

TRANSPORT FOR NSW (TfNSW)

SPECIFICATION D&C G22

WORK HEALTH AND SAFETY (CONSTRUCTION WORK)

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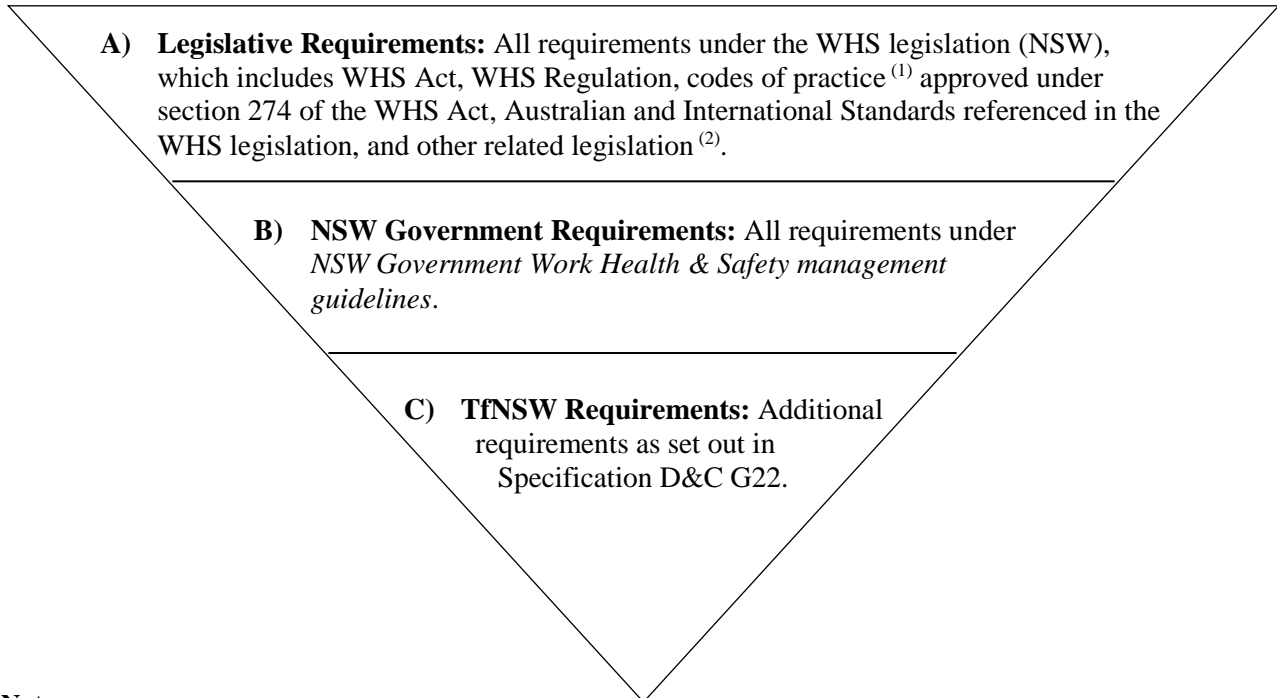
REVISION REGISTER

Ed/Rev Number	Clause Number	Description of Revision	Authorised By	Date
Ed 3/Rev 0		Updated to accord with base (non-D&C) Specification G22 Ed 6/Rev 0.	MCQ	24.10.19
Ed 3/Rev 1		Updated to accord with base (non-D&C) Specification G22 Ed 6/Rev 1.	MCQ	14.02.20
Ed 3/Rev 2		Updated to accord with base (non-D&C) Specification G22 Ed 6/Rev 2.	MCQ	25.03.20
Ed 3/Rev 3	Global	References to “Roads and Maritime Services” or “RMS” changed to “Transport for NSW” or “TfNSW” respectively. References to “RMS Representative” changed to “Principal”.	DCS	22.06.20
Ed 3/Rev 4		Updated to accord with base (non-D&C) Specification G22 Ed 6/Rev 4.	MCQ	15.02.21
Ed 3/Rev 5		Updated to accord with base (non-D&C) Specification G22 Ed 6/Rev 5.	SMCSp	24.06.21

GUIDE NOTES
(Not Part of Contract Document)

GN1 (Not Used)

GN2 Hierarchy of WHS Requirements



Notes:

⁽¹⁾ Codes of Practice from SafeWork NSW referenced in D&C G22 include:

- Construction Work, and
- Safe Design of Structures.

⁽²⁾ Related legislation includes:

- *Heavy Vehicle National Law (NSW)*, and
- *Building Code* issued under subsection 34(1) of the *Building and Construction Industry (Improving Productivity) Act 2016 (Cth)*, being the document titled “*Code for the Tendering and Performance of Building Work 2016*”.

GN3 Other Guidance Material

Additional guidance materials developed by TfNSW are available for reference and can be obtained from the TfNSW website utilising the links in this Specification.

GN4 Not in Scope

Traffic management for construction sites does not form part of the scope of D&C G22 but is covered in D&C G10 “Traffic Management”.

GN5 Customising D&C G22

Project specific changes to D&C G22 other than that in Annexure A must first be reviewed and formally approved by the relevant WHS contact person for queries shown in Table GN.2 below.

Table GN.2 WHS Contact Person for Queries

Role Title	Division	Contact Number
Director, WHS	Infrastructure & Place	0421 097 577
Director, WHS	Regional & Outer Metropolitan (ROM)	0439 226 879
Director, WHS	Greater Sydney	0428 931 844
Senior Manager, WHS	Maritime & Regulation	0411 024 485



Transport
for NSW

SPECIFICATION D&C G22

WORK HEALTH AND SAFETY (CONSTRUCTION WORK)

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VERSION FOR: DATE:

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FOREWORD

TfNSW COPYRIGHT AND USE OF THIS DOCUMENT

Copyright in this document belongs to Transport for NSW.

