



P41 Specification for environmental incident notification, investigation and reporting

August 2024

Version 1

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More information

NZ Transport Agency Waka Kotahi
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If you have further queries, call our contact centre on 0800 699 000 or write to us:

Transport Agency Waka Kotahi NZ
Private Bag 6995
Wellington 6141

This document is available on our website at www.nzta.govt.nz

Contents

1. Scope (clause 1)	4
2. Referenced documents (clause 2)	4
3. Definitions (clause 3)	5
4. Environmental incident procedure (clause 4)	6
4.1. Overview	6
4.2. Classification	6
4.2.1. Event type and category	7
4.2.2. Consequence	7
4.2.3. Permit/consent breach	10
4.3. Notification	10
4.4. Investigate	10
4.4.1. Investigation report	11
4.5. Database of environmental incidents	11
5. Complaints management (clause 5)	12

1. Scope (clause 1)

- 1.1 This specification outlines the requirements for the notification, investigation and reporting of environmental incidents (including near misses).

2. Referenced documents (clause 2)

- 2.1 This specification has been developed to align with, and shall be read in conjunction with:

- [Guideline for preparing an environmental management plan](#)
- HSW13 – *Reporting and managing incidents procedure*
- [Environmental and Social Responsibility Policy](#)
- [Z/19 Taumata Taiao – Environmental and Sustainability Standard](#)
- [Environmental screen](#)
- [Minimum standard Z/44 – Risk management practice guide.](#)

