Commission of Inquiry into the CFMEU and Misconduct in the Construction Industry

WITNESS STATEMENT OF PETER JOSEPH CULLEN

I, Peter Joseph Cullen, swear

Background

1 I make this statement in response to a notice issued by Stuart John Wood AM KC, the Commissioner appointed pursuant to the *Commissions of Inquiry Order (No 2) 2025*

2 Attached to this statement is a bundle of documents (**Bundle**) I refer to relevant documents by reference to the annexure number and page number of that Bundle

3 I am an experienced safety adviser with a background in major infrastructure projects I have worked in the construction industry for approximately 23 years

4 In August 2019, I commenced work on the Cross River Rail project (**CRR Project**) as a Senior Safety Advisor at CPB Contractors Pty Ltd (**CPB**) I was assigned to the Boggo Road Precinct and reported to the site's Project Manager, Peter Melloy

Interactions with the CFMEU

5 I was the first appointed safety advisor on the CRR Project and was on site from the very first day the Boggo Road Precinct opened, accompanied by two engineers, a site supervisor and two labour hires

6 We had only just set up a marquee and begun to peg the location of the tunnel station when representatives from the CFMEU arrived on site They alleged they had received a phone call through their hotline that had reported safety contraventions

7 This was the beginning of what I perceived to be a campaign by the CFMEU at the Boggo Road Precinct Over time, the number of CFMEU attendances on site increased

8 Eventually, their attendances would result in a walk around site that could last up to four hours, after having requested the assistance of Work Health and Safety Queensland (**WHSQ**) inspectors The WHSQ inspectors would likewise accompany us on such reviews of the Precinct

9 The CFMEU would regularly fail to comply with standard protocols for entry to site, including signing in, undertaking a fit for work breathalyser test, and completing a site visitor induction Instead, they would hand me a section 117 *Work Health and Safety Act 2011* (**WHS Act**) notice that identified, in very vague terms, the suspected safety contraventions I often found myself in dispute with them over this lack of detail These matters regularly resulted in calls being made to WHSQ

10 After a while, I noticed the CFMEU commenced asserting there was an imminent exposure to a serious hazard on the site Due to the supposed immediate safety risk, CPB would seek that they identify exactly where the issue was and in relation to what workers, so that we could rectify the issue as soon as possible Instead, they would refuse to tell us, alleging it would compromise the anonymity of the workers who reported the issue to them In my view, we had a very open discourse with workers

pertaining to safety issues, including daily pre-start meetings, direct communication with site supervisors and Health and Safety Representatives and anonymous hazard observations (HAZOBs), and a strong safety resolution process Accordingly, I doubted the veracity of what the union was telling us Our refusal to grant the CFMEU access to site without that further information would again result in WHSQ being called, who agreed with the CFMEU officials that the 'imminent danger' did not supersede a worker's right to secretly report concerns to the union We disagreed with WHSQ's view in this regard

11 Ultimately, in my opinion, the CFMEU's objective was to stall work and to have infringement notices or fines issued to CPB by WHSQ, by a number of WHSQ inspectors who appeared to favour the union's version of events, including Chris O'Donnell, John Azcune and Travis Dungy, as opposed to acting as an independent assessor, which was their role Some examples of what I believed to be unreasonable infringement notices issued include notices issued for

(a) storage of empty 1,000 litre drums of a concrete curing compound, which were designed to leave approximately 50 mLs of fluid in the bottom, as the hose did not reach the base to prevent blockages It was unsafe to upend the drums, to drain the last of the fluid Rather, they were sent back to the manufacturer, to be refilled The CFMEU alleged that these empty drums constituted inappropriate storage of hazardous chemicals, which were exposed to the sun, due to the remaining 50 mLs of fluid CPB were fined by WHSQ,

(b) use of scaffolding tubes as handrails for edge protection, instead of typical handrails, whereby WHSQ applied the height laws in relation to scaffolding as opposed to handrails, and thereby issued a fine, even though the scaffolding was being used as a handrail and was therefore compliant with that relevant handrail regulation,

(c) storage of a spray can of degreaser beneath the chair of an excavator, only whilst it was in use, to enable easy access for the operator to degrease the mechanism without causing significant delay by having to return to the chemical storage shed Whilst CPB contended that the degreaser was 'in use', WHSQ fined the contractor approximately $3,200 for what they alleged was unsafe storage of chemicals As a consequence of that penalty, we lost in the order of 25 minutes every time the excavator had to be degreased, which was multiple times per day,

(d) delivery of 60 litres of fuel to the entrance to the tunnels every four hours, which would be collected by a worker in a vehicle and driven down into the tunnels portal, as only 60 litres of fuel was permitted to be stored within the tunnels at a time The CFMEU took issue with the fuel being collected at the entrance, instead of at the storage sheds, whereas we argued it was 'in use' Again, we were fined for improper storage of chemicals,

(e) lack of a traffic controller's site-specific Safe Work Method Statement (**SWMS**) This arose when a traffic controller was required to shout "*stop*" at an outgoing vehicle, despite their 'stop' sign, whilst a WHSQ inspector — accompanied by two men who were allegedly affiliated with the CFMEUQ but who did not show us any permits or other such identifying documentation — was crossing in front of a stationary concrete truck Despite the traffic controller possessing and displaying a generic, company-specific SWMS, as the WHSQ inspector deemed the work to be 'High Risk Work' and the traffic controller was just within the site boundary, she was issued with a notice

12 As well, on the site, we were using different coloured pins in peri formwork, which was a type of formwork the CFMEU was less familiar with When they identified a coloured pin that did not match the formwork colour, they would insist on halting work in order to check every pin in the formwork and require an engineer to attend and validate the use of mismatched coloured pins

13 The infringement notices from WHSQ began to accumulate As we were required to display the notices we were issued on site, the CFMEU would joke, "*You're going to need a bigger board*" in order to display them all

14 We often sought to challenge the infringements At one point, we were told by WHSQ to stop challenging them, as it was creating too much backlog on their end

Events of 15 April 2020

15 On 15 April 2020, there was an incident involving CFMEU officials Luke Gibson, Andrew Blakeley and Matthew Parfitt, on the Boggo Road Precinct of the CRR Project As a consequence of Mr Gibson, Mr Blakeley and Mr Parfitt's treatment of staff on site and refusal to comply with reasonable site attendance requests, a concrete pour scheduled to occur was cancelled This delayed tunnelling and had commercial ramifications for the CRR Project

16 That incident led to court action taken by the Australian Building and Construction Commissioner (**ABCC**) against the CFMEU, Mr Gibson and Mr Blakeley

17 On 6 October 2020, I affirmed an affidavit about the incident as part of that court action A copy of my affidavit is marked **PJC-01**, from pages 2 to 153 of the Bundle

18 On 25 November 2020, I affirmed a second affidavit about the incident as part of that court action A copy of my second affidavit is marked **PJC-02**, from pages 154 to 166 of the Bundle

19 I am informed by the solicitors assisting the Commission that the court action resulted in the following decisions

(a) *ABCC v CFMMEU (Boggo Road Cross River Rail Case)* [2022] FedCFamC2G 574 (BRG 365 of 2020) (**Liability**), and

(b) *Construction, Forestry, Maritime, Mining and Energy Union (CFMMEU) v Fair Work Ombudsman (Boggo Road Cross River Rail Case)* [2023] FCA 507 (**Appeal**).

20 I am informed by the solicitors assisting the Commission that the

(a) Liability hearing took place on 14 July 2022 in Brisbane and a decision was handed down on 28 July 2022, which resulted in the imposition of $151,200 in total penalties, and

(b) Appeal hearing took place on 21 April 2023 and a decision was handed down on 25 May 2023, which reduced the total penalties as follows

(i) $126,000 to $100,000, payable by the CFMEU,

(ii) $12,600 to $7,000, payable by Mr Blakeley, and

(iii) $12,600 to $7,000, payable by Mr Gibson

21 I note the interpretation of Mr Gibson's use of the phrase "*Peter, Peter, pumpkin eater*" adopted in the Liability hearing was not how I interpreted it at the time On the day, I had taken it to simply be a childish rhyme using my name Only later was I informed by a colleague, Matt Gallen, CPB Shift Supervisor, of the apparent sexual meaning behind the slur

CFMEU Media Release of 8 July 2020

22 After the events of 15 April 2020, I felt I became public enemy number one of the CFMEU, and a key target for their campaign against the CRR Project.

23 On 8 July 2020, the CFMEU released a media statement, alleging I obstruct union officials and WHSQ inspectors in their attempts to conduct safety inspections of the Boggo Road Precinct

24 More insultingly, in this statement, I was labelled "*Peeping Pete*", and described as someone who loitered around the toilet block and who had a habit of following officials into the toilets and standing over them

25 A copy of this statement is marked **PJC-03**, on page 167 of the Bundle

Aftermath and Defamation Lawsuit of 2021

26 "*Peter, Peter, pumpkin eater*" and "*Peeping Pete*" were phrases I began to hear regularly around site, not only from CFMEU officials, but from my colleagues and other workers I also bore the brunt of many jokes and smart alec comments relating to my "*hanging around toilets*", which were likely intended to be funny, but began to perpetuate a legacy about me that was insulting and defamatory Quotes from the media statement also made it into other news channels, shared with me by family and friends

27 I felt my reputation had been tarnished by the 15 April 2020 incident and 8 July 2020 media statement and what I felt was a campaign against me I became increasingly fixated on this, to the extent that, for example, when escorting my young daughter to the bathroom during a busy Saturday sporting competition, I was concerned people would recognise me outside the bathroom and assume I was there for an untoward reason

28 Furthermore, my role as Senior Safety Advisor already meant I often had to have difficult conversations with workers on site, including women, who may not have been complying with safety regulations I was concerned that these workers, but especially female workers, would find me even less approachable, due to their concerns I may act inappropriately towards them

29 My concerns over the comments, coupled with the fact friends and family had seen the media statement or subsequent media articles and begun asking questions about its origin, became a catalyst for tension within my immediate family My home life began to deteriorate as a consequence of all the attention and uncertainty

30 CPB management approached me and asked if I wanted to commence a defamation lawsuit against the CFMEU I said yes I didn't know what else to do.

31 In February 2021, I commenced defamation proceedings against the CFMEU and Mr Jade Ingham

32 A copy of a Courier Mail article about the action is marked **PJC-04**, from pages 168 to 169 of the Bundle

33 For a time after this, I felt as though the CFMEU reduced their targeting of me on site

34 However, after the ABCC was abolished in 2022, I felt as though the CFMEU's attacks on me resumed I always felt tense on site, and was extremely cautious of what I would say

35 It was around this time that tunnelling works were completed at the Boggo Road Precinct I was then transferred to the Northern Portal

ETU Incident of July 2023 and Investigation

36 At the Northern Portal, both the CFMEU and Electrical Trades Union (**ETU**) were prevalent on site

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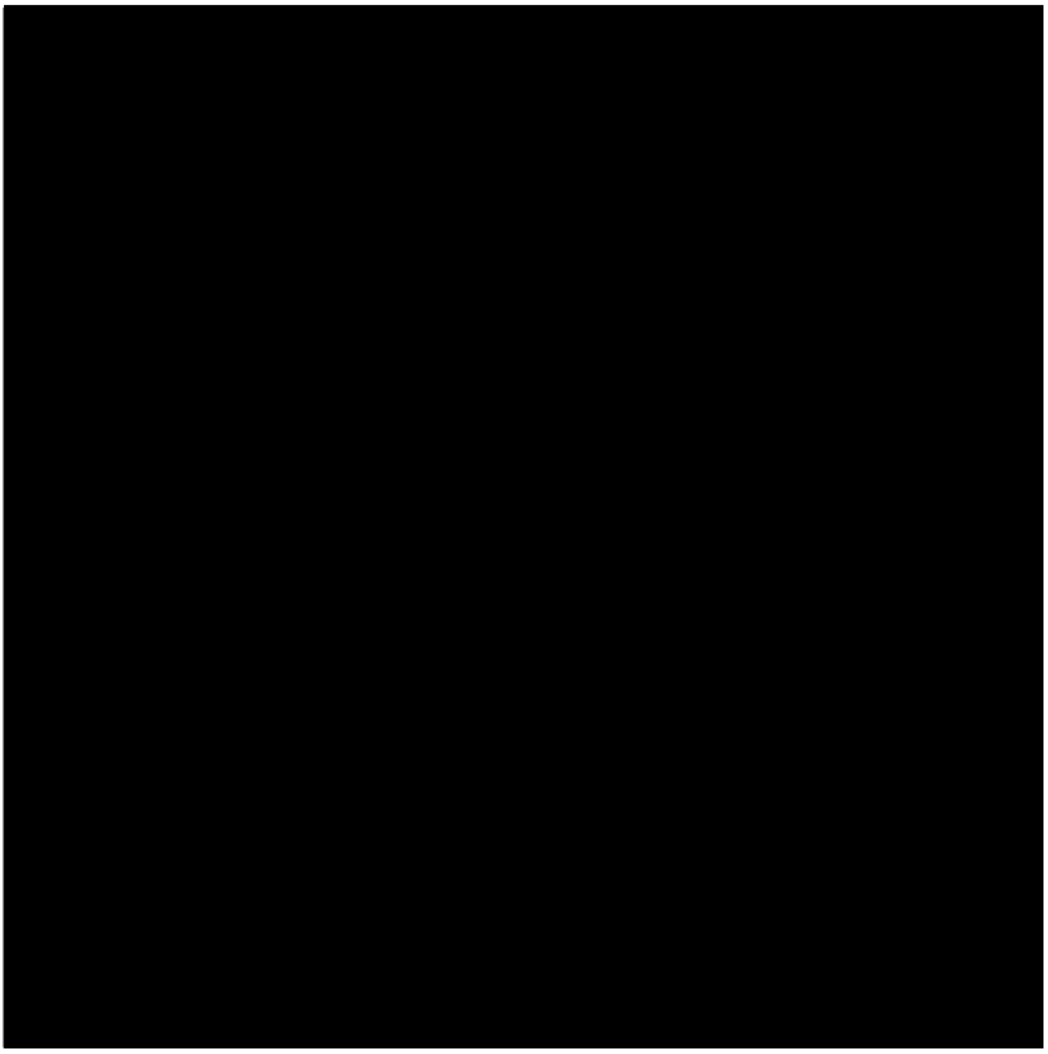
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45 I understand that Mr Welcher later made a complaint about me to the ETU, who subsequently made a complaint to the CRR Project

46 On 7 July 2023, Human Resources Manager, Sarah Adams informed me via email that the allegations that had been received were now the subject of an investigation I was told that I was to be stood down from the Northern Portal, refrain from speaking to anyone on the CRR Project about the incidents and present for work at CPB's main office, in Milton, on my next working day

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49

50 I attempted to perform my duties from the Milton office As a majority of my role requires me to be on site, there was little I could productively do

51 During this time, I understand Ms Adams and Project Manager, Josh Sims, commenced an investigation in relation to my conduct

52. Ms Adams and Mr Sims failed to find any evidence to substantiate Mr Welcher's claims Accordingly, I was invited into a meeting on 13 July 2023, at which time I was informed that I was exonerated and would be returned to work at the Northern Portal

53 I expressed my concern to Mr Sims that I would continue to be targeted by the unions and that this could result in my losing my job Mr Sims simply advised me to avoid interactions with the union delegates I informed him that was not possible, given my role

Return to Northern Portal

54 I would liken returning to the Northern Portal on 17 July 2023 to walking into the colosseum, it was awful, everyone was looking at me and there was a highly tense atmosphere amongst workers around me I was hypervigilant of every conversation I engaged in regarding the unions

55 Mr Loakes approached me on site at around 11 30 am We discussed the incidents of 4 and 5 July 2023 I asked him what protection would be afforded to me against the union delegates In reply, he told me that he was recently in a meeting where the ETU and CFMEU had demanded, amongst other things, that myself, Shane Rasmussen and Peter Bennett be removed from the CRR Project

56 From Mr Loakes' revelation, it was clear to me that I was about to become even more of a target from the CFMEU I felt scared and unwell, and very quickly realised I could not remain on the Northern Portal I informed Mr Rasmussen that I would be withdrawing my labour and taking sick leave I returned home

57 On 18 July 2023, I sent an email to Ms Adams seeking written correspondence from CPB, confirming no wrongdoing was found in relation to Mr Welcher's allegations, as Health and Safety Director, Chris Credaro, had promised me on 14 July I received no reply, so forwarded my email to Mr Credaro seeking a response He advised me he would follow up on 19 July, however, I again received no reply A copy of this email chain is marked **PJC-10**, from pages 179 to 180 of the Bundle

Northern Portal Incidents of 26 to 28 July 2023

58 Whilst on sick leave, I heard about a scaffolder who fell on the Boggo Road Precinct site, on 23 July 2023

59 From 26 July, I further heard the CFMEU activity outside the Northern Portal was increasing

60 On 28 July, I received a call from Mr Rasmussen and Mr Bennett, who informed me that the CFMEU were causing a raucous outside the gates, alleging that the scaffolding was made overseas and therefore substandard They were shouting phrases such as, "*There will be blood on our hands*" and "*We have your regos, car makes, and we know where you live*"

61 During that phone call, they told me that an AWU delegate, Jayce Emmerton, had told them that he had witnessed weapons amongst the picketers outside the Northern Portal gates I telephoned Mr Emmerton, and he informed me that he had seen a baseball bat, knife and gun

Ongoing Sick Leave and WorkCover Claim

62 To begin with, whilst on sick leave, CPB were performing welfare checks on me via telephone

63 On 31 July 2023, I received a call from Mr Credaro asking how I was I informed him that I wasn't well, that it was awful, and that I didn't know what CPB wanted me to do Mr Credaro suggested that if I abandoned my defamation lawsuit against the CFMEU, he might be able to receive some assurances from the CFMEU and CPB that they would not seek recovery of their legal fees from me I told him this wasn't possible

64 I also advised Mr Credaro about Mr Emmerton's reports of five or six men with balaclavas picketing the Northern Portal on 28 July, including that one had a gun He informed me he was aware of the rumours about this incident Whilst Mr Credaro informed me that he wanted me to come back to work, he also said he was not sure how CPB could keep me safe

65. On 1 August 2023, I sent an email to Mr Credaro, forwarding Mr Bennett's summary of events from 28 July 2023 that had been sent to me earlier that same day. I advised that CPB investigate Mr Emmerton's claims, internally and externally via reports to appropriate authorities. I did not receive a response. A copy of my email is marked **PJC-11**, from pages 181 to 182 of the Bundle.

66. Four weeks into my leave, I met with General Manager, Vince Sanfilippo. He asked how I was, and I told him honestly that I wasn't well, having been out of work for many weeks due to stress and feeling uncertain as to what my future held. He offered to transfer me to another site, which I refused, as I felt that I would remain a target of the unions, irrespective of where CPB placed me.

67. I remained on sick leave for approximately four months, during which time I attended upon a psychologist once a week. I commenced a WorkCover claim. CPB ceased communication with me.

68. I was eventually sent to a psychiatrist, who I had hoped would help me. He did not. I then attended upon another psychiatrist, Dr John Chalk, who was very helpful. He informed me that CPB was pushing him to sign off on my return to work, but that he would not do so unless he was satisfied I was well enough. He found that I was still unwell, and would remain so until I received validation or rectification in relation to the CFMEU's defamation of me.

69. My home life continued to deteriorate. Thoughts of the CFMEU's defamatory statements, and CPB's treatment of me as a consequence of same, consumed me.

70. Eventually, I resigned from CPB, pursuant to a non-disclosure agreement.

Other Matters

71. My experience from the CRR Project meant that, after my employment ended with CPB, I was not interested in exploring opportunities with other top-tier construction companies.

72. In my subsequent roles, I have attempted to avoid confrontation with any unions.

73. Despite my experience, I am not, and have never been, anti-union. Before the CRR Project, I had dealt with the CFMEU without issue. The CRR Project seemed to be different.

74. I remain psychologically impacted by the CFMEU's treatment of me.

I swear the contents of this statement are true.

[redacted]

Signature of Deponent

[redacted]
Place Date 2 /10/ 2026

[redacted]
Before me (signature of witness)

[redacted]
Full name of witness (please print)

Justice of the Peace (JP #)
Notary public
Lawyer ✓
Other authorised person (specify)

Commission of Inquiry into the CFMEU and Misconduct in the Construction Industry

Bundle of Documents to
Statement of Peter Cullen

PJC-01

NOTICE OF FILING

This document was lodged electronically in the FEDERAL CIRCUIT COURT OF AUSTRALIA (FCC) on 7/10/2020 2:56:41 PM AEST and has been accepted for filing under the Court's Rules. Details of filing follow and important additional information about these are set out below.

Details of Filing

Document Lodged:	Affidavit
File Number:	BRG365/2020
File Title:	AUSTRALIAN BUILDING AND CONSTRUCTION COMMISSIONER v CONSTRUCTION, FORESTRY, MARITIME, MINING AND ENERGY UNION & ORS
Registry:	BRISBANE REGISTRY- FEDERAL CIRCUIT COURT - FEDERAL LAW





Dated: 7/10/2020 2:56:42 PM AEST Registrar

Important Information

As required by the Court's Rules, this Notice has been inserted as the first page of the document which has been accepted for electronic filing. It is now taken to be part of that document for the purposes of the proceeding in the Court and contains important information for all parties to that proceeding. It must be included in the document served on each of those parties.

The date and time of lodgment also shown above are the date and time that the document was received by the Court. Under the Court's Rules the date of filing of the document is the day it was lodged (if that is a business day for the Registry which accepts it and the document was received by 4.30 pm local time at that Registry) or otherwise the next working day for that Registry.

FEDERAL CIRCUIT COURT OF AUSTRALIA

REGISTRY: BRISBANE

File number: BRG365 of 2020

COURT USE ONLY

Court Location

Court date

Court time

Australian Building and Construction Commissioner
Applicant

Construction, Forestry, Maritime, Mining and Energy Union
First Respondent

Andrew Blakeley
Second Respondent

Luke Gibson
Third Respondent

Matthew Parfitt
Fourth Respondent

AFFIDAVIT

Name of deponent: Peter Joseph Cullen

Date sworn: 6 October 2020

Signed: [redacted] Taken by: [redacted]

Filed on behalf of Australian Building and Construction Commissioner
Prepared by Samuel Prain, Director-Legal
on behalf of the Australian Building and Construction Commissioner
Address for service in Australia [redacted]
BRISBANE State [redacted] Postcode [redacted]
Email [redacted] DX
Tel [redacted] Fax Attention

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I, Peter Joseph Cullen of C/o [redacted] in the State of [redacted], Senior Safety Advisor, make oath and say:

1. I am currently employed by CPB Contractors Pty Ltd (**CPB**). I have been employed by CPB for approximately 4 years.

2. I have been in a safety role in the construction industry for approximately 17 years.

3. I am currently appointed to a permanent role as Senior Safety Advisor at the Boggo Road site of the Cross River Rail construction project (the **Project**), which is located at Dutton Park in Queensland (the **Site**).

4. I commenced working at the Site in this role in August 2019 and was working at the Site on 15 April 2020.

Signed: [redacted] Taken by: [redacted]

5. I report to Mr Peter Melloy (**Melloy**), Project Manager at the Site.

The Cross River Rail Project

6. The Project is an infrastructure project which, when complete, will provide an underground rail line linking the south side of the Brisbane River with the Central Business District. The tunnel and rail project is set out across four separate station sites and two portal sites. Work on the Project commenced in late 2019 and is scheduled for completion in 2024.

7. The Project is being delivered by a joint venture comprised of CPB, BAM International Australia Pty Ltd, Ghella Pty Ltd and UGL Engineering Pty Ltd (the **CBGU JV**).

The Boggo Road Site

8. The Site is one of the four underground stations being constructed as part of the Project.

9. The Site is an active construction site. On 15 April 2020, the work that was being carried out at the Site, included:

    a. excavation work and associated activities;

    b. piling work and associated activities, including the use of a mobile crane and core drilling machines;

    c. electrical installations;

    d. general site deliveries, including delivery of materials, piling cages, excavation plant and equipment; and

    e. delivery of heavy machinery and equipment and material.

10. CPB has been appointed principal contractor under the *Work Health and Safety Act 2011* (Qld) (**WHS Act**) for the Project.

11. My role at the Site is to coordinate health and safety on the Site to assist CPB to meets its health and safety obligations under the WHS Act. My duties and responsibilities include to coordinate and administer health and safety policies and procedures, reviewing Safe Work Method Statements (**SWMS**) for compliance (including subcontractors' SWMS), delivering inductions to workers and others on the Site (including visitors), facilitating visitor access to the Site, health and safety risk management and compliance checks.

12. The Site has a compound area that is a 'green zone'. The compound area comprises the prestart area where the toilet facility and designated smoking area are located, and an adjacent area where the crib rooms and offices are located. The compound area is a fenced area, separating it from the remainder of the Site and is a space where no active construction work is performed.

13. Annexed to my affidavit and marked "PC-1" is a copy of a plan of the Site as at 15 April 2020. The prestart area, crib rooms and offices are accurately marked on the Site plan. To the best of my recollection and belief, the Site plan was prepared by me with the assistance of other members of my team. The site plan is used at the Site by my team and others for many purposes, including as part of our Vehicle Management Plan and when we conduct site inductions and site familiarisations. "PC-1" is an accurate plan of the Site as it was on 15 April 2020.

Site Visitor Health and Safety Requirements

14. CPB has duties under the WHS Act to ensure the health and safety of workers and to other people who visit the Site.

15. To comply with its safety obligations, there are specific health and safety requirements that apply to Site and which specifically relate to visitors on the Site. It is mandatory for all visitors to the Site to:

    a. report to the Site office;

    b. sign into the Visitor register;

    c. undertake visitor induction training; and

    d. be escorted at all times while on Site by a fully inducted Site worker.

16. There is a sign affixed to the fence at the pedestrian entry gate (Gate 1) to the Site, which notifies all visitors that they must report to the Site office. Gate 1 is marked on the Site plan that is annexure "PC-1".

17. Annexed to my affidavit and marked "PC-2" is a copy of a photograph of the signage that was at Gate 1 on 15 April 2020. I am informed by, and believe, that the photograph was taken by Inspector Beecham of the Australian Building and Construction Commission during a Site visit on 11 May 2020. The signage that is on the fence shown in the photograph had been affixed to the fence at Gate 1 since work at the Site commenced and was there on 15 April 2020. It is CPB's standard signage for Site access points.

18. In order to discharge its duties under the WHS Act, a Work Health and Safety Management Plan (Revision 1 dated 29 January 2020, document no. CRRTSD-SH-MPL-CBGU-000015) (**WHS Management Plan**) was implemented by CPB for the Project. The WHS Management Plan is the key document that integrates all safety and health requirements for the Project. Annexed to my affidavit and marked "PC-3" is a copy of the WHS Management Plan.

19. I was not involved in the drafting of the WHS Management Plan, but I am familiar with its contents as part of my role as Senior Safety Advisor for the Site. I hold the role of "WHS Advisor" referred to in Part 6 (Role and Responsibilities) of the Plan.

20. The WHS Management Plan contains specific requirements relating to visitors on the Project. Relevantly, these measures include:

    a. Part 13, Sections 6.8 and 6.9, which requires CPB to ensure that all workers and visitors have received a prestart briefing prior to the commencement of work in a relevant work area.

    b. Part 13, Sections 7.1 and 7.2, which requires CPB to ensure that all persons receive and successfully complete the relevant induction (including any assessment if applicable), prior to commencing work or on arrival at site. For visitors to the Site, the relevant induction is the Visitor Induction, which at a minimum requires CPB to ensure visitors are aware of the Site emergency response arrangements.

    c. Part 13 Section 7.10, which requires CPB to communicate the requirements of the Emergency Response Plans to all workers and visitors as part of the Project Induction/Visitor Induction.

