



# PX: Specification for environmental incident notification, investigation and reporting

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Version 1

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## 1. Scope (clause 1)

- 1.1 This specification outlines the requirements for the response, notification, investigation and reporting of environmental incidents (including near misses). It applies to all Contractors working on physical works related to capital projects, maintenance and operation and emergency works. An environmental incident response, investigation and reporting procedure shall be included within the Contractor's environmental management plan (EMP), as set out in the NZ Transport Agency Waka Kotahi (NZTA) *Guideline for preparing an environmental management plan*, and reflect this specification along with any specific permit/consent requirements.
- 1.2 For the purposes of this specification, an environmental incident (including a near misses) is defined as:  
*An actual or potential event which has or could have resulted in adverse environmental impacts and may require an immediate response in order to minimise that impact and its effects, for example pollution (air, water or land), noise, ecological and heritage or archaeological disturbance and/or finds. This includes near miss incidents.*

## 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](#)
  - [NZ Transport Agency contractor expectations: health and safety incident notification, investigation and reporting](#)
  - *Reporting and managing incidents procedure* (HSW13)
  - [Environmental and Social Responsibility Policy](#)
  - [Z/19 Taumata Taiao – Environmental and Sustainability Standard](#)
  - [Environmental screen](#).



### 3. Definitions (clause 3)

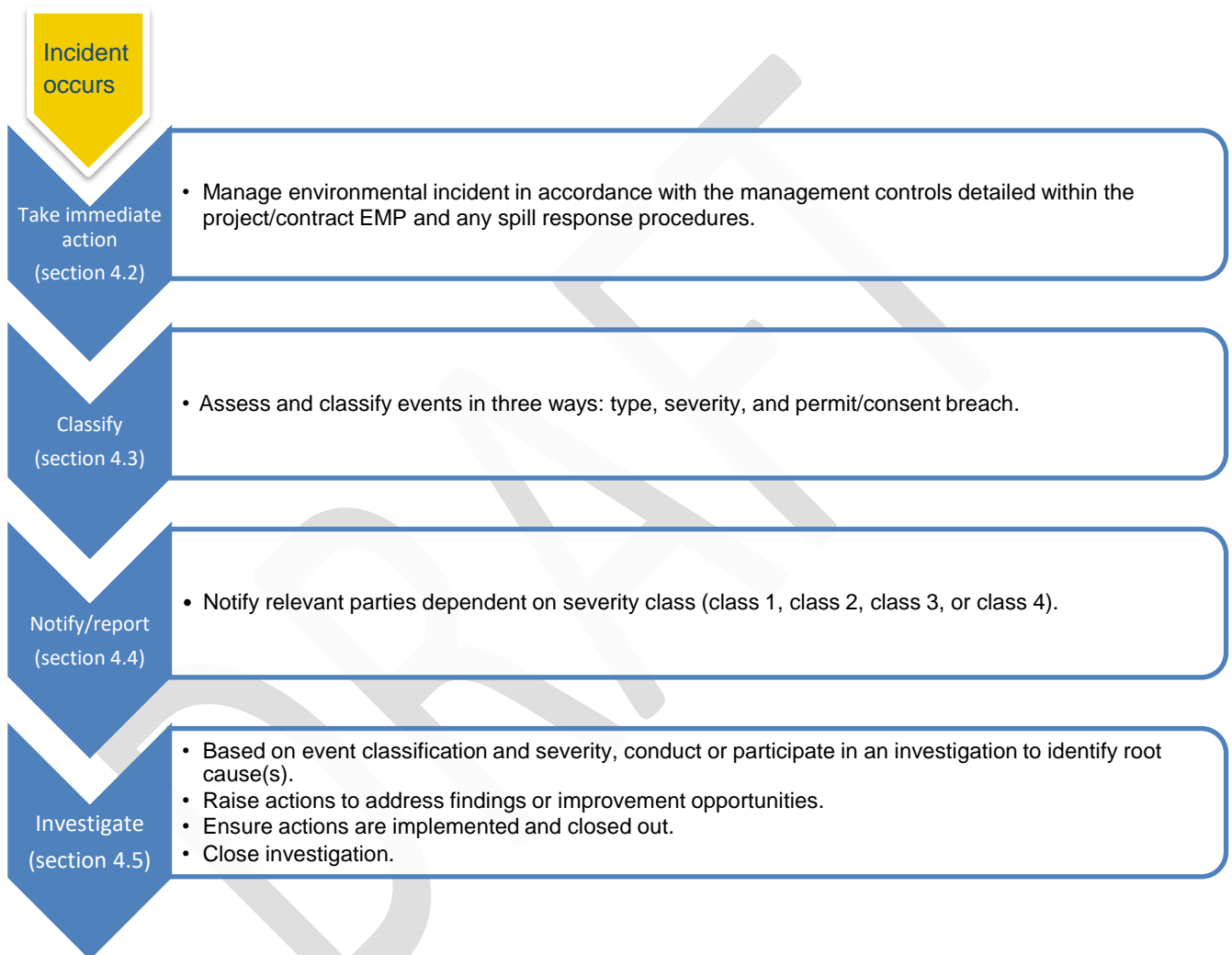
Table 1: Definitions of terms

Term	Definition
Contractor	The company contracted by NZTA for undertaking the works. Responsibility for compliance with this specification lies with the head contractor but is applicable to sub-contractors.
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 actual or potential unplanned event which has or could have resulted in adverse environmental impacts and may require an immediate response in order 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.
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	Independent third party (Class 1 incidents) or the Contractor's environment Manager (class 2 incidents) or their delegate that who has experience in documenting, investigating and remediating environmental impacts and that meets the requirements of a suitably qualified professional.
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 site	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.