3. Definitions (clause 3)

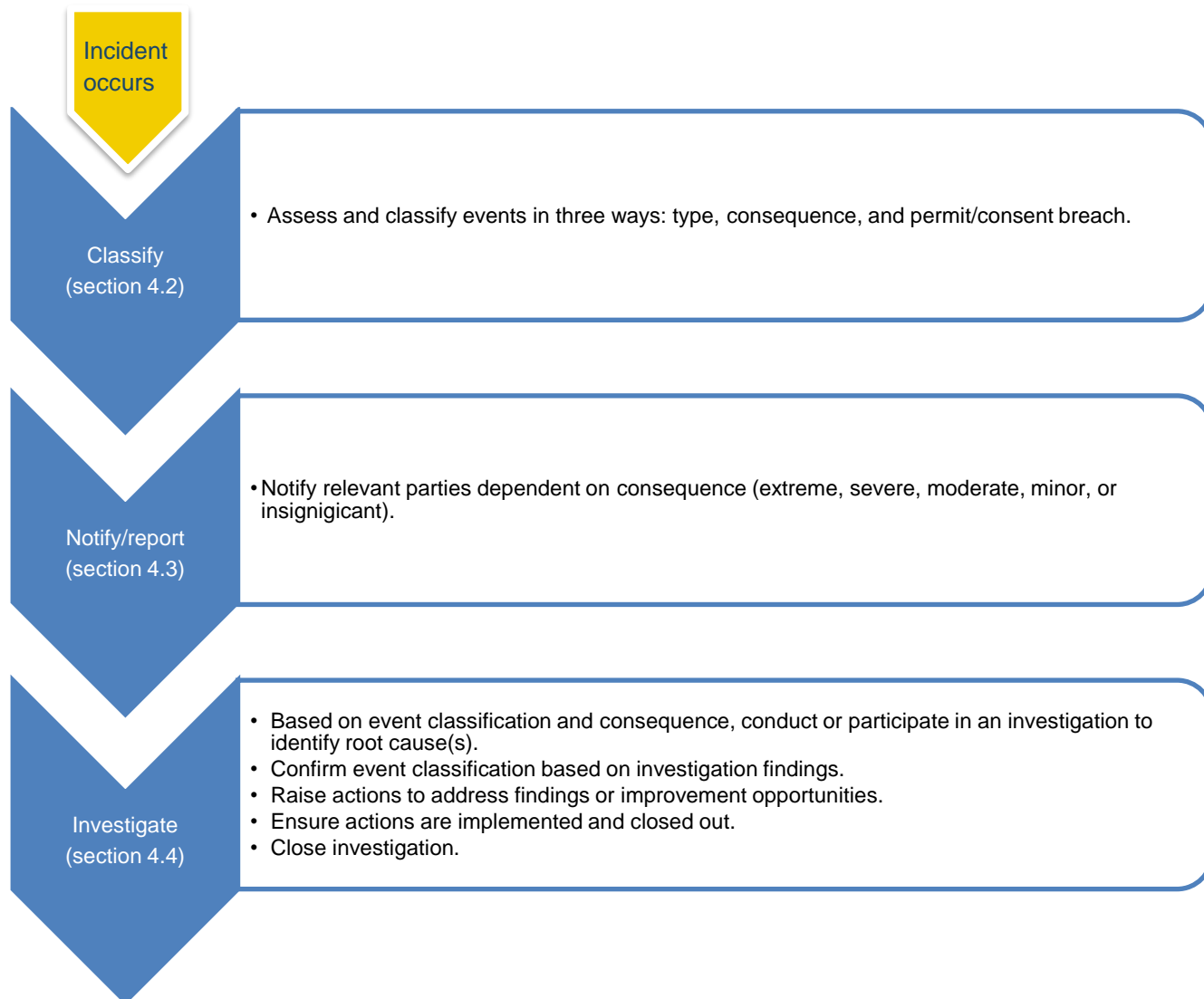
Table 1: Definitions of terms

Term	Definition
Environmental/environment	Relating to the natural world of land, air, sea, freshwater, plants and animals, but also includes social (human interaction), historic heritage (refer definition below) and human health in the context of this specification.
Environmental incident	An unplanned event (actual or potential) that results in adverse environmental impacts and may require an immediate response to minimise that impact and its effects, eg pollution (air, water or land), noise, ecological and heritage or archaeological disturbance and/or finds. This includes near miss incidents. This relates to all incidents including those not caused by the actions of the Contractor (ie incidents caused by a third party).
Environmental management plan	A plan to manage environmental risks related to NZTA activities for construction (capital works projects) and maintenance and operation activities (M&O contracts). Includes any sub-plan(s). It shall be prepared as set out in the NZTA <i>Guideline for preparing an environmental management plan</i> (refer clause 2).
Historic heritage	As defined in the Resource Management Act 1991. Includes archaeology, cultural and built heritage and sites of significance to Māori.
Investigation lead	The Contractor's environment manager or their delegate who has experience in documenting, investigating and remediating environmental impacts and that meets the requirements of a suitably qualified professional. For extreme incidents the role of investigation lead shall be undertaken by an independent third party.
Permit/consent breach	Any event, instance or situation that is in breach of or non-compliant with environmental consents, permits, licenses (including breach of district or regional plan rules/permitted activities).
Sensitive feature	Locations where sensitive receivers are situated including but not limited to: watercourses, harbours/coasts, wetlands, protected trees, significant natural areas, conservation land, areas identified as having biodiversity value (eg habitat for threatened or regionally uncommon species), cultural/archaeological/heritage sites and/or structures, heritage landscapes, residential/school properties, outstanding natural features/landscape etc. This includes native fauna.
Suitably qualified professional (SQP)	<p>Means a person who has all of the following qualifications and experience:</p> <ul style="list-style-type: none"> • a relevant tertiary degree or equivalent • at least eight years of relevant experience • membership or preferably chartered/certified status with a relevant professional body that includes a requirement to provide evidence of continuing professional development, and • experience with at least three projects, plans and/or activities of a similar nature, scale and complexity. <p>In some circumstances exemptions to SQPs may be permitted, but this shall be agreed with the Principal prior to any works taking place.</p>
Kōrero Mai – Tell Us	The NZTA reporting system for environment, health, safety, wellbeing and security. It allows NZTA staff to report events, near misses, hazards or concerns related to environment, health, safety, wellbeing and security. The system is a secure and confidential environment that has been assessed and meets required privacy and information security standards.