21. Annexed to my affidavit and marked "PC-4" is a copy of the Project's Develop and Deliver Project Inductions procedure (Version 12 dated 3 July 2018), a procedure contained in the CPB Safety Management System, which supports the WHS Management Plan. It states that Visitor Inductions are mandatory at the Site.

22. During the Visitor Induction training referred to above, information is provided to visitors on the Site plan relating to specific hazards particular to the Site at that time (including exclusion zones and high risk work activities and areas), first aid information, the vehicle movement plan (including vehicle access gates and routes) and emergency / evacuation procedures.

23. When a visitor has completed the Visitor Induction, they are permitted to be escorted around the Site by a fully inducted worker. That is, a worker who has completed the comprehensive Project Induction. Visitors are not able to walk around the work Site unsupervised. They are required to be accompanied at all times.

24. The Site Visitor Induction Form also sets out the requirements relating to visitors at the Site. Annexed to my affidavit and marked "PC-5" is a copy of the Site Visitor Induction Form (Version 1 dated 10 January 2020). Visitors complete and sign the Visitor Induction Form at the conclusion of the Visitor Induction. The Visitor Induction Form sets out the specific obligations

which apply to visitors while they are on Site. Visitors are asked to sign the form acknowledging their safety responsibilities at the Site at the conclusion of the Induction.

25. The Site's visitor requirements are also set out in the Site Visitor Register, which all visitors to Site are required to complete when they attend at the Site office when first arriving at the Site. Annexed to my affidavit and marked "PC-6" is a copy of the Site Visitor Register for 15 April 2020. At the bottom of the register there is a notice to visitors which states that all site visitors must:

    - Wear approved Personal Protective Equipment at all times when on site;
    - Obey all site safety signs and instructions;
    - Be accompanied at all times whilst escorted on site, and comply with instructions from escort;
    - Obtain prior permission before taking photos / mobile footage on the site.

26. The Site visitor requirements are necessary to help ensure the health and safety of visitors at the Site and to ensure that CPB complies with its duties under the WHS Act.

27. Visitors are required to adhere to these requirements on each occasion they attend at the Site. A visitor is any person who attends at the Site and who has not completed the full Project Induction.

28. The health and safety risks on the Site can change day by day, depending on the work that is being carried out on Site, so it is imperative that visitors to the Site are accompanied on Site by someone who is familiar with the Site and the particular risks on that day when walking around the Site.

29. It is also necessary for visitors to comply with the Site visitor requirements to ensure that their attendance on Site does not distract or otherwise pose a health and safety risk to the workers on Site engaged in construction activities.

30. Further, there may be additional health and safety measures that need to be taken when a visitor proposes to access a high-risk work area, including wearing additional personal protective equipment, notifying the plant operator of the proposed access, undertaking any relevant safety briefing for the work, so it is important the visitor be informed of those matters and that they are accompanied by a CPB representative who can facilitate access in a safe manner.

31. There were specific health and safety requirements in place at the Site on 15 April 2020 in response to the COVID-19 pandemic, which applied to every person who entered the Site. Each

person seeking to access the Site was required to complete a mandatory health declaration form. Annexed to my affidavit and marked "PC-7" are copies of the mandatory health declaration form and procedure and the Site daily COVID-19 checklist.

32. As part of my role on Site, I am responsible for ensuring the Site visitor requirements are adhered to. I undertake the Visitor Inductions and accompany visitors around on the Site.

Events on Wednesday, 15 April 2020

33. On Wednesday, 15 April 2020, I was running a Site induction in one of the Site sheds when Matt Gallen (**Gallen**), CPB Shift Supervisor, entered the room. Gallen told me that some union officials had arrived on Site. I told Gallen I would finish up the session and then meet up with him.

34. I do not recall the exact time that Gallen spoke to me, but the Site induction sessions generally commence at approximately 7:00am to 7:15am and they usually take approximately 30 to 45 minutes.

35. When I had finished the induction session, I made my way from the Site shed to the prestart area I saw three males who I did not know standing in the prestart area (collectively, the **Officials**). The Officials were wearing CFMMEU branded hard hats and clothing. Also standing in the prestart area were Gallen and Melloy.

36. I had not previously met the Officials and so at this time I did not know who they were. This was the first time I had seen the Officials on the Site. I am not aware of them having previously attended at the Site.

37. I now know the Officials to be Mr Luke Gibson (**Gibson**), Mr Andrew Blakeley (**Blakeley**) and Mr Matthew Parfitt (**Parfitt**).

38. I came to learn their names later in the day when the Inspectors from Workplace Health and Safety Queensland (**WHSQ**) arrived on Site.

39. I have also since met each of the Officials on several other occasions since 15 April 2020 at the Site and so now know them by face and can identify them by name.

40. I approached the Officials and requested that they produce their permits for inspection. A conversation to the following effect took place:

I said: "*My name is Pete, what can I do for you today?*".

Blakeley said: "*We are here on some suspected contraventions*".

I said: "*Ok can I see your permits please*".

Blakeley said: "*I have four permits, which ones do you want to see?*".

I said: "*I want to see the workplace health and safety permits and the permits you are authorised to show me*".

Blakeley said: "*I have four permits, which ones do you want to see*".

I said: "*Ok, show me all four permits*".

Blakeley said: "*No you don't get to see all four permits*".

41. Despite my request, none of the Officials produced their entry permits.

42. At this time, all the Officials were standing together as group. Gallen and Melloy were standing with the Officials. The Officials were standing no more than 2 metres away from each other. I spoke to the group and my request was loud enough for all Officials to hear me.

43. Because Gibson and Parfitt had not said anything in response to my initial request for their entry permits, I made a further request of them. A conversation to the following effect took place:

I said: "*Can I see your workplace health and safety permits".*

Gibson said: *"Which ones, I have four".*

I said: *"Show me all four".*

Gibson said: "*You're not entitled to see all four*".

44. I cannot now recall if Parfitt verbally responded to my request referred to in paragraph 43 above, although he did not show me his permit. He was standing with the group when I made the request. Blakeley was also still standing with the group when this request was made.

45. Despite my request, none of the Officials produced their entry permits for inspection.

46. A further conversation involving myself, Gallen and the Officials took place during which I told the Officials that I would not be escorting them onto the Site until I saw their permits. A conversation to the following effect took place:

Blakeley said: "*I thought CPB would have trained you better to know what permits to ask for, unless you tell me what specific permits, I am not going to show them*".

I said: "*Until I see your permits we won't be escorting you on Site*".

Blakeley said: "*We will ring WHSQ*".

Blakeley said: "*What do you do here Pete?*".

I said: "*I work in the Health and Safety Department and can I get your name?*".

Blakeley said: "*not until you ask for the right permits*".

Gallen said: "*Pete has given you his name, can you give Pete your name?*".

Blakeley said: "*No, not until you ask for the right permits, just because there is Pete on the helmet doesn't mean it's his name. That could be someone else's helmet*".

Gibson said: "*Well what permits do you want to see*".

Gallen said: "*Your Workplace Health and Safety and Fair Work permits*".

Gibson said: "*Finally someone who knows what they're talking about*".

Gibson said: "*Pete, Pete Pumpkin eater*".

Gallen said: "*Mate, no name calling, we are not calling you guys names*".

47. Parfitt was present during this conversation, but I do not recall him saying anything.

48. Despite my request and Gallen's requests, none of the Officials produced their permits for inspection.

49. This was the first time I had ever been asked by a union official for more specific details about the permits they needed to show me.

50. I am aware that under the WHS Act the Officials are required to provide a notice of entry if they are entering the Site for suspected safety contraventions, so I asked the Officials to produce their notice of entry. I said words to the effect of: "*Look, you have mentioned suspected contraventions, can I see the notice of entry with the suspected contraventions?*".

51. Each of the Officials provided me with an A4 sheet of paper that had been tightly folded into a small square. I unfolded each of the pieces of paper handed to me and read the documents. They were CFMEU Notices of Entry. Annexed to my affidavit and marked "PC-8" are copies of the three documents produced by each of Blakeley, Gibson and Parfitt and titled CFMEU Notice of Entry.

52. The suspected contraventions listed on the Notices of Entry were broad in nature and so I asked Blakeley for more details about the suspected contraventions so that I would be able to direct him to the appropriate areas of the Site. Blakeley responded "*we don't have to go into detail*".

53. I again asked the Officials to produce their permits for inspection and told them that we would not be walking around the Site unless they showed me their permits. A conversation to the following effect took place:

I said: "*Can I see the two permits that are required?*".

Blakeley said: "*What are those permits?*".

I said: *"Unless you show me these permits, we will not be walking around Site to look at these contraventions".*

54. Parfitt was standing with Blakeley and Gibson during the above conversation, but I don't recall him saying anything.

55. None of the Officials produced their permits for inspection. Gibson told me he would be calling Work Health and Safety Queensland.

56. I told the Officials that they were to remain in the prestart area.

57. It is about this time that Mr Tan Truong (**Truong**), CPB Industrial Advisor, arrived at the Site. I had a short conversation with Truong during which I told him that the Officials had provided their Notices of Entry but had not produced their permits for inspection. I said to Truong: "*They haven't produced their permits".* Truong said "*why not*" and I said "*they want to know what specific permits*".

58. Truong then had a discussion with the Officials. I heard Truong request the Officials to produce their entry permits. None of the Officials produced their permits for inspection.

59. For about 30 minutes everyone was just walking about the prestart area keeping to themselves while the Officials were waiting for WHSQ to arrive.

60. I then observed Blakeley walk away from the compound area. He did not ask me for permission to leave the compound area before he started to walk away. I did not hear Blakeley ask any of the other CPB representatives for permission to leave the compound area. I followed Blakeley. I am not sure whether Gibson and Parfitt remained in the compound area at this time as my attention was on Blakeley.

61. It was really important to me to have Blakeley return to the compound area. It is unsafe for a Site visitor to be walking about the Site on their own.

62. As Blakeley walked away, I walked closely with him saying things to have him return to the compound area. I said words to Blakeley "*You're not authorised to walk around on Site*" and "*You need to do a visitor induction*". Blakeley said "*We're not visitors*".

63. Blakeley walked to an area about 150 metres away from the prestart area, but still on the Site. He walked along a concrete path that runs parallel to Joe Baker Street and stopped at the vehicle entry gate. The gate is primarily used as a heavy vehicle thoroughfare.

64. The location of the vehicle access gate and vehicle pathways and movement forms part of the Visitor Induction. This is Gate 2 on the Site plan that is attachment "PC-1" to my affidavit.

65. Annexed to my affidavit and marked "PC-9" is a photograph of the vehicle access gate (Gate 2). I am informed by, and believe, Inspector Beecham of the Australian Building and Construction Commission, that this photograph was taken by him during a Site visit on 11 May 2020.

66. Annexed to my affidavit and marked "PC-10" are two photographs showing signage which appears on the vehicle access gate. I am informed by, and believe, Inspector Beecham of the Australian Building and Construction Commission, that this photograph was taken by him during a Site visit on 11 May 2020. The signage shown in the photographs was at the vehicle access gate on 15 April 2020.

67. I pointed towards the gate and said to Blakeley "*you can't be here, we have heavy vehicles operating and driving into Site, we need to get you back to the compound, plus I need to see your permits*".

68. Blakeley ignored this request. He did not leave the area and he did not produce his permits for inspection. Instead, Blakeley stopped in the middle of the roadway in front of the gate opening. There is a sign on the gate and a traffic controller at this gate.

69. I said to Blakeley as I pointed to the traffic controller "*he will need a clear passage for the vehicles, this is our main access and there are trucks coming in and out. I need you to step away*". Blakeley said "*where does it say that?*".

70. Blakeley then walked closer to the gate and appeared to inspect the sign. He stopped about 10 metres from the gate. A conversation to the following effect took place:

I said:	"*I need you to return to the compound*".
Blakeley said:	"*I am just stretching my legs*".
I responded:	"*You can stretch your legs at the compound*".

71. Blakeley ignored this request and stood in this area for about 5 minutes. My only focus at this moment was having him return to the compound. I was concerned for his safety and that he would block traffic on the street outside the gate if a truck was prevented from accessing the Site through the gate.

72. A truck approached the gate entry, wanting to enter the Site. I said to Blakeley "*there is a truck trying to enter*". I signalled for the traffic controller to stop the truck. I said to Blakeley "*there*

is a truck coming in, you need to get out of the way". Blakeley did not move. He was standing in the truck's path.

73. I then shouted to the traffic controller and asked him whether the truck was turning left or right. The traffic controller indicated using his hand that the truck was turning left.

74. I asked Blakeley to move, pointing to the left hand side of the access gate (looking towards the gate) so that he would not be standing in the direction the truck needed to travel. Blakeley instead moved in the opposite direction and positioned himself to the right of the access gate (looking towards the gate) and so he was standing in the truck's path.

75. I again asked Blakeley to move. I asked him to move back toward the direction he had come from and out the way of the truck's path. Blakeley then moved and the truck was able to turn left. I said to Blakeley "*I will talk to you in the compound when we get the permits*".

76. Blakeley then walked away from the vehicle access gate, but he did not return to the compound area as requested. I followed him as he walked towards the area where we were pouring capping beams. There is a concrete barrier before this work area. Blakeley stopped at the barrier.

77. Gallen arrived to where I was standing with Blakeley. Gallen said to Blakeley words to the effect of "*C'mon, you can't be here, you need to return to the compound*". Blakeley walked toward Gallen in an aggressive manner. Blakeley made a direct line toward Gallen and chested him. By "chested", I mean that Blakeley walked towards Gallen with his chest puffed and arms bent at the elbows and raised from the sides of his torso. Blakeley was standing about 30cm away from Gallen facing Gallen Gallen said words to the effect of "*Hey mate can you keep your social distance and get back from me please*".

78. This was during the height of the COVID-19 pandemic. There were COVID-19 policies and procedures in place for the Site at this time, which included posters placed around the Site reminding people on the Site to maintain 1.5m social distance.

79. I said to Blakeley "*mate, you need to return to the compound*". Blakeley said words to the effect of "*I'm not your mate*", "*I'm not your pal*, "*I'm not your friend*". Blakeley turned and started walking toward the compound area.

80. I followed Blakeley as he walked back to the compound area. I saw Gibson and Parfitt standing around the compound area when we returned.

81. Upon returning to the compound area, Blakeley walked up the steps and into the toilet block. I also needed to use the toilet so walked into the toilet block. There were two cleaners in the toilet block when I entered.

82. The toilet block is a 10m x 3m building. It is configured with the six cubicles located at the entrance end of the toilet block and a urinal located at the far end of the toilet block past the six cubicles. Due to COVID-19 requirements, we were only using every second cubicle on 15 April 2020.

83. When I entered the toilet block, Blakeley was standing in the urinal area at the far end of the block, past the toilet cubicles. I entered one of the toilet cubicles at the entrance end of the toilet block. Blakeley shouted out to me "*Hey Pete would you like to see my cock?*". I did not respond. Blakeley then said "*there's enough to go around*".

84. I came out of the cubicle. Blakeley was at the basin washing his hands. I approached the basins so that I could wash my hands. While I was using the basin, Parfitt came into the toilet block. Blakeley turned to Parfitt and said words to the effect of "*Pete would like to see my cock*". Parfitt laughed. I did not respond. I washed my hands and then exited the toilet block.

85. I felt intimidated by Blakeley's comments and concerned and angered by this situation. I did not know what was going on or why Blakeley had made those comments to me.

86. I waited around in the compound area for about 5 minutes. I observed Blakeley walk into the first aid shed. The door was closed, but not locked. I observed Blakeley open the door and enter the shed. I walked into the shed behind him. Blakeley questioned if we have enough eye wash bottles and told me there should be a curtain in the room. He started to take photographs of the inside space of the shed. I said words to the effect of "*please don't take photographs*". He stepped outside and so did I.

87. As he stepped out there was an excavator parked nearby. Despite my earlier request of Blakeley that he not take photographs, I heard Blakeley direct Gibson to take a photograph of the excavator. I then observed Gibson take a photograph using a mobile phone. A conversation to the following effect took place:

I said to Gibson:	"*Please don't take photographs. It is a client and project requirement that photographs are not taken on Site without prior approval by Cross River Rail Authority*".
Gibson said:	"W*ho is the client?*"
I said:	"*It is the Cross River Rail Delivery Authority*".
Gibson said:	"*No, this is a State funded project, therefore me as the tax payer is the client*".

88. Ignoring my request, Gibson then took some more photographs of the same excavator.

89. Blakeley then started to walk around the Site offices that are within the compound area. He opened crib room doors and office doors and proceeded to take photographs of the inside of the crib room and offices.

90. He opened one of the crib room doors. I was directly behind him. I observed him enter the crib room through the door he opened. He took some photographs of inside the room and said words to the effect of "*the crib room is a mess*" and then left. I observed the crib room and I don't accept the crib room was a mess.

91. Blakeley then opened another door to an office. There were two staff inside the office. One was presenting a Site induction to the other. Blakeley interrupted by saying words to the effect of "*see you are not keeping correct separation*". I said words to the effect of "*yes we are, please don't interrupt the induction*". I know the staff in this office were approximately 2 metres apart as they were at each end of a table that I know are 2 metres in length.

92. Blakeley then walked away, leaving the door open and entered the next office. He opened the door, popped his head into the room and looked around and walked away, leaving the door open again. I recall that he did this for another three rooms, by this I mean opening a door and poking his head in and looking about.

93. Blakeley then made his way back to the compound area where I could see Gibson and Parfitt were standing. I told the Officials to stay in the compound area.

94. We waited there for about 10 minutes and then I saw two inspectors from Workplace Health and Safety Queensland (**WHSQ**), Gary Matheson and Anthony Watego, arrive at the Site. They accessed the Site through the pedestrian gate and entered the compound area.

95. I approached the WHSQ inspectors and said words to the effect of "*we have three officials here, they have shown us their entry notice but they are refusing to show us their permits*". One of the WHSQ inspectors said "*ok*".

96. One of the WHSQ inspectors approached the Officials and asked to see their permits. I heard Blakeley say "*what permits would you like to see, I have four*". The WHSQ inspector said "*ok, I just want to see your State and Federal permits*". I saw Blakeley holding a permit up for the WHSQ Inspector to see. I then saw Gibson and Parfitt show their permits to the WHSQ inspectors in the same manner. This was the first time I observed any of the Officials produce their permits to anyone on 15 April 2020.

97. Peter Melloy, Tunnelling Project Manager, stepped in and asked Gibson to show his permit, Gibson returned the permit to his wallet. Gibson said *"can you keep your social distance*

please". The WHSQ inspectors then asked for the notice of entry documents. Truong stepped in and handed over three notice of entry documents to the WHSQ Inspectors.

98. A discussion took place with the WHSQ inspectors, the Officials and myself about CPB's COVID-19 policies and procedures, which took about 20 to 25 minutes. I recall that Peter Melloy was also involved in this conversation.

99. During that discussion, I saw Gibson leave the group and walk away from the compound area and towards the capping beam. I followed Gibson and asked him to step back into the compound area. He said words to the effect of "*I'm ringing my inspector*". I said words to the effect of "*inspectors are already on site*". Gibson said words to the effect of "*I said my inspector*". Gibson then shouted out to the two Inspectors and requested their names. Gary Matheson responded and shouted back his name to Gibson. Gibson got off the phone and returned to the compound area

100. After our discussion relating to the COVID-19 policies and procedures on Site, I then accompanied the Officials and WHS Inspectors on an inspection of the Site.

101. About 5 minutes later Gibson said "*right, we are out of here, we've wasted enough time already*". I heard one of the WHSQ inspectors asked the officials if they wanted to hang around and finish the inspection. Blakeley said words to the effect of "*no, you do it*".

102. The Officials left the Site at approximately 30 minutes after WHSQ arrived on Site.

103. The WHSQ inspectors remained on Site for about another 45 minutes and then they left the Site. The WHSQ inspectors did not issue any improvement or infringement notices in respect of any of the suspected contraventions that were listed on the Officials' Notices of Entry.

104. At no time on 15 April 2020 did Blakeley, Gibson or Parfitt produce their entry permits to me. I did not observe any of Blakeley, Gibson or Parfitt produce their entry permits to any other CPB representative that day.

105. The Officials were on Site for approximately 3 hours on 15 April 2020. Four CPB representatives (myself, Gallen, Melloy and Truong) were involved in supervising the Officials on site on 15 April 2020. I typically manage the visitor process and escort visitors around the Site without the need to involve any other CPB representatives.

106. All the facts and circumstances deposed to in this affidavit are within my own knowledge except where they have been deposed to from information only and my means of knowledge and sources of information appear in my affidavit.

Signed: [redacted] Taken by: [redacted]

Sworn by the deponent
at Brisbane in Queensland
on 6 October 2020

[redacted]

Signature of deponent

Before me:

[redacted]

Signature of witness

STACEY LEIGH VANDERMEULEN

Witness full name

SOLICITOR

Witness qualification

FEDERAL CIRCUIT COURT OF AUSTRALIA

REGISTRY: BRISBANE

File number: BRG365 of 2020

COURT USE ONLY

Court Location

Court date

Court time

Australian Building and Construction Commissioner
Applicant

Construction, Forestry, Maritime, Mining and Energy Union
First Respondent

Andrew Blakeley
Second Respondent

Luke Gibson
Third Respondent

Matthew Parfitt
Fourth Respondent

ANNEXURE "PC-1"

This is the document referred to as "PC-1" in the affidavit of Peter Joseph Cullen sworn at Brisbane on 6 October 2020.

Before me:

[redacted]

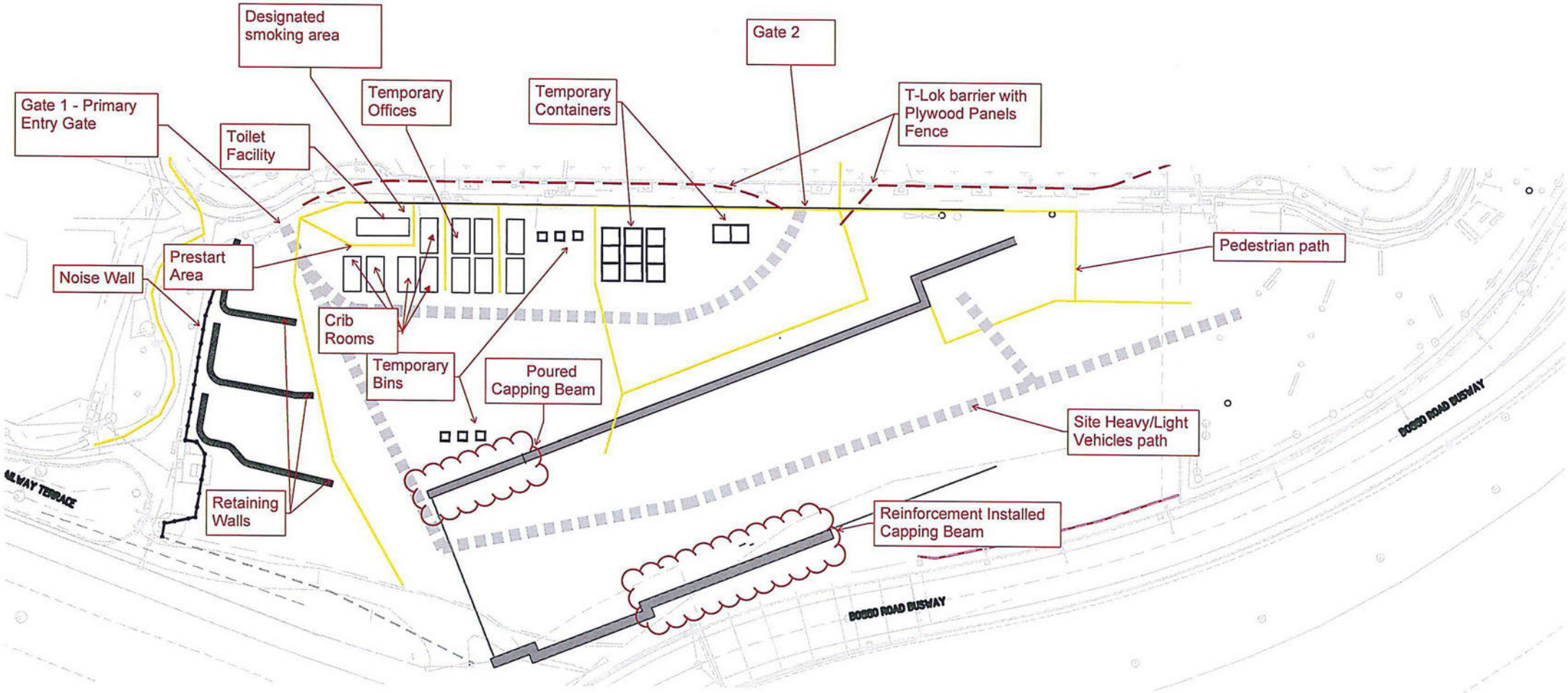
Signature of witness

STACEY LEIGH VANDERMEULEN

Witness full name

SOLICITOR

Witness qualification


Designated smoking area
Gate 2
Temporary Offices
Temporary Containers
T-Lok barrier with Plywood Panels Fence
Gate 1 - Primary Entry Gate
Toilet Facility
Prestart Area
Noise Wall
Pedestrian path
Crib Rooms
Temporary Bins
Poured Capping Beam
Site Heavy/Light Vehicles path
Retaining Walls
Reinforcement Installed Capping Beam
BOGGO ROAD BUSWAY
BOGGO ROAD BUSWAY

001

FEDERAL CIRCUIT COURT OF AUSTRALIA

REGISTRY: BRISBANE

File number: BRG365 of 2020

COURT USE ONLY

Court Location

Court date

Court time

Australian Building and Construction Commissioner
Applicant

Construction, Forestry, Maritime, Mining and Energy Union
First Respondent

Andrew Blakeley
Second Respondent

Luke Gibson
Third Respondent

Matthew Parfitt
Fourth Respondent

ANNEXURE "PC-2"

This is the document referred to as "PC-2" in the affidavit of Peter Joseph Cullen sworn at Brisbane on 6 October 2020.

Before me:

[redacted]

Signature of witness

STACEY LEIGH VANDERMEULEN

Witness full name

SOLICITOR

Witness qualification


advanced
TEMPORARY FENCING
1300 66 2345
CONSTRUCTION SITE
UNAUTHORISED PERSONS
KEEP OUT
THIS PROTECTIVE EQUIPMENT
MUST BE WORN
ON THIS SITE
ALL VISITORS MUST REPORT
TO SITE OFFICE
ALL PERSONNEL MUST BE
SITE INDUCTED BEFORE
STARTING WORK ON THIS SITE
coateshire
002

FEDERAL CIRCUIT COURT OF AUSTRALIA

REGISTRY: BRISBANE

File number: BRG365 of 2020

COURT USE ONLY

Court Location

Court date

Court time

Australian Building and Construction Commissioner
Applicant

Construction, Forestry, Maritime, Mining and Energy Union
First Respondent

Andrew Blakeley
Second Respondent

Luke Gibson
Third Respondent

Matthew Parfitt
Fourth Respondent

ANNEXURE "PC-3"

This is the document referred to as "PC-3" in the affidavit of Peter Joseph Cullen sworn at Brisbane on 6 October 2020.

Before me:

[redacted]

Signature of witness

STACEY LEIGH VAN DER MEULEN

Witness full name

SOLICITOR

Witness qualification

WHS Management Plan

Cross River Rail Project – Tunnel, Stations and Development Package (TSD)

REV	DATE	PREPARED BY NAME & SIGNATURE	REVIEWED BY NAME & SIGNATURE	APPROVED BY NAME & SIGNATURE	REMARKS
B	01/07/2019	Guy McLennan HSEQ Manager	Matt Lennon	Ron Thomas Design Director	For approval
0	23/09/2019	Guy McLennan HSEQ Manager	Ron Thomas Design Director	Andrew Large Project Director	GBGU Approved
1	29/01/2020	Steve Pavlich Safety Systems Assurance Manager	Guy McLennan HSEQ Manager	Andrew Large Project Director	Updated to address comments on VRS

Document number: CRRTSD-SH-MPL-CBGU-000015

Revision date: 29/01/2020

Revision: 1

Details of Revision Amendments

Document Control

The CBGU Project Director is responsible for ensuring that this preliminary plan is reviewed and approved. The CBGU SHEQ Manager is responsible for updating this plan to reflect changes to the project, legal and other requirements, as required.

