



# Incident Management and Investigation Procedure

## Brief description

This Procedure sets out how to effectively manage Incidents and conduct Investigations.

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Custodian	Safety Manager

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If you require any further information, please contact the Custodian.

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The current version of this Procedure is available on GPC's Intranet.

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# 1 Terms and definitions

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In this Procedure:

**“Biosecurity Incident”** means an incident with an unintentional, unforeseen or uncontrolled exposure to exotic pests and diseases.

**“Crisis Event”** means an incident or event with the potential to seriously affect the company’s ability to operate, profitability, reputation, or seriously harm people, environment, property or infrastructure. *Reference: Crisis Management Procedure*

**“Dangerous Electrical Incident”** relates to notifiable incidents under the Electrical Safety Act. See Appendix 4.

**“Dangerous Event”** relates to notifiable incidents under the Work Health & Safety Act. See Appendix 4.

**“Emergency Event”** means an actual or imminent event that endangers or threatens life, property or the environment and required an immediate, significant and coordinated response. *Reference: Emergency Management Plan*

**“Environmental Harm”** means any adverse effect or potential adverse effect (whether temporary or permanent and of whatever magnitude, duration or frequency) on an environmental value including environmental nuisance.

**“Fish Bone”** means a cause and effect diagram or Ishikawa diagram. This tool is used for categorising the potential causes of an event/effect/problem in order to identify its root cause.

**“Five Whys”** means an investigation methodology used to explore the cause and effect relationships underlying a problem (root cause of an incident). The goal is to determine the root cause of a problem by repeating the question ‘why?’

**“Failure (Equipment)”** means a failure occurs when a piece of equipment can no longer perform its required function to specification. *Reference: Maintenance Systems Work Management Procedure*

**“GPC Contact”** means a GPC Employee who acts as the contact for Incidents that have involved a member of the public.

**“High Potential Consequence Incident (HPCI)”** means a Health and Safety Incident/Near Miss with a potential consequence of major or critical or, an Environmental Incident with a potential consequence of Significant or above.

**“ICAM”** means Incident cause analysis method.

**“Incident”** means an unplanned event resulting in, or having a potential for harm to people, environment, property or infrastructure.

**–“Insurance Schedule”** means the annual GPC Industrial and Special Risks (ISR) asset schedules that contains GPC vehicles and mobile plant covered by GPC’s Insurance Program.

**“Investigation”** means the account and analysis of an Incident or hazard (problem) based on information gathered by a thorough examination of all contributing factors and causes involved.

- (a) **Basic** – Uses the Fish Bone and 5 Whys to identify causes for substandard actions or conditions that contribute to an Incident or Near Miss.
- (b) **Formal** – Uses RCA, TapRooT, ICAM and the like to identify causal factors that contribute to an Incident or Near Miss.

“**Investigation Accountable**” means a position with the authority relevant to the risk.

“**Investigation Facilitator**” means the person who facilitates the Investigation process. Usually the Investigation Leader, but can be an SME for formal Investigations.

“**Investigation Leader**” means the person responsible to investigate.

“**LTI**” means lost time injury.

“**Marine Incident**” relates to Notifiable Incidents under the Navigation Act 2012 (Cth). See Appendix 4.

“**Mobile equipment**” means any mechanically or electrically driven machine capable of moving under its own power and requires a driver/operator and includes light vehicles (*Reference – GPC Safe Operation of Mobile Equipment Procedure*).

“**Near Miss**” means term used in *SAI360* to describe the actual outcome of an Incident where there was no damage, harm or loss, but had the potential.

“**Notifiable Incident**” means an Incident required to be reported to the relevant statutory authority(s) or other external body as per legal obligation. See Appendix 4 for examples.

“**QAS**” means Queensland Ambulance Service.

“**RCA**” means Root Cause Analysis.

**Environmental “Report Only Incident”** means an environmental incident which requires notification to a regulatory authority (Notifiable Incident), however the cause was not within GPC’s control.

“**SAI360**” means electronic database used for Incident and action management.

“**Serious Electrical Incident**” relates to Notifiable Incidents under the Electrical Safety Act 2002 (Qld). See Appendix 4.

“**Serious Injury**” means injury that results in medical treatment, restricted work or lost time.

“**Solution**” means improvements taken to directly address the cause/s of actual or potential problem/s. *Ref: HSEQ SAI360 Action Management Procedure*

“**Supplementary Actions**” means actions that do not provide a solution may be identified by the Investigation team to address a short fall, non-conformance or a pro-active measure which is not directly linked to the cause of the problem, but nevertheless are important to implement for ongoing business improvement and shared learnings. *Reference: HSEQ SAI360 Action Management Procedure.*

“**TapRoot**” means a root cause analysis investigation methodology.

“**Worker**” means a person is a worker if the person carries out work in any capacity for a person conducting a business or undertaking, including work as—

- (a) an employee or
- (b) a contractor or subcontractor or
- (c) an employee of a contractor or subcontractor or
- (d) an employee of a labour hire company who has been assigned to work in the person’s business or undertaking or
- (e) an outworker or

- (f) an apprentice or trainee or
- (g) a student gaining work experience or
- (h) a volunteer or
- (i) a person of a prescribed class.

The person conducting the business or undertaking is also a worker if the person is an individual who carries out work in that business or undertaking.

For the purpose of a Biosecurity Incident, a worker is a berth operator, vessel operator, goods importer in addition to all other roles listed above. *Ref: WHS Act 2011*

Terms that are capitalised and not otherwise defined in this Procedure are defined in the GPC Corporate Glossary Instruction (as listed in Appendix 1 – Related documents).

## 2 Introduction

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### 2.1 Purpose

The Incident Management and Investigation Procedure reflects GPC's commitment to managing Incidents, to ensure the safety of people, minimise harm to the environment, delivery of service obligations and protection of GPC's property, systems, assets and reputation. Whilst not every Incident reaches its full potential, each event, including both those that result in an impact and those that result in a Near Miss, will be investigated with a level of rigour in line with level of risk to support GPC as a learning organisation.

### 2.2 Scope

This Procedure applies to all health and safety, environment, process or quality, security and corporate/business Incident types that arise due to the following situations:

- in the course of work or as a result of GPC activities; or
- on GPC property or at a GPC managed location; and
  - where actual or potential damage, harm or loss was sustained to GPC property, production or environmental breach because of a 3rd party activity; or
- where GPC property was damaged; or
- where a 3rd party caused damage to GPC property; or
- where 3rd party property was damaged or loss sustained because of GPC property or activities; or
- where a 3rd party person sustained an injury, harm or Near Miss because of GPC property or activities; or
- where a 3rd party activity has the potential to impact (e.g. reputation) GPC.

Where an incident meets the triggers to be escalated to an emergency or crisis, it will be managed in accordance with the Emergency Management Plan or Crisis Management Plan.

Equipment failure events are captured in JDE and managed via the work management system as described in the Maintenance Systems – Work Management Process Procedure, unless the delay is greater than four hours; these Incidents are recorded in SAI360.

A hazard can be described as a potential source of harm. Hazards are to be managed via the Hazard Management Procedure.

## 2.3 Objectives

The objective of this Procedure is to:

- ensure a systematic and consistent approach is used when managing Incidents and conducting Investigations;
- support GPC as a learning organisation to allow continual improvement;
- ensure GPC complies with its insurance obligations;
- ensure GPC is compensated for any damage sustained;
- ensure GPC compensates 3rd party for any damage sustained; and
- support GPC's safety, environment & quality management systems.

## 3 Roles and responsibilities

Role	Responsibilities
Executive Leadership Team	<ul style="list-style-type: none"> <li>• Ensure compliance to this Procedure throughout GPC.</li> <li>• Review and sign off Incidents in SAI360 where level of risk requires it.</li> <li>• Ensure resources are made available to meet the requirements of this Procedure.</li> </ul>
Executive General Manager Safety and Environmental Social Governance	<ul style="list-style-type: none"> <li>• Ensure the SAI360 database remains fit for purpose.</li> <li>• Ensure this Procedure remains current and is reflective of GPC's management.</li> </ul>
Safety and Environment Manager, Safety Manager, Environment and Port Security Superintendents, Specialists and Subject Matter Experts (SMEs)  *NOTE – SMEs referenced are in accordance with section 4.3(a) Table 2.	<ul style="list-style-type: none"> <li>• Ensure the appropriate notifications are made to external regulatory authorities.</li> <li>• Participate in or facilitate Investigations as requested.</li> <li>• Provide support, coaching and mentoring for management, supervision and Investigation Leaders in all aspects of Incident management and Investigation.</li> <li>• Provide training in conducting basic Investigations and entry of data into SAI360.</li> </ul>
Executive General Managers / Chief Officers	<ul style="list-style-type: none"> <li>• Informs CEO to escalate Incidents to 'crises as required.</li> </ul>