When this document forms part of a deed

This document should be read with all the documents forming the Project Deed.

When this document does not form part of a contract

This copy is not a controlled document. Observe the Notice that appears on the first page of the copy controlled by TfNSW. A full copy of the latest version of the document is available on the TfNSW Internet website: <http://www.rms.nsw.gov.au/business-industry/partners-suppliers/specifications/index.html>

BASE SPECIFICATION

This document is based on Specification TfNSW G22 Edition 6 Revision 5.

TfNSW SPECIFICATION D&C G22

WORK HEALTH AND SAFETY (CONSTRUCTION WORK)

1 GENERAL

1.1 SCOPE AND GENERAL INFORMATION

1.1.1 Scope of Specification

This Specification sets out the work health and safety (WHS) requirements for “construction work” (refer meaning of “construction work” in Clause 1.3 of this Specification) and associated services specified in the Project Deed.

1.1.2 “Principal Contractor”

You are the “principal contractor” under Clause 293 of the *Work Health and Safety Regulation 2017 (NSW)*, as stated in Annexure G22/A.

1.1.3 Australian Government WHS Accreditation Scheme

For contracts that are funded directly or indirectly by the Australian Government, the Contractor must be accredited under the Australian Government Building and Construction Work Health and Safety Accreditation Scheme administered by the Office of the Federal Safety Commissioner.

Accreditation under this Scheme is deemed to comply with the requirements of the NSW Government Work Health & Safety management guidelines.

1.2 STRUCTURE OF THE SPECIFICATION

This Specification includes a series of annexures that detail additional requirements.

1.2.1 Project Specific WHS Risks and Requirements

Details of project specific WHS risks and requirements are set out in Annexure G22/A.

1.2.2 (Not Used)

1.2.3 Schedules of HOLD POINTS and Identified Records

The schedules in Annexure G22/C list the **HOLD POINTS** that must be observed. Refer to Specification TfNSW D&C Q6 for the definition of **HOLD POINTS**.

The records listed in Annexure G22/C are **Identified Records** for the purposes of TfNSW D&C Q6.

1.2.4 Referenced Documents

Standards, specifications and test methods are referred to in abbreviated form (e.g. AS 1234). For convenience, the full titles are given in Annexure G22/M.

1.3 DEFINITIONS

The terms “you” and “your” mean “the Contractor” and “the Contractor’s” respectively.

The definitions used in AS/NZS ISO 9000 for nonconformity, corrective action and preventive action, apply where they can be extended to apply to WHS management and are not inconsistent with AS/NZS ISO 45001 or AS/NZS 4801.

The following definitions apply to this Specification.

“**WHS Act**” means the *Work Health and Safety Act 2011 (NSW)* as amended or replaced.

“**WHS Regulation**” means the *Work Health and Safety Regulation 2017 (NSW)* as amended or replaced.

“**WHS legislation**” means the WHS Act and WHS Regulation, and any other related acts or regulations including codes of practice approved under section 274 of the WHS Act.

“**Building Code**” means the *Building Code* issued under subsection 34(1) of the *Building and Construction Industry (Improving Productivity) Act 2016 (Cth)*, being the document titled “*Code for the Tendering and Performance of Building Work 2016*”.

“**Guidelines**” means the *NSW Government Work Health & Safety management guidelines*.

“**Plan**” means the WHS Management Plan in accordance with the Guidelines.

“**Construction work**” has the same meaning as that given in Clause 289 of the WHS Regulation as “any work carried out in connection with the construction, alteration, conversion, fitting-out, commissioning, renovation, repair, maintenance, refurbishment, demolition, decommissioning or dismantling of a structure” and includes “testing carried out in connection with a (construction work) activity”.

“**High risk construction work**” has the same meaning as that given in Clause 291 of the WHS Regulation and includes, among other situations, working “on, in or adjacent to a road, railway, shipping lane or other traffic corridor that is in use by traffic other than pedestrians”.

“**Significant incident**” means a workplace or worksite related safety incident, with any of the following characteristics:

- (a) The incident resulted in a fatality or hospitalisation due to the serious nature of the injuries incurred, including for example, amputation, multiple fractures, etc, and includes those caused by suicide or self-harm. The affected persons may include employees of TfNSW or the Contractor (including those of its subcontractors), or members of the public.
- (b) The incident resulted in a failure of, or major damage to public infrastructure or other assets, for example, bridge collapse, partial road collapse, wharf structural damage, damage to utilities with significant community impact, damage to traffic signals, etc.
- (c) The incident was highly visible to the public, or may attract media attention, for example, injury to a member of public at a site where work is being carried out for TfNSW.
- (d) The incident was a “high potential near miss”.

The Principal will have the sole discretion to determine whether an incident constitutes a “significant incident”.

“**High potential near miss**” means an incident which was a near miss, but had a reasonably foreseeable potential to result in one or more of the characteristics stated under items (a), (b) and (c) for the definition for “significant incident”.

“**Notifiable incident**” has the same meaning as that given in Section 35 of the WHS Act as:

- (a) the death of a person, or
- (b) a serious injury or illness of a person, or
- (c) a dangerous incident.

“**Lost time injury**” (LTI) means a work-related injury or illness where one full shift or more has been lost at some point following the event.

“**Medical treatment injury**” (MTI) means a work-related injury or illness, other than a lost time injury, that results in treatment (beyond that of first aid).

“**First aid injury**” (FAI) means a work-related injury or illness where first aid treatment is provided to the employee but does not result in a lost time injury or medical treatment. Also termed a “**minor injury**”.

“**Structure**” has the same meaning as that given in Section 4 of the WHS Act as “anything that is constructed, whether fixed or movable, (and) temporary or permanent”.