Amendments

Any revisions or amendments must be approved by the CBGU Project Director or the Delivery Authority before being distributed or implemented.

Table 1 Document schedule

Time for Submission	Period during which CBGU must provide updates	Update Interval
On or before the date one day after Financial Close	From initial submission until the Date of Final Acceptance	6 monthly

Revision Details

Revision	Details
A	For internal review
B	For approval
0	Updated, including responses to Independent Safety Auditor
1	Updated including current accreditation certificates

Distribution and Authorisation

The SHEQ Manager is responsible for the distribution of this Plan. The controlled master version of this document is available for distribution as appropriate and maintained on TeamBinder. All circulated hard copies of this document are deemed to be uncontrolled.

The implementation of this Plan is under the authority of CBGU Delegated Authority Matrix. All personnel employed on the Project will perform their duties in accordance with the requirements of this Plan, supporting management plans, and related procedures.

Table 2 Distribution List

Project Co	TeamBinder
CBGU Project Personnel (including SA and FM)	As per TeamBinder Distribution List
Proof Engineer/Verification Engineer	As per TeamBinder Distribution List

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Referenced Documents

The following provides a list of referenced documents either as a sub-plan to this plan or referenced from.

Table 3 Referenced Documents

Document Number	Document Name	Location of Controlled Version
Sub- Plans and procedures to this Plan include		
CRRTSD-SH-MPL-CBGU-000017	Emergency Response & Incident Management	TeamBinder
CRRTSD-SH-MPL-CBGU-000018	Fatigue Management	TeamBinder
CRRTSD-PM-MPL-CBGU-000020	Security Management	TeamBinder
Project Plans		
CRRTSD-ED-MPL-CBGU-000001	Design Management Plan	TeamBinder
CRRTSD-CS-MPL-CBGU-000010	Construction Management Plan	TeamBinder
CRRTSD-SH-MPL-CBGU-000015	Workplace Health and Safety Management Plan	TeamBinder
CRRTSD-CU-MPL-CBGU-000018	Communication and Stakeholder Engagement Plan	TeamBinder
CRRTSD-EN-MPL-CBGU-000019	Construction Environmental Management Plan	TeamBinder

Note: this Management Plan may not contain the current version of the document listed above. Refer to the 'location of controlled version' for the most current version.

Glossary of Terms

Term	Meaning
BCC	Brisbane City Council
BIM	Building Information Modelling
CBGU	D&C Subcontractor comprising a joint venture with CPB Contractors Pty Ltd, BAM International Australia Pty Ltd, Ghella Pty Ltd and UGL Engineering Pty Ltd
CDE	Common Data Environment
Change Register	List of all proposed and approved design changes. Refer DCR
CPS	Construction Phase Services. The responsibilities of the designer/s specifically during construction phase, including responses to RFIs/NCRs, issuing DCNs as well as other services.
CRRDA	Cross River Rail Delivery Authority acting on behalf of the State
CRR TSD (the Project)	Cross River Rail - Tunnels, Stations and Development (TSD) Project
DMS	Document Management System. A procedural management system for the storing, issuing, revision control and retrieval of all Project documents. Refer Document Management Plan.
DSP	Data Security Protocol
DTMR	Department of Transport and Main Roads (QLD)
FM	Facilities Manager
GIS	Geographic Information System
GISMP	GIS Management Plan
IFC	Issued for Construction status assigned to drawings, specifications and other relevant construction documents
ISA	Independent Safety Assessor
Package or Lot Schedule	List of all permanent and temporary works design packages (or lots) with the scope based on various selection criteria such as Project Zones (Tunnel), design discipline (Structural), document type (reports, drawings), etc
NCR	Non-Conformance Report
Non-compliance	A design element that does not to some extent meet with the requirements of the Project Deed, specifically the Project Agreement or PSTR
O&M	Operations and management
OSD	Over station development
PD	Preliminary Design
PIC	Project Independent Certifier
PSTR	Project Scope and Technical Requirements
QR	Queensland Rail
RFI	Request for Information
RIS (or RIS JV)	Cross River Rail – Rail Integration and Systems Project JV

Term	Meaning
Risk matrix	A table used in the evaluation of risk severity that has likelihood and consequence as its axes with numbers and ratings applicable to each likelihood/consequence combination. For use in risk evaluation and Safety in Design reviews.
Risk register	A database containing Project risks, assessments, treatments and responsibilities
RWO	Returned works (asset) owner such as BCC or Utility Authority (Telstra, APA, Urban Utilities, etc).
Schema (GIS Data)	Defined formatting of GIS attribution. This includes field types (eg number, text, date, etc) and pre-defined field values where applicable.
Sub-contractor	Any company, body or person who is contracted to CBGU for supplying plant and/or services
TeamBinder	Proprietary software used as part of the Project wide Document Management System
Temporary Works Register	A register retained on the Project that contains all temporary works and the Work Area Package to which they relate
the Project (or CRR TSD)	Cross River Rail - Tunnel, Stations and Development (TSD) Project
WBS	Work Breakdown Structure - the hierarchical breakdown of a project into manageable portions of work, used to drive program, cost and organisational structure

Part A: Overview

1 Introduction

1.1 Purpose

The D&C Subcontractor for the Cross River Rail (CRR) Tunnel, Stations and Development (TSD) Package (the Project) is the joint venture of CPB Contractors Pty Ltd, BAM International Australia Pty Ltd, Ghella Pty Ltd and UGL Engineering PTY Ltd.

CBGU is responsible for delivering the D&C Activities and Final Acceptance Services for the T&S Works during the D&C Phase and through to the Date of Final Acceptance. The FM Subcontractor, UGL Engineering Pty Ltd (UGL), will perform Maintenance Services and Final Acceptance Services.

This WHS Management Plan (WHSMP) has been developed to:

- Identify CBGUs safety and health obligations and the hazards and risks associated with the RIS Works
- Eliminate safety and health critical risks associated with performing high risk construction related work tasks defined by CPB 's 'Safety Essentials' or high-risk activities.
- Comply with all relevant and applicable safety and health legislation
- Minimise all safety and health incidents
- Fulfil CMS requirements enabling continued certification to AS/NZS 4801 and ISO 18001 and contribution to CBGU's overall Business Plans
- Ensure Queensland Rail's requirements are complied with when working in the Queensland Rail corridor (as defined by the project interface agreement).

CBGU will use the CPB Management System (CMS) to support and underwrite the project specific management plans our team will develop and implement in accordance with the TSD Project Scope and Technical Requirements, Annexure D: management Requirements.

CPB Contractors has been appointed Principal Contractor in accordance with the Work Health and Safety Act 2011 (Queensland). This Plan is established in accordance with 'Our Management System Approach' framework and is the key document that integrates all Safety and Health requirements for the project.

The Project Management System (PMS) provides additional Safety and Health procedures, knowledge and tools that define the minimum mandatory Safety and Health requirements.

1.2 Objectives

The primary WHS objectives are to ensure that the TSD works are constructed in accordance with the objectives of the CCRDA, and that the Project is completed safely on or before the specified handover dates; while minimising impacts to the community and environment.

Refer to CRRTSD-PM-MPL-CBGU-000005 Project Management Plan for full description of the TSD Objectives.

1.3 Contract Requirements

The Requirements Traceability Matrix (RVTM) in Appendix A summarises the minimum Cross River Rail Delivery Authority (the Delivery Authority's) requirements and where this is addressed within this Plan or the wider CPB Contractors Management System, which is being adopted by CBGU.

1.4 Structure of this Plan

The WHS has the following structure:

Part A: Overview	This section clearly defines: • Purpose and Scope • Objectives • CPB management system
Part B: WHS Structure	This section outlines in detail the key Elements for managing WHS on the Project including: • How they will be met • Risks • Responsibilities • Communication • Hazard Controls • Audit • Reporting
Part C: Appendices	This section contains Appendices providing additional detail to support this plan.

2 The Way We Operate

The Way We Operate is an overall process that guides how we manage our business to meet Delivery Authority and other stakeholder requirements. It fosters an integrated approach across all operations and functions to deliver outcomes. It ensures third party certifications in relation to Safety, Health, Environment and Quality are maintained.

2.1 CPB Contractors' Management System

The CPB Management System (CMS) helps to drive the safe and efficient delivery of projects for our clients and other stakeholders as well as achieving overall business objectives.

It integrates a number of elements which operationalise The Way We Operate process and ensures a systematic, planned and consistent approach to work delivery.

The elements which make up the management system, are a set of interdependent components forming an integrated whole, each of which is explained in greater detail in Table 6.

The CMS has been developed to ensure compliance with the following external certifications:

- *AS/NZS ISO 9001:2015 Quality Management*
- *AS/NZS ISO 14001:2015 Environment Management*
- *AS/NZS 4801:2001 Occupational Health & Safety*
- *OHSAS 18001:2007 Occupational Health & Safety*
- Office of Federal Safety Commission (OFSC).

Copies of the certificates and additional information on the CMS can be found in CRRTSD-PM-MPL-CBGU-000005 Project Management Plan.

Table 4 Document Type Definitions

Category	Objectives
Policy	A statement of strategic intent, commitment and includes minimum requirements
Procedure	Describes the steps to be undertaken to complete an activity, the accountable roles and the tools and knowledge to be used
Work Instruction	Provides detailed instructions on how to conduct a step within a Procedure
Tools	Preformatted documents (forms and templates) used to collect specific data or information for a purpose
Knowledge	Reference material to provide context or guidance to a Policy or Procedure

2.1.1 Project Management System

To drive consistency across all projects CMS documentation (which includes Corporate and Business Unit requirements) forms the foundation of each Project Management System (PMS).

Projects can then add additional documentation that is specific to the project. As a result, the PMS is a combination of the CMS and project-specific content.

2.2 Safety Essentials

The CPB Contractors Safety Essentials set out the minimum, non-negotiable requirements to manage Safety Essential related tasks on the Project. *Safety Essentials* are a suite of controls for critical safety risks that have been identified through data analysis that would have given rise to the potential for serious injury, if they were not understood and had appropriate controls in place.

Safety Essentials support and reinforce the CPB Management System including the Project Management System – they do not replace them.

Part B: WHS Structure

3 WHS Management

This WHSMP has been established in accordance with the requirements of the CMS and will be the key document for integrating all WHS requirements for the project.

The plan will be developed specifically for the works associated with the project and is aligned to:

- Rail Safety National Law Act 2017 (Qld)
- Transport (Rail Safety) Act 2017 (Qld)
- Transport (Rail Safety) Regulation 2010 (Qld)
- Work Health and Safety Act 2011 (Qld)
- Work Health and Safety Regulation 2011 (Qld)
- Electrical Safety Act 2002 (Qld)
- Electrical Safety Regulation 2013 (Qld)
- Radiation Safety Act 1999 (Qld)
- Radiation Safety Regulation 2010 (Qld)
- Heavy Vehicle National Law 2013 (Qld)
- Heavy Vehicle National Regulations 2013
- Workers' Compensation and Rehabilitation Act 2003 (Qld)
- Workers' Compensation and Rehabilitation Regulation 2014 (Qld)
- All applicable Codes of Practice (Qld) including BS 6164 Code of practice for health and safety in tunnelling in the construction industry
- Other relevant legislation
- AS/NZS 4801:2001 – Occupational Health and Safety Management Systems
- OHSAS 18001:2007 – Occupational Health and Safety Management Systems
- The Australian Government Building and Construction Occupational Health and Safety Scheme
- Queensland Rail Policies and Safety, Health and Environment Management System (Where the project interface agreement stipulates)
- ONRSR Guideline Major Projects
- AS/NZS 3666 (Series):2011 Air-handling and water systems of buildings – microbial control, in relation to air supply during the tunnelling work
- Further legislation can be found in the CBGUJV Legal and Other Requirements Register

3.1 Rail Infrastructure Manager (RIM)

CBGU will operate and maintain the Rail Infrastructure Manager (RIM) accreditation, as indicated by the project interface plan.

CPB Contractors as the Principal Contractor will ensure compliance with WHS legislation and the Workplace Health and Safety Management Plan.

Implementation of the WHS Management Plan will:

- Identify CBGU's WHS obligations and the hazards and risks associated with the works
- Eliminate Safety and Health critical risks associated with performing safety essential or defined High Risk Construction related work tasks
- Comply with all relevant and applicable WHS legislation
- Minimise safety and health incidents
- Fulfil WHSMS requirements enabling continued certification to AS/NZS 4801 and ISO 18001.

The WHS Management Plan is applicable to all activities, including subcontractor activities.

3.2 Interface with Other Plans

CBGU will use the CMS to support and underwrite the project-specific management plans our team will develop, maintain and implement in accordance with the TSD Project Scope and Technical Requirements (PSTR), Annexure D: Management Requirements.

For a full list of management plans for Tunnel and Stations (T&S) Works please refer to the Project Management Plan.

This WHSMP is part of an integrated set of project management plans. The table below sets out interactions of this WHS Management Plan with the other management plans. The Safety Interface Plan steps-out how over-lapping safety and requirements under the Rail Safety National Law (RSNL) and in accordance with the Masters Safety Deed will be managed. The specific linkages that exist between the various management plans are addressed thoroughly in Part B of this WHS Management Plan.

Table 5 Interface with other plans

	PROJECT MANAGEMENT PLAN						
	SAFETY AND HEALTH MANAGEMENT PLAN						
Element of SHMP	Design	Construction	Environment	Risk	Commercial	HR	CBGU & Stakeholder
Leadership, Accountability and Culture			●			✓	
Planning, Objectives and Targets			●		✓	●	
Legal and Other Requirements	✓	✓	●				●
Risk Management	✓	✓	✓	✓		●	

Change Management	●	●	●	●	●	●	●
Communicate, Co-operate and Consult			✓			✓	✓
Training and Competence			●			✓	
Subcontractor Management	●		●	●	✓		
Manage Incidents, Investigation and Corrective Actions			✓				●
First Aid and Emergency Preparedness and Response			✓	●	●	●	●
Fitness for Work			●			●	
Plant and Equipment		●		●			
Monitoring, Review and Improvement			✓	●			

● Element (or subject) also addressed in other management plans.

✓ Other plan directly interfaces with this WHS Management Plan

3.2.1 Continuous Improvement

The Safety and Health Management System has a continuous improvement mechanism embedded in its elements:

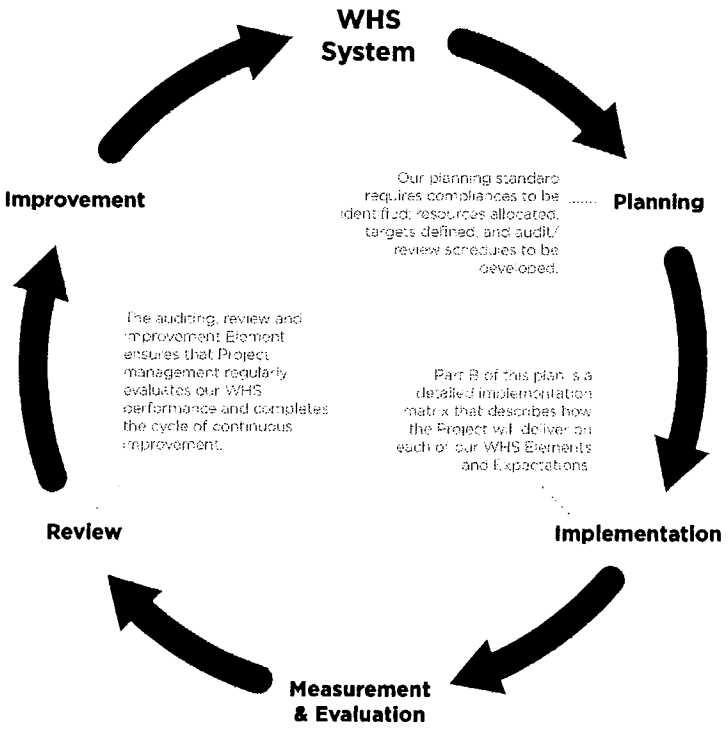


Figure 1 *Continuous Improvement mechanism*

4 One HSE Culture

The *Leadership and Culture Procedure* outlines the requirements for ensuring that health, safety and security leadership activity, accountabilities and requirements are assigned to project leaders and documented in individuals' Position Descriptions and Performance Development and Review Forms.

The *Leadership and Culture Procedure* is underpinned by the *One HSE Culture Framework* which describes:

- Positive or effective behaviours that result in excellent HSE performance and strong culture
- Negative or ineffective behaviours that undermine or result in poor HSE performance and weak culture.

The framework sets clear expectations for all personnel, as outlined in Figure 2.

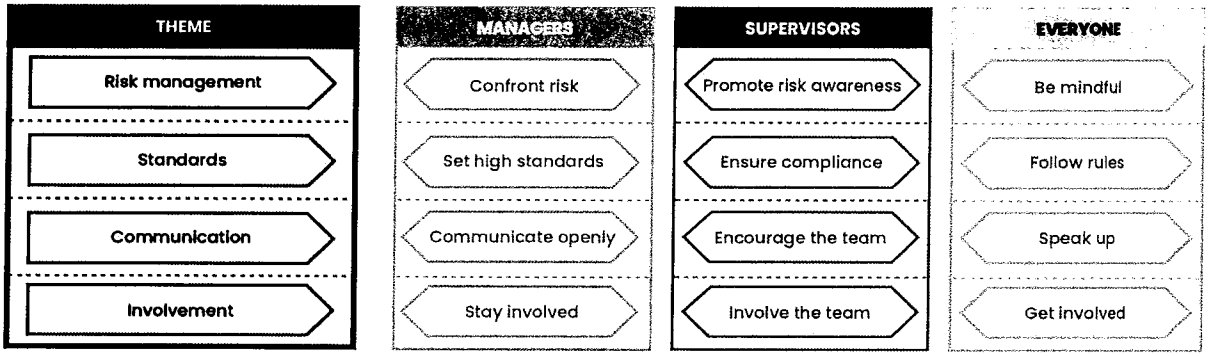


Figure 2 ONE HSE Culture framework

The framework defines what 'everyone' within the CBGU can do to drive the desired culture. The 'everyone' behaviours apply to all people regardless of their role. In addition, employees in supervisory and management roles should also demonstrate the 'supervisor' or 'manager' behaviours.

A series of 'I will' behaviours sit behind the framework. We will work with and educate our workforce on site, including at inductions, pre-starts, and toolbox talks, about the expectations outlined within the framework. We will monitor these behaviours during our daily on-site observations.

HSE leadership and commitment is demonstrated through measurable participation in HSE management. Expectations are clearly defined with appropriate reward and disciplinary procedures in place, as detailed in the *Manage Just Culture Procedure*. The Leadership Team will be held accountable for familiarising themselves with, and complying with, this procedure and communicating expectations to their teams.

The SLT conduct *Leadership Walk and Talks* and other safety and health leadership activities during the life of the project in accordance with the *Conduct SHE Senior Leadership Visits Procedure*.

CBGU will implement reward and recognition programs that support the *One HSE Culture Framework* and promote innovation to deliver safer outcomes.

4.1 Safety Strategy Workshop

Prior to financial close, or as soon as reasonably practicable thereafter the project will conduct a safety strategy and culture workshop, the workshop will as a minimum cover the following:

i. How Project Co's safety culture will initially be fostered and maintained throughout the Delivery Phase

ii. Proposed lead indicators which align with CBGU's safety culture and planned strategic activities

iii. Identification of role specific safety accountabilities and deliverables for senior leaders, management and workforce

iv. Incorporating the following core practices into the Project Activities:

   a. just culture - everyone holds themselves and others accountable for safety

   b. honest reporting - all hazards, near-misses and incidents are reported and managed

   c. risk wary - risks are assessed and controlled for all field activities

   d. learning - lessons learnt are shared across the project

   e. informed - all workers are assessed as competent to perform their tasks.

Outcomes from the safety strategy and cultural workshop will be incorporated into the CBGU JV's Health and Safety Strategy (CRRTSD-RPT-JVSC-000085).

Key stakeholders and any person nominated by the State and QR Limited will be invited to attend the Safety and Culture Work Shop.

Targets and Objectives, relevant to CBGU JV, will be outlined in CBGU JV's Health and Safety Strategy (CRRTSD-RPT-JVSC-000085).

5 Risk Management

CBGU's risk management process ensures safety hazards are effectively identified, assessed, controlled and monitored to a level as low as reasonably practicable throughout project delivery. CBGU's risk management processes will align to meet the requirements of:

- AS/NZS 310000 Risk Management
- ISO/IEC 31010 Risk management – risk assessment techniques
- AS4292 Rail Safety Management
- Rail Safety National Law
- Queensland Rail Limited's Safety Management System including MD-11-1338 Standard – Risk Management, MD-12-219 and Safety Change Management.

5.1 Identification and Control

The Principal Project Risk Register will be developed specific to the scope of works and detail the controls to manage these risks to so far as is reasonably practicable. The Principal Project Risk Register Captures Safety Essentials, high risk construction work risks and details the hierarchy of controls used to mitigate the risks.

The register reflects whole of project risks and will be reviewed at least six monthly and managed in accordance with the *Establish Project Risk Management Procedure*.

The Principal Project Risk Register is part of the risk waterfall process associated with identifying, assessing, controlling and reviewing risks associated with the scope of work, as shown in Figure 3 below.

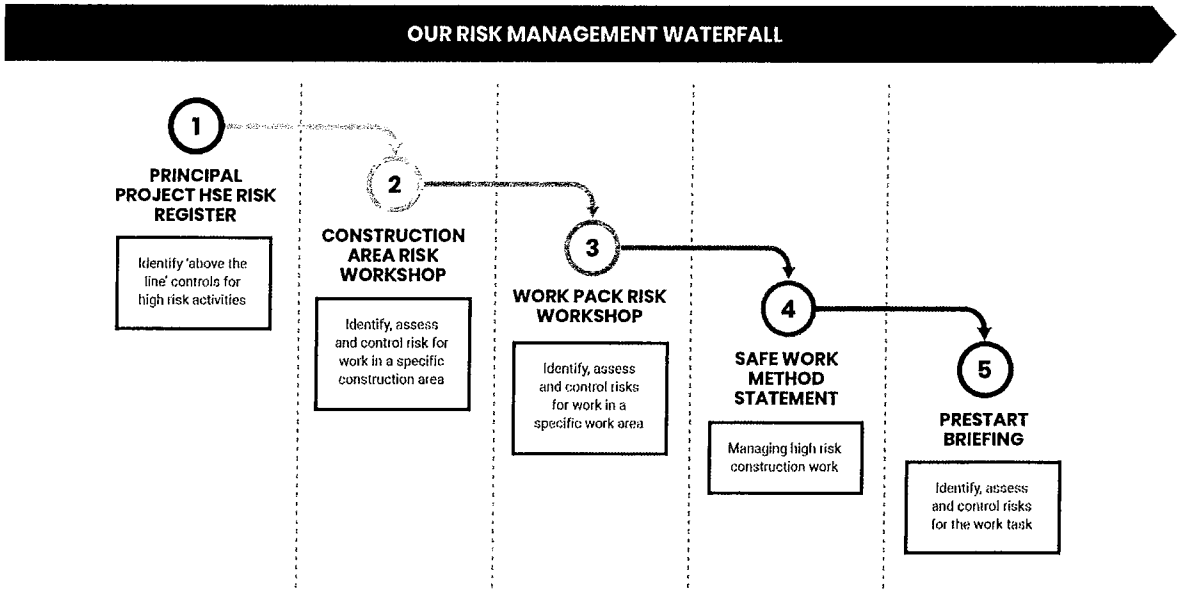


Figure 3 Our risk management cascading waterfall

CBGU's work planning process requires the development of Construction Area Plans (CAPs) and associated risk assessments which will be conducted for each specific area of the TSD Works. CAPs will be managed in accordance with the *Develop Construction Area Plan Procedure*.

The Project Risk Register controls are cascaded down the risk waterfall to set the minimum controls for the CAP Risk Assessment. The Construction Area Risk Assessment captures: Safety Essentials, high risk

construction work, and significant environmental hazards, and is managed in accordance with the *Undertake Construction Area Risk Review Procedure*. The hierarchy of controls will be applied to managing these risks so far as is reasonably practicable and the type and frequency of monitoring of control measures will also be detailed in the risk assessment.

The CAP risk assessment supports the development of the Work Pack. The Work Pack will be the primary source of reference for the construction team executing the work. It is developed to facilitate safe and efficient delivery of the works to the required standard and is managed in accordance with the *Develop Work Pack Procedure*.

The Work Pack Risk Assessment captures: Safety Essentials, high risk construction work, significant environmental hazards, as well as other risks to the safety and health of workers (eg. manual handling, use of cutting, grinding tools, slips trips and falls, exposure to the sun etc.) in accordance with the *Undertake Work Pack Risk Assessment Procedure.*

5.2 The Safety Essentials

CBGU's Safety Essentials set out the minimum, non-negotiable requirements to manage Safety Essential related tasks on the CBGU Project. The Safety Essentials are a suite of controls for critical safety risks that have been identified through data analysis that would have given rise to the potential for serious injury, if they were not understood and had appropriate controls in place.

The Safety Essentials support and reinforce the CPB Management System including the Project Management System – they do not replace them.

The controls within the Safety Essentials aim to be 'Above the Line' in accordance with the Hierarchy of Control, where 'Above the Line' means an engineering control or higher.

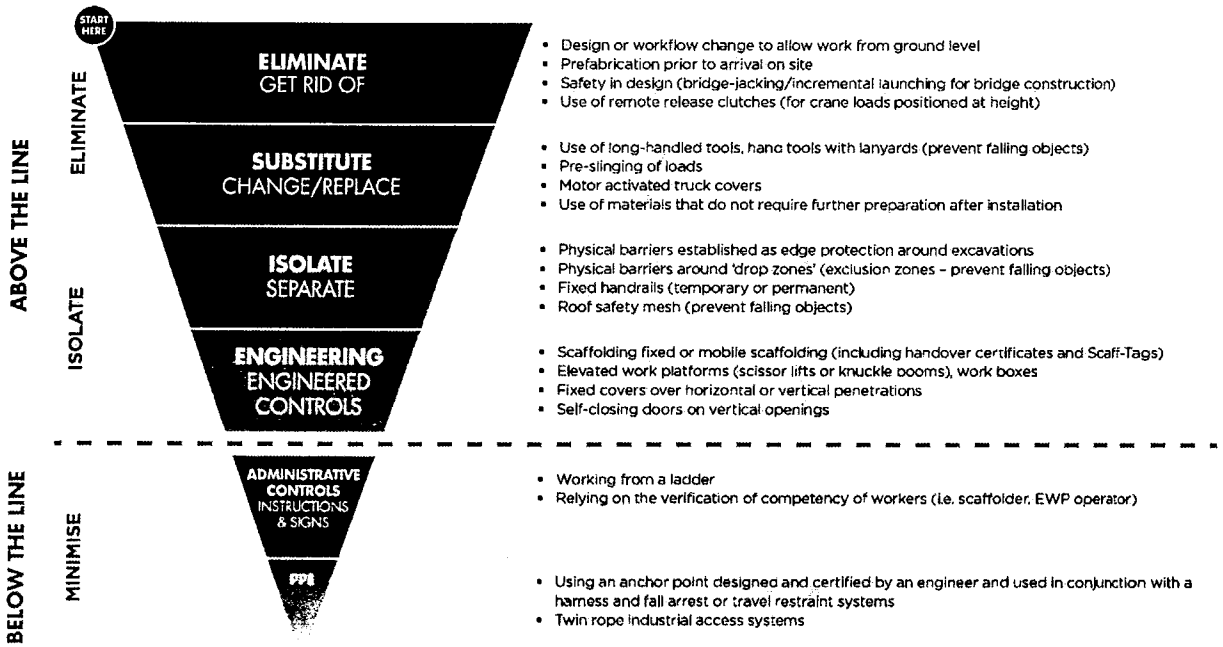


Figure 4 Hierarchy of control

Where an 'Above the Line' control cannot be identified as the primary control for a Safety Essentials related task, then a Safety Essentials Exception must be approved by the Business Unit General Manager, before work can commence on the Safety Essentials related task.