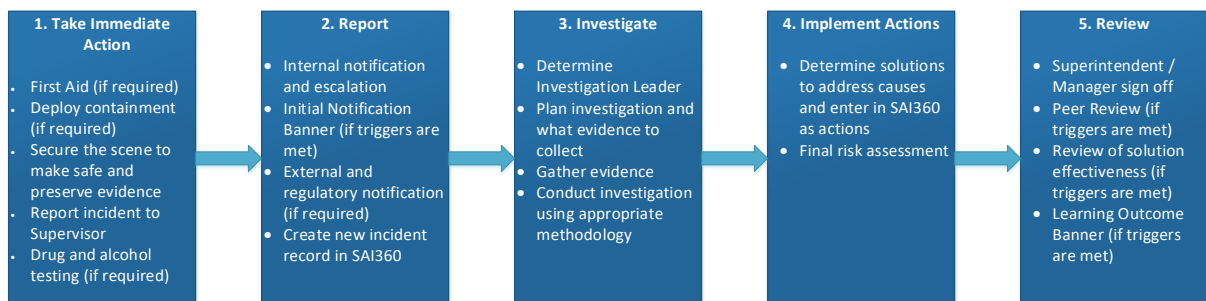
Role	Responsibilities
	<ul style="list-style-type: none"> <li>• Lead and participate in Investigations as required.</li> </ul>
Managers	<ul style="list-style-type: none"> <li>• Lead and participate in Investigations as required.</li> <li>• Review and sign off Incidents for their teams in SAI360.</li> <li>• Conduct a review of solution effectiveness three (3) months after implementation.</li> </ul>
Superintendents	<ul style="list-style-type: none"> <li>• Communicate incidents with a potential risk consequence of significant or above and / or Notifiable Incidents (excluding Environmental 'Report Only' Incidents via Initial Notification Banner within 24 hours of the event.</li> <li>• Lead and participate in Investigations as required.</li> <li>• Review and sign off Incidents for their teams in SAI360.</li> </ul>
Supervisors (including Leading Hands, GPC Representatives)	<ul style="list-style-type: none"> <li>• Notify and escalate Incident to Superintendent and/or Manager for serious injuries, incidents with a potential risk consequence of significant or above and Notifiable Incidents.</li> <li>• Notify Subject Matter Experts for certain Incident types as required (section 4.3(a) Table 2).</li> <li>• Lead and participate in Investigations as required.</li> </ul>
Workers	<ul style="list-style-type: none"> <li>• Put in place immediate temporary controls where necessary and safe to do so.</li> <li>• Report all Incidents (including near misses and injuries/illness) to their supervisor as soon as practicable.</li> <li>• Participate in Investigations as required.</li> <li>• Complete actions as required.</li> <li>• Attend training as required.</li> </ul>
Investigation Leaders	<ul style="list-style-type: none"> <li>• Determine the make-up of the Investigation team.</li> <li>• Make all arrangements to facilitate the Investigation.</li> </ul>

Role	Responsibilities
	<ul style="list-style-type: none"> <li>Enter relevant details in SAI360 including attaching relevant documents and supporting evidence.</li> </ul>
Investigation Facilitators	<ul style="list-style-type: none"> <li>Facilitate application of chosen methodology for the Investigation.</li> </ul>

## 4 GPC Incident management and Investigation

### 4.1 Incident Management Process

In the event of an Incident, the following process should be followed:



In addition to the activities described in the following sections, in the event of a Notifiable Incident, a major or critical potential risk consequence Incident or an Incident that results in an injury likely to result in Lost Time, the relevant Manager must ensure that the following occurs prior to allowing work to continue:

- 1 Work is ceased.
- 2 Scene is secured.
- 3 Seek advice from GPC Legal Team in consultation with relevant SME Manager (e.g. Safety) regarding setting up investigation and any requirements for legal professional privilege.
- 4 Data is obtained and treated in a confidential manner (including any video footage).
- 5 Witness are interviewed.
- 6 Notifiable Incident decision tool is completed.
- 7 Arrange drug and alcohol testing for persons involved where required.
- 8 Develop and distribute an Initial Notification Banner.
- 9 Hold a 'safety stop' to communicate the Incident. Work groups or locations to participate in the 'safety stop' to be determined by the relevant Manager/s and/or by direction from Executive Leadership Team.
- 10 Develop a risk assessment for recovery work.



Scene may be released when 1-9 are complete except if notifiable to a regulator; permission must be given by the regulator first.

A checklist of these steps is available – Incident Response Guide for Managers.

## 4.2 Take immediate action

When an Incident occurs, the welfare of any person affected by the Incident and the management of the scene to prevent others from being affected must be the immediate priority.

### (a) Injury treatment

Injuries must be reported to the relevant supervisor or GPC Representative to ensure prompt treatment is administered by a qualified first aider and any required immediate actions implemented.

Provision of first aid is detailed in First Aid Procedure.

Provision of injury management and rehabilitation is detailed in Injury / Illness Management Standard.

### Suspected electrical shock

Any person involved in an electrical incident involving an electric shock/suspected electric shock must receive medical attention. This includes being taken to hospital for precautionary checks.

The affected person is not permitted to drive or operate any form of vehicle or mobile plant.

The affected person shall also not be left alone. If taken to hospital via vehicle (not ambulance), a CPR trained observer must also accompany the affected person and driver.

### (b) Secure the scene to make safe and preserve evidence

The Incident scene must be made safe by the person at the scene to prevent injury, asset damage or environmental impact where it is safe to do so and to preserve evidence. Examples of 'making safe' includes isolating a power source (competent person only) or erecting a barricade to prevent access.

Where the incident is notifiable, the relevant Subject Matter Expert (SME) acting as liaison with the regulatory authority will inform the relevant Manager when the scene is able to be released.

Where disturbing the site is unavoidable, photos or drawings should be taken of the scene prior to actions being taken as described in the Supervisor Guide for Incident Management and Investigations.

Some incident types will have some more specific requirements for securing a scene and making it safe. If persons at the scene are unsure, they should seek advice from the relevant SME as identified in Section 4.3 (Table 2).

Table 1: Specific immediate actions for specific incident types

Incident type	Immediate actions
Electrical incident	Competent person (experienced electrician only) to isolate the power source and barricade. If

Incident type	Immediate actions
	unable to isolate or if it is unsafe to do so, barricade the area.
Asbestos spill incident	Refer to Asbestos Management Procedure.
Motor vehicle accident (GPC fleet vehicle)	Follow instructions in 'Motor Vehicle Accident Guide' – should be stored in the glove box of GPC fleet vehicles.
Incidents involving vehicles and mobile plant/equipment	For insurance purposes - clear and detailed photographs of the scene and vehicle/s, witness statements, police report number, 3rd party details
Incidents involving marine vessels	Evidence of the incident for cost recovery e.g. pilotage certificate, notice of damage to GPC property form, photographs, close circuit television footage, witness statements
Incidents where GPC causes damage to 3 <sup>rd</sup> party property	Form for Risk and Liability Assessment for Potential Insurance Claim form (accessible via GPC website for 3 <sup>rd</sup> party claims)
Marine pollution incident	<p>A site evaluation must be made by Marina Superintendent for Port of Gladstone, Port of Bundaberg Manager for Port of Bundaberg or Port Alma Manager for Port of Rockhampton.</p> <p>If these people are unavailable, then contact Maritime Safety Queensland directly on 137 468. Maritime Safety Queensland may be required to attend the scene to determine specific clean up actions.</p>
Spill incident	If safe to do so, contain and control the spill then initiate the following steps: evaluate, notify, clean up, restock spill equipment, investigate and report.
Biosecurity incident – first point of entry (pest or disease incursions)	<p>Notify relevant Supervisor and SME. Take photos or a description and document the location and any other pertinent information. Biosecurity Incidents must be isolated, contained and reported immediately.</p> <p>If a supervisor or SME is not available, contact the Department of Agriculture, Fisheries and Forestry (DAFF) directly on: 1. Local Biosecurity Office – 07 4976 6620 2. Hotline – 1800 900 090</p> <p>Further mandatory information in accordance with the Biosecurity Incident Response Procedure (BIRP) required under the 'Biosecurity First Points of Entry' is outlined in Appendix 5.</p>
Cyber Security incident	If safe to do so, any device suspected of containing any of these malicious activities should be disconnected from the network and / or shutdown immediately, and the Service Desk should be notified on ext. 478 urgently for resolution.

**(c) Drug and alcohol testing**

Unless injury or a medical condition prevents screening, all persons in control of, or involved with, an incident related to driving/operating vehicles or mobile equipment while conducting GPC activities shall present for post-incident drug and alcohol testing in accordance with Testing for Alcohol and Other Drugs Procedure. In addition, any person involved in the following incidents (including those who may have contributed) where judgement or choices could be a contributor will also be directed to present for post-incident drug and alcohol testing:

- An incident that may result in a significant, major or critical potential risk consequence; or
- Any incident notifiable to a regulator (e.g. Workplace Health and Safety Queensland).

**(d) Temporary Stand Aside Process**

A temporary stand aside can be in two forms:

- stand aside from the task; or
- stand aside from the workplace.

The reason for standing aside personnel includes:

- ensure the safety and wellbeing of involved parties;
- limit distractions to workmates and leaders to ensure continued safe operations;
- ensure adequate operational resources for continued safe operations;
- preservation of Investigation quality;
- allow opportunity for involved personnel to acquire support; or
- reduce risks to the personnel involved and to GPC.