4. Environmental incident procedure (clause 4)

4.1. Overview

An environmental incident shall be classified, notified, investigated and reported in accordance with the steps within this procedure, which is summarised in the flowchart below.



4.2. Classification

The Contractor shall assess the event to ensure appropriate reporting and investigation using the process set out below.

The event shall be classified in three ways:

1. event type (including category)
2. event consequence
3. permit/consent breach.

4.2.1. Event type and category

Events shall be reported as one of the following 'types':

- **Concern** – an event that is reported to inform, alert, treat or acknowledge an environmental concern or happening including technical non-compliances with consents/permits/approvals. The event has not or will not require any response.
- **Hazard** – a source or situation with a potential for harm in terms of impacts to the environment.
- **Near miss** – an occurrence that does not cause environmental impacts but has the potential to cause environmental impacts (that is, it could have resulted in an environmental incident in other circumstances). This includes accidental discovery where no effect occurred.
- **Incident** – an event that results in adverse environmental impacts and may require an immediate response to minimise that impact or prevent further impacts.

The Contractor shall follow the event category definitions below when reporting both near misses and incidents.

Table 2: Event categories

Category	Definition
Emissions, odour and air quality	An event or conditions that result in contamination of the atmosphere by gas, fumes, smoke, vapour, dust, odour or any event that may impact the community beyond the land boundary.
Spills, contamination – water/soil	A spill, leak, uncontrolled release or similar that results in contamination of waterways, coastal areas, soil and land, water tables, groundwater, aquifers, bores, or into drains, channels, or culverts. Events or situations that result in land or water contamination.
Waste management/disposal error	Events, incidents, or conditions that result in waste products (solid and liquid) being disposed of in a manner or location that creates a health or environmental risk. Waste disposal incidents may also include instances of trade waste or licence breaches.
Flora and fauna	Events, incidents or conditions that result in the unauthorised damage, death, disturbance, removal or displacement of native, valued or protected flora or fauna and/or their habitats (including but not limited to sensitive sites). This includes where pests, diseases, weeds or contaminants are newly introduced and cause a biosecurity risk to native flora and fauna.
Heritage and landscape	Unplanned disturbance, movement, removal or damage to an item of cultural, archaeological or historical significance (including accidental discovery), heritage buildings, protected trees (native or non-native), significant natural areas, outstanding natural features/landscape, cultural/archaeological/heritage sites and/or structures.
Noise/vibration	Unwanted or harmful outdoor sound or vibration created by human activity. Noise or vibration may be single source and single event (such as explosion, or alarm) or long duration (such as traffic noise, machinery/plant noise).

4.2.2. Consequence

The Contractor shall classify events by using the risk categories detailed in table 3. Where multiple categories are met, the highest risk category shall be used. In consultation with NZTA, categories can be amended where extenuating circumstances exist.