The Essentials applicable to this Project are:

- Work at Heights
- Working Near Live Traffic
- Working with Live Services
- Mobile Cranes and Lifting Operations
- Electrical Work
- Working in and Around Mobile Plant
- Working with Temporary Works.

5.3 Business Defined High Risk Construction Work Tasks

On this Project, the following business defined high risk work tasks have been identified through Project planning and the risk management processes:

- Working at heights greater than 2 metres
- Working near live traffic including pedestrians and cyclists
- Working near live services including HV
- Working in and around mobile plant and equipment including heavy vehicles and the Heavy Vehicle National Laws, and spoil management
- Electrical work
- Work involving temporary works
- Mobile cranes and lifting operations
- The demolition of the whole or part of a structure that is either load-bearing or is related to the physical integrity of a structure
- Any disturbance of or likely to involve any disturbance of, asbestos, contaminated soil or other hazardous materials
- Work in or near a confined space
- A shaft or trench that is deeper than 1.5 metres
- Work in a tunnel
- The use of explosives
- Work carried out on or near pressurised gas distribution mains or piping, or:
  - chemical, fuel or refrigerant lines
  - energised electrical installations or services

- Work in an area that may have a contaminated or flammable atmosphere
- Tilt-up or precast concrete
- Work on, in or adjacent to a railway or other traffic corridor that is in use by traffic other than pedestrians
- Work where there are artificial extremes of temperature
- Work in or near water or other liquid that involves a risk of drowning, including flood management
- Mental Health
- Occupational Hygiene
- Fatigue management
- Security incidents management.

5.4 Risk Management

All Safety and Health risks, including the Safety Essentials and the Business defined High Risk Construction work tasks, must be managed through the application of the risk management processes, as follows:

- The Project Risk Register
- Project Management Plan
- Construction Area Risk Assessment
- Construction Area Plan
- Work Packs
- Work Pack Risk Assessment
- Safe Work Method Statements
- Pre-Start Briefings
- Start Cards.

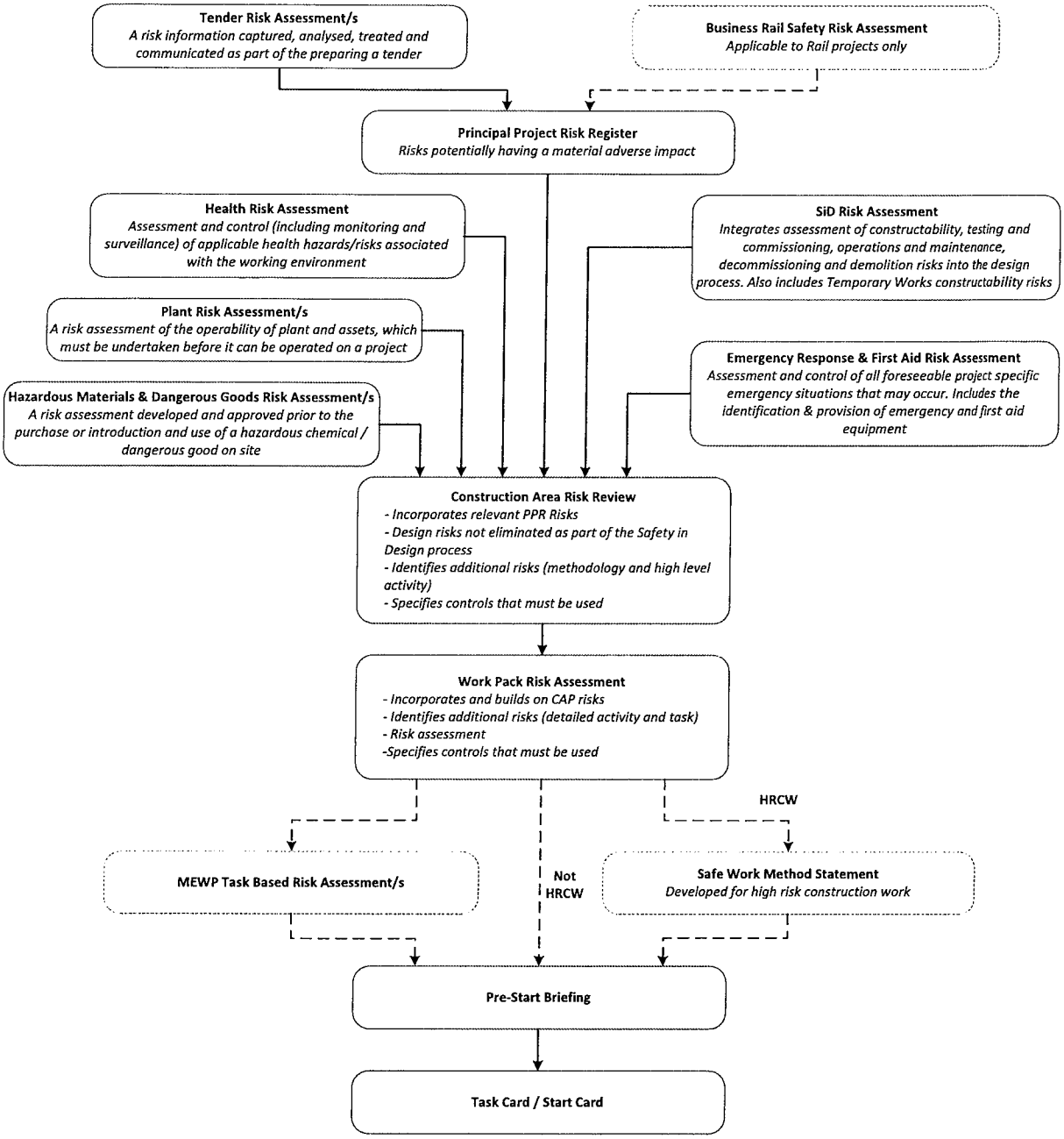


Figure 5 CBGU Risk Management Processes

6 Roles and Responsibilities

The Project Director will be accountable for actively communicating and promoting safety on the site. The Project Director will be supported by the Project H&S Director and Safety Systems and Assurance Manager, who will be supported by a team of senior WHS Advisors and a Training Coordinator.

The team will be supported by the CPB Contractors QLD/PNG SHEQ and Tunnelling teams', and national safety personnel.

Project team members and line managers will be directly accountable for the safety and health of personnel under their control. The WHS team will assist line management to implement the SHMS.

The Engineering and Design Managers will be responsible for using the design stage to actively remove as many health and safety hazards as possible, and ensuring that issues not fully eliminated at the design stage are adequately identified, documented and passed to the construction team at a formal handover meeting so they can be managed during construction.

The Safety Systems and Assurance Manager will work with the Engineering Manager to ensure the overall system safety assurance process is completed in accordance with the System Safety Assurance Plan.

All employees and subcontractors will be responsible for complying with CBGU's SHMS, including policies, standards, systems, management plans and procedures. All site personnel will be actively encouraged to participate in improving the project safety performance. Full details of staff qualifications and experience will be stored on an electronic database, which will accessible for auditing purposes. Every individual will receive a full staff induction on arrival to the project, which will include confirmation of:

- Roles
- Responsibilities
- Accountabilities
- Authorities.

Position descriptions will be reviewed and amended as the project progresses and roles may change.

The WHS team structure is included in the Project Management Plan, Organisational Structure.

The specific roles and responsibilities of the WHS team are identified in Table 6 below.

Table 6 WHS roles and responsibilities

Role	Responsibility	Key Interfaces
H&S Director	Accountable for implementing all aspects of WHSMP and SHMS including: • Leading a safety culture focused on zero harm to the community, workforce and environment • Managing the systems and procedures outlined in the WHS Management Plan and SHMS • Ensuring compliance with the WH&S Act and regulations, appropriate codes of practice, and with Queensland Rail's Safety Management System • Establishing and managing the project's safety risk management processes including: • Identifying and incorporating measurement systems such as the Work Health and Safety Risk Register	Project Director Delivery Director Engineering Manager Queensland Rail H&S Director The Delivery Authority H&S Director Qld/PNG SHEQ team National Rail Safety Manager

Role	Responsibility	Key Interfaces
	• Assisting project personnel at all levels of project delivery to identify and manage risk • Ensuring appropriate and timely work health and safety risk management procedures are established and maintained • Conducting appropriate risk assessment at nominated intervals • Conducting health monitoring, including meeting all rail access safety requirements • Ensuring all rail safety risks are identified and adequate controls applied • Ensuring timely response to identified deficiencies • Establishing control mechanisms to prevent reoccurrence • Ensuring management systems and processes are aligned with initiatives • Ensuring all rail safety incidents are reported to the Accredited Operator and support provided to any investigations • Establishing and maintaining effective relationships with Workplace Health and Safety Queensland and other statutory representatives • Managing the incident investigation process across the TSD Works • Ensuring effective management of all injured workers and back to work strategies with appropriate alternative duties, if required • Overseeing safety based observations program • Ensuring the workforce, including subcontractors, implement and maintain safe methods of work using systems and procedures defined in the WHSMP • Reviewing compliance with the WHSMP for inspections, pre-start briefings, toolbox meetings, plant inspections and any other requirements, and taking corrective action where necessary • Maintaining a high standard of work practices and ensuring integrity, respect and confidentiality • Ensuring compliance and accreditation with the Australian Government Building and Construction OHS Scheme • Developing and managing the project's assurance program including safety inspection and audit program • Leading the WHS team by example, maintaining a high standard of work practices and ensuring safety, integrity, respect and confidentiality • Building collaborative relationships across the senior management team and with the Delivery Authority and Queensland Rail to ensure best-for-project decisions and outcomes.	
WHS Advisor	• Coordinating and administering work health and safety policies, guidelines and procedures • Acting as an internal coach and advisor to engineers and supervisors, and teams to support the development and transfer of WHS skills and knowledge • Identifying work health and safety training needs and developing and delivering training so that all JVJV	CBGU Team H&S Director Safety Systems and Assurance Manager Civils and Rail construction teams

Role	Responsibility	Key Interfaces
	personnel including subcontractors are aware of their WHS obligations • Implementing safety behavioural initiatives • Investigating all serious incidents and recommending remedial action • Ensuring accurate and up-to-date documentation and information relating to WHS issues and training is collected, reported, disseminated and stored in a manner that improves WHS communication across the JV • Assisting development and enforcement of standards to ensure the CBGU complies with WHS regulatory and governance requirements, including: – Keeping abreast of WHS legislation, best practice and tools, and leveraging these to facilitate contemporary WHS practices across the JV – Performing the role of first-aid officer, including holding the necessary qualifications in accordance with Law, including the First Aid Code of Practice 2014 • Monitoring and conducting regular WHS compliance checks and audits within the project sites including: – Reporting breaches – Issuing non-compliance reports – Recommending remedial actions – Monitoring and reporting on the progress of appropriate corrective actions – Supporting implementation of corrective and preventive strategies • Contributing to the development and delivery of project goals and objectives including: – Contributing to project planning and ensuring project plans include WHS initiatives that align with CBGU's WHSMP – Ensuring the appropriate allocation of work within the WHS team to achieve WHS safety objectives and targets – Planning and implementing a schedule of inspections of all sites, considering site specific WHS issues and personnel experience – Managing systems and processes to enable timely and accurate WHS reporting and analysis.	
CPB Business Unit SHEQ Manager QLD/PNG	• Supporting implementation of WHSMS • Reviewing and managing legislative changes • Ensuring incident response, investigation and corrective actions are managed in accordance with legal, corporate and client requirements • Improving SHEQ performance including analysis, trending, monitoring, review and reporting • Leading project start-up activities, including supporting the project with training and operational support • Leading governance and audit activities • Leading and supporting injury management • Developing and implementing new workplace health and safety initiatives to foster an incident and injury free workplace.	Project Director H&S Director

7 Interface Arrangements with Other Works Contractors

Interface arrangements with other works contractors will be managed in accordance with *the Communicate, Co-operate and Consult on Work Safety and Health Procedure and Integration Management Plan,* which describes the establishment of formal mechanisms for resolving health and safety related issues.

Communication and consultation will be undertaken in various forms, including:

- Internal communication among the various levels and functions of the organisation
- Communication with subcontractors, other stakeholders and visitors in the workplace
- Receiving, documenting and responding to relevant communications from external interested parties
- Participation of workers in health and safety issues
- Worker involvement in risk assessments and development of Safe Work Method Statements (SWMS)
- Consultation with subcontractors where there are changes that affect their work.

Project health and safety communication forums include:

- Daily Pre-start Meeting in accordance with the *Conduct Pre-Start Briefing Procedure*
- Weekly Toolbox Talks
- Weekly Subcontractor SHE meetings
- Monthly WHS Performance Reviews
- Inductions
- Quarterly Health and Safety Committee Meetings.

CBGU will consult, coordinate and cooperate with the RIS in accordance with an Interface Management Plan.

8 Safety Communication

Regular safety forums will be conducted in accordance with the *Communicate, Co-operate and Consult on Work Safety and Health Procedure*. This procedure describes the communication and consultation requirements and the establishment of formal mechanisms for resolving health and safety related issues.

Project health and safety communication forums will be used to reinforce understanding of the WHSMS with the workforce, including subcontractors, as detailed in the Table 7 below.

Table 7 Communication and consultation activities reinforcing WHS systems understanding

Meeting	Timing	Purpose
Internal Meetings	Every meeting	Ensures any concerns, issues or initiatives are front of mind and discussed, and actions assigned and implemented where necessary.
Health and Safety Committee	Quarterly as a minimum	Provides an accessible consultation forum for all personnel on SHE matters and issues. Provides an established forum for investigating serious incidents.
Construction Delivery/ Coordination Meetings	Daily	Ensures information is communicated to those responsible for conducting daily task pre-start briefings. Ensures personnel consider and deliver the correct and relevant information to the relevant work crews. Provides opportunity to discuss any incidents, alerts, bulletins and lessons learnt that need to be communicated out to the workers.
Daily Task Pre-Start Briefings	Start of each shift	Ensures the current hazards nominated for the specific work activity are reviewed prior to commencing works. Confirms the measures are appropriate to the actual task being performed.
Toolbox Talks	Weekly with a schedule posted on site notice boards	Provides forum to discuss appropriate training, items of general SHE importance to the site or areas of safety interest to meeting participants. Provides an educational forum to improve employees' knowledge and understanding of SHE systems, rules and requirements. Provide weekly feedback to the work crews on the progress of the outstanding items.
Health and Safety Interface Meetings	Weekly	Provides opportunity to discuss: Interface issues that may arise during the life cycle of the project Coordination of work where close proximity working is required Coordination of high risk activities with the potential to affect other stakeholders Coordinate access and egress issues, traffic management, vehicle management plans and interface with client operations Communication protocols.
Subcontractor Forums	Quarterly as a minimum	Provides opportunity to discuss: Current performance Engage with subcontractors in a proactive manner Share lessons from within our business and industry Get feedback from subcontractors regarding their experience with CBGU Identify opportunities to improve.

Site notice boards will display work health and safety information, minutes from health and safety committee meetings, and promote hazard awareness.

Actions arising from these forums which cannot be completed within 72 hours will be monitored for completion in the SYNERGY.

Additional safety forums may be scheduled through-out the lifecycle of the project, typically these would be in response to: a significant event, at the request of the business unit or as precursor to a project wide safety initiative. Additional forums are at the projector director's discretion.

CBGU will, at the Project Directors discretion, invite the following personnel to attend any safety forums relating to the Project Activities that are coordinated by the State and held throughout the Design Phase and Construction Phase:

- Key personnel employed or engaged by the Subcontractors responsible for T&S Works management of health and safety issues relating to the Project Activities
- Safety and management representatives from key Subcontractors; and
- Other relevant safety or management representatives from CBGU and Subcontractors, who are requested to attend by the State.

8.1 Subcontractor Forums

Subcontractors will be fully integrated into CBGU'S work teams and expected to participate in the project communication forums and consultation activities, detailed in Table 7 above.

Subcontractor Forums will be held quarterly with the intent to communicate with subcontractors in an open environment, while taking the opportunity to discuss health and safety performance, lessons learned and to identify opportunities, and innovations to enhance project outcomes and improve safety performance.

Actions arising from these forums will be monitored for completion in SYNERGY. The intent of these forums will be to:

- Reflect on current performance
- Proactively engage with subcontractors
- Share lessons from within our business and industry
- Gain feedback from subcontractors regarding the experience working with CBGU
- Identify opportunities to improve.

9 WHS Assurance

CBGU will use a system of audits, inspections and reviews to ensure effective WHS management. This system will align with the Delivery Authority's requirements and be applied to both employees and subcontractors.

All operational aspects of WHS performance and compliance will be monitored through workplace observations, inspections, formal and informal performance reviews and audits. Where sub-standard performance is identified by way of non-conformance, non-compliance or incidents and injuries, appropriate corrective actions will be initiated and checked for effectiveness using SYNERGY.

The *Conduct Audits Procedure* describes the requirements for preparing and conducting audits to assess:

- Compliance with management plans, management system requirements and relevant standards.
- Adequacy and effectiveness of the CMS and SHMS
- Subcontractor and supplier compliance.

The procedure requires the JV to prepare and report against an audit schedule. All audits must be prepared (eg. using an audit plan), conducted, reported (eg. via an audit report) and closed in accordance with this procedure. The audit plan will focus on critical and high risks, and all audits will be monitored and reported in monthly reports. Audits will be undertaken by suitably qualified and experienced people and all actions arising from audits will be entered in the SYNERGY for monitoring and review to ensure effective WHS management.

The *Conduct Task Observations and Workplace Inspections Procedure* describes how to monitor tasks and workplaces by conducting a task observation or workplace inspection. This procedure requires the project to develop a schedule for monitoring activities, addressing non-conformances and tracking action closure through the SYNERGY, and communicating outcomes to the workforce. The schedule requires line managers and supervisors, including subcontractors, to participate in formal WHS inspections and task observations as an integral part of their line management accountability.

Regular management reviews will be conducted to determine the continuing suitability, adequacy and effectiveness of the SHMS. The project will conduct formal management reviews to assess the adequacy of the SHMS as part of its annual management system reviews. Outputs of reviews will be incorporated into the relevant management plans. Reviews will take into consideration:

- Audits undertaken
- Communication, participation and consultation including complaints from external stakeholders
- Project performance
- The extent to which objectives and targets have been met
- The outcomes of incident investigations and any corrective actions
- Changes to legislation
- Actions from previous management reviews and recommendations for improvement.

Appendix C provides a Project Safety and Health Assurance Schedule which further details the system of audits, inspections and reviews.

10 Hazard Controls

CBGU will ensure compliance with all applicable laws, regulations, standards, codes of practice, permit requirements and procedures throughout delivery of the TSD Works.

Hazard control procedures focus on using a 'hierarchy of controls' to ensure effective controls are in place to enable activities to be performed safely.

Appendix D of this plan includes a list of hazard control procedures that form components of the project SHMS.

These procedures are not intended to substitute task-specific SWMS but to inform the authors of minimum acceptable standards and available management options for hazards.

CBGU has identified key project risks in the Principal Project Risk Register. These risks are managed in accordance with the relevant Hazard Control Procedures listed in Appendix D of this plan.

11 Audit and Review

11.1 Auditing

Audits will be conducted on CBGU's works, contractors, consultants and suppliers. The Safety Systems and Assurance Manager and relevant Project personnel will conduct these audits. Audit reports will be retained and a copy forwarded to the relevant Project team members. Supplier non-conformances will be reviewed to re-evaluate the schedule for supplier audits.

11.1.1 Audit Scheduling for Subcontractors, Suppliers or Activities

For internal audits, the Project H&S Director, in conjunction with the construction team, will maintain and operate an audit schedule for subcontractors and suppliers. For each audit this will include determining the scope and responsibilities in conjunction with a Project Engineer who is administering the works at the time of the audit.

Scheduled audits will be undertaken at least every six monthly.

11.1.2 Auditor Selection

The audit will be led by a person independent of the works and the Project H&S Director will be responsible for selecting the auditor. The auditor will be competent to audit the processes and have experience or qualifications appropriate to the scope of the audit or seek assistance from engineers or consultants. The auditor will not audit their own work.

11.1.3 Independent Audit

Independent audits will be conducted in accordance with clause 17.3 of the project agreement. CBGU have selected GCG as an independent auditor., audits will be undertaken at the following schedules:

a. November 2019

b. January and July 2020

c. January and July 2021

d. January and July 2022

e. January and July 2023.

11.1.4 Audit Checklist

The checklist will be reviewed and updated before the audit to ensure relevant aspects of the project are considered in addition to specification and legislative requirements. A copy of this Plan will be used to ensure Project requirements are being met. The Project H&S Director or Delivery Manager may define a different scope for an audit, including:

- Specific areas that have been problematic in the past
- Specific areas that are perceived as high risk
- A reduced scope due to time constraints
- A close out audit.

11.1.5 Audit Report

The auditor will prepare an Audit Summary Report as early as possible following the audit. These will be provided to the Delivery Manager, relevant delivery managers and the Project H&S Director. Where applicable they will be provided to the Delivery Authority, IC and regulatory authorities.

The report will document any non-conformances and observations noted during the audit. A non-conformance will be issued if a serious anomaly is found against one of the four Standards (ISO9001, AS/NZS4801, ISO18001 & ISO14001), legislation, Stage 2 Documents or if it is a recurring observation. An observation is generally raised if the anomaly is not considered serious but needs to be addressed.

Copies of all audits undertaken will be electronically filed through TeamBinder including electronic storage of handwritten checklists used during the audit.

11.1.6 Follow-Up Action and Audit Close Out

Personnel responsible for the audited works will act to close out any non-conformances or observations in a timely manner, within the timeframes specified on the audit report. The auditor and Project H&S Director will provide support as required to expedite the matter. The severity of the report issued will be considered when deciding on the appropriate method and timing for the close-out. A non-conformance will be closed-out as soon as possible, while an observation will be rectified prior to, and closed-out during, the next internal audit.

Audits may be closed-out by one of several methods, at the discretion of the Project H&S Director, including:

- If the non-conformance can be closed-out by sighting relevant documents, the staff member responsible can forward copies to the auditor
- A close-out audit
- The relevant manager can close-out the applicable non-conformance or observation report and forward a copy to the auditor, to be confirmed at the next scheduled audit
- A combination of the above.

When all non-conformances have been actioned to the satisfaction of the auditor or Project H&S Director, the audit will be considered closed-out and reported as such.

11.1.7 Summary Review of Audit Findings

Audit reports and observations will be reviewed by the Project H&S Director monthly. The Project H&S Director will bring to the attention of the Project Director any definitive patterns that may emerge. Where outcomes from audits and observations identify non-conformances or opportunities to improve, these will be managed in accordance with the *Conduct Audit Procedure*.

11.1.8 Maintain Audit Records

The Project H&S Director is responsible for ensuring that copies of the audit report are filed in the Synergy. The Project H&S Director and delegated personnel are responsible for ensuring copies of the audit reports are filed electronically or in hard copy as soon as possible.

11.2 Reviews

11.2.1 Management Plan Reviews

Management plans will be reviewed and updated initially within the first six months, then no greater than 12 monthly thereafter. The purpose of management reviews will be to assess the effectiveness of the systems and processes described in the management plans and implement improvements as required. The management review process for each plan will be described in the plan itself.

12 Reporting

Monitoring, measurement and reporting are the checks and balances within CPB Contractors' ISO 9001 certification to ensure construction works are delivered competently and achieve CBGU's continual improvement objectives.

12.1 Reporting

CBGU will provide the Delivery Authority with a monthly Progress Report.

The Progress Report will include updates on:

- A summary of performance in relation to:
- Safety and health management
- Copies of any independent road and/or rail safety audits, safety and security audits and CPTED audits, and considerations and responses to the recommendations of the audits
- Enter into the State's incident management system details of all WHS incidents, any associated reports and any updates to information in respect of a WHS incident
- Each month upload to the incident management system a report in the form of the WHS performance report template.

CBGU will also:

- Promptly enter into the State's incident management system details of all WHS incidents, any associated reports and any updates to information in respect of a WHS incident.