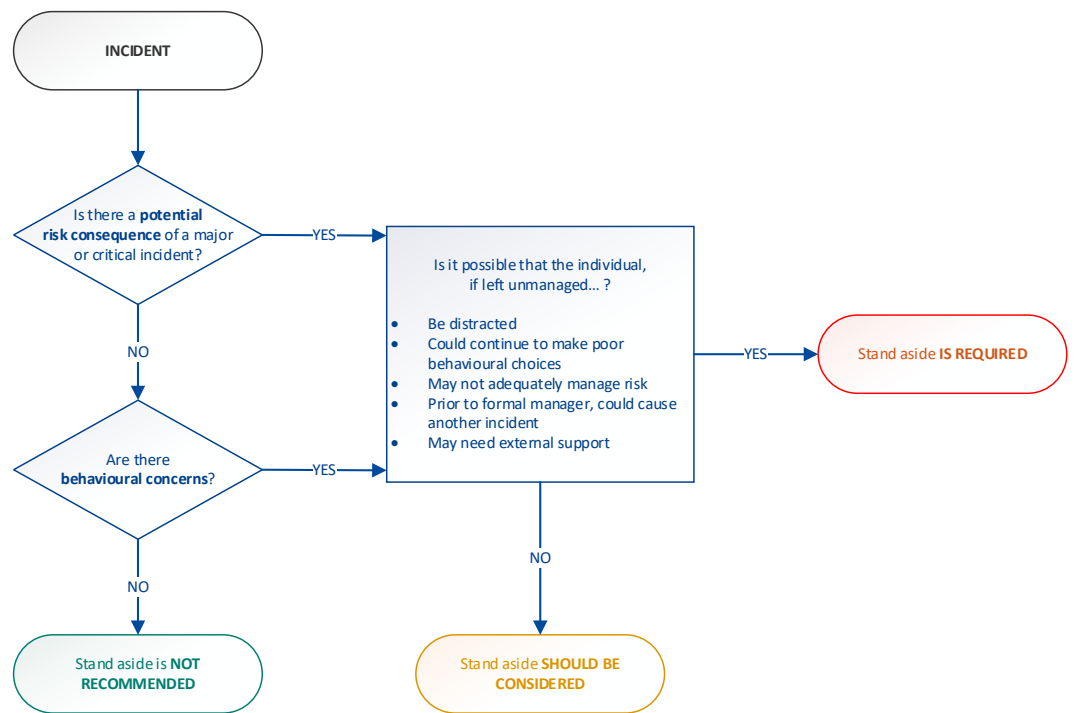
**Stand aside from the task**

A Supervisor or Superintendent may opt to redeploy the involved personnel to alternative tasks while the incident is investigated. This may occur for any incident, regardless of risk.

**Stand aside from the workplace**

In the event of a potential major or critical risk consequence Incident or an Incident with potential serious behavioural concerns, the relevant Manager may opt to temporarily stand aside involved personnel while the incident is investigated. This process is not a part of the disciplinary process. Any Employees on temporary stand aside will maintain full pay.

Guide for when temporary stand aside from workplace should be considered:



An individual will be notified of a temporary stand aside by the relevant Manager and will be in the form of a verbal conversation. The Manager will document the conversation and notify Human Resources Team and Payroll.

The Manager will maintain regular communication with the individual to ensure their safety and wellbeing is attended to and to keep them abreast of the Investigation timings and next steps.

### 4.3 Report

#### (a) Internal notification and escalation

As soon as reasonably practical after an Incident has occurred, the GPC Representative/Supervisor in control of the work and/or the injured/ill person's immediate Supervisor must be notified.

The Supervisor, in consultation with Subject Matter Experts (SME's) (if required), will determine how the Incident will be notified and if the Incident requires emergency response or further escalation to Crisis Management. This has been summarised in a table in Appendix 2.

If the Supervisor/s are not available, notification should be made to another management representative. For Operations and Maintenance Departments, refer to 'Combined Operations and Maintenance Management On Call Roster'.

An Initial Notification Banner is used to inform the business of the occurrence of a notifiable Incident (excluding Environmental 'Report Only' Incidents) or a health, safety or environment Incident with a potential risk consequence of significant, major or critical.

At a Manager's discretion, an Initial Notification Banner may also be used to communicate an Incident of any risk profile or an emerging hazard that could impose imminent risk to health, safety or environment.

An Initial Notification Banner may be drafted by the Supervisor or Superintendent of the work associated with the Incident, with input from the relevant specialists or SMEs if required.

The Manager in control of the work associated with the Incident is responsible for approving the Initial Notification Banner and arranging its distribution to all GPC Leaders within 24 hours of the Incident. Leaders are expected to communicate the banner with their teams at the next toolbox / pre-start meeting and it may also be discussed at team or safety meetings.

The Initial Notification Banner template is available through Neptune.

Some Incident types have specific requirements for other subject matter expert notification as per Table 2.

Table 2: Internal Incident notification details and timeframe. Note: SAI360 is the conduit for majority of notifications.

Incident type	Who to notify	Details	When
Electrical safety Incident	Electrical Engineering Superintendent	All electrical Incidents and injuries, including high voltage	As soon as practical
Mechanical or structural integrity	Technical Services Manager	All Incidents that have impacted on the structural integrity of plant or high risk mechanical Incidents	As soon as practical
Asbestos spill	Safety Manager	All suspected asbestos spills	As soon as practical
Vehicle / mobile plant / vessel	Finance Department, Company Secretary	All relevant documentation attached to SAI360 Incident	Within 24 hours
Insurance or warranty claim	Finance Department, Company Secretary	Any Incident that has the potential to result in an insurance or warranty claim or disclosure of a plant or equipment problem that may impact on insurance or its warranty	Same day or if on back shifts, on next business day
Community impact	Corporate & Community Relations Superintendent or Corporate Affairs Specialist	Any Incident that has the potential to create public or media attention	Same day
Unlawful or suspicious nature (including theft or security breaches)	Security Department	Any Incident that may impact on GPC security	Immediately
Marine Incident	Executive General Manager Marine Operations	All marine Incidents as defined in Appendix 4	Immediately (notification to Australian Maritime Safety Authority required within four (4) hours)
Marine pollution Incident	Port of Gladstone – Marina Superintendent Port of Bundaberg – Port of Bundaberg Manager Port of Rockhampton – Port Alma Manager	All marine pollution Incidents in the form of oil or chemical spills to the marine environment (includes tidal or intertidal zones below highest astronomical tide)	Immediately
Spills to the ground or water (not marine)	Environmental Specialist	Spills that are large / complex or uncontained / uncontrolled	Immediately

Incident type	Who to notify	Details	When
Cyber security Incident	IS Service Desk (on ext. 478) and / or Technology & Cyber Security Manager	All cyber security Incidents or suspected cyber security Incidents as detailed	Immediately
Environment Incident	Environmental Specialist	If environmental harm is suspected	Immediately
Biosecurity Incident	Environmental Specialist	All suspicious and unusual flora and fauna including marine pests and insects / ants in relation to First Points of Entry (international wharves)	Immediately
Fraud related Incident	Company Secretary	Any suspicions of Fraudulent activities or conduct by any GPC Representative	Immediately
Incidents that may result in public liability	Company Secretary	Any incident that has resulted in damage to third party property or bodily injury to third parties	24 – 48 hours

**(b) Escalating to Emergency and Crisis Management**

Refer to the Emergency Management Plan for escalation requirements.

An incident should be escalated to an emergency when an actual or imminent event occurs that endangers or threatens life, property or the environment and requires an immediate, significant and coordinated response.

If the Incident or event has the potential to seriously affect GPC's ability to operate, profitability or reputation or strategic coordinated response to an emergency, the situation may be considered a crisis.

The relevant Executive General Manager/Chief Officer, with the Emergency Response Coordinator, shall advise the CEO (or delegate) of the situation. The CEO will decide if activation of the Crisis Management Team is required.

The Corporate and Community Relations Team must be notified prior to any media contact or immediately following any enquiry regarding media statements. All media contact must be approved and given by the CEO or an approved delegate.

GPC's Emergency Management Plans and the Crisis Management Procedure are available on Neptune.

**(c) External and regulatory notification**

There are several pieces of legislation that require formal notification of certain Incidents including but not limited to: work health and safety, workers compensation and rehabilitation, environmental, electrical, information and privacy, criminal activity, traffic and maritime security. Some of the more common Notifiable Incidents are defined in Appendix 4.

To comply with insurance obligations, all Incidents/circumstances that could result in a claim must be reported to GPC's broker as soon as practical as well as annually prior to renewal. Failure to do so may result in a denied claim by the insurer. These include Incidents / circumstances that relates to directors' and officers' liability, crime / fraud, cyber, workplace health and safety liability. All such insurance events must be reported to the Chief Financial Officer and the Company Secretary or their delegate on an annual basis before 1 October (insurance renewal date).

All potentially Notifiable Incidents are to be assessed by the relevant Manager, with assistance from the relevant SME, to determine external notification requirements. All electrical Incidents must be discussed with the Electrical Engineering Superintendent prior to external notification. For health, safety and environmental Incidents, the Notifiable Health and Safety Form (includes notifiable electrical events) and Notifiable Environmental Form, may be used to determine if the criteria has been met to notify the relevant regulatory authority. Any health and safety incidents that occur at a GPC operated quarry must be notified to and discussed with the Operations Auxiliary Superintendent (Site Senior Executive) prior to external notification as additional notification requirements to the Mines Inspectorate are required.

The notification will then be made by the relevant SME.