Table 3: Risk categories and environmental event consequence

Risk category	Environmental event consequence				
	Extreme	Severe	Moderate	Minor	Insignificant
Environmental	<ul style="list-style-type: none"> Large-scale impact/discharge off site (requires immediate external response) Permanent damage (irreversible) Discharge/impact occurs off site Significant damage to sensitive feature 	<ul style="list-style-type: none"> Moderate-to-large-scale impact/discharge off site (impact requires external response) Mitigation/remediation feasible or partly feasible, will take longer than 12 months to implement Discharge/impact occurs off site Moderate damage to sensitive feature 	<ul style="list-style-type: none"> Moderate impact (wider project involved to clean up/rectify impact) Mitigation/remediation feasible but requires more than 1 month to implement Discharge/impact occurs off site Damage to sensitive feature 	<ul style="list-style-type: none"> Small amount of pollution or other environmental damage Impact limited beyond site boundaries Contained locally Mitigation/remediation feasible and implementable within 1 week 	<ul style="list-style-type: none"> No or minor impact (site crew able to contain and clean up/rectify impact) Impact limited to the site boundaries Mitigation/remediation feasible and implementable within 24 hours
Public health	<ul style="list-style-type: none"> Permanent moderate negative impact on public health, more than 5 people affected. Permanent significant negative impact on public health, more than 1 person affected. Short-term significant impact on public health, more than 1 person affected 	<ul style="list-style-type: none"> Permanent moderate negative impact on public health, fewer than 5 people affected Short-term moderate negative impact on public health, more than 1 person affected Short-term significant impact on public health, 1 person affected 	<ul style="list-style-type: none"> Minor and short-term impact on public health, more than 1 person affected Moderate short-term impact on public health, 1 person affected 	<ul style="list-style-type: none"> Minor and short-term impact on public health 	<ul style="list-style-type: none"> No impact on public health
Legal/compliance	<ul style="list-style-type: none"> Criminal prosecution Major financial penalty 	<ul style="list-style-type: none"> Consent order, infringement, and/or abatement notice Legal action 	<ul style="list-style-type: none"> Non-compliance with resource consent, designation and/or other authorities/ approvals Notification of council or authority required (excluding spill) 	<ul style="list-style-type: none"> Complies with all authority requirements, and consent and designation conditions Council or authority notifications not required 	<ul style="list-style-type: none"> Complies with all authority requirements, and consent and designation conditions Council or authority notifications not required

Risk category	Environmental event consequence				
	Extreme	Severe	Moderate	Minor	Insignificant
			<ul style="list-style-type: none"> notifications required by consent) Local government interest 		
Media/social media	<ul style="list-style-type: none"> Sustained national and/or international media reporting 	<ul style="list-style-type: none"> Sustained local media reporting/social media activity National media reporting 	<ul style="list-style-type: none"> One-off local media reporting/social media activity 	<ul style="list-style-type: none"> No media coverage No social media activity 	<ul style="list-style-type: none"> No media coverage No social media activity
Stakeholder/public/iwi partners	<ul style="list-style-type: none"> Ministerial inquiry or intervention Loss of ministerial confidence/negative feedback from minister Formal enquiry by the Office of the Auditor General (OAG) or statutory agency Significant response from iwi partners, eg land access rights restricted 	<ul style="list-style-type: none"> National government interest (eg DOC, MFE) Loss of support from community/iwi partners Parliamentary/ministerial questions or third-party investigation 	<ul style="list-style-type: none"> Interest/concern from community/iwi partners 	<ul style="list-style-type: none"> Minor interest from neighbourhood, local community generally limited to immediate neighbours 	<ul style="list-style-type: none"> No interest from neighbourhood, local community
Delivery	<ul style="list-style-type: none"> Programme delay >6 months 	<ul style="list-style-type: none"> Programme delay <3 months 	<ul style="list-style-type: none"> Programme delay <1 month 	<ul style="list-style-type: none"> Programme delay <2 weeks 	<ul style="list-style-type: none"> No programme delay
Financial	<ul style="list-style-type: none"> Financial impact, including mitigation/remediation, loss of service, legal penalties >\$250,000 	<ul style="list-style-type: none"> Financial impact \$50,000–\$250,000 	<ul style="list-style-type: none"> Financial impact \$5,000–\$50,000 	<ul style="list-style-type: none"> No financial impact 	<ul style="list-style-type: none"> No financial impact

4.2.3. Permit/consent breach

The Contractor shall review the event to ascertain whether there has been a consent or permit breach. The Contractor shall update CS-VUE (the Principal’s consent compliance management platform) to record breaches and actions taken to resolve.

4.3. Notification

The Contractor shall notify incidents as set out in table 4, which outlines the timeframes and parties for reporting to, dependent on consequence. Permit/consent notification requirements shall also be complied with in relation to reporting of environmental incidents to relevant statutory authorities and/or third parties.