13 Elements and Expectations

The WHS Management Plan is structured using a common set of elements and expectations:

Element	Key aspects for managing this function on the Project
Expectation	The high-level outcomes achieved as part of each element

This two-level hierarchy provides a consistent structure that is applied across all Management Plans on the Project. Those elements are:

Element 1: Leadership, Accountability and Culture
Element 2: Planning, Objectives and Targets
Element 3: Legal and Other Requirements
Element 4: Risk Management
Element 5: Change Management
Element 6: Communicate, Co-operate and Consult
Element 7: Training and Competence
Element 8: Subcontractor Management
Element 9: Manage Incidents, Investigation and Corrective Actions
Element 10: First Aid and Emergency Preparedness and Response
Element 11: Fitness for Work
Element 12: Plant and Equipment
Element 13: Monitoring, Review and Improvement

Element 1 - Leadership, Accountability and Culture

Expectations	How we will meet the Expectations (minimum requirements)	Responsibilities Key Contributor	Procedure/s	Deliverables
1.1. Demonstrate visible SH Leadership and Commitment	Maintain a schedule of regular infield visits and demonstrate positive SH leadership and behaviours by engaging with workers on SH matters Demonstrate a proactive day to day commitment to SH through active involvement in site SHE activities and initiatives	**Project Director**	Leadership and Culture	Schedule of /PDPM field visits established Records of PM field visits conducted
1.2. Clearly define SH expectations and establish appropriate recognition and disciplinary processes in place	Ensure Our SHE Culture Framework is communicated to all workers and expect everyone to demonstrate the right behaviours Ensure there is a performance review process in place to recognise positive behaviours (e.g. reward and recognition program) and identify areas for improvement	**Project Director**	Leadership and Culture	Our SHE Culture Framework communicated to workers Recognition & Reward Program established
1.3. Develop and maintain an awareness of SH hazards and associated risks and demonstrate a commitment to eliminate or minimise those risks	Implement a project SH performance review process including inspections, audits, observations, reviews and conversations to confirm planned systems, processes and tools are in place and effective and SH behaviours are observed amongst all workers.	**Project Director**	Leadership and Culture	Project SH Performance Review process established Records of review activities
1.4. Develop, Implement and Maintain Effective SH Management Systems	Develop and implement a project-specific SH Management System (PMS) and Management Plans in compliance to the SH Management System Monitor compliance to PMS requirements by establishing an Audit Program (internal and external as appropriate)	**Project Director**	Leadership and Culture	PMS Established Audit Program established

Element 2 - Planning, Objectives and Targets

Expectations	How we will meet the Expectations (minimum requirements)	Responsibilities Key Contributor	Procedure/s	Deliverables
2.1. Project SH requirements have been clearly identified and addressed	The Project must develop and maintain a SH Management Plan, approved by Project Director, that: ▪ Defines the SH roles and responsibilities (Appendix C) ▪ Outlines the scope of works for the project and how they will be managed (Project Overview) ▪ Includes specific prompts for review and evaluation (Reviews and Amendments)	**Project H&S Director**	Develop Project or Functional Management Plan	Current approved SHMP SH roles & responsibilities defined Project scope defined Review/evaluation criteria defined
2.2. Client and Business SH objectives and targets are identified	The Project must maintain current Business SH objectives and targets in the Project SHMP, including initiatives generated during tender.	**Project Director** **Project H&S Director**	SHE Objectives & Targets	Current objectives & targets included in SHMP
2.3. Conduct regular reviews of Project SH performance	Project SH performance reports must be developed and distributed to the Business Unit monthly The BU GM must review the Project's SH performance against the Business's targets monthly The BU GM must provide feedback to the Project Manager (a record of the feedback must be kept)	**Project Director** Project H&S Director	SHE Objectives & Targets	SH Performance Reports SH Performance Review meeting minutes

Element 3 - Legal and Other Requirements

Expectations	How we will meet the Expectations (minimum requirements)	Responsibilities Key Contributor	Procedure/s	Deliverables
3.1. Project legal and other requirements (LOR) are identified and maintained	Project specific requirements of relevant legislation, codes of practice and Australian standards must be identified and maintained in a register using the Business's online subscription to EnviroLaw	**Project H&S Director** **Project Director**	Manage Legal and Other SHE Requirements	Project LOR Register
3.2. Work is planned and executed to ensure compliance	All controls necessary to ensure legal and other compliance are included in the Construction Area Plan/s, Work Pack/s and relevant Safe Work Method Statements.	**Construction Manager** **Project H&S Director** **Engineers** **Supervisors** **Subcontractors**	Develop Construction Area Plan Develop Work Pack Develop Safe Work Method Statement	Evidence of LOR included in: ▪ CAP/s ▪ WP/s ▪ SWMS/s SWMS Review Checklist/s
3.3. Workers on the Project have access to current legislation, standards and codes of practice	The Project must provide a method for workers access to current legislation, codes of practice and Australian/New Zealand standards on site (electronically or in hard copy) Workers must be informed of how to access current legislation, codes of practice and Australian standards as part of the Project Induction.	**Project Director** **Project H&S Director**	Manage Legal and Other SHE Requirements Develop and Deliver Project Inductions	Project Induction Records of attendance Hard copy or electronic access to relevant legislation available

Element 4 - Risk Management

Expectations	How we will meet the Expectations (minimum requirements)	Responsibilities Key Contributor	Procedure/s	Deliverables
4.1. Key Project Safety & Health Risks are identified at commencement and reviewed regularly	Ensure SH risks that could potentially have an adverse material impact on achieving overall key Project outcomes have been identified and included on the Principal Project Risk Register (PPRR) Transfer applicable Safety & Health risks from the: ▪ Tender Risk Register ▪ Rail Safety Risk Assessment Ensure identified SH risks contained in the PPR Register are reviewed regularly.	**Project Manager** **Construction Manager** **Project H&S Director** **Safety Systems and Assurance Manager** **Superintendent/s** **Project Leadership Team members**	Establish Project Risk Management	PPR Register Evidence of transferred Tender SH Risk/s Evidence of transferred Rail Safety Risk/s PPR Register review records
4.2. Safety in Design Risks are identified and either treated or transferred.	Conduct a Safety in Design (SiD) Risk Assessment at the start of the project design phase. Conduct SiD Workshops at required intervals throughout the design phase to ensure constructability risks are identified. Where the Project does not have input into the design, a Constructability Workshop held as a Safety in Design workshop must be conducted Safety in Design constructability risks that cannot be designed out must be transferred to the relevant Construction Area Risk Register/s.	**BU Engineering Manager** Project Manager	Manage Safety in Design	SiD Risk Register SiD Risk Register review records Evidence of transferred SiD Risk/s
4.3. Potential health hazards (e.g. noise, vibration, dust, gases, chemicals, fumes etc.) on the project are managed effectively	Conduct a Health Risk Assessment prior to commencement to identify and assess potential health hazards to workers and develop controls. Establish any health management programs (surveillance/monitoring) identified in the Health Risk Assessment	**Project H&S Director** **Safety Systems and Assurance Manager** **Consultant Hygienist**	Manage Occupational Health	Health Risk Assessment Required health programs established

Expectations	How we will meet the Expectations (minimum requirements)	Responsibilities Key Contributor	Procedure/s	Deliverables
4.4. Risks associated with the use of hazardous materials and dangerous goods are identified assessed and controlled effectively	Complete a risk assessment and obtain approval before purchasing or introducing a hazardous material or dangerous good on site. Establish and maintain: ▪ A register of approvals for the use of hazardous chemicals on the Project ▪ A file that includes the relevant Safety Data Sheet (SDS) and the hazardous chemicals risk assessment, for all hazardous chemicals approved for purchase and use on the project Note: The above should be maintained in ChemAlert	**Construction Manager** **Senior Project Engineer**	Manage Hazardous Chemicals	Hazardous Materials & Dangerous Goods Risk Assessment/s (ChemAlert)
4.5. Risks associated with the use of plant are identified assessed and controlled effectively	For internal (CPB owned) plant: ▪ Ensure a common risk assessment is undertaken on the operability of plant and assets ▪ Ensure a separate risk assessment is performed for risks common to the operation of a specific class of plant and equipment, e.g. a dozer, grader or off highway truck (note: risks covered in the above are not repeated in this risk assessment) External (hired/subcontractor) plant must also undergo a risk assessment provided by the supplier	**Construction Director** **Plant Manager**	Perform Risk Assessment – Basic Plant Operation	CPB Plant Operation Risk Assessment/s Supplier Plant Operation Risk Assessment/s
4.6. Foreseeable emergency response hazards to workers are identified, assessed and managed	Conduct an Emergency Response and First Aid Risk Assessment prior to commencement to identify and assess foreseeable emergency response hazards to workers and develop controls	**Project Manager** **Project H&S Director**	Plan for Emergencies	ER & FA Risk Assessment

Expectations	How we will meet the Expectations (minimum requirements)	Responsibilities Key Contributor	Procedure/s	Deliverables
4.7. SH risks are treated consistently across the Project and new hazards and associated risks are identified and managed.	Conduct a Construction Area Risk Workshop to develop the Construction Area Risk Register that identifies the SH risks within a Construction Area ensuring that applicable risks are transferred from the: ▪ Principal Project Risk Register ▪ Safety in Design Risk Register ▪ Health Risk Assessment ▪ Emergency Response and First Aid Risk Assessment ▪ Plant Risk Assessments (if applicable) The Construction Area Risk Register must identify which of the Safety Essential's will apply and the level of control that must be applied; As a minimum, the Senior Project Engineer appointed to the Construction Area, Superintendent for the works and appropriate Project Functional Manager(s) must participate in the review Liaise with the Client, Public and other entities (e.g. Electrical Regulators, Rail Infrastructure Owners and / or Operators) regarding the management of relevant risks, particularly all interfaces (where required) Ensure outcomes of the construction risk review are included in the Construction Area Plan Ensure a risk review is undertaken for any change to work methodologies or activities within the Construction Area.	**Construction Director** Project H&S Director Engineers Supervisors	Undertake Construction Area Risk Review	Construction Area Risk Register/s Evidence of transferred: ▪ Principal Project risk/s ▪ SiD risk/s ▪ Health risk/s ▪ Emergency & F/A risk/s ▪ Plant risk/s Relevant Safety Essentials Identified & HoC Evidence of: ▪ required roles in attendance ▪ external input ▪ transferred controls into CAP ▪ risk review conducted because of change/s

Expectations	How we will meet the Expectations (minimum requirements)	Responsibilities Key Contributor	Procedure/s	Deliverables
4.8. SH Risks specific to a package of work are identified, assessed and controlled	Conduct a review of the CAPs with the Project Engineer and Supervisor responsible for the work covered by the Work Pack to ensure they understand the overall key inputs, construction methodology and high-level activities Identify elements of the work that will be undertaken by subcontractors Ensure the Project Engineer, Supervisor, Subcontractor's Representative (if applicable) and Project Functional Representative(s) provide input. The Work Pack Risk Assessment must: ▪ Review the risks, hazards and controls identified in the CAP as they relate to the work being undertaken ▪ Review existing controls and specify new controls where required ▪ Use the HoC to develop and identify controls ▪ Nominate responsibilities to organise required controls and ensure they are in place prior to the commencement of work Transfer controls to manage risk to the relevant section of the Work Pack (Work Method / Sequencing). Ensure a risk assessment is undertaken for any change to work methodologies or tasks within the Work Pack	**Senior Project Engineer** Project Engineer Supervisor Subcontractor	Undertake Work Pack Risk Assessment	Work Pack Risk Assessment/s Evidence of: ▪ required roles in attendance ▪ relevant risks transferred from CAP ▪ HoC applied ▪ Responsibilities assigned ▪ transferred controls into WP ▪ risk review conducted due to change/s
4.9. The highest form of control is selected appropriate to the level of risk.	The process of applying the hierarchy of controls to manage SH risks is mandatory. The Hierarchy of Controls (HoC) must be used when determining the controls to be implemented to mitigate the risk, starting at Elimination; then working down Where above the line controls and other Safety Essential requirements cannot be implemented for a Safety Essential task then that task cannot proceed until a Safety Essentials Exception has been approved.	**Project Director** Project H&S Director Safety Systems and Assurance Manager **Engineers** **Supervisors**	Undertake Construction Area Risk Review Undertake Work Pack Risk Assessment Manage Safety Essentials	Evidence of HoC used in: ▪ Construction Area Risk Review ▪ Work Pack Risk Assessment

Expectations	How we will meet the Expectations (minimum requirements)	Responsibilities Key Contributor	Procedure/s	Deliverables
4.10. Risks associated with the use of MEWPs is assessed and controlled	A Task Based Risk Assessment must be conducted where the work conditions or tasks will require a MEWP to be used in circumstances where it will be: ▪ Manoeuvred around, passed or under overhead obstructions such as door heads and horizontal steel members; or ▪ Operated in areas where internal walls have been erected The MEWP Task Based Risk Assessment/s must be attached to the relevant Work Pack	**Construction Director**	Manage Mobile Elevating Work Platform (MEWP) Use	Records of MEWP Task Based Risk Assessment/s
4.11. Safe Work Method Statements must be developed for all Business defined High Risk Construction Work tasks	Develop a Safe Work Method Statement (SWMS) for all Business defined High Risk Construction Work tasks.	**Project Director** Senior Project Engineer Subcontractor	Create Safe Work Method Statement	SWMS for applicable tasks
4.12. Safe Work Method Statements are reviewed and approved prior to work.	Review all SWMS (both Business SWMS and Subcontractor SWMS) against the defined criteria to determine: ▪ If the control measures meet Business requirements ▪ If control measure/s implemented may introduce new hazards SWMS must be authorised by the Project Manager (or delegate) prior to the task commencing.	**Project Director** Senior Project Engineer	Create Safe Work Method Statement	SWMS Review Checklist/s SWMS authorised

Expectations	How we will meet the Expectations (minimum requirements)	Responsibilities Key Contributor	Procedure/s	Deliverables
4.13. Safe Work Method Statements must be regularly reviewed.	Active SWMS' must be reviewed in consultation with effected workers when: ▪ The control measure does not control the risk it was implemented to control ▪ The results of monitoring show that the control measure does not control the risk ▪ An incident occurs because of the risk ▪ Before a change at that is likely to give rise to a new or different risk that the measure may not effectively control ▪ A new relevant hazard or risk is identified ▪ A health and safety representative requests a review. ▪ Note: The reviewed SWMS must be communicated prior to recommencing the works relevant to the SWMS.	**Construction Director** **Senior Project Engineer** **Supervisor** **Subcontractor**	Create Safe Work Method Statement	Evidence of SWMS review/s
4.14. A system must be established and maintained to manage Work Permits.	Appoint and authorise appropriate workers to key work permit roles (Authorised Person): ▪ Permit Issuer ▪ Authorised Isolator ▪ Permit Acceptor Maintain a register of authorised workers	**Project Director** Construction Manager	Manage Work Permits	WP roles appointed, authorised & recorded in a register
4.15. Safety & Health controls are implemented in accordance with the PMS requirements	Controls to manage SH risks must be implemented using the Hierarchy of Controls (HoC) and in accordance with the relevant Project Management System (PMS) requirements	**Project Director**	All PMS Procedures in Manage Hazards volume	Evidence of: ▪ Minimum mandatory controls in use ▪ Controls selected in accordance with HoC

Element 5 - Change Management

Expectations	How we will meet the Expectations (minimum requirements)	Responsibilities Key Contributor	Procedure/s	Deliverables
5.1. SH risks associated with design changes are assessed and managed before changes are implemented.	Requests for changes to the design output must be assessed to determine actions required using the Design Change Form. A detailed risk assessment of changes must be recorded in the Safety in Design Risk Assessment Register. Approved design changes must be reflected in: ▪ Construction Area Plan/s & Construction Area Risk Register/s ▪ Work Pack/s & Work Pack Risk Assessment/s The project must ensure changes are effectively communicated to the workforce.	**Engineering Manager** Construction Manager Subcontractor/s / Designer/s	Engineering and Design Change Management Manage Safety in Design	Records of: ▪ SiD Risk Assessment/s ▪ Design Change Form/s Records of updated: ▪ CAP/s ▪ CARR/s ▪ WP/s ▪ WPRA/s
5.2. All changes with SH consequences are authorised before they are implemented	The Risk Tolerability Framework must be applied to all Safety & Health risks arising from changes to determine the level of approval required to commence the task and the additional action required to allow management approval.	**Project Director**	Establish Project Risk Management	Evidence of changes authorised in line with SHE Risk Tolerability Framework
5.3. Controls associated with change are communicated to all affected personnel	Workers must be consulted and understand the effects of change before the relevant works commence. This is achieved through: ▪ Pre-Start Briefings ▪ Toolbox Talks ▪ SH Committee ▪ Safe Work Method Statements	**Supervisors** **Subcontractors**	Communicate Cooperate and Consult on Work Health and Safety	Records of change communicated in: ▪ Pre-start Briefing/s ▪ Toolbox Talk/s ▪ SH Committee ▪ SWMS/s

Element 6 - Communicate, Cooperate and Consult

Expectations	How we will meet the Expectations (minimum requirements)	Responsibilities Key Contributor	Procedure/s	Deliverables
6.1. Establish and communicate the consultative arrangements for the Project	Within 1 month of commencing on the Project site, conduct a ToolBox Talk with the workforce to agree on the consultative methods that will be used. The Project must: ▪ Retain records of the ToolBox Talk being held; ▪ Include the consultative arrangements into the Project Induction; and ▪ Seek input into the consultative methods via the Induction Assessment	**Project Director** **Project H&S Director**	Communicate Cooperate and Consult on Work Health and Safety	Toolbox Talk records Induction records Induction assessment records
6.2. Communicate the health and Safety issue resolution process.	Communicate the process for receiving, responding to and resolving SH issues as part of the Project Induction	**Project Director** Project H&S Director	Communicate Cooperate and Consult on Work Health and Safety	Project Induction
6.3. Establish a SH consultative framework of regular discussions, meetings that are documented and communicated.	A schedule of formal and informal SH meetings must be developed. The schedule must include the following key forums: ▪ Pre-Start Briefings; ▪ Toolbox Talks; ▪ SH Committee Meetings; and ▪ Subcontractor Forums Note: The records of the SH Committee meetings, must be retained. Ensure actions that arise from consultative forums are documented and tracked until they have been successfully completed	**Project Director** Project H&S Director **Engineers** **Supervisors**	Communicate Cooperate and Consult on Work Health and Safety	Schedule in place Minutes of meetings Attendance records Records of actions from consultative forums

Expectations	How we will meet the Expectations (minimum requirements)	Responsibilities Key Contributor	Procedure/s	Deliverables
6.4. Establish a Work SH Committee to provide a consultative forum.	Establish a Work Safety & Health (WSH) Committee within 2 months if: ▪ It is requested by a HSR; or ▪ It is requested by five or more members of the workforce; or ▪ The project supervisor/ manager determines that a WH&S committee must be established. The WSH Committee must have: ▪ At least equal numbers of elected worker representatives and Project Management representatives; and ▪ A composition that ensures representation from major subcontractors Schedule and conduct WSH Committee meetings at least once every 3 months. Maintain records in accordance with the Project's record retention requirements, including Agenda's, Minutes and Actions	**Project Manager** Project H&S Director SH Committee Members	Communicate Cooperate and Consult on Work Health and Safety	WSH Committee Evidence of: ▪ personnel ratios as required ▪ subcontractor involvement WSH Committee meeting: ▪ schedule ▪ agenda ▪ minutes ▪ actions
6.5. Establish SH Noticeboards to be used to communicate SH messages	The Project must establish dedicated SH Noticeboards in prominent locations. The Noticeboards must be maintained with current information, including: ▪ Important site contact information ▪ SH Alerts issued; ▪ WSH Committee agenda & minutes; ▪ Emergency Evacuation Plans and Emergency telephone numbers; and ▪ Telephone numbers for the Employee Assistance Program (EAP).	**Project Manager** Project H&S Director	Communicate Cooperate and Consult on Work Health and Safety	SH Noticeboards established Evidence of required information Information current
6.6. Workers (or representatives) are involved in the development of procedures for their tasks	SWMS tasks must be developed in consultation with the workers (or their representatives), who will complete the task to ensure all SH hazards and risks associated with the HRCW tasks, are identified and controlled in the field so far as is reasonably practicable.	**Construction Manager** **Subcontractors** Senior Project Engineer Project Engineer	Create Safe Work Method Statement	SWMS consultation section completed
6.7. Workers are consulted prior to the use of hazardous materials and dangerous goods	Ensure workers are consulted when considering the introduction of a hazardous chemical into a work task	**Construction Manager** **Engineers**	Manage Hazardous Chemicals	Records of consultation (i.e. as part of SWMS development)

Expectations	How we will meet the Expectations (minimum requirements)	Responsibilities Key Contributor	Procedure/s	Deliverables
6.8. Pre-Start Briefings ensure that each person is informed, committed and recognises the importance of their role and contribution in the successful delivery of the works	Prepare the pre-start briefing in advance of the commencement of the shift or new work activity being undertaken. Include in the briefing: ▪ A discussion and review of the previous shift performance; ▪ The allocation of tasks to each worker on the day and the controls that must be in place to minimise risk of harm (or damage) so far as is reasonably practicable as listed in the Work Pack and Safe Work Method Statement; ▪ Identify which Safety Essentials and which Business defined High Risk Construction work tasks will be present in the works to be undertaken; ▪ A description of activities that may be undertaken in adjacent areas and how interfaces will be controlled to eliminate risk to workers. ▪ Provide direction for specific controls that must be in place before work commences; ▪ Identify opportunities for safety, environment, quality, and production improvements; ▪ Identify which activities that may require an emergency response and ensure that the workers understand the emergency response requirements; and ▪ Check that all the required emergency equipment is available and ready to be used	**Construction Manager** Supervisors Subcontractors	Conduct Pre-start Briefing	Pre-Start Briefing Pre-Start Briefing Records of required discussion
6.9. Ensure that workers receive a Pre-Start Briefing on the work to be done, prior to commencing that work.	Undertake the pre-start briefing as close as practicable to the work area where the tasks are to be performed. ▪ Provide an opportunity for any person to raise any suggestions, questions, issues, perceived risks or points of clarification ▪ Confirm that the pre-start briefing content is understood by the attendees. Ensure everyone within the work area has attended the pre-start briefing and signed on to the pre-start briefing form prior to commencing works. Workers/visitors arriving to the work area after the completion of the Pre-start Briefing must present themselves to the work area supervisor to be informed of the pre-start briefing content and then sign on to the pre-start briefing prior to commencing works. If the pre-start briefing is conducted by a Leading Hand, the Supervisor must countersign daily	**Supervisor** **Leading Hand** **Subcontractors**	Conduct Pre-start Briefing	Pre-Start Briefing Pre-Start Briefing Records of required discussion

Expectations	How we will meet the Expectations (minimum requirements)	Responsibilities Key Contributor	Procedure/s	Deliverables
6.10. Workers operating or working in MEWPs attend a specific briefing	Conduct a separate Pre-Start Briefing for workers who will operate or work in an MEWP and allocate keys to operators Ensure all operators of MEWPs return the keys, at the end of the task or end of the shift, whichever comes first, to the nominated supervisor	**Supervisor** **Subcontractors**	Manage Mobile Elevating Work Platform (MEWP) Use	Records of MEWP Pre-Start Briefings Records of key allocation to operators

Element 7 - Training and Competence

Expectations	How we will meet the Expectations (minimum requirements)	Responsibilities Key Contributor	Procedure/s	Deliverables
7.1. Inductions required for the safe and effective execution of the project are established	The Project must establish the following inductions as a minimum: ▪ Project Induction ▪ Visitor Induction ▪ Delivery Driver Induction ▪ Relevant Rail Workers Inductions The Project Induction must include as a minimum: ▪ An overview of the SH content of the CMS/PMS; ▪ Communication of the Business' SH Policy and safety objectives; ▪ Access to health and safety legislation, codes of practice and Australian Standards, relevant to the Project; and ▪ A discussion on the consultative methods in place on the Project agreed with the workforce The Visitor Induction must include as a minimum the: ▪ Project emergency response arrangements	**Project Director** **Project H&S Director**	Develop and Deliver Project Inductions	Project Induction Visitor Induction Delivery Driver Induction
7.2. All relevant persons have completed appropriate SH induction prior to entering the Project	The Project must ensure that all persons receive and successfully complete the relevant induction (including any assessment if applicable), prior to commencing work or on arrival at site.	**Project Director** **Construction Director** **Project H&S Director**	Develop and Deliver Project Inductions	Records of: ▪ Project Inductions ▪ Visitor Inductions ▪ Delivery Driver Inductions
7.3. All workers must have relevant and required training & competencies required to work safely.	The Project must develop a Training Needs Analysis (TNA) that includes relevant Business (PMS), legislative, industry, client and any other requirements. The Project must ensure that the identified training needs are scheduled and delivered	**Project Director** Worker Competence Coordinator **Project H&S Director**	Identify and Manage Project Training	Project TNA Training Schedule Training Matrix Training Records
7.4. Safety Essential training is delivered prior to commencing work	The Project must ensure that all workers who are performing work involving a Safety Essential related have completed the relevant Safety Essentials training before commencing work.	**Project Manager** Worker Competence Coordinator **Project H&S Director**	Manage Safety Essentials	Safety Essential Training records

Expectations	How we will meet the Expectations (minimum requirements)	Responsibilities Key Contributor	Procedure/s	Deliverables
7.5. SH Representatives and WSH Committee members are appropriately trained.	Ensure elected SH Representatives and WSH Committee members attend training to assist them to fulfil their obligations (where requested or required)	**Project Director** Project H&S Director	Communicate Cooperate and Consult on Work Health and Safety	Training records for: ▪ SH Reps ▪ WSH Committee members
7.6. Training records are maintained and accessible to relevant workers.	The Project must establish a system to record all SH related training and if required, a copy of the assessment/s.	**Project Director** Worker Competence Coordinator **Project H&S Director**	Identify and Manage Project Training	Training records storage system
7.7. Workers involved in the Work Permit system are trained in its requirements	Ensure all workers receive work permit system training relevant to their role and/or permit type	**Project Director** **Construction Director** **Project H&S Director**	Manage Work Permits	Work Permit Training records
7.8. Workers understand the controls required when working with Hazardous Materials & Dangerous Goods	Ensure all workers who will be required to purchase, use, store or dispose of hazardous chemicals are trained in the Hazardous Materials & Dangerous Goods Risk Assessment and SDS including: ▪ The use, storage and disposal of the Hazardous Chemical ▪ The signage and emergency provisions ▪ Any health surveillance or atmospheric monitoring required Ensure relevant worker/s are trained in the use of the spill kits	**Project Director** **Construction Manager**	Manage Hazardous Chemicals	HM & DG Risk Assessment training records Spill Kit Training records
7.9. Workers leading or reviewing risk assessments are trained and competent	All workers who facilitate risk workshops, develop or review risk assessments including SWMS, must attend and successfully complete the HIRAC training course.	**Project Director** **Project H&S Director** Worker Competence Coordinator	Establish Project Risk Management	HIRAC Training Program Records of training

Expectations	How we will meet the Expectations (minimum requirements)	Responsibilities Key Contributor	Procedure/s	Deliverables
7.10. Workers and visitors are given appropriate emergency response training.	Deliver to all workers who are part of the Emergency Response Team (ERT), the training identified in the Emergency Response Plan Ensure that the workers trained, complete the Training Acknowledgement Record in the Emergency Response Plan Communicate the requirements of the Emergency Response Plans to all workers and visitors as part of the Project Induction/Visitor Induction.	**Project Director** Project H&S Director	Plan for Emergencies	Project Induction Visitor Induction Records of complete: ▪ ERT Training ▪ Project Induction ▪ Visitor Induction
7.11. Personal exposure to health hazards is measured and evaluated on the project by a formally trained person	Where exposure monitoring and/or health surveillance and/or further advice is identified in the Health Risk Assessment, a competent person (i.e. an Occupational Hygienist) must be engaged to provide further advice and if required design the monitoring program and supervise all exposure monitoring. Note: For Noise, a formally trained person (e.g. a person who holds MSS025008 Monitor and Evaluate Noise or equivalent competency determined by the project) may be used rather than an Occupational Hygienist.	**Project Director** Project H&S Director	Manage Occupational Health	Evidence of Competent Person input Training/Competency records
7.12. All workers conducting incident investigations are trained to competently perform the task	Lead Investigators of Class 1A and 1P incidents must have been trained and assessed as competent in root cause analysis by having attended either: ▪ ICAM Lead Investigator; or ▪ Taproot Incident Investigation Investigators of other SHE incidents must hold the following competency or equivalent: ▪ RIIWHS 301D Conduct Safety and Health Investigations	**Project Director** Project H&S Director	Investigate SHE Incidents	Training/Competency Records
7.13. All audits are undertaken by suitably qualified and experienced people	The Project must ensure that all audit team members must have undertaken relevant industry recognised Internal Auditor and/or Lead Auditor training	**Project Director** **Project H&S Director**	Conduct Audits	Training/Competency records

Expectations	How we will meet the Expectations (minimum requirements)	Responsibilities Key Contributor	Procedure/s	Deliverables
7.14. Operators are trained in the plant risk assessment	The Project must ensure that prior to operating plant: ▪ CPB operators are trained in the Plant Risk Assessment ▪ Subcontractors provide evidence that their operators have been trained in the Plant Risk Assessment	**Project Director** **Construction Director**	Perform Risk Assessment - Plant Basic Operation	Supervisor observation records showing the plant risk assessment has been explained
7.15. Workers operating and/or working in MEWPs have the required competency	Ensure all workers who will be required to operate or work in an MEWP: ▪ Hold the required licence; ▪ Have attended and passed the Minimum Mandatory Requirements training ▪ Have been provided, understand and agree to work by Corporate Work Instruction for Operating MEWPs ▪ Have undergone familiarisation on the specific MEWP that they will be operating	**Construction Director** **Supervisor** **Subcontractor**	Manage Mobile Elevating Work Platform (MEWP) Use	Records of: ▪ Familiarisation (Supervisor Observation/s) ▪ Mandatory Training ▪ Work Instruction acknowledgement
7.16. Senior Managers, Site Managers & Supervisors understand their legal obligations & Project Management System requirements	Senior Managers, Site Managers and Supervisors must successfully complete the: ▪ WHS Management Principles Online training; ▪ Corporate Management Systems training.	**Project Director** **Project H&S Director** **Worker Competence Coordinator**	Manage Health and Safety Obligations Training	Training records
7.17. Duty holders are aware of their accountabilities in the transport supply chain of responsibility	Ensure Project duty holders complete the required Chain of Responsibility (COR) training covering: ▪ Mass and Dimension Limits; ▪ Load Restraint; ▪ Driver Fatigue; and ▪ Driver Speed Ensure senior managers complete the required COR Training for Senior Managers	**Project Director** **Construction Director** **Supervisor** **Subcontractor**	Manage Compliance of Heavy Vehicles	Training records