For Notifiable Incidents involving Contractors where the Contractor is in control of the workplace area, the Contractor is responsible for notification to the relevant regulatory authority and to provide confirmation to GPC that this has occurred.

Gladstone Marine Pilot Services s have reporting responsibilities towards the Australian Maritime Safety Authority, Maritime Safety Queensland and the Regional Harbour Master as set out in GMPS Pilotage Operations Safety Management System.

**(d) Other external notification**

All other external notifications, including emergency services, relevant harbour master, water police, water boards, Contractors, port users, tenants, Customers and the like, must be made in accordance with the relevant applicable GPC Emergency Management Plan.

All vehicle or mobile plant Incidents must be reported as per the motor accident detail claim card located in the vehicle's glove box, and as a minimum include the driver's name, address, phone and the relevant vehicle/mobile plant rego.

**(e) Create Incident records and notify in SAI360**

The relevant Supervisor (usually the Supervisor of the person reporting the event) must ensure that all Incidents reported are entered into SAI360 within 24 hours. High level details are only required to be entered including what happened and time and location of occurrence. An initial assessment of the actual and potential impact of the incident to GPC must also be made:

- Actual risk consequence – what the actual impact of the incident is
- Potential risk consequence – what the consequence of the realistic worst case of credible scenarios considering any 'hard' controls that were in place and their effectiveness

On creation of an Incident record, an automatic email notification will be sent to the following:

- person in control of the work at the time of the event and their leader;
- person nominated as responsible for the Investigation and their leader;
- the Executive Leadership Team; and
- SMEs.

## 4.4 Investigate

All Incident types must be investigated to ensure that controls are implemented to prevent recurrence and learnings can be shared across GPC.

The level of Investigation required and who should be involved is based on the actual and/or potential risk consequence and/or complexity of the Incident.

### (a) Investigation Leader and the Investigation Team

The person accountable is responsible for appointing an Investigation Leader. The following table identifies the accountable person:

*Table 1: Accountability for the Investigation*

Potential risk consequence	Investigation Accountable
Minor	Supervisor
Moderate	Superintendent
Significant	Superintendent
Major	Manager
Critical	Executive General Manager/Chief Officer

Also refer to Appendix 2.

When the potential consequence is major or critical the Investigation team must consist of:

- people not involved in the Incident; and
- a health and safety representative.

Where the actual consequence is either major or critical, the Investigation Leader must be independent of GPC.

The Investigation Leader shall determine the make-up of the Investigation team commensurate of the Incident type and potential risk.

### (b) Data gathering and investigation planning

Once the investigation team has been determined, planning for the investigation should occur. This will include arranging an appropriate time and venue.

What evidence needs to be collected will also need to be determined. This will determine who needs to be interviewed, any photographs, closed circuit television,



drawings or sketches of the scene and other documents and records to be collected and reviewed.

Witness statements and interviews should be conducted as soon as possible after the incident. GPC Witness Statement Form is to be utilised.

**(c) Investigations where GPC is not in control of the work or activity**

When an Incident arises from the actions of, or conditions created by, a port user and results in damage, harm or loss to GPC Workers, property or the environment, then the GPC Representative shall request the port user responsible to provide an Investigation report. This Investigation report shall be attached to the Incident record in SAI360 by the GPC Representative and actioned accordingly.

When an Incident arises from the actions of a member of the public and results in damage, harm or loss to GPC Workers, property or the environment, the GPC Person Accountable for the area shall be responsible for following due process to ensure damages are rectified and/or costs recovered. A due diligence Investigation shall also be carried out to determine if there are any actions required by GPC to prevent recurrence. The findings shall be recorded in the Incident record in SAI360.

**(d) Investigation methodology**

All Investigations must involve an analysis of the substandard action/s and/or condition/s that contributed to the event.

For Incidents with a potential risk consequence of minor or moderate, the basic Investigation methodology of fish bone with 5 Whys is acceptable. SAI360 has been designed to accommodate the findings of this method.

For a Notifiable Incident or Incidents with a potential risk consequence of significant, major or critical the methodology that can be used can be any of the following: Root Cause Analysis (RCA), TapRoot or ICAM. Incidents of this potential consequence that are non-complex may utilise the 5 Whys methodology. The Investigation Leader may enlist the assistance of an Investigation Facilitator if required. A list of trained and competent Investigation Facilitators is available from the Training Department.

Investigation methodologies required are summarised in Appendix 2.

The relevant Manager may use their discretion on the methodology applied to Incidents relevant to their department.

**(e) Time frames for completion of Investigation**

It is expected that Incidents will be investigated within the following timeframes:

Potential Risk Consequence	Timeframe for Completion
Minor or Moderate	7 days
Significant	14 days
Major	21 days
Critical	28 days

To assist in managing Investigation completion, a weekly incident and action report is distributed by the Safety Team to all GPC Leaders. Investigation management reports can also be viewed and managed directly from SAI360.

**(f) Legal professional privilege**

At the discretion of GPC's Legal Team, some Investigations may be subject to legal professional privilege. Legal privilege may be asserted over information gathered or documents generated during the Investigation. Section 269 of the WHS Act preserves GPC's right to refuse to produce a document that would disclose information, or otherwise provide information, that is the subject of legal professional privilege. Refer to Appendix 6 for guidance on conducting an Investigation under legal professional privilege.

## **4.5 Implement Actions**

All Incident Investigations shall identify actions to address the causes and contributing factors to prevent re-occurrence.

Supplementary actions that do not provide a solution, may be identified by the Investigation team to address a non-conformance, learning opportunity or a pro-active continual improvement measure which is not directly linked to the cause/s of the Incident, but are nevertheless important to implement for ongoing business improvement and shared learnings.

General guidance for developing and managing actions is provided in HSEQ SAI360 Action Management Procedure.

**(a) Temporary Actions**

Where temporary actions are required to manage a risk prior to a permanent action, the relevant Superintendent must ensure the temporary action is regularly reviewed to ensure ongoing effectiveness. Implementation of temporary actions must be in accordance with the Management of Change Procedure.

**(b) Managing actions that arise from an Incident Investigation**

If actions need to be assigned to a person not at the Investigation, that person must be informed of intent prior to the actions being assigned.

All actions shall be recorded and managed in the Incident record in SAI360. Actions must only be closed once the change has been implemented.

To assist in managing action completion, a weekly incident and action report is distributed by the Safety Team each Monday) to all GPC Leaders. Action management reports can also be viewed and managed directly from SAI360.

**(c) Final risk assessment**

A risk assessment is required post action assignment. The final risk assessment should consider the residual risk anticipated following successful implementation of assigned actions.

## **4.6 Review**

**(a) Incident review and sign off**

The person nominated to review the Incident, is responsible for reviewing and accepting the quality of the Investigation and appropriateness of actions assigned with the intent to prevent recurrence.

The sign off process serves as the acceptance of the Investigation findings and actions.

The potential risk consequence and/or actual consequence will determine who is required to sign-off the Incident. This person will be nominated in SAI360 as the 'Reviewing Superintendent / Manager'. This is summarised in Appendix 2.

Where the residual risk after controls remains medium or greater, then the risk register in SAI360 should be reviewed and updated to enable on-going management review.

**(b) Peer Review (mandatory)**

A peer review is triggered by:

- A health and safety Incident with an actual or potential risk consequence of major or critical; or
- An environmental Incident with an actual or potential risk consequence of significant or above.

The purpose of a peer review is to review if the investigation identified the cause/s and contributing factors, actions will prevent reoccurrence and promote learning across the whole organisation, timeframes for actions are acceptable and investigation process and quality was acceptable. The relevant Superintendent is accountable to present the Investigation findings and actions. The Peer Review Presentation template shall be used.

The Incident peer review team will consist of Executive Leadership Team members, Managers, Superintendents and health and safety representatives (cross-sectional representatives where possible). The accountable Superintendent will organise the peer review once the Investigation is complete.

**(c) Peer Review – two years post Incident (optional)**

At the discretion of Management, Superintendents will be required to conduct a review on past Incidents and provide feedback to the peer review team.

Feedback will need to include:

- actions implemented;
- effectiveness of those actions; and
- recommendations for further improvement to prevent recurrence.

**(d) Review of solution effectiveness (mandatory)**

For all Incidents with a potential risk consequence of significant, major or critical, the relevant Manager is responsible for ensuring a review of solution effectiveness is carried out three months after completion and implementation of the final action to determine if the risk has been reduced as anticipated. The relevant SME can provide support in completing the review. The review should consider if similar Incidents have occurred since action completion as an indicator of effectiveness. The outcome of the review can be documented directly in a 'review solution effectiveness' action in SAI360 or by attaching the review form (Review of Solution Effectiveness Form) if used.

If the result of the review identifies that the actions have not been effective, additional actions may be required. Additional actions shall be approved by the relevant Manager or Executive General Manager/Chief Officer.

## 4.7 Documentation and records

All Incidents relating to health, safety, environment, process or quality, security and corporate/business must be recorded in SAI360. Equipment failure events are captured in JDE and managed via the work management system as described in Maintenance Systems – Work Management Process Procedure unless the delay is greater than four hours.

All relevant documentation and images associated with the Incident and subsequent Investigation shall be saved electronically in GPC's document management system and linked within the SAI360 entry.