2 WORK HEALTH AND SAFETY MANAGEMENT

2.1 GENERAL

2.1.1 General Obligations

You must:

- (a) comply with:
 - (i) all applicable duties as stated in the WHS legislation including any applicable codes of practice and Australian Standards;
 - (ii) any applicable duties under the *Heavy Vehicle National Law (NSW)* and associated Regulations;
 - (iii) any applicable requirements contained in the Guidelines;
 - (iv) any applicable requirements contained in the Building Code, where stated in the Project Deed that the Building Code applies.
- (b) manage risks to health and safety by:
 - (i) eliminating the risks so far as is reasonably practicable; and
 - (ii) where it is not reasonably practicable to eliminate the risks, minimising them so far as is reasonably practicable;
- (c) manage and control the premises for the construction work and discharge the duties of a “principal contractor” as required under the WHS legislation, until the Work Under the Contract is completed or as otherwise required by the WHS legislation.

2.1.2 Philosophy of Approach

TfNSW expects that the Contractor's WHS systems and procedures will meet the relevant WHS legislative requirements and the NSW Government WHS requirements as set out in the Guidelines (refer Clause 1.3 for meaning of "Guidelines").

TfNSW D&C G22 may not state WHS legislative requirements which the Contractor is expected to be familiar with and in compliance with. Rather, D&C G22 will clarify WHS requirements which are specific to TfNSW's situation, and consistent with and complimentary to the Guidelines.

2.2 ONERMS SAFETY MANAGEMENT SYSTEM

2.2.1 General

TfNSW has established the OneRMS Safety Management System (SMS) as the means for TfNSW to deliver the objectives set out in TfNSW's WHS Policy Statement. A copy of TfNSW's WHS Policy Statement is available at:

<http://www.rms.nsw.gov.au/safety/work-health-safety/index.html>

The OneRMS SMS sets out the framework and key principles for how TfNSW works in collaboration with its contractors to manage safety risks.

Contractors undertaking work for TfNSW must satisfy the Principal that their safety management system meets or exceeds the safety standard outlined in the OneRMS SMS.

2.2.2 Consultation, Cooperation and Coordination

Establish consultation, cooperation and coordination processes for WHS matters which are consistent with the WHS legislative requirements.

2.3 SAFETY IN DESIGN REQUIREMENTS

2.3.1 (Not Used)

2.3.2 Design By Contractor

Where your Work Under the Contract includes design of structures (including design of a part of a structure), you must:

- (a) manage risks to health and safety arising from the design in accordance with SafeWork NSW Safe Design of Structures Code of Practice, which is available at:
https://www.safework.nsw.gov.au/_data/assets/pdf_file/0003/52158/Safe-design-of-structures-COP.pdf
- (b) consult with the Principal and demonstrate, in a documented form, that risks to health and safety arising from the design of the structure throughout its lifecycle are eliminated or minimised so far as is reasonably practicable.
- (c) engage competent and trained resources to prepare the design.
- (d) conduct due diligence checks to verify that your designer or design subcontractor has the appropriate processes in place, and has implemented the processes, to eliminate or minimise risks arising from the design.

- (e) provide verification that the Safety in Design section of your Quality Management System (refer Specification TfNSW D&C Q6) meets all the requirements of the Safety in Design requirements of the WHS legislation and the Safe Design of Structures Code of Practice.
- (f) provide a Designer's Safety Report to the Principal which is in accordance with the Safe Design of Structures Code of Practice, together with the design documentation.
- (g) review and update the Designer's Safety Report whenever changes are made to the design.
- (h) provide a copy of the final updated Designer's Safety Report to the Principal at Construction Completion.

2.4 TRAINING AND INDUCTION

2.4.1 Primary Duty of Care

Comply with section 19 (3) (f) of the WHS Act as part of your primary duty of care to ensure, so far as is reasonably practicable, the provision of any information, training, instruction or supervision that is necessary to protect all persons from risks to their health and safety arising from the work carried out.

2.4.2 WHS Management Plan

Ensure that, so far as is reasonably practicable, before commencing work, each person is made aware of the content of the WHS Management Plan (refer Clause 3.3), and the person's right to peruse the Plan.

2.4.3 Safe Work Method Statements

Train and induct your workers on the safe work method statements (SWMS) (refer Clause 3.4) prior to the commencement of high risk construction work. Keep records of the training and induction.

3 WHS MANAGEMENT DOCUMENTATION

3.1 GENERAL

You must have in place a certified WHS Management System, and submit to the Principal a WHS Management Plan in accordance with the Guidelines and implement it for the Contract.

3.2 WHS MANAGEMENT SYSTEM

Your WHS Management System must comply with the WHS legislation, the Guidelines and relevant SafeWork NSW Codes of Practice; in particular the (WorkCover) Construction Work Code of Practice.

The Construction Work Code of Practice is available at:

https://www.safework.nsw.gov.au/_data/assets/pdf_file/0014/52151/Construction-work-COP.pdf

3.3 WHS MANAGEMENT PLAN

3.3.1 WHS Management Plan

Your WHS Management Plan must comply with the WHS legislation, relevant SafeWork NSW Codes of Practice and the Guidelines.

3.3.2 Project Specific Risks

Address in the Plan any project specific risks that have been identified including, but not necessarily be limited to, those listed in Annexure G22/A2 and the Designer's Safety Report.

Demonstrate in the Plan how the Work Under the Contract will be carried out safely, by eliminating or minimising these risks so far as is reasonably practicable, in accordance with the WHS legislation.

3.3.3 Maintain Plan

Review and where necessary revise the Plan to ensure that it remains up to date throughout the duration of the Contract.

3.4 SAFE WORK METHOD STATEMENTS

3.4.1 General

Prepare safe work method statements (SWMS) and use them for all high risk construction work activities, in accordance with Clauses 299 to 303 of the WHS Regulation.

3.4.2 Internal Approval of SWMS

The SWMS must be reviewed and approved by your Site Safety Representative (refer Clause 3.5), or another person authorised in your WHS Management System or Plan to do so.

