

HAZARDS KNOWN TO THE CLIENT

Under the *General Conditions of Contract (CCCS)*, the NZ Transport Agency as Principal to the Contract, is required in Clause 3.8 to set out a list of known identified hazards, relevant to the project, in Section D of the contract document.

Clause 3.8 of *CCCS* deals exclusively with Health and Safety, and requires that the Client provide to the Consultant "a list of known identified hazards relevant to the Services", in addition to any relevant Health and Safety Management Plan.

This obligation relates solely to hazards which are known and identified, and relate to the Services being provided. Importantly, the Transport Agency does not need to actively research or look to identify hazards, as the obligation only relates to hazards that are known. If these are listed, then Clause 3.8 of *CCCS* has been complied with.

As the requirement relates to health and safety, the types of hazards that must be listed are any activities, circumstances, etc (whether arising or caused within or outside a place of work), that are an actual or potential cause or source of harm to people (e.g. an underground high voltage cable). Hazards that may give rise to say, engineering problems, do not have to be included in this list.

Project Managers should ask themselves two questions:

1. Is there a potential hazard identified and known to the Client, i.e. an activity, arrangement, circumstance, event, occurrence, phenomenon, process, situation or substance that is an actual or potential source of harm?
2. Could the identified and known hazard cause injury or illness to people?

Only if both questions are answered "yes", does a hazard have to be listed.

Examples of known hazards that may be listed here, include:

- Known services, such as the existence of a high voltage cable, cell phone towers, microwave transmission devices and radio transmission devices;
- Contaminated ground conditions, if there is a risk of injury or illness to people;
- Unstable road materials, if there is a risk of injury to people;
- Unprotected drop-offs (on ridges for example);
- Known underlying cavities/mines;
- Unstable road slopes and rockfall hazards;
- Possible sources of gas or other poisonous substances, if these are known and identified;
- The existence of adjacent railway tracks;
- A flooding risk, if this is known and identified; and
- Known hazards on neighbouring properties (eg underground tanks).

The existence of traffic should also be included as a matter of practice, given the types of work places the Client will be dealing with. Furthermore, for the avoidance of doubt, if there was an unusually high or abnormal traffic flow expected for some reason, or some traffic visibility issue, this should be listed as a separate hazard.