- LLE626 Attachment 4.1 Bow Tie 1 Load Restraint
- LLE626 Attachment 4.2 Bow Tie 2 Mass Dimension Load
- LLE626 Attachment 4.3 Bow Tie 3 Heavy Vehicle Inspection and Maintenance
- LLE626 Attachment 4.4 Bow Tie 4 Fatigue and Speed
- LLE626 Attachment 5.1 CoR Guideline Load Restraint
- LLE626 Attachment 5.2 CoR Guideline Mass, Dimension and Loading
- LLE626 Attachment 5.3 CoR Guideline Heavy Vehicle Inspection and Maintenance
- LLE626 Attachment 5.4 CoR Guideline Fatigue Management
- LLE626 Attachment 6 Specific CoR Compliance Measures
- LLE626 Attachment 7 Frequently Asked Questions
- LLE626A Integrated CoR Project Risk Register
- LLE626B Communication to CoR Service Provider
- LLE626C CoR Compliance Audit Checklist
- LLE626D.1 CoR Inspection Form A
- LLE626D.2 CoR Inspection Form B
LLE626 Chain of Responsibility Compliance

- LLE626E Heavy Vehicle Driver Fatigue Management Declaration Form
- LLE626H Load Mass Sticker
- LLE626I Container Weight Declaration Sticker