3.4.3 The Principal's Role

The Principal may check and verify that work is being performed in accordance with the SWMS from time to time, but the Principal will not approve any SWMS. The Principal's checks and verification does not in any way diminish your responsibility and accountability to ensure that WHS risks are properly identified and managed.

3.5 SITE SAFETY REPRESENTATIVE

3.5.1 General

Nominate in the Plan a Site Safety Representative, who must be a full time member of your site management team and must be in regular attendance on the Site throughout the duration of the Contract.

3.5.2 Qualifications, Experience and Authority

The qualifications, experience and authority of your Site Safety Representative must commensurate with the risks associated with the Work Under the Contract.

3.6 EMERGENCY PLANNING AND RESPONSE

3.6.1 General

Include in the Plan site specific plans for dealing with emergency situations in accordance with Clause 43 of the WHS Regulation.

3.6.2 Required Elements

The plans must include the following:

- (a) emergency procedures, including effective response to an emergency, evacuation procedures, notification of emergency service organisations, and medical treatment and assistance;
- (b) testing of the emergency procedures, including frequency of testing;
- (c) information, training and instruction for workers involved in implementing the emergency procedures.

3.6.3 Remote Site Considerations

For remote sites, include response plans for dealing with incidents on such sites.

When preparing the plans, undertake a risk assessment and take into consideration possible site emergency scenarios, distance from emergency services support, local first aid capabilities and the means for emergency services to access the site in cases where there is no existing road access.

3.7 PREQUALIFIED OR REGISTERED SUBCONTRACTORS

The Project Deed may specify that a part of the Works can only be undertaken by a subcontractor with Prequalification or Registration at a particular Category or specialist Category. Where this is the case, the subcontractor must implement their WHS management system for which they are prequalified or registered, for that particular part of the subcontracted work, unless approved otherwise by the Principal.

3.8 SUBMISSION OF WHS DOCUMENTATION

3.8.1 General

At least 10 working days prior to commencing work on the Site, submit for the Principal's review a digital copy of the Plan.

3.8.2 Progressive Submission

If the time period until Construction Completion is longer than 6 months, you may submit the Plan progressively to suit the construction stages.

If the Plan is submitted progressively, submit the relevant documents for each stage of the Work Under the Contract at least 10 working days prior to the commencement of that stage.

3.8.3 Hold Point

HOLD POINT

Process Held:	Commencement of work at the Site, or commencement of any stage of work not previously addressed by the Plan and authorised by earlier Hold Point release.
Submission Details:	At least 20 working days prior, submit the Plan and any supporting documentation. Where the Plan is submitted progressively, submit the relevant sections of the Plan at least 20 working days prior to the proposed commencement of the stage of work nominated in your submission.
Release of Hold Point:	The Principal will consider the submitted documents and may suggest that additional information be included in the Plan, prior to authorising the release of the Hold Point.

4 HEAVY VEHICLE NATIONAL LAW – CHAIN OF RESPONSIBILITY

4.1 GENERAL

Comply with the *Heavy Vehicle National Law (NSW)* and associated regulations that governs the supply chain for the Works and for the bringing onto and removal from the Site of items requiring transport services (refer also Clause 2.1.1 (a) (ii)).

4.2 HEAVY VEHICLE CHAIN OF RESPONSIBILITY MANAGEMENT PLAN

4.2.1 Required Elements

Develop and implement for the Contract a Heavy Vehicle Chain of Responsibility (HVCoR) Management Plan which must, as a minimum, cover the following elements:

- (a) Organisation chart showing the team structure, relevant personnel and their respective responsibilities in relation to HVCoR.
- (b) Methods of communication of HVCoR requirements to project personnel, suppliers and subcontractors.
- (c) Methods of ensuring that suppliers and subcontractors understand their HVCoR obligations and have the appropriate systems in place to fulfil these obligations.
- (d) Approvals and permits from the relevant regulators and Authorities and the process for obtaining them.
- (e) Management of compliance with the legislation, including safety systems and controls for the following:
 - (i) governance, including provision of evidence that the Contractor, its suppliers and subcontractors have met its legal HVCoR obligations;
 - (ii) vehicle standards;
 - (iii) mass, dimension and loading;
 - (iv) speeding;

- (v) driver fatigue;
- (vi) vehicle maintenance.
- (f) Hazard identification and risk analysis of the matters listed in item (e) above.
- (g) Resources management, including training requirements, for managing HVCoR processes and controls.
- (h) Safety metrics in relation to areas listed in item (e) above.
- (i) Reporting on incidents and contraventions in relation to HVCoR.

Incorporate all applicable, relevant or necessary requirements in relation to the chain of responsibility provisions of the *Heavy Vehicle National Law (NSW)* and associated regulations for all aspects of the Works in your HVCoR Management Plan.

Your HVCoR Management Plan may form part of your Project WHS Management Plan.

4.2.2 Maintain HVCoR Plan

Review and where necessary revise the HVCoR Management Plan throughout the duration of the Contract, taking into account any changes in the Contract details, site conditions, legislation and requests or requirements of any Authority.

4.3 SUBMISSION OF HVCoR MANAGEMENT PLAN

4.3.1 General

At least 10 working days prior to commencing work on the Site, submit for the Principal's review a digital copy of your HVCoR Management Plan.

4.3.2 Hold Point

HOLD POINT

Process Held:	Commencement of work on the Site.
Submission Details:	At least 10 working days prior, submit the HVCoR Management Plan and any supporting documentation.
Release of Hold Point:	The Principal will consider the submitted documents and may request additional information for inclusion into the HVCoR Management Plan, prior to authorising the release of the Hold Point.