Expectations	How we will meet the Expectations (minimum requirements)	Responsibilities Key Contributor	Procedure/s	Deliverables
7.18. A system to manage competency requirements for HRCW, mobile plant operations and other specialist or complex work is established	As part of the development of the Training Needs Analysis at the commencement of the Project, identify the tasks that will require a worker to hold a High-Risk Work License (HRWL) (Australia) or a Certificate of Competence (COC) (New Zealand); or where a worker will: ▪ Operate load shifting Plant or Equipment; or ▪ Operate other mobile plant; or ▪ Perform specialist or complex work The Project Manager must appoint a worker(s) to the role of Worker Competence Coordinator (WCC)	**Project Director**	Manage Worker Competence	Training Needs Analysis Records of WCC Appointment/s
7.19. Subcontractor worker's competency is evaluated	Ensure subcontractors supply, for each worker that will perform applicable tasks: ▪ A Worker Competence - Employer Evidence and Declaration Form ▪ Applicable license's/certificates or other documents as required The Project must ensure all worker competence submissions are reviewed and validated prior to conducting applicable works	**Construction Director** **Subcontractor** Worker Competence Coordinator	Manage Worker Competence	Records of Worker Competence - Employer Evidence and Declaration Form/s Evidence of review & approval
7.20. Workers are observed to confirm they can operate safely in all conditions	Conduct an observation of all relevant workers and evaluate whether the worker can safely operate in the circumstances and physical conditions that will be present on the Project and to the standard that the Supervisor determines to be acceptable	**Supervisor** **Subcontractor Supervisor**	Manage Worker Competence	Records of Worker Competence Evaluation Supervisor Observation
7.21. Workers conducting drug and alcohol testing are competent	The project must ensure that workers that conduct drug and alcohol testing have the required competency/authorisation under relevant jurisdictional legislation	**Project Manager** **Project H&S Director**	Manage Fitness for Work	D&A Testing Competency records

Element 8 - Subcontractor Management

Expectations	How we will meet the Expectations (minimum requirements)	Responsibilities Key Contributor	Procedure/s	Deliverables
8.1. Contractor/Supplier tender packages contain SH information and requirements applicable to the scope of works	Ensure SH duties shared with the contractor/supplier under applicable legislation are defined in the tender documents (i.e. RSNL, HVNL, specific health monitoring requirements etc.) Ensure relevant SH requirements from the Head Contract applicable to the scope of works are defined in the tender documents Include the specific worker competence evaluation requirements from the Training Needs Analysis (TNA) in tender documents Include SH documentation applicable to the scope of works in the RFQ package, as a minimum include: ▪ Safety Essentials Booklet (SEB) ▪ Project Safety & Health Management Plan (SHMP) ▪ Construction Area Risk Register (CARR)	**Commercial Manager** **Contracts Manager** Construction Manager Project H&S Director Engineers	Manage Subcontractor Safety and Health – Pre-Contract Award	Evidence of specific requirements in tender packages from: ▪ Legislation ▪ Head Contract ▪ TNA Evidence of specific project documents provided in tender packages: ▪ SEB ▪ SHMP ▪ CARR
8.2. Selection processes ensure that subcontractors meet business requirements	Conduct an evaluation of the contractor's/supplier's SH Prequalification Questionnaire responses as part of the overall supplier selection process ▪ The HIRAC process must be applied in the assessment and selection of contractors/suppliers ▪ Ensure unclear responses are clarified with contractors/suppliers Review Management Plans submitted by contractors/suppliers that will not work under the PMS, to ensure alignment with key requirements. ▪ Feedback must be provided	**Construction Director** **Engineers** Project H&S Director	Manage Subcontractor Safety and Health – Pre-Contract Award	Records of: ▪ Subcontractor Prequal Questionnaire/s ▪ Financial and Non-Financial Comparison Table/s ▪ Contractor/Supplier Management Plan review & feedback
8.3. Pre-Contract Award Meetings are held with contractors / suppliers based on risk	A Pre-Contract Award Meeting must be held with preferred contractors/suppliers with a SH evaluation score of less than 70 The Pre-Contract Award Meeting must confirm, relevant to the scope of works, the contractor's/supplier's: ▪ Understanding of SH requirements and expectations ▪ Capability to ensure SH compliance	**Construction Director** **Engineers** Project H&S Director	Manage Subcontractor Safety and Health – Pre-Contract Award	Pre-Contract Award Meeting records for applicable contractors / suppliers

Expectations	How we will meet the Expectations (minimum requirements)	Responsibilities Key Contributor	Procedure/s	Deliverables
8.4. Contractor/Supplier contract documents clearly define SH requirements and responsibilities agreed during tender applicable to the scope of works	Review contract documentation before issuing to the selected contractor/supplier and ensure, as a minimum: ▪ SH requirements applicable to the scope of works are adequately defined and documented ▪ Relevant SH requirements from the Head Contract applicable to the scope of works are detailed in the contractor/supplier contract ▪ The terms of any contracts do not lead to unsafe work or an activity that may affect safety (i.e. hours of work that will conflict with the fatigue management program etc.) ▪ That SH duties under applicable legislation are being met in the contract (i.e. RSNL, HVNL, specific Health Monitoring requirements etc.) ▪ Specific worker competence evaluation requirements from the Training Needs Analysis are included in all tender and contractual agreements	**Project Director** **Commercial Manager**	Manage Subcontractor Safety and Health – Pre-Contract Award	Records of review of contractor/supplier contract documents Evidence of inclusion of specific requirements in contracts
8.5. SH responsibilities and requirements are re-confirmed with subcontractors prior to commencement	Conduct a pre-mobilisation meeting with the contractor/supplier prior to work commencement. The meeting must address the following as a minimum: ▪ Review the overall readiness to commence work ▪ The expectations of the Safety Essentials and One HSE Culture Framework ▪ Individual worker pre-commencement processes (i.e. induction, competency etc.) ▪ All requirements relating to safe system of work (i.e. SWMS, risk management etc.) ▪ Methods of communication, cooperation and consultation ▪ The type and frequency of SH monitoring to ensure compliance Maintain a record of the meeting in accordance with the Project's record retention requirements	**Construction Director**	Manage Subcontractor Safety and Health – Post Contract Award	Pre-Mobilisation Meeting Records Evidence of discussion of minimum requirements
8.6. Subcontractors are engaged and contribute to successful SH outcomes	Establish a schedule of Subcontractor Forums to provide opportunity for engagement and feedback on SH on the Project Subcontractor Forums must be conducted at least every quarter	**Project Director** Project H&S Director	Communicate Cooperate and Consult on Work Health and Safety	SH Activity Schedule Subcontractor Forums Attendance Records

Expectations	How we will meet the Expectations (minimum requirements)	Responsibilities Key Contributor	Procedure/s	Deliverables
8.7. Subcontractor documentation is submitted and reviewed to meet Project requirements	Ensure the subcontractor provides the Project with all required SH documentation prior to commencing work on the Project as described in the executed contract. If there is a requirement to produce a Management Plan no work may commence until approved by the Project Manager (or delegate)	**Project Director** **Commercial Manager** **Subcontractor**	Manage Subcontractor Safety and Health – Post Contract Award	Evidence of: ▪ Subcontractor SH documentation provided ▪ Management Plan approval (if required)
8.8. Subcontractors actively participate in SH management activities on the Project	Subcontractors must participate in SH communication forums and activities including: ▪ Pre-Start Briefings ▪ Toolbox Talks ▪ Subcontractor SH Forums ▪ SH Committee Meetings (as required) ▪ Incident investigations (if relevant to the subcontractor) ▪ Site HSR's attend safety forums co-ordinated by the State	**Project Manager** Project H&S Director **Engineer/s** **Subcontractors**	Communicate Cooperate and Consult on Work Health and Safety	Records of subcontractor participation in forums and activities

Element 9 - Manage Incidents, Investigations and Corrective Actions

Expectations	How we will meet the Expectations (minimum requirements)	Responsibilities Key Contributor	Procedure/s	Deliverables
9.1. All incidents are reported and responded to effectively	All SH incidents must be reported as soon as practicable after the event. The following actions must be completed: ▪ Notify the Project Manager and Project H&S Director ▪ Initiate medical assistance/treatment of injured workers as required ▪ Barricade the area to restrict access ▪ Arrange drug and/or alcohol testing ▪ Obtain statements from witnesses to the incident ▪ Take measurements, photographs and/or videos as required ▪ Gather sufficient information to complete entry into Synergy	**Supervisor** **Subcontractor** **Project Director** **Project H&S Director**	Manage and Report SHE Incidents	Incidents Reported Post Incident D&A Testing Evidence Collected
9.2. All incidents are classified and notified to appropriate personnel	Ensure all incidents are classified to determine the notification requirements and notified within required timeframes Ensure incidents likely to be a SH Class 1P or above: ▪ Are notified to the BU SHEQ Manager within 2 hours; and ▪ Have a Flash Report developed and sent to the BU SHEQ Manager within 24 hours Ensure all incidents are entered into Synergy	**Project Director** **Project H&S Director**	Manage and Report SHE Incidents	Incident Notification Forms Evidence of: ▪ Incidents Classified ▪ Notifications within timeframes ▪ Flash Reports within timeframes Synergy Records
9.3. External organisations are notified of incidents within required timeframes	Determine if external notification (client, regulator, accreditation body etc.) is required upon confirmation of classification. Advise the BU SHEQ Manager, BU GM and the GM SHEQ if external notification is required be made to the relevant Regulator Ensure external notifications in the form and within timeframes required and are recorded in Synergy Note: Where a notice is issued under WHS law a copy will be simultaneously forwarded to the project owner. *WHS incidents that have the potential to impact Queensland Rail Limited's Accreditation, are to be reported immediately or as soon as possible and any investigation is to be performed, with required improvements identified and actions closed out;	**Project Director** Project H&S Director	Manage and Report SHE Incidents	Records of external notification/s Synergy Records

Expectations	How we will meet the Expectations (minimum requirements)	Responsibilities Key Contributor	Procedure/s	Deliverables
9.4. Incident investigations are conducted appropriate to the severity of the incident	Determine, based on the classification of an incident, the: ▪ Type of investigation required and timeframes for completion ▪ Lead Investigator and investigation team Ensure investigations are conducted and identify the sequence of events, basic cause/s, root cause, contributory factors and latent causes. Ensure investigations review the relevant procedures used when the incident occurred and determine if they sufficient and operating effectively All Class 1P Synergy event records must be completed and submitted for approval within 14 calendar days from the date of the incident. For Class 1A and 1P incidents or as directed by the GM SHEQ prepare a review presentation	**GM SHEQ** **BU GM** **Project Director** **Lead Investigator**	Investigate SHE Incidents	Investigation teams appointed Investigation Reports with required information Significant Incident Review presentation
9.5. Corrective actions from incidents are identified, assigned, recorded and tracked to completion	The Hierarchy of Control (HoC) must be used to aid in determining corrective actions ensure corrective actions: ▪ Are included for identified procedural deficiencies or improvement opportunities; ▪ Detail target completion dates and person/s responsible for completing each action; and ▪ Are closed within timeframes specified with appropriate evidence attached	**Project Director** **Lead Investigator**	Manage and Report SHE Incidents	Actions determined using HoC Actions have required information
9.6. Incident investigation reports are reviewed, approved and monitored until completion	Incident Investigations reviewed to ensure: ▪ Root Cause is identified ▪ Corrective actions have been identified that will reduce the likelihood of recurrence SFAIRP ▪ The Hierarchy of Controls have been applied correctly Ensure the completed report and corrective actions are entered in Synergy and monitored until closure	**Project Director** **Project H&S Director**	Manage and Report SHE Incidents	Incident Investigation/s reviewed Synergy Records

Expectations	How we will meet the Expectations (minimum requirements)	Responsibilities Key Contributor	Procedure/s	Deliverables
9.7. Lessons learnt from incidents are shared with other Projects	A Lessons Learnt: ▪ must be developed for all Class 1P incidents or higher and be submitted to the BU SHEQ Manager within 21 calendar days from the date of the incident ▪ may be developed for other incidents at the discretion of the BU SHEQ Manager ▪ must be submitted to the Group Manager SH and Manager Reporting within 21 calendar days from the date of the incident for review and publishing on the intranet SHEQ Alerts page	**Project Director** **BU SHEQ Manager** Project H&S Director	Manage and Report SHE Incidents Investigate SHE Incidents	Lessons Learnt developed Lessons Learnt published
9.8. Injured workers are actively rehabilitated.	The Project must appoint a worker who holds the regulatory required training (where applicable) as a Return to Work Coordinator (RTWC). A structured and approved Return to Work Plan (RTWP) should be developed for the injured or ill worker as required.	**Return to Work Coordinator (RWC)**	Manage Injury Post Incident	RTWC/s Appointed RTWC Training Records RTWP/s developed and implemented

Element 10 - First Aid and Emergency Preparedness and Response

Expectations	How we will meet the Expectations (minimum requirements)	Responsibilities Key Contributor	Procedure/s	Deliverables
10.1. Emergency response plans are developed and regularly reviewed.	The Project must develop an Emergency Response Plan (ERP) that addresses all foreseeable emergency situations as identified in the Emergency Response and First Aid Risk Assessment Template That Emergency Response Plan must consider: ▪ The identified foreseeable project/office specific emergency situations identified in the Emergency Response and First Aid Risk Assessment; ▪ The outcomes of the First Aid and Emergency Equipment Assessment; ▪ A detailed location or layout map showing the site; ▪ The location and access to the emergency muster points; ▪ The available methods of communication during an emergency; ▪ The location, type and quantities of any Dangerous Goods and Hazardous Chemicals; ▪ The locations of emergency equipment and their maintenance requirements; ▪ The location of the external medical and emergency services; ▪ The management of incidents that may be deemed crises; and ▪ An annual review	**Project Manager** Project H&S Director	Plan for Emergencies	Emergency Response Plan Evidence of: ▪ Transfer from risk assessment ▪ ERP review when required

Expectations	How we will meet the Expectations (minimum requirements)	Responsibilities Key Contributor	Procedure/s	Deliverables
10.2. First Aid equipment required for the Project is identified and provided	Conduct a project specific assessment in accordance with legislative obligations to determine the First Aid Equipment requirements for the project, considering the: ▪ Nature of the work being carried out at the workplace ▪ Nature of the hazards at the workplace ▪ Size and location of the workplace and access to medical facilities and emergency services; ▪ Number and composition of the workers and other persons at the workplace ▪ Number, type and location of first aid kits required ▪ Number of first aid qualified workers and the qualifications they require The First Aid Equipment Assessment must be completed by a person with a recognised qualification (i.e. First Aid Certificate from an RTO)	**Project Manager** Project H&S Director	Plan for Emergencies	Emergency Response and First Aid Risk Assessment First Aid Equipment established in accordance with assessment Evidence of qualified person conducting assessment
10.3. Emergencies equipment required for the Project is identified and provided	Conduct a project specific assessment in accordance with legislative obligations to identify the emergency equipment requirements for the project, considering the: ▪ Nature of the work being carried out at the workplace ▪ Nature of the hazards at the workplace ▪ Size and location of the workplace and access to emergency services ▪ Number and composition of the workers and other persons at the workplace ▪ Most efficient method of raising the alarm ▪ Type, quantity and location of equipment to respond to the foreseeable project specific emergency situations; ▪ Type, location, direction and signage of emergency exit routes ▪ Number of workers and the training and qualifications required to be appointed as Emergency Response Team members. The Emergency Equipment Assessment must be completed by worker who has the following competency (or equivalent or higher): ▪ BSB 41415 Certificate IV in Work Health and Safety	**Project Manager** Project H&S Director	Plan for Emergencies	Emergency Response and First Aid Risk Assessment Equipment established in accordance with assessment Evidence of qualified person conducting assessment

Expectations	How we will meet the Expectations (minimum requirements)	Responsibilities Key Contributor	Procedure/s	Deliverables
10.4. External medical and emergency resources are identified and consulted	Identify the external medical and emergency resources available to the Project Ensure the identified emergency services providers are advised of: ▪ The nature of the project and the relevant risks; ▪ The project/office's site layout; ▪ The nature of the support required	**Project Director** Project H&S Director	Plan for Emergencies	Evidence of: ▪ Identification of external M&E resources ▪ Communication with external M&E resources
10.5. Emergency and First Aid equipment is maintained in working order	Establish and monitor a program that includes regular inspection, testing and where required tagging and maintenance of all first aid and emergency equipment in accordance with the original equipment manufacturers specifications. Develop and maintain: ▪ An Emergency Equipment Register to record inspection, testing and maintenance of each piece of Emergency Equipment ▪ A First Aid Equipment Register that demonstrates to record inspection, testing and maintenance of each First Aid Kit/Equipment	**Project Director** **Project H&S Director**	Plan for Emergencies	Emergency Equipment Register First Aid Equipment Register Inspection Schedule Records of inspection and/or maintenance
10.6. Emergency services are provided with current information	The project must establish and maintain an Emergency Services Register of all hazardous chemicals and their locations and quantities and ensure that it is accessible always by Emergency Services.	**Project Director** **Project H&S Director**	Manage Hazardous Chemicals	Register of hazardous chemicals, locations & quantities
10.7. Emergency action drills and exercises are conducted and reviewed.	A schedule of trials of the identified key potential emergency situations must be developed. The trials must be conducted in accordance with the schedule and evaluated. An emergency de-brief meeting must be held after each emergency drill and actions to address all identified deficiencies must be tracked until closed.	**Project Director** Project H&S Director	Plan for Emergencies	Emergency Response Drill Schedule Records of Emergency Drill De-Brief/s Records of corrective actions identified and completed

Element 11 - Fitness for Work

Expectations	How we will meet the Expectations (minimum requirements)	Responsibilities Key Contributor	Procedure/s	Deliverables
11.1. Project fitness for work requirements are established and communicated	Review the project scope of work to identify additional regulatory or client specified Fitness for Work (FFW) requirements and include in the Project Fitness for Work Program Ensure the relevant parts of the Project Fitness for Work Program requirements are communicated to all workers as part of the Project Induction including: ▪ Mental Health & Wellbeing (Employee Assistance Program) ▪ Alcohol and Other Drugs (including testing program) ▪ Fatigue Management Education and awareness sessions must be delivered regularly and records of these sessions maintained	**Project Director** Project H&S Director	Manage Fitness for Work	FFW Program established FFW includes any LOR (if required) Induction with FFW requirements Induction records Education & Awareness session records
11.2. Workers are free from the effects of alcohol and/or other drugs whilst at work	The Project must appoint suitably qualified workers or engage an accredited external provider to conduct Alcohol and Other Drugs (AOD) testing The Alcohol or other Drugs testing program must be conducted at least once per month where there are greater than 100 workers on site, a minimum of 10 workers must be tested Note: The Alcohol or other Drugs testing program must test for Alcohol and other Drugs every month, not just Alcohol.	**Project Director** Project H&S Director	Manage Fitness for Work	Worker competency or external provider accreditation records Records of AOD testing that meets requirements
11.3. Equipment used to assess fitness for work is maintained	Alcohol and or Urine testing equipment must be calibrated, registered and maintained in accordance with the Original Equipment Manufacturers requirements and relevant Standards	**Project Director** Project H&S Director	Control Inspection, Measuring and Test Equipment	AOD testing equipment register Records of calibrated testing equipment

Element 12 - Plant and Equipment

Expectations	How we will meet the Expectations (minimum requirements)	Responsibilities Key Contributor	Procedure/s	Deliverables
12.1. Safe systems of work are established for the operation of mobile plant	Safe systems of work must be established for the operation of mobile plant considering: ▪ The Original Equipment Manufacturers manual; ▪ Outcomes from the plant risk assessment; ▪ Site specific requirements; and ▪ The need for ROPS and FOPS.	**Project Director** **Senior Project Engineer** **Project Engineer**	Manage Work in and Around Mobile Plant - Safety Essential Perform Inwards Plant and Asset Acceptance Inspection	Records of: ▪ Mobilisation Inspection/s ▪ Plant Risk Assessment Review Form/s Evidence of OEM requirements incorporated
12.2. Safe systems of work are developed for the use of mobile cranes	Safe systems of work must be developed for the use of mobile cranes considering: ▪ Ground conditions; ▪ Development of lift plans in accordance with relevant legislation, codes of practice and Australian / New Zealand Standards; and ▪ Lifting of materials and workers	**Project Director** **Senior Project Engineer** **Project Engineer**	Manage Mobile Cranes and Lifting Operations – Safety Essential	Records of: ▪ Lift Study/s ▪ Lift Plan/s ▪ Pre-Lift Start Cards
12.3. An inspection and maintenance program for rigging and lifting equipment is established	All lifting devices and rigging equipment must be clearly and permanently marked with the SWL in accordance with relevant standards Inspections must be conducted by a competent person in accordance with the requirements of the OEM: ▪ Before each use ▪ Every 3 months ▪ Annually by an independent testing authority A Lifting Equipment Register must be maintained by subcontractors for their own equipment and the Project for project owned equipment and include the: ▪ Date of purchase ▪ Date of introduction into use ▪ General details of the use ▪ Quarterly and annual inspections	**Project Director** **Senior Project Engineer** **Lift Operations Coordinator** **Subcontractors**	Manage Mobile Cranes and Lifting Operations – Safety Essential	Lifting devices & rigging equipment marked with SWL Records of required inspections Lifting Equipment Register/s Lifting Equipment Checklist records

Expectations	How we will meet the Expectations (minimum requirements)	Responsibilities Key Contributor	Procedure/s	Deliverables
	All rigging and lifting equipment must be maintained in accordance with the OEM instructions, legislation, codes of practice and relevant Australian / New Zealand standards. Lifting or rigging equipment found to be out of test date must be immediately withdrawn from service and tagged out of service.			
12.4. MEWPs meet minimum requirements	The project must ensure MEWPs meet minimum specification requirements as detailed in the Asset Inspection Report - Elevating Work Platform (EWP)	**Construction Manager**	Manage Mobile Elevating Work Platform (MEWP) Use	Records of Asset Inspection Reports completed
12.5. The movement of plant and vehicles on-site is controlled.	A site-wide or area specific Vehicle Movement Plan/s (VMP) must be developed that identifies the: ▪ Plant, vehicle and pedestrian routes and exclusion zones ▪ Project road rules, speed limits, LV and HV parking areas, location of barricades ▪ Communication protocols ▪ Timing for the review of the plan	**Construction Manager** **Senior Project Engineer** **Supervisors** **Subcontractors**	Manage Work in and Around Mobile Plant - Safety Essential	Records of VMP/s
12.6. There is an inspection program that is specific to the needs of the type of mobile plant	The Project must establish an inspection program that is specific to the needs of the type of mobile plant, considering: ▪ Regulatory inspections and registration ▪ Manufacturers' inspection requirements ▪ Pre-start inspections ▪ Commissioning prior to use on site Plant and Equipment prescribed by legislation to be registered with the applicable SH regulatory authority, must be registered. All Mobile Cranes including HiAB's must have a current certification CraneSafe (AU) The project must conduct periodic reviews of subcontractor plant maintenance and servicing records and pre-start inspections	**Project Director** **Plant Manager** **Subcontractor** **Plant Supplier**	Manage Work in and Around Mobile Plant - Safety Essential Manage Hired and Subcontractor Plant Assets Perform Plant Pre-Start Inspections and Manage Defects	Records of: ▪ Mobilisation Inspection/s ▪ Pre-start Inspection/s ▪ Inspection Schedule ▪ Registration ▪ Certification ▪ Subcontractor Plant and Equipment Compliance Inspection Form/s
12.7. A process for the ongoing maintenance	Subcontractor's/Plant Supplier's must complete a monthly inspection of all plant and assets to ensure they are maintained in accordance with the	**Project Director** **Plant Manager** **Subcontractor**	Manage Hired and Subcontractor Plant Assets	Records of: ▪ Declaration of Asset Serviceability

Expectations	How we will meet the Expectations (minimum requirements)	Responsibilities Key Contributor	Procedure/s	Deliverables
of mobile plant is established	manufacturers' requirements, relevant legislation, applicable codes of practice, standards and any project/client requirements. CPB owned assets or hired assets must be maintained in accordance with the relevant Service Checklist and relevant work instructions. Non-conformances must be recorded in the Comments section of the Service Checklist and reviewed and signed off by the Plant Supervisor The Project must ensure that non-conformances recorded on the Service Checklist are actioned and recorded appropriately in the CMMS used on site.	**Plant Supplier**	Service and Maintain Mobile Plant and Assets Perform Plant Pre-Start Inspections and Manage Defects	and Monthly Update ▪ Service Checklist/s ▪ Updates to CMMS

Element 13 - Monitoring, Review and Improvement

Expectations	How we will meet the Expectations (minimum requirements)	Responsibilities Key Contributor	Procedure/s	Deliverables
13.1. Senior Managers are actively involved in HIRAC processes	Develop a Project Critical Risk Review Schedule based on the Safety Essential related work tasks forecast to be undertaken at the time of the review A Critical Risk Review must be conducted monthly, by the Project Manager The BU General Manager must review the Project Manager's Critical Risk Review Reports and provide feedback to Project Mangers	**Project Director**	Conduct Critical Risk Review	Records of PM Critical Risk Review/s Records of BU GM feedback of PM Critical Risk Review/s
13.2. Critical and high-risk activities are monitored	The Project must establish a schedule to monitor compliance to the: ▪ Safety Essentials ▪ All relevant CPB Contractors defined High Risk Construction Work tasks. Develop and publish a monthly report of scheduled against completed monitoring activities The Project Manager must review the report each month	**Project Director** Project H&S Director	Conduct Task Observations and Workplace Inspections	SH Activity Schedule detailing SE & HRCW monitoring activities Records of: Monthly Reports of monitoring activities PM review of monthly reports

Expectations	How we will meet the Expectations (minimum requirements)	Responsibilities Key Contributor	Procedure/s	Deliverables
13.3. Regular inspections and observations are conducted to monitor compliance with and effectiveness of identified controls	Develop and communicate a schedule of monitoring activities that identifies the number of workplace inspections and task observations that must be undertaken by: ▪ Operational Managers; ▪ Engineers; ▪ Supervisors; and ▪ Senior Subcontractor Representatives All workers including subcontractors must be scheduled to conduct Task Observations and/or Workplace Inspections outside of their work area All workplace inspections and task observations activities must be documented The outcomes of inspections must be captured on the relevant checklist/s Review and amend the schedule as required to maintain alignment with the construction schedule and associated hazards, critical activities, stage of works, and level of activity.	**Project Director** **Project H&S Director** **Engineers** **Supervisors** **Subcontractors**	Conduct Task Observations and Workplace Inspections	SH Activity Schedule detailing SH monitoring activities Records of: ▪ Task Observations ▪ Inspections on approved checklists Evidence of: ▪ Contractor monitoring activities outside of their work area ▪ Monitoring and revision of the schedule
13.4. Subcontractors are reviewed to assess their performance and compliance with minimum SH requirements	Develop a schedule of monitoring activities, including the type and frequency, for the contractor/supplier, including: ▪ Reviews of the contractor's/supplier's performance in relation to the SH aspects of the contract ▪ Other monitoring activities applicable to the contractor's/supplier's scope of works Note: Contractors/suppliers not working under the PMS must also be reviewed against the Management Plan approved by the Project prior to commencement. Record outcomes of the monitoring activities as required and ensure corrective actions identified are monitored until completion	**Project Director** Project H&S Director **Engineers** Supervisors	Manage Subcontractor Safety and Health – Post Contract Award	SH Activity Schedule detailing contractor SH monitoring activities Records of: ▪ SH Contract Compliance Audits ▪ Task Observations ▪ Inspections ▪ Contractor Management Plan Audits