Suitably qualified professional (SQP)	Means a person who has all of the following qualifications and experience: <ul style="list-style-type: none"> <li>• a relevant tertiary degree or equivalent</li> <li>• at least eight years of relevant experience</li> <li>• membership or preferably chartered/certified status with a relevant professional body that includes a requirement to provide evidence of continuing professional development, and</li> <li>• experience with at least three projects, plans and/or activities of a similar nature, scale and complexity.</li> </ul> <p>In some circumstances exemptions to SQPs may be permitted, but this shall be agreed with the NZTA project/contract manager 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 responded to, notified, investigated and reported in accordance with the steps within this procedure, which is summarised in the flowchart below (near miss incidents should start at 'Classify').



### 4.2. Take immediate action

The Contractor shall immediately implement temporary measures to reduce or prevent further impacts from the event occurring until permanent corrective actions can be implemented. The course of action is dependent on the type of environmental incident that has occurred, for example applying a spill kit to a machinery fuel spill or stopping works where an artefact has been uncovered during earthworks.

The Contractor shall detail incident management controls in the project/contract EMP and/or any spill response procedures.

### 4.3. Classification

Once the acute phase of the event is resolved (as described in section 4.2) and the situation and people are made safe from harm or risk, 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 severity (class)
3. permit/consent breach.

Event type and severity help determine the type and depth of investigation and follow-up along with incident trend analysis.

#### 4.3.1. Event type and category

Event type describes whether an actual event has occurred, or whether there is (or was) potential for it to occur. Notification and investigation requirements may vary depending upon the event type selected.

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

- **Concern** – an event that is reported for information to alert, treat or acknowledge a hazard or happening. 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 (as defined as an 'Incident' below).
- **Incident** – an event/accident 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	Description
Emissions, odour and air quality	An event or conditions that result in contamination of the atmosphere by gas, fumes, smoke, vapour, dust or noise.
Spills, contamination – water/soil	A spill, leak, uncontrolled release or similar that results in contamination of waterways, coastal areas, soil and land, water tables 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 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 flora or fauna and/or their habitats. 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. eg heritage buildings, protected trees (native or non-native), significant natural areas, outstanding natural features/landscape, cultural/archaeological/heritage sites and/or structures.