5 TRUCKS AND PLANT

All trucks and plant or equipment used for the Contract must comply with the requirements in the TfNSW document TPR-G22 "Truck and Plant Requirements", available from the TfNSW website at: <https://www.rms.nsw.gov.au/business-industry/partners-suppliers/documents/specifications/tpg22.pdf>

The Principal may at any time carry out inspections for compliance with TPR-G22 of any truck, plant or equipment that you bring to the Site, and you must facilitate this.

6 ASSURANCE AND MONITORING

6.1 ASSURANCE ACTIVITIES BY PRINCIPAL OR REGULATOR

6.1.1 Assurance Activities by Principal

At any time during the course of the Contract, the Principal may carry out assurance activities, such as inspections and audits, on your WHS management, including implementation of your WHS Management System and Plan.

6.1.2 Provide Necessary Access

Comply with all reasonable requests to facilitate the Principal's assurance activities by providing the necessary access to any persons, sites and relevant documents/information.

The Principal may view and make copies of any of your documents which are considered to be relevant to providing the Principal with assurance that WHS is being managed satisfactorily.

6.1.3 Inspections by Regulator

If a regulator representative (e.g. SafeWork NSW inspector) requests access to or enters the Site, notify the Principal immediately or as soon as you become aware of their entry into the Site.

6.2 ASSURANCE ACTIVITIES BY CONTRACTOR

6.2.1 Reviews of System and Plan

Carry out periodic internal and, where applicable, independent third party reviews of your WHS Management System and Plan, and make records of these reviews available to the Principal upon request.

If changes are made to the Plan arising from the reviews, the Hold Point under Clause 3.8.3 will apply to the work affected by the change.

6.2.2 Audits, Nonconformities and Corrective Actions

Carry out your own assurance activities, including reviews and internal audits, in accordance with your WHS Management System.

Notify the Principal of all nonconformities that have been identified and any corrective actions required.

Complete any corrective actions required as soon as possible and in any event within four weeks, or a time period agreed with the Principal, having regard to the risk associated with the nonconformity.

6.3 INTERVENTIONS

6.3.1 Intervention by the Principal

If the Principal considers that Work Under the Contract is not being carried out safely or that hazards are not being controlled effectively, the Principal may issue you with a corrective action request and impose a Hold Point on the particular work process.

HOLD POINT

Process Held:	Work process which the Principal considers is not being carried out safely.
Submission Details:	Verification that the WHS issue has been rectified and closed out.
Release of Hold Point:	The Principal will consider the evidence provided, prior to authorising the release of the Hold Point.

6.3.2 Intervention by Regulator or Your Health and Safety Representative

Include in your WHS Management System your processes to deal with notices served by the regulator arising from Work Under the Contract, or with Provisional Improvement Notice (PIN) issued by your own Health and Safety Representative (HSR). Such processes must also include details for notifying the Principal of any such occurrences.

The Principal may impose a Hold Point in accordance with Clause 6.3.1 for such notices.

7 INCIDENT NOTIFICATION AND INVESTIGATION

7.1 NOTIFICATION

Refer to Clause 1.3 of this Specification for definitions of “lost time injury”, “medical treatment injury”, “significant incident”, “high potential near miss incident” and “notifiable incident”.

7.1.1 Injuries

Report all incidents resulting in lost time injuries (LTI) or medical treatment injuries (MTI) to the Principal within 24 hours of the incident occurring.

7.1.2 Significant Incidents

Report all significant incidents, including high potential near miss incidents, to the Principal immediately upon becoming aware of the incident.

7.1.3 Notifiable Incidents

Where the incident is a notifiable incident, notify the Principal immediately after notifying the regulator, and provide the Principal with the notification reference number. If requested, provide a copy of the notice to the Principal.

7.1.4 TfNSW May Notify Regulator Directly

If an incident which the Principal considers to be a notifiable incident has taken place at the Site, and you have not notified the regulator, the Principal may report the incident directly to the regulator, but only after advising you of the intention to do so.

7.2 INVESTIGATION AND CONTINUOUS IMPROVEMENT

7.2.1 General

Investigate thoroughly all notifiable and significant incidents, including high potential near miss incidents, utilising a formal incident investigation methodology such as Incident Cause Analysis Method (ICAM) or similar, unless agreed to otherwise by the Principal.

For other types of incidents, investigate them using appropriate methods for the purpose of learning lessons and preventing recurrence. The methods used may be ICAM or similar for relatively complex cases, or “5 Whys” technique for simpler cases.

7.2.2 Investigation Report

Submit the initial findings from the investigation of notifiable and significant incidents to the Principal within one week of the date of the incident.

Submit a detailed report of the investigation to the Principal within 4 weeks of the date of the incident, containing details of the information gathered, analysis undertaken, identification of the underlying causes of the incident, and related corrective action(s) to prevent a recurrence. The report must state the person responsible for completing the corrective action(s) and the planned close out date(s).

Where an incident investigation report has not been provided, the Principal may request you to provide a copy of the report within 3 working days for completed reports, or within 4 weeks where the incident is yet to be investigated.

7.2.3 Briefing

After submission of the investigation report, the Principal may require you to provide a briefing on the incident, and the learnings from the incident, to TfNSW’s senior management within 60 days of the incident.

The briefing will provide TfNSW with the assurance that the investigation had been undertaken in a timely and professional manner, the root causes of the incident have been correctly identified, and the corrective and preventive actions adopted to prevent recurrence are appropriate.

The Principal may waive the requirement for a briefing if the Principal determines that there is limited opportunity to derive further benefit from such a briefing.

7.2.4 Corrective Action

In cases where the Principal is not satisfied with the investigation undertaken, or details on the incident is not forthcoming, or consider that the corrective actions are insufficient, the Principal may issue you with a Corrective Action Request and impose a Hold Point on the particular work process under Clause 6.3.1.

7.2.5 Independent Investigation by TfNSW

When a significant incident has taken place at the Site, the Principal may undertake or commission an independent investigation of the incident, or alternatively request that you provide the Principal with a copy of your investigation report when finalised, in accordance with Clause 7.2.2 of this Specification.