## 4.8 Communication of Investigation findings and solution implementation

A Learning Outcomes Banner is used to inform the business of the outcomes of a Notifiable Incident (excluding Environmental Report Only Incidents), or a health, safety or environment Incident with a potential risk consequence of significant, major or critical.

At a Managers discretion, a Learning Outcomes Banner may also be used to communicate the outcomes of an Incident of any risk profile or rectification of an emerging hazard that imposed an imminent risk to health, safety or environment.

A Learning Outcomes Banner may be drafted by the Supervisor, Superintendent or Manager accountable for the Investigation, with input from the relevant specialists or subject matter experts if required.

The Manager accountable for the Investigation is responsible for approving the Learning Outcomes Banner distributing to all GPC Leaders as soon as. Leaders are expected to communicate the banner with their teams at the next toolbox / pre-start meeting and it may also be discussed at team or safety meetings.

The Learning Outcomes Banner template is located on Neptune. Further guidance on communications is provided in HSEQ Communication and Consultation Procedure.

## 4.9 Insurance

GPC vehicles and mobile plant, as listed in the Insurance Schedule, are covered by various policies. To ensure a claim is accepted, the following information is required: photographs of the scene and vehicle/s, witness statements, police report number and 3<sup>rd</sup> party details, investigation report.

Under the Admiralty Act 1988, GPC has the right to recover costs from vessel owners for repair or damage to GPC infrastructure caused by a vessel. Notwithstanding, GPC is required to submit evidence of the incident. Evidence includes but is not limited to, a pilotage certificate, notice of damage to GPC property form, photographs, close circuit television footage, witness statements, and any other GPC documentation deemed relevant. The parties subsequently agree on the value of the damage and enter into a Settlement Agreement.

GPC may cause damage to 3<sup>rd</sup> party property and may need to reimburse the party. Notwithstanding, GPC requires evidence of the incident. Evidence includes but is not limited to, photographs, close circuit television footage, witness statements, and any other GPC documentation deemed relevant. Parties agree on the value of the damage and subsequently enter into a Settlement Agreement.

## 4.10 Training and competencies

### (a) Awareness training

General awareness of this Procedure is provided to all new GPC Employees via the following Corporate Mandatory Training Modules:

- Workplace Health and Safety Awareness;
- Environmental Awareness;
- Electrical Safety Awareness;
- Fire and Evacuation;
- Emergency Response;
- Seaports First Point of Entry (FPOE) Biosecurity Awareness; and
- Employee Essentials Two.

This Procedure is made available to contractors and port users by their relevant GPC Representative and the GPC website.

**(b) Incident management and Investigation methodology training**

Incident Investigation training is provided to all personnel who are in control of work. This includes roles such as: Leading Hand, Supervisor, Superintendent, Manager, Executive General Manager, Chief Officer, Specialist, Construction Supervisor, Project Coordinator, Project Supervisor, Project Manager and the like. This training shall be provided in accordance with the Job Specific Mandatory Training Matrix managed by the Training Team.

SAI360 training is incorporated into the Incident Investigation training. The Supervisor Guide for Incident Management and Investigations and Supervisor Guide to Create and Maintain Incidents contain all the relevant training content.

Root Cause Analysis (Reliability Charting), ICAM and other Incident Investigation methodology training is organised by the Training Team where this identified skill is required.

Crisis management training shall be conducted in accordance with Crisis Management Procedure.

**(c) Training records**

All training records shall be maintained by the Training Team.

## 5 Appendices

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### 5.1 Appendix 1 – Related documents

**(a) Legislation and regulation**

Key relevant legislation and regulation, as amended from time to time, includes but is not limited to:

Type	Legislation/regulation
Federal Acts	<i>Environment Protection &amp; Biodiversity Conservation Act 1999 (Cth)</i>
	<i>Biosecurity Act 2015 (Cth)</i>
	<i>Maritime Transport and Offshore facilities Security Act 2003 (Cth)</i>

Type	Legislation/regulation
	<p><i>Customs Act 1901(Cth)</i></p> <p><i>Security of Critical infrastructure Act 2018 (Cth)</i></p> <p><i>Admiralty Act 1988 (Cth)</i></p>
State Acts	<p><i>Work Health and Safety Act 2011 (Qld)</i></p> <p><i>Work Health and Safety Regulations 2011 (Qld)</i></p> <p><i>Electrical Safety Act 2002 (Qld)</i></p> <p><i>Electrical Safety Regulation 2002 (Qld)</i></p> <p><i>Environmental Protection Act 1994 (Qld)</i></p> <p><i>Environmental Protection Regulation 2019 (Qld)</i></p> <p><i>Biosecurity Act 2014 (Qld)</i></p> <p><i>Biosecurity Regulation 2016 (Qld)</i></p> <p><i>Fisheries Act 1994 (Qld)</i></p> <p><i>Vegetation Management Act 1999 (Qld)</i></p> <p><i>Water Act 2000 (Qld)</i></p> <p><i>Nature Conservation Act 1992 (Qld)</i></p> <p><i>Coastal Protection &amp; Management Act 1995 (Qld)</i></p> <p><i>Aboriginal Cultural Heritage Act 2003 (Qld)</i></p> <p><i>Waste Reduction &amp; Recycling Act 2011 (Qld)</i></p> <p><i>Maritime Transport and Off Shore Facilities Security Act 2003 (Qld)</i></p> <p><i>Navigation Act 2012 (Qld)</i></p> <p><i>Transport Infrastructure Act 1994 (Qld)</i></p> <p><i>Transport Operations (Marine Safety) Act 1994 (Qld)</i></p> <p><i>Mining and Quarrying Safety and Health Act 1999</i></p> <p><i>Mining and Quarrying Safety and Health Regulation 2017</i></p>
Other	<p>ISO 45001 Occupational health and safety management systems</p> <p>ISO 14001 Environmental Management Systems</p>

Type	Legislation/regulation
	ISO 9001 Quality Management Systems

**(b) Gladstone Ports Corporation documents**

The following documents relate to this Procedure:

Type	Document number and title
<b>Tier 1: Policy</b>	#365624 Safety Policy
	#366016 Environment Policy
	#1064229 Port Security Policy
<b>Tier 2: Standard/Strategy</b>	#854303 Safety Management Framework Standard
	#854303 Environment Management Framework Standard
	#1344213 Quality Management Standard
	#995910 Contractors and Port Users Safety, Environment and Security Standard
	#1276408 Injury / Illness Management Standard
	#1319108 Motor Vehicles Standard
<b>Tier 3: Specification/ Procedure/Plan</b>	#1494019 Emergency Management Plan
	#114420 Maintenance Systems – Work Management Process Procedure
	#1285540 Safety Risk Management Procedure
	#1528666 Hazard Management Procedure
	#106255 First Aid Procedure
	#163222 Testing for Alcohol and Other Drugs Procedure
	#872678 Crisis Management Procedure
	#142189 HSEQ SAI360 Action Management Procedure
	#1092359 HSEQ Communication and Consultation Procedure
	#1344636 Management of Change Procedure
#1448176 Visitors to GPC Procedure	

Type	Document number and title
<b>Tier 4:</b> Instruction/Form/Template/Checklist	#1090460 Supervisor Guide for Incident Management & Investigations
	#1066956 Supervisor Guide to Create and Maintain Incidents
	#1257098 Witness Statement Guide
	#1530420 Incident Response Guide for Managers
	#1257099 Witness Statement Template
	#1053640 Health and Safety Notifiable Incident Form
	#1203314 Environmental Notifiable Incident Assessment
	#1256993 Review of Solution Effectiveness Form
	#1413996 Initial Notification Banner – Incident
	#1413997 Initial Notification Banner – Near Miss / Hazard
	#1890832 Learning Outcome Banner – Incident
	#1890826 Learning Outcome Banner – Near Miss / Hazard
	#1084503 Fishbone Diagram Template
	#789133 5 Whys Template
	#1531458 Incident Trigger Point Table for Supervisors
	#1323187 AMSA Incident Report Form
	#1234992 Decision making flowchart for coal spillage Incidents
	#1419129 Port Alma – Notice of damage to Property by vessel
	#1578436 Motor Accident Detail claim card
	#1409786/7 Settlement Agreement
#1392481 1st Letter of Demand	
#1399660 2nd Letter of Demand	
#1675774 Template Form for Risk and Liability Assessment for Potential Insurance Claim	
#1621179 GPC Corporate Glossary Instruction	



Type	Document number and title
<b>Other</b>	<p data-bbox="790 208 1316 271">#1121588 Combined Ops and Maintenance Management On Call Roster</p> <p data-bbox="790 300 1390 362">#1257173 Incident Management and Investigation Training</p> <p data-bbox="790 392 1305 427"><b>Corporate Mandatory Training Modules:</b></p> <ul data-bbox="790 456 1353 943" style="list-style-type: none"> <li data-bbox="790 456 1294 492">• Workplace Health &amp; Safety Awareness</li> <li data-bbox="790 521 1142 557">• Environmental Awareness</li> <li data-bbox="790 586 1166 622">• Electrical Safety Awareness</li> <li data-bbox="790 651 1070 687">• Security Awareness</li> <li data-bbox="790 716 1070 752">• Fire and Evacuation</li> <li data-bbox="790 781 1098 817">• Emergency Response</li> <li data-bbox="790 846 1353 882">• Seaports FPOE Biosecurity Awareness and</li> <li data-bbox="790 911 1139 947">• Employee Essentials Two</li> </ul>