Category	Description
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).

#### 4.3.2. Severity

Event severity refers to the impact or harm caused and/or the potential harm or risk of the event. Event severity guides the depth, breadth and type of investigation or review to be conducted, and is categorised as class 1, 2, 3 or 4, as outlined in table 3. 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.

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Table 3: Risk categories and environmental event severity classes

Risk category	Environmental event severity			
	Class 1	Class 2	Class 3	Class 4
Environmental	<ul style="list-style-type: none"> <li>Large-scale impact (requires immediate external response)</li> <li>Permanent damage (irreversible)</li> <li>Discharge/impact off site</li> <li>Highly sensitive/valued receptor or cultural/landscape resource</li> </ul>	<ul style="list-style-type: none"> <li>Moderate-to-large-scale impact (impact requires external response)</li> <li>Mitigation/remediation feasible or partly feasible, will take longer than 3 months to implement</li> <li>Discharge/impact off site</li> <li>Moderate to highly sensitive/valued receptor or cultural/landscape resource</li> </ul>	<ul style="list-style-type: none"> <li>Moderate impact (wider project involved to clean up/rectify impact)</li> <li>Mitigation/remediation feasible but requires more than 1 week to implement</li> <li>Discharge/impact off site</li> <li>Sensitive/valued receptor (eg stream/native vegetation or fauna) or cultural/landscape resource</li> </ul>	<ul style="list-style-type: none"> <li>No or minor impact (site crew able to contain and clean up/rectify impact)</li> <li>Impact limited to the site boundaries</li> <li>No remediation required or mitigation/remediation feasible and implementable within 1 week</li> </ul>
Public health	<ul style="list-style-type: none"> <li>Permanent moderate negative impact on public health, more than 5 people affected.</li> <li>Permanent significant negative health impact on more than 1 person affected.</li> <li>Short-term significant impact on public health, more than 1 person affected</li> </ul>	<ul style="list-style-type: none"> <li>Permanent moderate negative impact on public health, fewer than 5 people affected</li> <li>Short-term moderate negative impact on public health, more than one person affected</li> <li>Short-term significant impact on public health, 1 person affected</li> </ul>	<ul style="list-style-type: none"> <li>Minor and short-term impact on public health, more than 1 person affected</li> <li>Moderate short-term impact on public health, 1 person affected</li> </ul>	<ul style="list-style-type: none"> <li>Minor and short-term impact on public health</li> </ul>
Legal/ compliance	<ul style="list-style-type: none"> <li>Criminal prosecution</li> <li>Major financial penalty</li> </ul>	<ul style="list-style-type: none"> <li>Consent order, infringement, and/or abatement notice</li> <li>Legal action</li> </ul>	<ul style="list-style-type: none"> <li>Non-compliance with resource consent, designation and/or other authorities/approvals</li> <li>Notification of council or authority required</li> </ul>	<ul style="list-style-type: none"> <li>Complies with all authority requirements, and consent and designation conditions</li> <li>Council or authority notifications not required</li> </ul>
Media	<ul style="list-style-type: none"> <li>Sustained national and/or international media reporting</li> </ul>	<ul style="list-style-type: none"> <li>Sustained local media reporting</li> <li>National media reporting</li> </ul>	<ul style="list-style-type: none"> <li>Un-sustained local media reporting</li> </ul>	<ul style="list-style-type: none"> <li>No media coverage</li> </ul>
Stakeholder/ public/iwi partners	<ul style="list-style-type: none"> <li>Ministerial inquiry or intervention</li> <li>Loss of ministerial confidence</li> </ul>	<ul style="list-style-type: none"> <li>National government interest</li> <li>Loss of support from community/iwi partners</li> </ul>	<ul style="list-style-type: none"> <li>Interest/concern from community/iwi partners</li> <li>Local government interest</li> </ul>	<ul style="list-style-type: none"> <li>Minor interest from neighbourhood, local</li> </ul>