Expectations	How we will meet the Expectations (minimum requirements)	Responsibilities Key Contributor	Procedure/s	Deliverables
13.5. Corrective Actions identified from monitoring activities are tracked to closure	For Audits: ▪ Corrective actions must be raised, tracked and closed out in Synergy For Inspections, Observations & Other Monitoring Activities: ▪ Corrective actions/issues not resolved immediately must be monitored until resolution and closed through the inspection/observation records (if closed out within 72 hours); and ▪ Corrective actions unable to be closed within 72 hours must be entered and closed in Synergy	**Project Director** Project H&S Director	Conduct Audits Conduct Task Observations and Workplace Inspections	Corrective Actions identified and tracked Records of Corrective Actions from audits in Synergy

Part C: Appendices

Appendix A

Requirements Verification Traceability Matrix

Requirements Verification Traceability Matrix

Annex D Requirements

DOORS Requirement ID	PSTR ID	Ref. Section (Annex D)	Requirement Description	Design Evidence ID	Design Evidence (Sections)	V&V Status	Reviewer	Additional Comments
26647			**5.2 WHS Management Plan**					
26648		5.2.1	The WHS Management Plan must address the requirements of the WHS Laws, Project Co's obligation under clause 17 of the Project Agreement and as a minimum, describe how Project Co will comply with the following requirements:	*EVI-*32445	CRRTSD-SH-MPL-CBGU-000015	Passed	G McLennan	
26649		(a)	all applicable WHS Laws, without limitation, this includes general duty provisions applying to Project Co, Principal Contractor provisions and specific regulations regarding construction work;	*EVI-*32446	CRRTSD-SH-MPL-CBGU-000015 Section 3	Passed	G McLennan	Also, Legal and Other Requirements Register
26650		(b)	BS 6164 Code of practice for health and safety in tunnelling in the construction industry;	*EVI-*32447	CRRTSD-SH-MPL-CBGU-000015 Section 3	Passed	G McLennan	
26651		(c)	AS/NZS 4801 Occupational health and safety management systems – Specification with guidance for use, or a comparative international Standard as agreed by the State;	*EVI-*32448	CRRTSD-SH-MPL-CBGU-000015 Section 2.1, Appendix B	Passed	G McLennan	
26652		(d)	comply with applicable requirements of the Rail Safety National Law and the ONRSR Guideline - Major Projects;	*EVI-*32449	CRRTSD-SH-MPL-CBGU-000015 Section 3, 3.2	Passed	G McLennan	Also, Safety Interface Plan
26653		(e)	describe compliance with the required elements of Queensland Rail Limited's Safety Management System;	*EVI-*32450	CRRTSD-SH-MPL-CBGU-000015 Section 1.1, 3	Passed	G McLennan	Also, Safety Interface Plan
26654		(f)	describe how compliance to the Electrical Safety Act 2002 (Qld) is achieved and evidence is provided to Queensland Rail Limited; and	*EVI-*32451	CRRTSD-SH-MPL-CBGU-000015 Section 3, 5, Appendix C, Appendix D	Passed	G McLennan	

DOORS Requirement ID	PSTR ID	Ref. Section (Annex D)	Requirement Description	Design Evidence ID	Design Evidence (Sections)	V&V Status	Reviewer	Additional Comments
26655		(g)	describe management of overlapping safety obligations and requirements under the Rail Safety National Law and in accordance with the Master Safety Co-ordination Deed.	*EVI-32452*	CRRTSD-SH-MPL-CBGU-000015 Section 3.2 CRRTSD-PM-MPL-CBGU-000005 CRRTSD-ED-MPL-CBGU-000001 Appendix D	Passed	G McLennan	
26656		5.2.2	The WHS Management Plan must:	*EVI-32453*	CRRTSD-SH-MPL-CBGU-000015	Passed	G McLennan	
26657		(a)	describe how WHS will be managed at each distinct area of the Site, and in relation to the relevant infrastructure and the Project Activities for the duration of the Design Phase and Construction Phase;	*EVI-32454*	CRRTSD-SH-MPL-CBGU-000015 Section 5	Passed	G McLennan	
26658		(b)	describe Project Co's health and safety policy and objectives;	*EVI-32455*	CRRTSD-SH-MPL-CBGU-000015 Section 2, Appendix B	Passed	G McLennan	
26659		(c)	provide a diagram of Project Co's WHS organisation and reporting structures and specific WHS responsibilities;	*EVI-32456*	CRRTSD-SH-MPL-CBGU-000015 Section 6 CRRTSD-PM-MPL-CBGU-000005	Passed	G McLennan	
26660		(d)	be a single volume for the whole of the Project Activities (including any Project Activities performed by Subcontractors);	*EVI-32457*	CRRTSD-SH-MPL-CBGU-000015 Section 1	Passed	G McLennan	
26661		(e)	include a WHS risk assessment;	*EVI-32458*	CRRTSD-SH-MPL-CBGU-000015 Section 5	Passed	G McLennan	Also PPRR
26662		(f)	describe interface arrangements with the Other Works Contractors and the RIS Alliance;	*EVI-32459*	CRRTSD-SH-MPL-CBGU-000015 Section 5, 7 8	Passed	G McLennan	
26663		(g)	describe triggering events and schedules for safety forums;	*EVI-32460*	CRRTSD-SH-MPL-CBGU-000015 Section 8	Passed	G McLennan	
26664		(h)	demonstrate how the outcomes of the WHS Management Plan audit, conducted pursuant to clause 17.3 of the Project Agreement, have been incorporated; and	*EVI-32461*	CRRTSD-SH-MPL-CBGU-000015 Section 11	Passed	G McLennan	
26665		(i)	demonstrate how the outcomes of the safety strategy and culture workshop have been incorporated.	*EVI-32462*	CRRTSD-SH-MPL-CBGU-000015 Section 4	Passed	G McLennan	
26666		5.2.3	The WHS Management Plan must include details of:	*EVI-32463*	CRRTSD-SH-MPL-CBGU-000015	Passed	G McLennan	

DOORS Requirement ID	PSTR ID	Ref. Section (Annex D)	Requirement Description	Design Evidence ID	Design Evidence (Sections)	V&V Status	Reviewer	Additional Comments
26667		(a)	underground safety and supervision;	*EVI-* 32464	CRRTSD-SH-MPL-CBGU-000015 Section 5, Appendix C, Appendix D CRRTSD-CS-MPL-CBGU-000010 CRRTSD-CS-MPL-CBGU-000014	Passed	G McLennan	
26668		(b)	any demolition activities;	*EVI-* 32465	CRRTSD-SH-MPL-CBGU-000015 Section 5, Appendix C, Appendix D CRRTSD-CS-MPL-CBGU-000010 CRRTSD-CS-MPL-CBGU-000035	Passed	G McLennan	
26669		(c)	heavy lifting and safe crane operations;	*EVI-* 32466	CRRTSD-SH-MPL-CBGU-000015 Section 5, Appendix C, Appendix D	Passed	G McLennan	
26670		(d)	high voltage installation and management;	*EVI-* 32467	CRRTSD-SH-MPL-CBGU-000015 Section 5, Appendix C, Appendix D	Passed	G McLennan	
26671		(e)	working in confined spaces;	*EVI-* 32468	CRRTSD-SH-MPL-CBGU-000015 Section 5, Appendix C, Appendix D	Passed	G McLennan	
26672		(f)	traffic and vehicle interaction;	*EVI-* 32469	CRRTSD-SH-MPL-CBGU-000015 Section 5, Appendix C, Appendix D CRRTSD-CS-MPL-CBGU-000010	Passed	G McLennan	
26673		(g)	management of heavy vehicle movements giving consideration to the use of GPS tracking to manage heavy vehicle movements and loading/ unloading, and training for heavy vehicle drivers;	*EVI-* 32470	CRRTSD-SH-MPL-CBGU-000015 Section 5, Appendix C, Appendix D	Passed	G McLennan	
26674		(h)	pedestrian and cyclist protection;	*EVI-* 32471	CRRTSD-SH-MPL-CBGU-000015 Section 5, Appendix C, Appendix D CRRTSD-CS-MPL-CBGU-000010	Passed	G McLennan	
26675		(i)	mental health;	*EVI-* 32472	CRRTSD-SH-MPL-CBGU-000015 Section 5, Appendix C, Appendix D	Passed	G McLennan	
26676		(j)	work illnesses and disease;	*EVI-* 32473	CRRTSD-SH-MPL-CBGU-000015 Section 5, Appendix C, Appendix D	Passed	G McLennan	
26677		(k)	flood management;	*EVI-* 32474	CRRTSD-SH-MPL-CBGU-000015 Section 5, Appendix C, Appendix D CRRTSD-EN-MPL-CBGU-000019	Passed	G McLennan	

DOORS Requirement ID	PSTR ID	Ref. Section (Annex D)	Requirement Description	Design Evidence ID	Design Evidence (Sections)	V&V Status	Reviewer	Additional Comments
26678		(l)	spoil management;	*EVI-32475*	CRRTSD-SH-MPL-CBGU-000015 Section 5, Appendix C, Appendix D CRRTSD-CS-MPL-CBGU-000014	Passed	G McLennan	
26679		(m)	contaminated soil exposure (for the purpose of human health impacts);	*EVI-32476*	CRRTSD-SH-MPL-CBGU-000015 Section 5, Appendix C, Appendix D	Passed	G McLennan	
26680		(n)	compliance with the Heavy Vehicle National Laws;	*EVI-32477*	CRRTSD-SH-MPL-CBGU-000015 Section 5, Appendix C, Appendix D CRRTSD-TM-MPL-CBGU-000012	Passed	G McLennan	
26681		(o)	hazardous materials;	*EVI-32478*	CRRTSD-SH-MPL-CBGU-000015 Section 5, Appendix C, Appendix D	Passed	G McLennan	
26682		(p)	fatigue, including a Fatigue Management Plan that complies with the requirements of the Queensland Rail Limited Reference Documents;	*EVI-32479*	CRRTSD-SH-MPL-CBGU-000015 Section 5, 9, 11 CRRTSD-SH-MPL-CBGU-000018	Passed	G McLennan	Also, Safety Interface Plan
26683		(q)	identification of high risk activities and field verification of the effectiveness of critical controls in place to manage those activities;	*EVI-32480*	CRRTSD-SH-MPL-CBGU-000015 Section 5, 11, 12, Element 4, Element 13 CRRTSD-SH-MPL-CBGU-000018	Passed	G McLennan	
26684		(r)	prevention of impacts to underground services;	*EVI-32481*	CRRTSD-SH-MPL-CBGU-000015 Section 5, Appendix C, Appendix D	Passed	G McLennan	
26685		(s)	management of security incidents;	*EVI-32482*	CRRTSD-SH-MPL-CBGU-000015 Section 5 CRRTSD-PM-MPL-CBGU-000020	Passed	G McLennan	
26686		(t)	how Rail Safety Work as defined in the Rail Safety National Law will be identified and managed; and	*EVI-32483*	CRRTSD-SH-MPL-CBGU-000015 Section 5, Element 4, Element 7, Element 10, Appendix C, Appendix D	Passed	G McLennan	Also, Safety Interface Plan
26687		(u)	training and competency requirements and evidence to be provided to demonstrate compliance with the training and competency requirements of the WHS Laws.	*EVI-32484*	CRRTSD-SH-MPL-CBGU-000015 Element 7 CRRTSD-HR-MPL-CBGU-000021 CRRTSD-CP-MPL-CBGU-000008	Passed	G McLennan	
26688		5.2.4	The WHS Management Plan must include procedures and responsibilities for:	*EVI-32485*	CRRTSD-SH-MPL-CBGU-000015	Passed	G McLennan	
26689		(a)	the preparation, implementation, review and updating of the WHS Management Plan in accordance with section 1.3;	*EVI-32486*	CRRTSD-SH-MPL-CBGU-000015 Section 11	Passed	G McLennan	

DOORS Requirement ID	PSTR ID	Ref. Section (Annex D)	Requirement Description	Design Evidence ID	Design Evidence (Sections)	V&V Status	Reviewer	Additional Comments
26690		(b)	the preparation of a draft WHS performance report template;	*EVI-32487*	CRRTSD-SH-MPL-CBGU-000015 Section 12	Passed	G McLennan	
26691		(c)	identifying Hazards and Risks associated with the Project Activities, including preparation, review and updating of the WHS risk assessment and establishing appropriate controls which are in accordance with the hierarchy of controls during the Project Activities;	*EVI-32488*	CRRTSD-SH-MPL-CBGU-000015 Section 5, 7, 8, 9, Element 4, Appendix C, Appendix D	Passed	G McLennan	
26692		(d)	the procedures for issuing notices under the WHS Laws with a copy simultaneously forwarded to the State;	*EVI-32489*	CRRTSD-SH-MPL-CBGU-000015 Element 9.3	Passed	G McLennan	
26693		(e)	providing such information, instruction and training as is necessary to ensure risks are appropriately eliminated or controlled;	*EVI-32490*	CRRTSD-SH-MPL-CBGU-000015 Section 5 CRRTSD-HR-MPL-CBGU-000021 CRRTSD-CP-MPL-CBGU-000008	Passed	G McLennan	
26694		(f)	the management of Subcontractors;	*EVI-32491*	CRRTSD-SH-MPL-CBGU-000015 Element 8	Passed	G McLennan	
26695		(g)	ensuring the preparation and implementation of safe work method statements for all high risk work;	*EVI-32492*	CRRTSD-SH-MPL-CBGU-000015 Section 5, Element 4	Passed	G McLennan	
26696		(h)	reviewing the effectiveness of the WHS Management Plan, particular controls implemented under the WHS Management Plan, and where necessary revising the WHS Management Plan and the controls implemented thereunder;	*EVI-32493*	CRRTSD-SH-MPL-CBGU-000015 Section 5, 11	Passed	G McLennan	
26697		(i)	monitoring and verification of the effectiveness of critical controls for high risk activities;	*EVI-32494*	CRRTSD-SH-MPL-CBGU-000015 Section 3, 9, 11, Element 2, Element 4, Element 8, Element 13, Appendix C, Appendix D	Passed	G McLennan	
26698		(j)	managing Hazards and Risks associated with fatigue;	*EVI-32495*	CRRTSD-SH-MPL-CBGU-000015 Section 5 CRRTSD-SH-MPL-CBGU-000018	Passed	G McLennan	
26699		(k)	managing Hazards and Risks associated with hazardous materials;	*EVI-32496*	CRRTSD-SH-MPL-CBGU-000015 Section 5	Passed	G McLennan	
26700		(l)	managing Hazards and Risks associated with air quality, including risks associated with silica dust and diesel exhaust fumes;	*EVI-32497*	CRRTSD-SH-MPL-CBGU-000015 Section 5, Element 4, Element 7, Element 8, Element 13, Appendix C, Appendix D	Passed	G McLennan	
26701		(m)	reporting and investigation of WHS incidents;	*EVI-32498*	CRRTSD-SH-MPL-CBGU-000015, Element 9, Appendix C, Appendix D	Passed	G McLennan	

DOORS Requirement ID	PSTR ID	Ref. Section (Annex D)	Requirement Description	Design Evidence ID	Design Evidence (Sections)	V&V Status	Reviewer	Additional Comments
26702		(n)	reporting and investigation of WHS incidents that that have the potential to impact Queensland Rail Limited's Accreditation, which are to be reported immediately or as soon as possible and any investigation is to be performed to the satisfaction of Queensland Rail Limited in accordance with the QR Cooperation Agreement, with required improvements identified and actions closed out;	*EVI*-32499	CRRTSD-SH-MPL-CBGU-000015, Element 9	Passed	G McLennan	
26703		(o)	arrangements for ensuring appropriate site-specific and task-specific induction and training is undertaken by all relevant Subcontractors and other persons who attend the Site to ensure they are aware of the requirements of the WHS Management Plan and safety controls identified therein;	*EVI*-32500	CRRTSD-SH-MPL-CBGU-000015 Section 5, Element 7, Element 8 CRRTSD-HR-MPL-CBGU-000021 CRRTSD-CP-MPL-CBGU-000008	Passed	G McLennan	
26704		(p)	arrangements for ensuring induction and training;	*EVI*-32501	CRRTSD-SH-MPL-CBGU-000015 Section 5, Element 7 CRRTSD-HR-MPL-CBGU-000021 CRRTSD-CP-MPL-CBGU-000008	Passed	G McLennan	
26705		(q)	arrangements for ensuring training addresses competencies to undertake high risk work and rail safety work;	*EVI*-32502	CRRTSD-SH-MPL-CBGU-000015 Section 5, Element 7 CRRTSD-HR-MPL-CBGU-000021 CRRTSD-CP-MPL-CBGU-000008	Passed	G McLennan	
26706		(r)	the risk profile and emergency procedures for that part of the Site;	*EVI*-32503	CRRTSD-SH-MPL-CBGU-000015 Element 10 CRRTSD-SH-MPL-CBGU-000017	Passed	G McLennan	
26707		(s)	arrangements for engagement of the Independent WHS Auditor and the performance monitoring and auditing arrangements including an audit schedule;	*EVI*-32504	CRRTSD-SH-MPL-CBGU-000015 Section 11.1.3	Passed	G McLennan	
26708		(t)	arrangements for facilitating audits of WHS and the WHS Management Plan and for the prompt rectification of any non-conformances identified;	*EVI*-32505	CRRTSD-SH-MPL-CBGU-000015 Section 11, Element 13	Passed	G McLennan	
26709		(u)	arrangements for consulting with Key Subcontractors;	*EVI*-32506	CRRTSD-SH-MPL-CBGU-000015 Section 4, 5, 7, 8, Element 8	Passed	G McLennan	

DOORS Requirement ID	PSTR ID	Ref. Section (Annex D)	Requirement Description	Design Evidence ID	Design Evidence (Sections)	V&V Status	Reviewer	Additional Comments
26710		(v)	arrangements for consulting with and providing safety information to relevant Stakeholders; and	*EVI-32507*	CRRTSD-SH-MPL-CBGU-000015 Section 4, 5, 7, 8, 12	Passed	G McLennan	
26711		(w)	managing public safety during all Project Activities, including control measures and ongoing verification of the effectiveness of these control measures.	*EVI-32508*	CRRTSD-SH-MPL-CBGU-000015 Section 5, Element 4, Element 7, Element 10, Appendix C, Appendix D CRRTSD-TM-MPL-CBGU-000012	Passed	G McLennan	
26712		5.2.5	Prior to the preparation of the WHS Management Plan, Project Co must conduct a safety strategy and culture workshop.	*EVI-32509*	CRRTSD-SH-MPL-CBGU-000015 Section 4.1	Passed	G McLennan	
26713		5.2.6	Project Co must ensure that:	*EVI-32510*	CRRTSD-SH-MPL-CBGU-000015	Passed	G McLennan	
26714		(a)	key Stakeholders and any personnel nominated by the State and Queensland Rail Limited are invited to attend the safety strategy and culture workshop;	*EVI-32511*	CRRTSD-SH-MPL-CBGU-000015 Section 4.1	Passed	G McLennan	
26715		(b)	the safety strategy and culture workshop covers, as a minimum, the following:	*EVI-32512*	CRRTSD-SH-MPL-CBGU-000015 Section 4.1	Passed	G McLennan	
26716		(i)	how Project Co's safety culture will initially be fostered and maintained throughout the Delivery Phase;	*EVI-32513*	CRRTSD-SH-MPL-CBGU-000015 Section 4.1	Passed	G McLennan	
26717		(ii)	proposed lead indicators which align with Project Co's safety culture and planned strategic activities;	*EVI-32514*	CRRTSD-SH-MPL-CBGU-000015 Section 4.1	Passed	G McLennan	
26718		(iii)	identification of role specific safety accountabilities and deliverables for senior leaders, management and workforce;	*EVI-32515*	CRRTSD-SH-MPL-CBGU-000015 Section 4.1	Passed	G McLennan	
26719		(iv)	incorporating the following core practices in the Project Activities:	*EVI-32516*	CRRTSD-SH-MPL-CBGU-000015 Section 4.1	Passed	G McLennan	
26720		(A)	just culture - everyone holds themselves and others accountable for safety;	*EVI-32517*	CRRTSD-SH-MPL-CBGU-000015 Section 4.1	Passed	G McLennan	
26721		(B)	honest reporting - all hazards, near-misses and incidents are reported and managed;	*EVI-32518*	CRRTSD-SH-MPL-CBGU-000015 Section 4.1	Passed	G McLennan	
26722		(C)	risk wary - risks are assessed and controlled for all field activities;	*EVI-32519*	CRRTSD-SH-MPL-CBGU-000015 Section 4.1	Passed	G McLennan	
26723		(D)	learning - lessons learnt are shared across the project; and	*EVI-32520*	CRRTSD-SH-MPL-CBGU-000015 Section 4.1	Passed	G McLennan	

DOORS Requirement ID	PSTR ID	Ref. Section (Annex D)	Requirement Description	Design Evidence ID	Design Evidence (Sections)	V&V Status	Reviewer	Additional Comments
26724		(E)	informed - all workers are assessed as competent to perform their tasks; and	*EVI-32521*	CRRTSD-SH-MPL-CBGU-000015 Section 4.1	Passed	G McLennan	
26725		(v)	at least one full day is allocated for the safety strategy and culture workshop.	*EVI-32522*	CRRTSD-SH-MPL-CBGU-000015 Section 4.1	Passed	G McLennan	
26726		5.2.7	Project Co must ensure the following personnel attend any safety forums relating to the Project Activities that are coordinated by the State and held throughout the Design Phase and Construction Phase:	*EVI-32523*	CRRTSD-SH-MPL-CBGU-000015	Passed	G McLennan	
26727		(a)	key personnel employed or engaged by the Subcontractors responsible for T&S Works management of health and safety issues relating to the Project Activities;	*EVI-32524*	CRRTSD-SH-MPL-CBGU-000015 Section 8	Passed	G McLennan	
26728		(b)	the Site health and safety professional(s);	*EVI-32525*	CRRTSD-SH-MPL-CBGU-000015 Section 8	Passed	G McLennan	
26729		(c)	safety and management representatives from any Subcontractors; and	*EVI-32526*	CRRTSD-SH-MPL-CBGU-000015 Section 8	Passed	G McLennan	
26730		(d)	any other relevant safety or management representatives from Project Co and Subcontractors, who are requested to attend by the State.	*EVI-32527*	CRRTSD-SH-MPL-CBGU-000015 Section 8	Passed	G McLennan	
26731		5.2.8	For the purpose of facilitating the sharing of health and safety information across work packages, Project Co must:	*EVI-32528*	CRRTSD-SH-MPL-CBGU-000015	Passed	G McLennan	
26732		(a)	promptly enter into the State's incident management system details of all WHS incidents, any associated reports and any updates to information in respect of a WHS incident; and	*EVI-32529*	CRRTSD-SH-MPL-CBGU-000015 Section 12.1	Passed	G McLennan	
26733		(b)	each month upload to the incident management system a report in the form of the WHS performance report template.	*EVI-32530*	CRRTSD-SH-MPL-CBGU-000015 Section 12.1	Passed	G McLennan	

DOORS Requirement ID	PSTR ID	Ref. Section (Annex D)	Requirement Description	Design Evidence ID	Design Evidence (Sections)	V&V Status	Reviewer	Additional Comments
26734		5.2.9	Without limiting Project Co's obligations under the Heavy Vehicle National Laws, Project Co must ensure that all heavy vehicles used during the performance of the Project Activities, are fitted with equipment that minimises risks to vulnerable road users, and that drivers, used during the performance of the D&C Activities, undergo training and continuous professional development covering the safety of vulnerable road users and on-road Hazard awareness.	*EVI*-32531	CRRTSD-SH-MPL-CBGU-000015 Section 5, Element 4, Element 7, Element 8Element 10, Appendix C, Appendix D	Passed	G McLennan	

Appendix B

Policy and Certificates

Safety and Health Policy

Safety and Health Policy

Purpose

This Policy sets out the minimum mandatory requirements to provide a safe workplace for workers and visitors to our worksites or workplaces.

Application

This Policy applies to all entities controlled by the business, including alliances, joint ventures and consortia where the business exerts management control. It applies at all levels of the organisation including Corporate, Business Unit and Project.

Minimum Requirements

- Senior leaders must demonstrate a personal visible commitment to our One HSE Culture and ensure all workers understand the requirements of the Management System, as it applies to the work they are undertaking, so that work is undertaken safely and efficiently.
- Safety and health objectives, targets and key performance indicators must be established at all levels of the organisation with performance against these monitored and analysed to benchmark current performance and provide the basis for continuous improvement.
- The Safety Essentials define a framework that requires the application of the hierarchy of controls to eliminate or minimise risks to a worker's health and safety when working on certain high risk construction activities. If it is not reasonably practicable to eliminate the risk, all effort must be made to minimise those risks.
- A Safe Work Method Statement (SWMS) must be developed where a worker is required to undertake a task that the business has determined to be High Risk Construction Work.
- All safety and health incidents must be reported in accordance with the incident notification requirements, thoroughly investigated and appropriate corrective action undertaken with the aim of preventing a recurrence of the incident.
- All workers must take reasonable care for his or her own health and safety, and take reasonable care that his or her acts or omissions do not adversely affect the health and safety of other persons.
- Effective communication, co-operation and consultation channels must be in place as is reasonably practicable to consult with workers who are or are likely to be directly affected by a matter relating to Work Health and Safety.
- The competency of a worker must be assessed when a worker is undertaking a task that the business has defined as High Risk Construction Work and where a regulatory High Risk Work License applies, or where workers are operating load shifting equipment, or

other powered mobile plant, or where regulatory provisions exist for any worker undertaking a task that is covered by a regulatory High Risk Work License.

- Managers and Supervisors must ensure workers are competent to undertake their duties safely and efficiently.
- All plant and equipment whether it is hired, leased, purchased, designed, constructed, operated or maintained must be risk assessed, and appropriate controls implemented to continuously eliminate or manage risks, to ensure the health and safety of any worker.
- Modifications to plant and equipment outside the manufacturer's standards must not be done unless a detailed change management process is followed, including an assessment of risk, engineering and statutory authority certification (if required).
- All levels of the organisation must be prepared to respond to an emergency and in the event of an emergency, plans and capabilities are in place to eliminate or minimise the damage to people, preserve ongoing operations and our reputation.

Safety and Health Certifications

Certificate AU14/4488

The management system of

CPB Contractors Pty Limited

Level 18, 177 Pacific Highway, North Sydney, NSW 2060
Australia

has been assessed and certified as meeting the requirements of

AS/NZS 4801:2001

For the following activities

The provision of project management and related services including design, procurement, construction, traffic management at roadworks, completion, commissioning and maintenance of civil infrastructure (including site preparation, road and bridge construction, non-building construction, plant hire and leasing), building, rail, water, utilities, tunnelling, energy, marine, mine infrastructure, structural, mechanical, piping and electrical engineering and related industries delivered under varying forms of contract including joint ventures and alliances. The scope of registration also includes the maintenance and repair of fixed and mobile plant and the manufacture of precast concrete units for major infrastructure works.