Table 4: Event notification requirements

Consequence type	Notification
Extreme and Severe	As soon as possible– no later than 8 working hours after the event or before the end of the working day or shift. <ul style="list-style-type: none">• Principal• Police, emergency services, statutory authorities, third parties (if required)
Moderate	Within 48 hours and then 3rd day of following month, as part of routine reporting. <ul style="list-style-type: none">• Principal
Minor and Insignificant	3rd day of following month, as part of routine reporting. <ul style="list-style-type: none">• Principal

Breaches of permits, consent or district/regional plan rules shall be reported to the Principal within 24 hours.

The Contractor shall notify all Extreme and Severe events by quickest means possible. Notification shall then be followed up with an email. The following minimum information shall be provided:

- nature of the incident
- event type, consequence and whether a permit or consent breach has occurred
- location
- time
- person, Contractor and/or group involved
- initial details of damage
- immediate action taken, including notification to relevant bodies/authorities/emergency services
- relevant photographs documenting the incident.

4.4. Investigate

The Contractor shall undertake an incident investigation to understand the contributing causes and conditions that led to the incident, the full outcome, and to prevent recurrence and make improvements. It is not the intention of an investigation to apportion blame or liability. Investigation undertaken by the Contractor must meet the requirements set out in table 5.

The investigation lead shall gather relevant facts to characterise the incident and identify the cause. The investigation lead shall identify all conditions, actions or deficiencies that may have been contributing factors to the incident.

Table 5: Investigation requirements

Consequence	Investigation lead	Timeframe of investigation report	Investigation report requirement
Extreme	Independent third party	20 workdays/4 weeks	Investigation report
Severe	Contractor	10 workdays/2 weeks	Investigation report
Moderate, Minor, and Insignificant	Contractor	N/A – unless required by consent condition	N/A – unless required by consent condition

4.4.1. Investigation report

The investigation lead shall prepare an investigation report for Extreme and Severe environmental incidents. The completed investigation report shall be provided to the Principal within the timeframes stated in table 5.

The report shall at a minimum include the following details:

- Date, time and location of incident.
- Environmental factors/conditions/weather at time of incident. Detail if they were a contributing factor to the incident.
- Summary of events (before, during and after) including any plant, equipment, sensitive features or third-party involvement.
- Persons involved, including whether they are Contractor’s employee(s), subcontractors, suppliers etc.
- Immediate action taken, for example temporary measures to reduce impacts until permanent corrective action.
- Event classification and notification (as detailed in sections 4.2 and 4.3)
- The root causes of incident.
- Corrective actions, including clearly defined timelines and assigned people responsible for ensuring corrective actions are implemented.
- Recommendations for improvement in hazard identification and risk-control processes and any new procedures that the Contractor will implement.
- The members of the investigation team.
- Appendices, including copies of infringements, compliance or enforcement orders, etc, independent investigations, regulatory investigation, relevant photographs or sketches documenting the incident, relevant work pack documentation, and documentation of corrective actions/remediation undertaken.

The Contractor incident investigation lead shall ensure that actions identified within the investigation report are completed as planned and provide updates to the Principal. The incident will be considered closed once all of the actions/recommendations identified within the investigation report are completed.

4.5. Database of environmental incidents

The Contractor shall maintain a searchable database of all environmental incidents (for all consequence levels). This function can be fulfilled by the Contractors own event tracking system.

The database shall at a minimum include the following details:

- Date, time and location of incident.
- Summary of events (before, during and after) including any plant, equipment, sensitive features or third-party involvement.
- Persons involved, including whether they are Contractor’s employee(s), subcontractors, suppliers etc.

- Immediate action taken, for example temporary measures to reduce impacts until permanent corrective action.
- Event classification and notification (as detailed in sections 4.2 and 4.3).
- Incident close out.

Records from the database relating to NZTA projects shall be made available to the Principal on request.

5. Complaints management (clause 5)

The Contractor's customer stakeholder management plan (CSMP) will detail the system procedures for the management and documentation of community and stakeholder complaints related to works activities.

In the event that an environmental incident is received through the community or a stakeholder, then the CSMP should be referred to for instructions on responses to the party who made the complaint. However, the incident shall be independently investigated and reported as detailed in this specification.