## 5.2 Appendix 2– Notification, escalation and Investigation requirements summary

Potential risk consequence		Minor	Moderate	Significant	Major	Critical
				Environment High Potential Consequence Incident (HPCI)		
				Safety HPCI		
<b>Internal escalation</b>	Supervisor Superintendent	Supervisor Superintendent	Supervisor Superintendent Manager	Supervisor Superintendent Manager EGM/Chief Officer	Supervisor Superintendent Manager EGM/Chief Officer CEO Board	Supervisor Superintendent Manager EGM/Chief Officer CEO Board
<b>Escalation timeframe</b>	24 hours	24 hours	As soon as reasonably practicable	As soon as reasonably practicable	As soon as reasonably practicable	As soon as reasonably practicable
<b>Investigation Accountable</b>	<b>Supervisor</b> or person in control of the people, area or equipment at the time of the event	<b>Supervisor</b> or person in control of the people, area or equipment at the time of the event	<b>Superintendent</b> of person in control of the people, area or equipment at the time of the event	<b>Superintendent</b> of person in control of the people, area or equipment at the time of the event	<b>Manager</b> of person in control of the people, area or equipment at the time of the event	<b>EGM/Chief Officer</b> of person in control of the people, area or equipment at the time of the event
<b>Investigation methodology</b>	Fishbone and 5 Whys	Fishbone and 5 Whys	Fishbone and 5 Whys or RCA/ICAM or similar (Manager's discretion)	RCA/ICAM or similar (Manager's discretion)	RCA/ICAM or similar (Manager's discretion)	RCA/ICAM or similar (CEO's discretion)
<b>Investigation sign off</b>	Superintendent	Superintendent	Manager	Manager	EGM /Chief Officer	CEO
<b>Investigation completion timeframe</b>	7 days	7 days	14 days	14 days	21 days	28 days
<b>Solution effectiveness review</b>	Optional	Optional	Optional	Required	Required	Required
<b>Peer review</b>	Optional	Optional	Optional	Required if Environment HPCI	Required	Required

### 5.3 Appendix 3 - Incident Triggers for key actions (Supervisor Guide)

The following guide ([#1531458](#)) is available for Supervisors as a summary of key actions from the Procedure based on trigger points being met.

**SUPERVISOR GUIDE - INCIDENT TRIGGERS FOR KEY ACTIONS**



ACTIONS TO PERFORM / INVESTIGATION REQUIREMENTS	INCIDENT TRIGGERS					
	Significant – Potential Risk Consequence	Major – Potential Risk Consequence	Critical – Potential Risk Consequence	Notifiable Incident (excluding Environmental 'Report Only' Incidents)	Lost Time Injury	Behavioural Concerns
Secure the Scene	✓	✓	✓	✓	✓	
Mandatory Checklist		✓	✓	✓	✓	
Temporary Stand Aside Process		✓	✓			✓
Initial Notification Banner	✓	✓	✓	✓		
Investigation Team (People not involved and a Health & Safety Representative)		✓	✓			
Independent Investigation Leader		✓ If ACTUAL = Major	✓ If ACTUAL = Critical			
Apollo RCA, ICAM, TapRoot – Investigation Methodology	✓	✓	✓	✓	✓	
Peer Review	✓ If POTENTIAL or ACTUAL = Significant for Environmental Incidents	✓	✓			
Solution Effectiveness Audit	✓	✓	✓			
Learning Outcome Banner	✓	✓	✓	✓		

## 5.4 Appendix 4 – Notifiable Incidents – Definitions

### Work Health and Safety

s35 of the WHS Act defines what sort of Incidents are notifiable to Workplace Health and Safety Queensland.

An Incident is notifiable if it:

- arises out of the conduct of a business or undertaking and
- results in:
  - the death of a person,
  - serious injury or serious illness of a person, or (Act s36 & Reg s699)
  - involves a dangerous incident (Act s37).

#### **A serious injury or illness of a person is:**

- an injury or illness requiring the person to have:
  - immediate treatment as an in-patient in a hospital,
  - immediate treatment for:
    - the amputation of any part of his or her body,
    - a serious head injury,
    - a serious eye injury,
    - a serious burn,
    - the separation of his or her skin from an underlying tissue (such as de-gloving or scalping),
    - a spinal injury,
    - the loss of a bodily function, or
    - serious lacerations,
  - medical treatment within 48 hours of exposure to a substance,
- any infection to which the carrying out of work is a significant contributing factor, including any infection that is reliably attributable to carrying out work:
  - with micro-organisms,
  - that involves providing treatment or care to a person,
  - that involves contact with human blood or body substances,
  - that involves handling or contact with animals, animal hides, skins, wool or hair, animal carcasses or animal waste products,
- the following occupational zoonosis contracted in the course of work involving the handling or contact with animals, animal hides, skins, wool or hair, animal carcasses or animal waste products:
  - Q fever,
  - Anthrax,

- 
- Leptospirosis,
  - Brucellosis,
  - Hendra virus,
  - Avian influenza,
  - Psittacosis.

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**A dangerous Incident is:**

- An Incident in relation to a workplace that exposes a Worker or any other person to a serious risk to a person's health or safety emanating from an immediate or imminent exposure to:
  - an uncontrolled escape, spillage or leakage of a substance,
  - an uncontrolled implosion, explosion or fire,
  - an uncontrolled escape of gas or steam,
  - an uncontrolled escape of a pressurised substance,
  - electric shock,
  - the fall or release from a height of any plant, substance or thing,
  - the collapse, overturning, failure or malfunction of, or damage to, any plant that is required to be authorised for use in accordance with the regulations,
  - the collapse or partial collapse of a structure,
  - the collapse or failure of an excavation or of any shoring supporting an excavation,
  - the inrush of water, mud or gas in workings, in an underground excavation or tunnel,
  - the interruption of the main system of ventilation in an underground excavation or tunnel,
  - any other event prescribed under a regulation; but does not include an Incident of a prescribed kind.

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## Electrical

A PCBU must, under the *Electrical Safety Regulation 2013* (Qld) (s265), notify the regulator once they become aware of a serious electrical Incident or dangerous electrical event arising out of the conduct of their business or undertaking.

### Serious electrical Incident

s11 of the *Electrical Safety Act 2002* (Qld) defines a serious electrical Incident. It includes where a person:

- is killed by electricity,
- receives a shock or injury from electricity, and is treated for the shock or injury by or under the supervision of a doctor,

- 
- receives a shock or injury from electricity at high voltage, whether or not the person is treated for the shock or injury by or under the supervision of a doctor.

*Note: high voltage means a voltage above 1000V a.c. or 1500V ripple-free d.c.*

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### **Dangerous electrical event**

s12 of the *Electrical Safety Act 2002* (Qld) defines a dangerous electrical event. It includes:

- when a person, for any reason, is electrically unsafe around high voltage electrical equipment, even if the person doesn't receive an electric shock or injury,
- significant property damage caused by electricity or something originating from electricity e.g. electrical fire,
- unlicensed electrical work,
- unsafe electrical work,
- unsafe electrical equipment or electrical equipment that does not have electrical equipment safety system approval markings.

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### **Marine Incident**

Under the *Navigation Act 2012*, Marine Incidents must be reported to Australian Maritime Safety Authority.

**Marine Incident** means any of the following:

- a) a death of, or injury to, a person associated with the operation or navigation of a vessel;
- b) the loss or presumed loss of a vessel;
- c) a collision of a vessel with another vessel;
- d) a collision of a vessel with an object;
- e) the grounding, sinking, flooding or capsizing of a vessel;
- f) a fire on board a vessel;
- g) a loss of stability of a vessel that affects the safety of the vessel;
- h) the structural failure of a vessel;
- i) a close quarters situation;
- j) an event that results in, or could have resulted in:
  - i. the death of, or injury to, a person on board a vessel; or
  - ii. the loss of a person from a vessel; or
  - iii. a vessel becoming disabled and requiring assistance;
- k) the fouling or damaging by a vessel of:

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i. any pipeline or submarine cable; or

ii. any aid to navigation;

l) an Incident that is prescribed by the regulations and involves a vessel.

AMSA Incident Report Form to be used for Incidents involving domestic commercial vessels.

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### Maritime security Incidents (Maritime Security Incident)

Under the *Maritime Transport and Off Shore Facilities Security Act 2003 (Qld)* (s174), the Port Security Officer must notify the Office of Transport Security of any Maritime Security Incident that occurs within the Port or within a GPC port facility.

MTOFSA s170 defines a **Maritime Security Incident** as a threat of or an act of unlawful interference with maritime transport or offshore facilities and the threat or act is, or is likely to be, a terrorist act.

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### Environmental approvals

Breach of a condition in relevant environmental approval

- Environmental authority
  - Tidal works
  - s86
  - GRC trade waste
  - Sea dumping permit
  - Fisheries permit
  - Marine parks permit
  - Allocation of quarry material
  - GPC Development Application (DA)
- 

### Environmental Protection (Queensland)

#### Duty to Notify

Sections 320 to 320E of the *Environmental Protection Act 1994* (the Act) outlines the requirements for the duty to notify of environmental harm. A person is obligated to notify the Department of Environment and Science (the department) within 24 hours of pollution incidents and activities (not authorised under the Act) that cause or threaten to cause serious environmental harm or material environmental harm.