8 WHS RECORDS AND PERFORMANCE REPORTING

8.1 WHS RECORDS

WHS records must include, as a minimum, the types of records listed in Section 8 of the Guidelines.

Keep the project WHS records for a minimum period of 5 years after Construction Completion, or longer as required by the WHS legislation.

For health monitoring records, keep them for 30 years from the date on which the record was made or longer as required by the WHS legislation.

8.2 WHS PERFORMANCE REPORTING

Provide to the Principal a monthly report on your WHS performance. The report must contain the information, and be in the format, shown in Annexure G22/L.

8.3 HVCOR REPORTING

Include in the monthly WHS report under Clause 8.2 the details shown in Annexure G22/L in relation to HVCOR.

ANNEXURE G22/A – PROJECT SPECIFIC WHS RISKS AND REQUIREMENTS

A1 GENERAL

Clause	Description	Requirement
1.1.2	Party designated as the “principal contractor” under Clause 293 of the <i>Work Health and Safety Regulation 2017 (NSW)</i> is	Contractor

A2 PROJECT SPECIFIC WHS RISKS

The following WHS risks have been identified by TfNSW, and are shown below for consideration in your WHS risk management.

<p><i>NOTES TO TENDER DOCUMENTER: (Delete this boxed text after customising Annexure G22/A2)</i></p> <p><i>Insert here any identified project specific WHS risks. If there are no project specific WHS risks, replace the heading title with “Not Used”.</i></p> <p><i>WHS hazards and risks listed in the Project Risk Register that have been identified during the Concept Design stage can be included here; or alternatively a cross-reference to the Register can be inserted here.</i></p> <p><i>Do not list here generic industry WHS hazards common in the civil construction industry.</i></p> <p><i>If asbestos has been identified during the Concept Design stage, provide to the “principal contractor” an asbestos register listing all identified or suspected presence of asbestos at the Site. Similarly, if the work will involve generation of silica dust (e.g. from boring, drilling, grinding, cutting or otherwise processing material containing silica), provide to the “principal contractor” the relevant details.</i></p>
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A3 PROJECT SPECIFIC WHS REQUIREMENTS

Comply with the following project specific WHS requirements:

<p><i>NOTES TO TENDER DOCUMENTER: (Delete this boxed text after customising Annexure G22/A3)</i></p> <p><i>Insert here any other project specific WHS requirements.</i></p> <p>Example</p> <ul style="list-style-type: none"><i>The area between Chainage A and Chainage B is contaminated by irrigation from Council’s Waste Treatments Facility. Comply with the requirements of Council’s document titled “Safe Working in Waste Treatment Irrigation Areas.</i> <p>-----</p> <p><i>Insert here any WHS requirements such as risk controls and associated reporting which are over and above standard expectations, for current and new initiatives under development, for example:</i></p>

- *use of the TfNSW “Separate Yourself” or “Worker on Foot” programme;*
- *use of technology solutions to provide an additional layer of protection to manage risks of adverse people-plant interactions;*
- *TfNSW Metro requirements regarding the management of silica dust where there is risk of silica dust generation during the project.*

Consult the relevant Director, WHS (whose contact details are in Table GN.2 in the front Guide Notes) for further guidance.

If there are no project specific WHS requirements, replace the heading title with “Not Used”.

ANNEXURE G22/B – (NOT USED)

ANNEXURE G22/C – SCHEDULES OF HOLD POINTS AND IDENTIFIED RECORDS

Refer to Clause 1.2.3 of this Specification.

C1 SCHEDULE OF HOLD POINTS

Clause	Description
3.8.3	Submission of WHS Management Plan
4.3.2	Submission of HVCoR Management Plan
6.3.1	Intervention by the Principal

C2 SCHEDULE OF IDENTIFIED RECORDS

The records listed below are Identified Records for the purposes of TfNSW D&C Q6.

Clause	Description
2.3.2	Designer's Safety Report
8.1	Project WHS records
8.1	Health monitoring records

ANNEXURE G22/D – CHECKLIST

The checklist for review of the Contractor’s WHS Management Plan and HVCoR Management Plan, is available from the TfNSW webpage at:

[Document Preview - project-specific-sms-and-plans-checklist \(nsw.gov.au\)](#)

[Document Preview - heavy-vehicle-cor-management-plan-review-template \(nsw.gov.au\)](#)

ANNEXURE G22/E – “SEPARATE YOURSELF” PROCEDURE AND DELINEATION AND SIGNAGE GUIDE

The “Separate Yourself” Procedure and Delineation and Signage Guide are available from the TfNSW webpage at:

E1 “SEPARATE YOURSELF” PROCEDURE

https://www.rms.nsw.gov.au/business-industry/partners-suppliers/documents/guides-manuals/separate_yourself_procedure.pdf

E2 GUIDE TO DELINEATION AND SIGNAGE FOR “SEPARATE YOURSELF”

https://www.rms.nsw.gov.au/business-industry/partners-suppliers/documents/guides-manuals/guide_delineation_signage_separate_yourself.pdf

ANNEXURES G22/F TO G22/K – (NOT USED)

ANNEXURE G22/L – REPORTING FORMAT

L1 CONTRACTOR WHS MONTHLY REPORT

Contract Title:			
Contract Number:		Month:	
Contractor:		Prepared by:	
		Date:	
(A) WHS GENERAL PERFORMANCE INDICATORS			
Indicator		Current Month	Cumulative Total
Number of Lost Time Injuries (LTI) ⁽¹⁾			
Number of Working Days Lost Due to Injury			
Number of Medical Treatment Injuries (MTI) ⁽²⁾			
Number of First Aid / Minor Injuries (FAI) ⁽³⁾			
Number of Hazards Reported			
Number of Near Misses Reported			
Number of Open Significant Incidents Reported ⁽⁴⁾			
Number of Regulator Notifiable Incidents Reported			
Total Hours Worked			
Lost Time Injury Frequency Rate (LTIFR) ⁽⁵⁾ : (LTI) x 1,000,000 / Number of Hours Worked			
Medical Treatment Injury Frequency Rate (MTIFR): (MTI) x 1,000,000 / Number of Hours Worked			
Total Recordable Injury Frequency Rate (TRIFR) ⁽⁵⁾ : (LTI + MTI) x 1,000,000 / Number of Hours Worked			