Risk category	Environmental event severity			
	Class 1	Class 2	Class 3	Class 4
	<ul style="list-style-type: none"> <li>Formal enquiry by the Office of the Auditor General (OAG) or statutory agency</li> <li>Significant response from iwi partners, eg land access rights restricted</li> </ul>	<ul style="list-style-type: none"> <li>Parliamentary/ministerial questions or third party investigation</li> <li>Negative feedback from minister</li> </ul>		community generally limited to immediate neighbours
Delivery	<ul style="list-style-type: none"> <li>Programme delay &gt;1 month</li> </ul>	<ul style="list-style-type: none"> <li>Programme delay &lt;1 month</li> </ul>	<ul style="list-style-type: none"> <li>Programme delay &lt;2 weeks</li> </ul>	<ul style="list-style-type: none"> <li>No programme delay</li> </ul>
Financial	<ul style="list-style-type: none"> <li>Financial impact, including mitigation/remediation, loss of service, legal penalties &gt;\$250,000</li> </ul>	<ul style="list-style-type: none"> <li>Financial impact \$50,000–\$250,000</li> </ul>	<ul style="list-style-type: none"> <li>Financial impact \$5,000–\$50,000</li> </ul>	<ul style="list-style-type: none"> <li>No financial impact</li> </ul>

### 4.3.3. Permit/consent breach

The Contractor shall review the event to ascertain whether there has been a consent or permit breach, irrespective of event class. CS-VUE (the Principal's consent compliance management platform) shall be updated to record the breach and actions taken to resolve.

## 4.4. Notification

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

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

Table 4: Event notification requirements

Severity	Notification
Classes 1 and 2	As soon as possible (ASAP) – no later than 8 hours <ul style="list-style-type: none"><li>Principal's project manager or maintenance contract manager</li><li>Police, emergency services, statutory authorities, third parties (if required)</li></ul>
Class 3	Within 48 hours and then 3rd day of following month <ul style="list-style-type: none"><li>Principal's project manager or maintenance contract manager</li></ul>
Class 4	3rd day of following month, as part of routine reporting. <ul style="list-style-type: none"><li>Principal's project manager or maintenance contract manager</li></ul>

The Contractor shall notify all class 1 and 2 events by quickest means possible such as phone, and then followed up with an email. The following minimum information shall be provided for class 1, 2 and 3 events:

- nature of the incident
- event type, class 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.

Upon notification, the Principal will report the incident into Korero Mai as per the requirements of the *Reporting and managing incidents procedure* (HSW13).

## 4.5. 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.

Incident investigations shall be led by the Contractor's environment manager (unless it is a class 1 incident) who has experience in documenting, investigating and remediating environmental impacts and that meets the requirements of a suitably qualified professional. The investigation lead (and team if appropriate) shall gather as many relevant facts as possible to understand the incident and the events

leading up to it. The team shall identify all conditions, actions or deficiencies that may have been contributing factors to the incident.

*Table 5: Investigation requirements*

Severity	Investigation lead	Timeframe of investigation report	Investigation report requirement
Class 1	Independent third party (engaged by the Contractor)	20 workdays/4 weeks	Investigation report
Class 2	Contractor (environment manager*)	10 workdays/2 weeks	Investigation report
Class 3	Contractor (environment manager*)	N/A	N/A
Class 4	Contractor (environment manager*)	N/A	N/A

\*or delegate

#### 4.5.1. Investigation report

The Contractor incident investigation lead shall prepare an investigation report for class 1 and 2 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 sites 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 section 4.3 and 4.4 above)
- 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, 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.

#### 4.6. Database of environmental incidents

The Contractor shall maintain a searchable database of all environmental incidents (for all severity classes).

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 sites 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 section 4.3 and 4.4 above).

The database shall be made available to the Principal on request.

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## 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.

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