#### Serious Environmental Harm

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- 
- Irreversible, high impact or widespread or significant location or potential damage above \$50000

#### **Material Environmental Harm**

- Not trivial or negligible with potential damage above \$5000

#### **Environmental Nuisance**

- Not wilfully and unlawfully cause a nuisance (dust, noise, vibration, light, odour etc.)

#### **Release of a prescribed contaminant to Air or Water**

- Air – Has the contaminant left the site boundary? (monitoring/visual/complaint)
- Water – Has the contaminant left the site boundary? (monitoring /visual complaint). For coal spillage refer to the decision making flowchart #1234992

#### **Marine Megafauna Strike and Injured Fauna as a result of GPC activity**

- Engage GPC Environment Specialists for assistance in reporting.
- Hotline number (**1300 130 372**) is for reporting marine animal strandings, crocs and cassowary incidents only. This triggers regulatory reporting to the strandNet database.
- AMSA Marine incident reporting - [Marine incident reporting \(amsa.gov.au\)](http://amsa.gov.au)
- If it is a cetacean – report also to [www.environment.gov.au/marine/marine-species/cetaceans/notification-interactions](http://www.environment.gov.au/marine/marine-species/cetaceans/notification-interactions)

#### **Contaminated Land**

- If the owner or occupier knows or suspects the land is contaminated.

#### **Environmentally Relevant Activities**

- If the owner or occupier knows or suspects that an Environmentally Relevant Activity (ERA) is being conducted without required Environmental Approval/s in place.

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## **Coastal and Marine Management**

### **Intertidal Structures**

- If the owner or occupier knows or suspects that work is being conducted in the intertidal zone without required Approvals in place.

*Note: There may be situations where excluded works apply, please contact Environment Specialist for assistance.*

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## **Fisheries**

### **Removal of Marine Plants**

- If the owner or occupier knows or suspects that work is being conducted in the intertidal zone that requires the removal of marine plants without required Approvals in place.



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*Note: There may be situations where excluded works apply, please contact Environment Specialist for assistance.*

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## Department of Environment (Commonwealth)

### **Threatened, endangered and migratory species**

Injury or strike

### **Threatened ecological communities**

Damage to semi-evergreen vine thicket

### **Dumping of controlled material**

Placing spoil outside approved sea dumping footprint

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## Heritage

### **Cultural Heritage Places / Items**

- Disturbance or damage

### **Shipwreck Heritage**

- Disturbance or damage
- 

## Maritime Safety Queensland (MSQ)

### **Marine Pollution**

- Oil or chemical spill to marine or intertidal Environment either by phone or Pollution Report (POLREP) form, to initiate First Strike response evaluation, contact in the first instance:
    - Port of Gladstone – Marina Superintendent (4976 1398)
    - Port of Bundaberg – Manager (4934 6931)
    - Port of Rockhampton – Manager (4130 2222)
  - If unavailable, then directly contact:
    - MSQ - #137 468; or
    - 07 4971 5200 / 07 4973 1208 (24hr); or
    - 07 4132 6600.
  - Preserve the scene (where possible) / take photos.
- 

## Land Protection / Vegetation / Water Management / Flora and Fauna

### **Pests (Floras and Fauna) Declared – including insects, ants and marine pests**

- Confirmed or suspected
  - Collect photo or sample
-

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## Native animals

- Refer to [Wildlife | Department of Environment and Science, Queensland \(des.qld.gov.au\)](http://des.qld.gov.au) for reporting of confirmed or suspected:
  - Injured native animals
  - Sighting of Crocodiles
  - Nuisance Bats
  - Fish Kills

## Land clearing or working in water courses

- If the owner or occupier knows or suspects that clearing of land or work in water courses is occurring without required Approvals in place

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## Biosecurity / Quarantine

### Declared Marine Pests incursion

- Confirmed or suspected

### Pest Incursions (e.g. Fire Ants)

- Confirmed or suspected
- Isolate and contain
- Collect photo or sample

### Biosecurity breaches

- Confirmed or suspected interaction with pests or shipment damaged which may allow pest to inhabit
- Inability to undertake required biosecurity measures
- Events relating to prohibited goods, conditionally non-prohibited goods or suspended goods entry
- Breach of First Point of Entry Approval

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## Resource Management

### Illegal Dumping

- When significant event occurs on port land

### Emissions / Energy Usage

- Exceeding thresholds

## 5.5 Appendix 5 – Mandatory Biosecurity information

Under subsection 58(2) of the *Biosecurity Regulation 2016* (Qld), FPOE operators must have in place procedures, infrastructure and equipment to ensure an immediate response to a suspected biosecurity risk.

The information provided below forms part of the essential elements of a *Biosecurity Incident Response Procedure (BIRP)*. Taking Immediate Action and Reporting for BIRP is covered in Section 3.2 and 3.3 respectively.

Some examples of biosecurity risks:

- Spillage of bulk product during unload on the wharf;
- Garbage bag splitting and spilling contents;
- Sighting of hitchhiker pest on an arriving vessel;
- Pooling water in a blocked drain;
- Discovery of an ants nest in the port precinct;
- Soil contamination on exterior of container;
- Borer holes or frass under dunnage; and
- Sighting of a rat on the wharf.

Exotic pests or disease may actually be detected during a Biosecurity Incident, or they may only be suspected. For example, discovering webbing, borer holes, egg masses, or soil contamination all examples of an actionable Biosecurity Incident.

### (a) Isolate and contain biosecurity risks

The Department of Agriculture, Water and the Environment may be required to attend the scene to determine specific treatment actions. Suspected or detected biosecurity risks must be isolated immediately, examples include:

- Isolating risks found at the port (such as ants nests, bee hives) using barriers to prevent any movement through the area.
- Moving all goods away from the suspected biosecurity risk – domestic or otherwise.
- Confining imported goods containing a suspected biosecurity risk to the isolation area.

All biosecurity risks must be contained, with examples set out below:

- Spillages must be swept up, double bagged and disposed of in a biosecurity receptacle
- Using knockdown spray to contain the spread of flying or mobile insects e.g. moths, lady bugs, stink bugs
- Collecting a specimen to assist with identification
- Ants, bees and wasps can be very dangerous so do not disturb them. Take a picture and record the location.
- If detected on cargo, do not move it. Instead, take measures to isolate it.

- Close doors or create partitions to restrict movement
- Use tarpaulins to contain contamination or pest infestation
- In the case of an escaped animal, 'throw a blanket over it'.

To assist in managing a biosecurity risk, an approved arrangement may be used to isolate, contain and undertake treatment actions.

There is an approved arrangement - Sea freight facilities operated by a GPC tenant in the Port of Gladstone where fumigation and other methods of treatment are authorised:

<b>Q2162</b>	NSS Port Logistics Pty Ltd	Corner of MacFarlane Drive and Tug Berth Road, Gladstone QLD 4680	07 4972 0299
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**(b) Containing biosecurity waste**

Biosecurity waste bins are provided at Port of Rockhampton, Port of Gladstone and Port of Bundaberg for collection of bagged biosecurity galley waste.

GPC operates approved arrangements at the Port of Gladstone, which can be used to manage biosecurity hazards.

<b>Q1385</b>	Gladstone Ports Corporation Ltd	RG Tanna Coal Terminal Gladstone QLD 4680	0408 738 615
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The service is available 12 hours a day, seven (7) days a week during daylight hours via the following contact details:

- Port of Gladstone – [shipping@gpcl.com.au](mailto:shipping@gpcl.com.au)
- Port of Bundaberg – (07) 4130 2222 or [PascoeJ@portofbundaberg.com.au](mailto:PascoeJ@portofbundaberg.com.au)
- Port of Rockhampton – (07) 4934 6931 or [mulveyr@gpcl.com.au](mailto:mulveyr@gpcl.com.au)

**(c) Hardstand area for isolation of infested goods**

Where no approved arrangements are available, a suitable hardstand with impervious concrete / asphalt floor may be used for the purpose of isolating and treating goods with suspected biosecurity risks. This is to be a nominated area preferably close to the affected port. The hard stand does not need to be permanently designated for this purpose but must be able to be utilised at short notice, segregated from other goods from unauthorised access.

**(d) Equipment for containing biosecurity risk**

Equipment may be required to perform tasks to contain biosecurity risks. Equipment is held as stock items in the RGT Store. Port of Rockhampton and Port of Bundaberg will hold stock and replenish from the RGT store as required.