Notes:

- (1) **Lost Time Injury (LTI):** A work-related injury or illness where one full shift or more has been lost at some point following the event.
- (2) **Medical Treatment Injury (MTI):** A work-related injury or illness, other than a lost time injury, that results in treatment (beyond that of first aid). Refer to Annexure G22/L3 for guidance on classifying MTI.
- (3) **First Aid / Minor Injury (FAI):** A work-related injury or illness where first aid treatment is provided to the employee but does not result in a lost time injury or medical treatment. Refer to Annexure G22/L3 for guidance on classifying FAI.
- (4) Insert number of new cases reported during the month in "Current Month", and number of cases that are yet to be closed out in "Cumulative Total".
- (5) Injury Frequency Rates (LTIFR, MTIFR and TRIFR) are calculated based on 1,000,000 hours worked.

(B) STATUS OF LOST TIME INJURIES FOR THIS MONTH		
Date of Incident	Outline Description of Incident	Days Lost

Insert additional rows in table above as required.

(C) HVCOR PERFORMANCE METRICS			
Focus Area	Checks Carried Out⁽⁶⁾	Occurrences/ Incidents⁽⁷⁾	Comments⁽⁸⁾
Mass⁽⁹⁾			
Dimension⁽¹⁰⁾			
Load restraint⁽¹¹⁾			
Speeding⁽¹²⁾			
Driver fatigue⁽¹³⁾			
Vehicle maintenance⁽¹⁴⁾			

Notes:

- ⁽⁶⁾ Number of checks carried out.
⁽⁷⁾ Number of occurrences or incidents.
⁽⁸⁾ Provide comments on the number of checks carried out and the nature of the issues arising.
⁽⁹⁾ Over-mass occurrences.
⁽¹⁰⁾ Oversize occurrences.
⁽¹¹⁾ Load restraint checks carried out prior to journey.
⁽¹²⁾ Speeding occurrences and speed limiter checks.
⁽¹³⁾ Driver fatigue occurrences and logbook checks.
⁽¹⁴⁾ Vehicle servicing scheduled vs. servicing completed; number of defect reports.

(D) DETAILS OF REGULATORY WHS / HVCOR BREACHES RESULTING IN A FINE OR NOTICE		
Date of Fine or Notice	Outline of Regulatory Breach Involved	Type of Notice Issued and/or Size of Fine

Insert additional rows in table above as required.

(E) DETAILS OF ASSURANCE ACTIVITIES CARRIED OUT AND ACTIONS ARISING				
Date of Assurance Activity	Description of Assurance Activity ⁽¹⁵⁾ and Focus Area ⁽¹⁶⁾	No of CARs Raised	No of OoCs Raised	No of Overdue CARs ⁽¹⁷⁾

Insert additional rows in table above as required.

Notes: CAR: Corrective Action Request OoC: Observation of Concern

⁽¹⁵⁾ Assurance activity may be an inspection or audit, etc.

⁽¹⁶⁾ Focus area may be "WHS General", "HVCOR", etc.

⁽¹⁷⁾ CARs from assurance activities past close out due date.

Work Health and Safety (Construction Work)**D&C G22****L2 CONTRACTOR HAZARD AND INCIDENT MONTHLY REPORT**

Submit to the Principal a monthly report under the headings shown in the table below for all hazards, near misses and injuries that occurred under the Contract for the month. Send it directly to the following email address: project.safeR@transport.nsw.gov.au.

An example of a completed report is shown below. (Table may be subject to change.)

Unique Event Reference Number ⁽¹⁾	Contractor ⁽²⁾	Date of Event ⁽³⁾	Contract Name ⁽⁴⁾	Event Title (Short Description) ⁽⁵⁾	Detailed Description of Event ⁽⁶⁾	Significant Incident? ⁽⁷⁾	Regulator Notified? ⁽⁸⁾	Regulator Notification Number ⁽⁹⁾	Hazard Type ⁽¹⁰⁾	Event Type ⁽¹¹⁾	Immediate Actions Taken	Injury Outcome ⁽¹²⁾
XA-1	XYZ	01/01/19	ABC	Inappropriate storage of unsecured scaffold tubes on scaffold platform	Observed scaffolding tubes stacked against a kick board on an elevated platform. Loss or injury may occur if a scaffold tube is knock over the top of the kick board. Immediate action taken to discuss with team on platform and arranged to secure and relocate scaffold tubes away from the drop.	No	Not Applicable	Not Applicable	Falling Object	Hazard	Immediate action taken to discuss with team on platform and arranged to secure and relocate scaffold tubes away from the drop.	Not Applicable
XA-2	XYZ	10/01/19	ABC	Fall of object (scaffold tube) from height	A scaffolding tube (approx. 2m in length and weighing 5kgs) dropped 10 meters from a bridge pier into the water and almost hit an occupied contractor motor boat. No injuries or damage. Scaffolding tubes were stacked against a kick board and the scaffolding tube rolled over the kick board and fell into the river below. An exclusion zone was present for members of public. The motor boat was utilised in the loading process and was authorised to be in the exclusion zone.	Yes	Yes	2-135745	Falling Object	Near Miss	Notified regulator and key stakeholders including TfNSW. Installed netting to prevent items falling from bridge in future. Appointed investigator - report to be issued within 60 days of incident.	Not Applicable
XA-3	XYZ	13/01/19	ABC	Lifting reo and sprained leg	Worker was helping move reo around site, felt strain in upper right leg. Taken to medical centre for assessment and treatment – multiple rounds of physio prescribed.	No	No	Not Applicable	Manual Handling	Injury	Worker accompanied to medical centre - suitable alternative duties agreed. Reminder on manual handling at shift pre-start meetings.	MTI
XA-4	XYZ	21/01/19	ABC	Truck backed into parked vehicle	As a double B truck was reversing out of the stockpile it hit the back corner of a ute. Damage to the ute only. No injuries to anyone.	No	No	Not Applicable	Plant and Vehicle Collision	Asset Property Damage	Review of TMP / traffic flows in stockpile area. Review of parking areas initiated.	Not Applicable

Notes:

- | | |
|--|---|
| (1) Contractor's Incident Identification Number. | (7) Include if event was/is deemed a "significant incident". Significant incidents must be reported to TfNSW immediately. |
| (2) Contractor's Name. | (8) The WHS Act requires the regulator to be notified of certain "notifiable incidents". Refer to Safe Work Australia fact sheet to determine whether the regulator needs to be notified of a work-related injury, illness or dangerous incident under the Act. |
| (3) Date when the event occurred. | (9) Where applicable. Where the regulator is notified, a reference number will be issued as evidence that the event has been reported. |
| (4) Short form of official contract title. | (10) Examples include plant rollover, struck by falling or moving object, vehicle collision, manual handling, etc. |
| (5) Provide a one sentence descriptor. | (11) Select from: Hazard, Near Miss, Injury, Asset / Property Damage. |
| (6) Provide a short paragraph outlining the event. | (12) Select from: Not Applicable, FAI, MTI, LTI, Fatality. |

Definitions:

"Event" is a situation where a deviation from safe operations occurs. It includes identifying a Hazard or the occurrence of an Injury, Near Miss or Asset / Property Damage.

"Hazard" is something with the potential to cause harm in terms of human injury or ill-health or damage to assets, property, or a combination of these.

"Near Miss" is an undesired event that has the potential to cause, but does not actually result in human injury or ill-health or damage to assets, property, or a combination of these.

"Injury" can be either "First Aid Injury", "Medical Treatment Injury", "Lost Time Injury" or "Fatality".

"Asset Property Damage" is where financial losses occur as a result of the need to repair or replace incident related damage.

L3 INJURY CLASSIFICATION GUIDELINE FOR FAI AND MTI

Extract from TfNSW document “Safety planning and performance reporting”.

B. Injury classification guideline for FAI and MTI

This injury classification guideline should be read in conjunction with the definitions of a first aid injury (FAI) and a medical treatment injury (MTI).

First aid Injury (FAI)	Medical treatment Injury (MTI)
Physical examination, if no condition is identified or medical treatment is not administered.	Surgical intervention including surgical debridement.
Therapeutic (physiotherapy or chiropractic) treatment referred by a medical practitioner up to two visits for the same injury.	Therapeutic (physiotherapy or chiropractic) treatment referred by a medical practitioner, more than two visits for the same injury.
Use of non-prescription medicines or one time dose of prescribed medication for minor injury or discomfort.	Use of prescription medicines (except a single dose/prescription on first visit for minor injury or discomfort).
Application of bandages (including elastic bandages) during a first visit to medical practitioner.	One or more stitches or sutures (including glue or butterfly adhesive dressing in lieu of sutures).
Administration of tetanus shots or boosters.	Treatment of infection (more than one dose of treatment).
Application of antiseptics during a first visit to medical practitioner.	Application of antiseptic during a subsequent visit to medical practitioner.
Removal of foreign bodies from a wound using tweezers or other simple first aid technique. Irrigation of eye injuries and removal of non-embedded objects.	Removal of foreign objects that is beyond that of a first aider (such as local anaesthetic required or scalpel used).
Treatment of minor burns requiring only one treatment.	Treatment of deep tissue and large scale burns or burn injuries requiring more than one treatment.
Soaking, application of hot-cold compresses, and use of elastic bandage on sprains immediately after injury (initial treatment only).	Use of hot or cold soaking therapy or heat therapy during subsequent visit to medical practitioner.
Diagnostic procedures such as x-rays, laboratory analysis or dye, unless they lead to further treatment.	Treatment for fractures, broken bones and/or broken or lost teeth.
Observations of injury during visits to medical practitioners, including hospitalisation (for less than 48 hours) for observation when no treatment is required; for example blow to the head or abdomen, exposure to toxic substances, snake bite, or electric shock.	Admission to hospital or equivalent medical facility for treatment or under observation for 48 hours or more.
Application of ointments for abrasions to prevent drying or cracking.	Any work injury or illness that results in a loss of consciousness.
	Oxygen administered unless given purely as a precautionary measure.
	Treatment (diagnosis and evaluation) by a Psychiatrist for mental illness or stress as a result of a workplace occurrence.

ANNEXURE G22/M – REFERENCED DOCUMENTS AND LEGISLATION

Refer to Clause 1.2.4 of this Specification.

TfNSW Specifications

TfNSW D&C Q6 Quality Management System (Type 6)

Australian Standards

AS 1636 Tractor – Roll-over protective structures – Criteria and tests
AS/NZS 4801 Occupational health and safety management systems – Specification with
 guidance for use
AS/NZS ISO 9000 Quality management systems – Fundamentals and vocabulary
AS/NZS ISO 45001 Occupational health and safety management systems – Requirements with
 guidance for use

NSW Government Publications

NSW Government Work Health & Safety management guidelines

SafeWork NSW Code of Practice

Construction Work
Safe Design of Structures

NSW Legislation

Work Health and Safety Act 2011
Work Health and Safety Regulation 2017
Heavy Vehicle National Law (NSW)