Item Number	Description	Description Line 2	Location
87004	TARP POLY GREEN/SILVER 24X30FT		RC2B13A
87003	TARP POLY GREEN/SILVER 20X24FT		RC2B13B

Item Number	Description	Description Line 2	Location
87002	TARP POLY GREEN/SILVER 16X20FT		RC2B13C
87001	TARP POLY GREEN/SILVER 12X18FT		RC2B13D
500001	TARPAULIN		RWP2502D
29160	SHOVEL POST HOLE SQUARE MOUTH	LONG HANDLE	RWP02END
29168	SHOVEL ROUND MOUTH	LONG HANDLE	RWP02END
29170	SHOVEL SQUARE MOUTH	LONG HANDLE	RWP02END
29162	SHOVEL ROUND MOUTH	SHORT HANDLE	RWP03END
29165	SHOVEL SQUARE MOUTH	SHORT HANDLE	RWP03END
20889	BUCKET 10LT WHITE C/W LID		RWP0107A
24284	INSECT SPRAY MORTEIN FAST	KNOCKDOWN 300G	RWD08B
27654	VIRKON DISINFECTANT		RWD02B
20838	BROOM HOUSEHOLD 30CM		RWP0101C
20837	BROOM BASSINE INDUSTRIAL 600MM		RWP0101D
20840	BROOM YARD PROLENE 355MM		RWP0101D
23503	HANDLE BROOM HARDWOOD	1.8M X 25MM	RWP01END
23510	HANDLE BROOM PLAIN	1.35M X 22MM	RWP01END
906774	BIOSECURITY BLUE BINS	240L	Laydown Area
906777	BIOSECURITY SIGNS	400X300 MTL	Laydown Area
906778	BIOSECURITY STANDS	A_FRAME 450X300 MTL	Laydown Area

(e) **Treatment**

GPC may engage with the following departmentally approved pest treatment providers for containment of a suspected pest incursions at the wharf. The treatment provider must be provided with access to undertake urgent responses in a timely manner:

Port of Gladstone	Port of Rockhampton	Port of Bundaberg
Amalgamated Pest Control	Amalgamated Pest Control	Amalgamated Pest Control
1300 639 136	07 4921 4255	07 4199 6245

If unable to source an approved treatment provider to respond to a biosecurity risk, a non-approved treatment provider may be used. However the treatment must be performed under supervision by a biosecurity officer (costs apply).

## 5.6 Appendix 6 – Conducting an Investigation under legal professional privilege

### PURPOSE

The purpose of this document is to provide guidance for people involved in conducting Investigations under legal professional privilege and the steps that must be taken to establish and maintain privilege over documents created in the Investigation process.

### WHY IS IT IMPORTANT TO ESTABLISH PRIVILEGE?

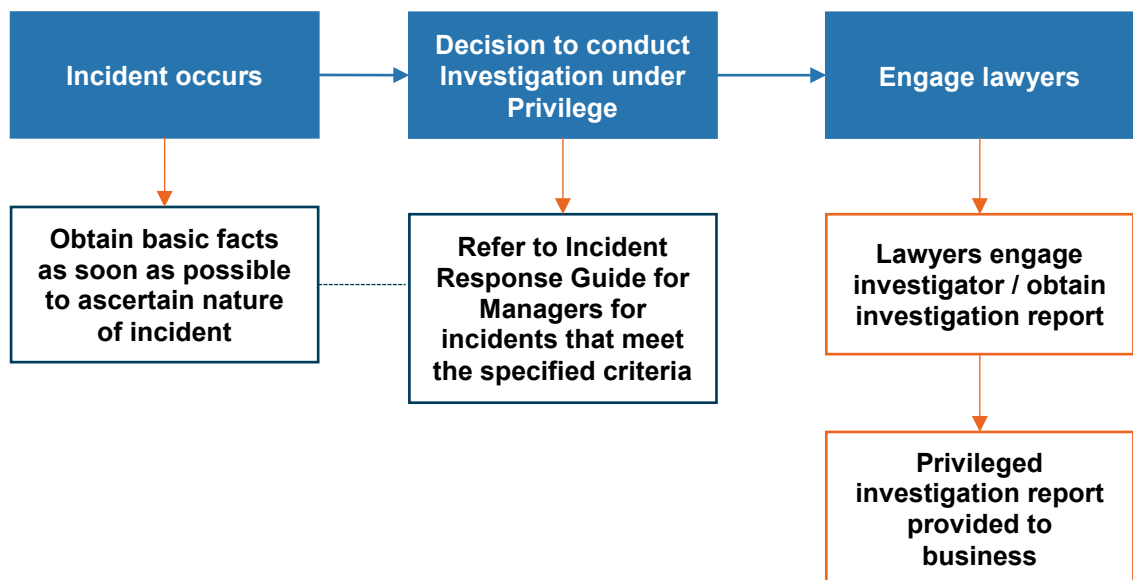
For certain Incidents, it will be important to establish and maintain legal professional privilege over any Investigation report and other communications relating to the Investigation. This is because documents and communications covered by legal professional privilege do not need to be disclosed to any third party including, for example, to an inspector exercising document production powers under the WHS Act. Legal professional privilege may therefore be important to protect GPC, and GPC employees, from prosecution or other regulatory action.

Under certain legislation (personal injury legislation), some privileged documents may need to be produced and legal advice should be sought if this issue arises.

### HOW TO ESTABLISH PRIVILEGE IN INVESTIGATIONS

Legal professional privilege can only be created over documents (and other information) that are created in the course of Investigations where the dominant purpose for creating the document (or other information) is to provide legal advice to GPC, or for use in current or anticipated legal proceedings (“Dominant Purpose Test”).

If the Dominant Purpose Test cannot be established in relation to any document or other information, then privilege will not be able to be claimed in relation to that document or other information. Accordingly, it is critical that lawyers are engaged very early on after an incident occurs in order to seek to establish privilege. The flowchart below outlines the process for establishing privilege over Investigations.



## PRACTICAL STEPS FOR CONDUCTING AN INVESTIGATION UNDER PRIVILEGE

The table below sets out practical steps to take following an incident in order to establish privilege.

STEP	ACTION
1.	<p><b>Understand the Incident and obtain basic facts</b></p> <p>Understanding the basic nature of an Incident is critical to determine whether an Investigation should be conducted under legal professional privilege.</p> <p>Be careful to ensure that at this stage, documents are not created (including emails, text messages or other forms of media) that might make admissions against the interests of GPC or any of GPC's employees until a decision is made regarding privilege. The Incident should not be entered into SAI360 until the decision is made.</p>
2.	<p><b>Initial evidence gathering</b></p> <p>Once a decision has been made to conduct an Investigation under privilege, steps should be taken to obtain initial evidence associated with the Incident before the Incident scene is disturbed (for example photographs, videos, measurements or other evidence). Ideally this evidence would be gathered at the direction of a lawyer or otherwise a lawyer could attend site to direct the evidence gathering process. If this evidence is gathered before a lawyer has been engaged, there is a risk that privilege will not apply.</p> <p>When entering the Incident into SAI360, it is important that only the facts are stated.</p>
3.	<p><b>Commissioning the Investigation</b></p> <p>It is important that the Investigation is commissioned by the lawyers so the Dominant Purpose Test can be met. Lawyers will usually provide instructions to the investigation team, including terms of reference for the Investigation. Investigation documents whether in draft or final form should be appropriately marked to substantiate any claim for privilege in the future. For example:</p> <p style="text-align: center;"><i>Confidential and legally privileged document – created for the purpose of seeking advice from [insert lawyer's name].</i></p>
4.	<p><b>Maintain confidentiality</b></p> <p>It is important that all documents and communications remain confidential. Documents relating to the Investigation or Incident should only be disclosed with lawyers and key people within the business (the fewer the better). References to the legal advice or privileged Investigation materials in non-privileged documents should also be avoided.</p> <p>Care must be taken not to waive privilege over the Investigation documents or communications relating to the Investigation. Documents and communications should not be disclosed outside of the necessary group of people within the organisation and lawyers. You should not disclose the substance, gist, or conclusion of any legal advice, document or communication.</p>
5.	<p><b>Third party request for privileged documents</b></p> <p>If a regulator or other third party (i.e. union official) requests a copy of privileged documents, or requests to inspect privileged documents, you should not disclose or discuss the content of those documents with the third party. Seek legal advice if you are unsure whether you should disclose documents that may be privileged.</p>



## 5.7 Appendix 7 – Revision history

Revision date	Revision description	Author	Endorsed by	Approved by
26/06/15	Integration of safety, environment and quality system requirements in the Corporate Governance Documentation.	Tony Young, Safety Manager	John Sherriff, SER General Manager	John Sherriff, SER General Manager
23/05/16	Updated to incorporate changes following Cintellate upgrade	Rebecca Devine, Safety Specialist	Tony Young, Safety Manager	John Sherriff, SER General Manager
29/05/17	New template, environment updates	Rebecca Devine, Safety Specialist	Tony Young, Safety Manager	John Sherriff, SER General Manager
08/08/19	Biosecurity information, banners, updates from feedback and audit findings	Rebecca Devine, Safety Specialist	Tony Young, Safety Manager	Rowen Winsor, PCS GM
17/10/19	Minor biosecurity amendments	Rebecca Devine, Safety Specialist	Tony Young, Safety Manager	Rowen Winsor, PCS GM
26/03/20	Finance and insurance updates	Kirsty Iszlaub – Acting Safety Specialist	Tony Young, Safety Manager	Rowen Winsor, PCS GM
13/10/20	HSF legal review. Inclusion of fraud related incidents. Minor amendments to biosecurity incident definition. Inclusion of legal professional privilege in investigations.	Kirsty Iszlaub – Acting Safety Specialist	Tony Young, Safety Manager	Rowen Winsor, PCS GM
03/10/23	V11 Update to maintain document currency and reflect current processes. Full review as part of SEP Initiative 04B.	Kirsty Iszlaub, S&E Systems Lead	Tony Young, Safety Manager	Richard Haward, EGM Safety & ESG