This certificate is valid from 05 December 2019 until 30 November 2022 and remains valid subject to satisfactory surveillance audits.
Certified activities performed by additional sites listed on subsequent page.
Recertification audit due a minimum of 60 days before the expiration date.
Issue 9. Certified since September 2003

Authorised by

SGS Systems & Services Certification Australia Pty Ltd
10/585 Blackburn Road Notting Hill VIC 3168 Australia
t +61 3 9574 3200 f +61 3 9574 3399 www.au.sgs.com
Page 1 of 2

www.jas-anz.org/register

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Certificate AU14/4488, continued

CPB Contractors Pty Limited

AS/NZS 4801:2001

Issue 9
Certified activities are performed by the sites on the list.
Sites:
Business Unit Operations Level 2, 177 Pacific Highway, North Sydney, NSW 2060 Level 6, 567 Collins Street, Melbourne, VIC 3000 Level 6, HQ South Tower, 520 Wickham Street, Fortitude Valley, QLD 4006 202 Pier Street, Perth, WA 6000 891 Ingham Road, Bohle, QLD 4818 Level 2, 19 Hargreaves Street, Auckland, 1011, New Zealand Ground Level, 62 Cavenagh Street, Darwin, NT 0800
Plant Facilities 8a Hereford Street, Berkeley Vale, NSW 2261 Lot 804 (SubLot 5) Elmsfield Road, Midvale, WA 6056 67 Bernoulli Street, Darra, QLD 4076 158 Cherry Lane, Laverton North, VIC 3026
Pre-Cast Facility Corner Engineering & Industrial Drive, North Boambee, NSW 2450

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Certificate AU14/4489

The management system of

CPB Contractors Pty Limited

Level 18, 177 Pacific Highway, North Sydney, NSW 2060
Australia

has been assessed and certified as meeting the requirements of

OHSAS 18001:2007

For the following activities

The provision of project management and related services including design, procurement, construction, traffic management at roadworks, completion, commissioning and maintenance of civil infrastructure (including site preparation, road and bridge construction, non-building construction, plant hire and leasing), building, rail, water, utilities, tunnelling, energy, marine, mine infrastructure, structural, mechanical, piping and electrical engineering and related industries delivered under varying forms of contract including joint ventures and alliances. The scope of registration also includes the maintenance and repair of fixed and mobile plant and the manufacture of precast concrete units for major infrastructure works.

This certificate is valid from 05 December 2019 until 11 March 2021
and remains valid subject to satisfactory surveillance audits.
Certified activities performed by additional sites listed on subsequent page.
Recertification audit due a minimum of 60 days before the expiration date.
Issue 9. Certified since September 2003

Authorised by

SGS Systems & Services Certification Australia Pty Ltd
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Certificate AU14/4489, continued

CPB Contractors Pty Limited

OHSAS 18001:2007

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Australian Government

Attorney-General's Department
Office of the Federal Safety Commissioner

The Federal Safety Commissioner

certifies that

CPB Contractors Pty Limited

having met the requirements of the Australian Government building and construction WHS Accreditation Scheme, is hereby awarded accreditation from 25 August 2019 until 24 August 2022.

[redacted]

Timothy Johnson

Federal Safety Commissioner

FSC APPROVED • GET ACCREDITED • GET BUILDING

Accreditation number: 15

Appendix C

Activity Schedule and Roles and Responsibilities

Safety and Health Activity Schedule

CROSS RIVER RAIL – TUNNEL, STATIONS AND DEVELOPMENT – SAFETY & HEALTH ACTIVITY SCHEDULE		
Element Ref.	**Description**	**Frequency**
AUDITS		
8.5, 8.6	Subcontractor SHMS Audit (not working under CPB Mgmt. System)	Annually
	BU SHEQ Audit (Management System Compliance)	Annually
13.1	SHMP Element Compliance Audit (Project Led)	At least quarterly
MEETINGS		
2.3	Project Planning Meeting (SH Resource Review)	Monthly
8.1	Subcontractor Pre-Mobilisation Meeting	As required
WORKFORCE ENGAGEMENT		
1.1, 1.2, 5.3, 6.2, 8.5	Toolbox Talks (including subcontractors)	Monthly
1.1, 4.6, 5.3, 6.2, 6.7, 8.5	Pre-Start Briefing	Daily
1.1, 5.3, 6.1, 6.2, 6.3, 6.4, 8.5	Safety & Health Committee Meeting	Quarterly
1.1, 6.2, 8.5	Subcontractor Safety & Health Engagement Forum	Quarterly
1.3	SHE Culture Surveys	Quarterly
REVIEWS		
1.2, 2.2	PDR (Individual's Safety & Health Performance)	Annually
2.1	Safety & Health Management Plan Review	Annually
2.5	Safety & Health Performance Review (Project)	Monthly
2.5	Safety & Health Performance Review (BU & Project)	Monthly
3.1	Legal & Other Requirements Register Review	6 Monthly
3.2, 4.2, 10.1	Project Risk Register Workshop/Review	6 Monthly
3.2, 4.3	Construction Area Risk Workshop/Review	As Required
3.2, 4.9, 8.3	Safe Work Method Statement Review	Quarterly
3.3	CAP-WP-SWMS Compliance Reviews	Monthly
4.1	Safety in Design Review/Constructability Workshop	As Required
7.3	Training Needs Analysis Review	Annually
8.1	Subcontractor Selection Reviews	As Required
9.1	Incident Reviews/Investigation Outcome Reviews	Monthly
10.2	Emergency Response Plan Review	Annually
INSPECTIONS		
3.4	Safety & Health Hard Copy Legislation Update	As Required
4.5, 12.2	Plant/Equipment On-boarding Inspections	As Required

CROSS RIVER RAIL – TUNNEL, STATIONS AND DEVELOPMENT – SAFETY & HEALTH ACTIVITY SCHEDULE		
4.10	Subcontractor/SH Committee/Representative Inspections	Monthly
6.6	Safety & Health Noticeboard Update	Monthly
9.5	Medical/First Aid Equipment Inspection	Monthly
10.2	Emergency Equipment Inspection	Quarterly
TASK OBSERVATIONS (HIGH RISK WORK)		
4.10	Working at Heights	Monthly
4.10	Working In & Around Mobile Plant	Monthly
4.10	Working with Temporary Works	Monthly
4.10	Working with Live Services	Monthly
4.10	Working Near Live Traffic	Monthly
4.10	Mobile Cranes & Lifting Operations	Monthly
4.10	Electrical Work	Monthly
4.10	Subcontractor/SH Committee/Representative Observations	Quarterly
PERFORMANCE MONITORING/REPORTING		
	Synergy Monthly Data Entry	Monthly
2.5	Project Safety & Health Performance Report	Monthly
EMERGENCY DRILLS		
10.3	Emergency Scenario 1	As per Schedule
10.3	Emergency Scenario 2	As per Schedule
10.3	Emergency Scenario 3	As per Schedule
TRAINING		
1.2, 3.4, 6.5, 7.1, 8.5, 10.4	Project Induction	As Required
1.3	SHE Culture Awareness Training	At least 6 monthly
3.5	Workplace Safety & Health Management Principles Training	As Required
4.11, 7.4	HIRAC Training (Supervisors, Engineers, Managers)	As Required
7.3	Safety Essential Awareness Training	As Required
7.4	Corporate Management Systems Training	As Required
7.4	Leading Edge Training (Effective Pre-Starts)	As Required
7.5	Safety & Health Committee/Representative Training	As Required
9.3	ICAM Lead Investigator Training	As Required
10.4	Emergency Response Coordinators Training	As Required
11.2	Health Education & Training Program	As Required
13.2	Lead Auditor Training	As Required

Safety and Health Roles and Responsibilities

Safety and Health Roles and Responsibilities Listed Project-specific roles, after responsibilities in Part B have been assigned

		Project Manager	Project H&S Director	Design Manager	Construction Manager	BU SHEQ Manager	Engineers	Worker Competence Coordinator	Return to Work Coordinator	Document Controllers	Superintendent	Supervisors	Subcontractors
Element 1: - Leadership, Accountability and Culture													
1.1.	Demonstrate visible SH Leadership and Commitment	R											
1.2.	Clearly define SH expectations and establish appropriate recognition and disciplinary processes in place	R											
1.3.	Develop and maintain an awareness of SH hazards and associated risks and demonstrate a commitment to eliminate or minimise those risks	R											
1.4.	Develop, Implement and Maintain Effective SH Management Systems	R											
Element 2: - Planning, Objectives and Targets													
2.1.	Project SH requirements have been clearly identified and addressed		R										
2.2.	Client and Business SH objectives and targets are identified	R	C										
2.3.	Conduct regular reviews of Project SH performance	R	C										
Element 3: - Legal and Other Requirements													
3.1.	Project legal and other requirements (LOR) are identified and maintained	C	R										
3.2.	Work is planned and executed to ensure compliance		C		R		C					C	C
3.3.	Workers on the Project have access to current legislation, standards and codes of practice	R	C										
Element 4: - Risk Management													
4.1.	Key Project Safety & Health Risks are identified at commencement and reviewed regularly	R	R		R						R		
4.2.	Safety in Design Risks are identified and either treated or transferred.	C											
4.3.	Potential health hazards (e.g. noise, vibration, dust, gases, chemicals, fumes etc.) on the project are managed effectively		R										C
4.4.	Risks associated with the use of hazardous materials and dangerous goods are identified assessed and controlled effectively				R		C						
4.5.	Risks associated with the use of plant are identified assessed and controlled effectively				R								
4.6.	Foreseeable emergency response hazards to workers are identified, assessed and managed	R	C										
4.7.	SH risks are treated consistently across the Project and new hazards and associated risks are identified and managed.		C		R		C					C	
4.8.	SH Risks specific to a package of work are identified, assessed and controlled						R					C	C
4.9.	The highest form of control is selected appropriate to the level of risk.	R	C		C		C					C	
4.10.	Safe Work Method Statements must be developed for all Business defined High Risk Construction Work tasks	R					C						C
4.11.	Safe Work Method Statements are reviewed and approved prior to work.	R					C						
4.12.	Safe Work Method Statements must be regularly reviewed.				R		C					C	C
4.13.	A system must be established and maintained to manage Work Permits.	R			C								
4.14.	Safety & Health controls are implemented in accordance with the PMS requirements	R	C	C	C		C					C	C
Element 5: - Change Management													
5.1.	SH risks associated with design changes are assessed and managed before changes are implemented.			R	C								C
5.2.	All changes with SH consequences are authorised before they are implemented	R											

		Project Manager	Project H&S Director	Design Manager	Construction Manager	BU SHEQ Manager	Engineers	Worker Competence Coordinator	Return to Work Coordinator	Document Controllers	Superintendent	Supervisors	Subcontractors
5.3.	Controls associated with change are communicated to all affected personnel											R	R
Element 6: - Communicate, Cooperate and Consult													
6.1.	Establish and communicate the consultative arrangements for the Project	R	C										
6.2.	Communicate the health and Safety issue resolution process.	R	C										
6.3.	Establish a SH consultative framework of regular discussions, meetings that are documented and communicated.	R	C				C					C	
6.4.	Establish a Work SH Committee to provide a consultative forum.	R	C										
6.5.	Establish SH Noticeboards to be used to communicate SH messages	R	C										
6.6.	Workers (or representatives) are involved in the development of procedures for their tasks				R		C						R
6.7.	Workers are consulted prior to the use of hazardous materials and dangerous goods				R		R						
6.8.	Pre-Start Briefings ensure that each person is informed, committed and recognises the importance of their role and contribution in the successful delivery of the works				R							C	C
6.9.	Ensure that workers receive a Pre-Start Briefing on the work to be done, prior to commencing that work.											R	C
6.10.	Workers operating or working in MEWPs attend a specific briefing											R	R
Element 7: - Training and Competence													
7.1.	Inductions required for the safe and effective execution of the project are established	R	C										
7.2.	All relevant persons have completed appropriate SH induction prior to entering the Project	R	C		C								
7.3.	All workers must have relevant and required training & competencies required to work safely.	R					C						
7.4.	Safety Essential training is delivered prior to commencing work	R					C						
7.5.	SH Representatives and WSH Committee members are appropriately trained.	R	C										
7.6.	Training records are maintained and accessible to relevant workers.	R					C						
7.7.	Workers involved in the Work Permit system are trained in its requirements	R	C		C								
7.8.	Workers understand the controls required when working with Hazardous Materials & Dangerous Goods	R			C								
7.9.	Workers leading or reviewing risk assessments are trained and competent	R	C				C						
7.10.	Workers and visitors are given appropriate emergency response training.	R	C										
7.11.	Personal exposure to health hazards is measured and evaluated on the project by a formally trained person	R	C										
7.12.	All workers conducting incident investigations are trained to competently perform the task	R	C										
7.13.	All audits are undertaken by suitably qualified and experienced people	R	C										
7.14.	Operators are trained in the plant risk assessment	R			C								
7.15.	Workers operating and/or working in MEWPs have the required competency				R							C	C
7.16.	Senior Managers, Site Managers & Supervisors understand their legal obligations & Project Management System requirements	R	C				C						
7.17.	Duty holders are aware of their accountabilities in the transport supply chain of responsibility	R			C							C	C
7.18.	A system to manage competency requirements for HRCW, mobile plant operations and other specialist or complex work is established	R											
7.19.	Subcontractor worker's competency is evaluated				R		C						R
7.20.	Workers are observed to confirm they can operate safely in all conditions											R	R
7.21.	Workers conducting drug and alcohol testing are competent	R	C										
Element 8: - Subcontractor Management													
8.1	Contractor/Supplier tender packages contain SH information and requirements applicable to the scope of works	R	C		C		C						
8.2	Selection processes ensure that subcontractors meet business requirements		C		R		R						

		Project Manager	Project H&S Director	Design Manager	Construction Manager	BU SHEQ Manager	Engineers	Worker Competence Coordinator	Return to Work Coordinator	Document Controllers	Superintendent	Supervisors	Subcontractors
8.3	Pre-Contract Award Meetings are held with contractors / suppliers based on risk				R		C						
8.4	Contractor/Supplier contract documents clearly define SH requirements and responsibilities agreed during tender applicable to the scope of works	R											
8.5	SH responsibilities and requirements are re-confirmed with subcontractors prior to commencement				R								
8.6	Subcontractors are engaged and contribute to successful SH outcomes	R	C										
8.7	Subcontractor documentation is submitted and reviewed to meet Project requirements	R											R
8.8	Subcontractors actively participate in SH management activities on the Project	R	C				C						R
Element 9: - Manage Incidents, Investigations and Corrective Actions													
9.1.	All incidents are reported and responded to effectively	C	C									R	R
9.2.	All incidents are classified and notified to appropriate personnel	R	C										
9.3.	External organisations are notified of incidents within required timeframes	R	C										
9.4.	Incident investigations are conducted appropriate to the severity of the incident	R											
9.5.	Corrective actions from incidents are identified, assigned, recorded and tracked to completion	R											
9.6.	Incident investigation reports are reviewed, approved and monitored until completion	R	C										
9.7.	Lessons learnt from incidents are shared with other Projects	R	C			R							
9.8.	Injured workers are actively rehabilitated.								R				
Element 10: - First Aid and Emergency Preparedness and Response													
10.1	Emergency response plans are developed and regularly reviewed.	R	C										
10.2	First Aid equipment required for the Project is identified and provided	R	C										
10.3	Emergencies equipment required for the Project is identified and provided	R	C										
10.4	External medical and emergency resources are identified and consulted	R	C										
10.5	Emergency and First Aid equipment is maintained in working order	R	R										
10.6	Emergency services are provided with current information	R	C										
10.7	Emergency action drills and exercises are conducted and reviewed.	R	C										
Element 11: - Fitness for Work													
11.1.	Project fitness for work requirements are established and communicated	R	C										
11.2.	Workers are free from the effects of alcohol and/or other drugs whilst at work	R	C										
11.3.	Equipment used to assess fitness for work is maintained	R	C										
Element 12: - Plant and Equipment													
12.1.	Safe systems of work are established for the operation of mobile plant	R					C						
12.2.	Safe systems of work are developed for the use of mobile cranes	R					C						
12.3.	An inspection and maintenance program for rigging and lifting equipment is established	R					R						R
12.4.	MEWPs meet minimum requirements				R								
12.5.	The movement of plant and vehicles on-site is controlled.				R		C					C	C
12.6.	There is an inspection program that is specific to the needs of the type of mobile plant	R											R
12.7.	A process for the ongoing maintenance of mobile plant is established	R											R
[illegible] **- Monitoring, Review and Improvement**													
13.1.	Senior Managers are actively involved in HIRAC processes	R											
13.2.	Critical and high-risk activities are monitored	R	C										

	Project Manager	Project H&S Director	Design Manager	Construction Manager	BU SHEQ Manager	Engineers	Worker Competence Coordinator	Return to Work Coordinator	Document Controllers	Superintendent	Supervisors	Subcontractors
13.3. Regular inspections and observations are conducted to monitor compliance with and effectiveness of identified controls	R	R				C					C	C
13.4. Subcontractors are reviewed to assess their performance and compliance with minimum SH requirements	R	C				C					C	
13.5. Corrective Actions identified from monitoring activities are tracked to closure	R	C										

R = Responsible, **C** = Key Contributor

Appendix D

List of the System Documentation

List of Safety and Health Management System Documentation

CPB CONTRACTORS MANAGEMENT SYSTEM COMPONENT	CPB CONTRACTORS PROCEDURE	DOCUMENT IDENTIFICATION
Policies	Our Management System Approach	MSID-5-524
	Safety & Health Policy	MSID-7-78
Plans that Support this Closely Plan	Incident & Emergency Response Plan	CRRTSD-PM-MPL-CBGU-000020_D
	On boarding Guideline	CRRTSD-HR-MPL-CBGU-000021
	Fatigue Management Plan	CRRTSD-SH-MPL-CBGU-000018
	Security Management Plan	CRRTSD-PM-MPL-CBGU-000020
	Safety Interface Plan	CRRTSD-SH-MPL-CBGU-000002 - Safety Interface Plan
	CEMP	CRRTSD-TM-MPL-CBGU-000012_B
	Construction Traffic Management Plan	CRRTSD-TM-MPL-CBGU-000012_B
	Safety In Design Management Plan	CRRTSD-ED-MPL-CBGU-000002-B
	Project Management Plan	CRRTSD-ED-MPL-CBGU-000001
	Design management Plan	CRRTSD-ED-MPL-CBGU-000001
	Demolition Management Plan	CRRTSD-CS-MPL-CBGU-000035
	Competency Management Plan	CRRTSD-HR-MPL-CBGU-000021
	Tunnelling Excavation and Supprt Management Plan, and subordinate Plans as required	CRRTSD-CS-MPL-CBGU-000014
Design	Manage Safety in Design	MSID-2-290
Commencement	Establish Risk Management at commencement	MSID-2-427
	Identify SHE Legal and Other Requirements	MSID-2-289
Planning	Conduct Construction Area Risk Assessment	MSID-2-404
	Plan Temporary Works – Safety Essential	MSID-2-404
Resources	Develop and Deliver Project Inductions	MSID-2-234
	Identify and Manage Project Training	MSID-2-249
	Manage Worker Competence	MSID-2-412
Undertaking the Task	Communicate Cooperate and Consult on Work Health and Safety	MSID-2-286
	Conduct Pre-start Briefing	MSID-2-210
	Conduct Task Observations and Workplace Inspections	MSID-2-204
	Construct, Maintain and Remove Temporary Works - Safety Essential	MSID-2-375
	Create Safe Work Method Statement	MSID-2-219
	Investigate SHE Incidents	MSID-2-287
	Manage and Report SHE Incidents	MSID-2-288
	Manage Work Permits	MSID-2-315
	Manage Compliance to Heavy Vehicle Legislation	MSID-2- 244

	Manage Occupational Health	MSID-2-450
	Respirable Silica Dust	MSID-5-776
	Chain of Responsibility	MSID-5-239
	Manage Change (Rail)	MSD-2-578
	Manage Rail Safety Worker Competence	MSID-2-527
	Manage Rail Safety	MSID-2-589
	Plan for Emergencies	MSID-2-321
Manage Hazards	Drive Light Vehicle on a Project	MSID-2-226
	Manage Use of Electrical Tools	MSID-2-313
	Manage Mobile Plant or Equipment Refuelling	MSID-2-435
	Manage Work with Stored Energy	MSID-2-328
	Manage Work Near Live Services - Safety Essential	MSID-2-301
	Manage Work in or near Shafts and Trenches	MSID-2-483
	Manage Work Near Live Traffic - Safety Essential	MSID-2-302
	Manage Mobile Cranes and Lifting Operations - Safety Essential	MSID-2-360
	Manage Prohibited or Restricted Items	MSID-2-267
	Manage Work on or Near Pressurised Gas	MSID-2-314
	Manage Non-Ionising Radiation (Including Lasers)	MSID-2-297
	Manage Demolition Works	MSID-2-502
	Demolition Works	MSID-5-569
	Manage Work at Heights - Safety Essential	MSID-2-299
	Manage Work in and Around Mobile Plant - Safety Essential	MSID-2-326
	Manage Work with Electrical Work - Safety Essential	MSID-2-327
	Manage Work on or Near Chemical, Fuel or Refrigerant Lines	MSID-2-331
	Manage Work in or Near a Confined Space	MSID-2-300
	Manage Working In, Around or Above Water or other Liquid	MSID-2-330
	Manage Hot Work, and Contaminated or Flammable Atmospheres	MSID-2-295
	Manage Occupational Health	MSID-2-450
	Manage Working in Artificial Extreme Temperatures	MSID-2-329
	Manage Hazardous Manual Office Tasks	MSID-2-293
	Manage Contaminated Land	MSID-2-245
	Manage Work with Asbestos	MSID-2-332
	Manage Hazardous Chemicals	MSID-2-296
	Manage Compliance of Heavy Vehicles	MSID-2-244
	Manage Fitness for Work	MSID-2-408
	Fatigue Management – Fitness For Work	MSDI-5-771
	Manage Noise and Preventing Hearing Loss	MSID-2-261
	Request Safety Essentials Exception	MSID-2-355
Monitor and Control	Conduct SHE Senior Leadership Visits	MSID-2-212
	Conduct Audits	MSID-2-457
	Leadership and Culture	MSID-2-415
	Conduct Critical Risk Review	MSID-2-580
	Manage Health and Safety Obligations Training	MSID-2-501
	Manage Just Culture	MSID-2-417
	Manage Personal Protective Equipment	MSID-2-504
	Manage Safety Essentials	MSID-2-418
	Manage Synergy	MSID-2-395
	SHE Objectives and Targets	MSID-2-451
Conformance Verification	Manage System Non-conformance	MSID-2-311
Injury Management	Manage Complex and Significant Injuries	MSID-2-445
	Manage Injury Post Incident	MSID-2-446

FEDERAL CIRCUIT COURT OF AUSTRALIA

REGISTRY: BRISBANE

File number: BRG365 of 2020

COURT USE ONLY

Court Location

Court date

Court time

Australian Building and Construction Commissioner
Applicant

Construction, Forestry, Maritime, Mining and Energy Union
First Respondent

Andrew Blakeley
Second Respondent

Luke Gibson
Third Respondent

Matthew Parfitt
Fourth Respondent

ANNEXURE "PC-4"

This is the document referred to as "PC-4" in the affidavit of Peter Joseph Cullen sworn at Brisbane on 6 October 2020.

Before me:

[redacted]

Signature of witness

STACEY LEIGH VAN DER MEULEN

Witness full name

SOLICITOR

Witness qualification

Develop and Deliver Project Inductions

Purpose

This procedure describes how to plan and execute inductions associated with project delivery and outlines the minimum criteria to be considered in the various induction frameworks.

Procedure

1 Develop Induction Content and Delivery Strategy

Accountability: Project Manager

- Determine and agree with the Project SH Manager
- The level of inductions required for the safe and effective execution of the project. The following is mandatory:
  - Project Induction
  - Visitor Induction
  - Delivery Driver Induction

Accountability: Project SH Manager

- Ensure that the Project Induction includes:
  - An overview of the Safety and Health content of the PMS and how to provide feedback
  - Communication of the Business' Safety and Health Policy and safety objectives;
  - Access to health and safety legislation, codes of practice and Australian Standards, relevant to the Project;
  - A discussion on the consultative methods in place on the Project that were agreed with the workforce;
  - Responsibilities and obligations of rail safety workers in relation to drug and alcohol use under RSNL (where applicable)
- Develop content and delivery strategy for approval by the Project Manager.
  - Where required, obtain the relevant approvals (e.g. client) to deliver the required inductions for project.
  - Consider utilising a learning management system to assist in inducting project personnel.
  - Where a learning management system is utilised, agree with the Project Manager what content will be made available on online training environments (where available) and the portion that is to be delivered during the Project Induction.

- Liaise with functional managers regarding the required induction content.

2 Prepare for Induction Delivery

Accountability: Project SH Manager / HR Manager

- Determine project induction team to deliver project inductions per the set delivery strategies. Develop induction registers and where required, create unique numbering for personnel identification.
- Develop induction attendance sheets.
- Develop induction assessment tool.
- Develop induction evidence of passing to indicate personnel are approved inductees onto the project; e.g. plastic cards, stickers, etc.
- Finalise induction/training environment location and create recurring booking for venue as required by the project.

3 Conduct Project Induction, Assess and Issue Proof of Induction

Accountability: Project Manager or Project SH Manager

- Conduct the project induction using the approved induction content.
- On completion of the induction, collect and mark the assessment.
- Identify further assessments required
    - Refer to Procedure: Manage Worker Competence
- Ensure all inductees who have successfully completed the project induction fill out an induction record form.
- Only issue project induction identification to inductees who have met the project's required criteria.
- File the induction record/s in the project documents and records management system.

4 Review Induction Content

Accountability: Project SH Manager and HR Manager

- Periodically review the induction content and ensure it remains relevant to the phase of the project and optimise the duration of the induction(s).

FEDERAL CIRCUIT COURT OF AUSTRALIA

REGISTRY: BRISBANE

File number: BRG365 of 2020

COURT USE ONLY

Court Location

Court date

Court time

Australian Building and Construction Commissioner
Applicant

Construction, Forestry, Maritime, Mining and Energy Union
First Respondent

Andrew Blakeley
Second Respondent

Luke Gibson
Third Respondent

Matthew Parfitt
Fourth Respondent

ANNEXURE "PC-5"

This is the document referred to as "PC-5" in the affidavit of Peter Joseph Cullen sworn at Brisbane on 6 October 2020.

Before me:

[redacted]

Signature of witness

STACEY LEIGH VAN DERMEULEN

Witness full name

SOLICITOR

Witness qualification

CBGU D&C JV

Visitor Induction

Warning. You are about to enter a construction zone and must be accompanied at all times.

Project: **Project Area:**

Visitor's name: **Visitor's company:**

Purpose of visit:

Before proceeding on to the site we request you read and understand the following information, take note of your responsibilities and also any instructions given.

HAZARDS

Hazards mean a source, or potential source of injury, health risk, harm to the environment or impact on community.

1. Major hazards on this site are:
   - **Noise** - Wear hearing protection as directed or if you have to raise your voice to be heard.
   - **Plant, equipment and traffic -** Be aware of plant/equipment movements; get the eye of the operator before approaching.
   - **Electrical -** No authorised entry to any switch room or board, do not tamper with electrical equipment.
   - **Scaffolding -** Check the "scaff tag" to see if the scaffold is safe to access, stay within the guardrails, be aware of openings.
   - **Cranes and overhead work -** Do not walk under suspended loads, beware of slew arc of load and keep out of barricaded areas that may have overhead work in progress.
   - **Falls** - Check for trip hazards, openings in walkways, floors and lift shafts and trenching.
   - **Environment -** Do not enter exclusion zones and be aware of environmental controls.
   - **Community -** If approached by a member of the community, be polite and refer them to your supervisor/Site escort.
   - **Rail Safety -** Visitors wishing to enter the rail corridor must hold an RIW Card (or waiver) and be briefed by a Protection Officer prior to entry.

If you see a hazard it must be reported to the person who is accompanying you or to the site supervisor.

OBLIGATIONS

I am aware of my obligations and will carry out the following:

- Wear appropriate Personal Protective Equipment, as instructed, at all times when out on the site. This will include safety glasses, safety footwear, hard hat, long sleeve high visibility shirt or jacket, and other when required, e.g. hearing protection.
- Read and obey all site safety signs
- I will inform the person who is accompanying me of any disability I have before going out on site
- In the event of an emergency I will obey all instructions
- Be accompanied at all times when on site until I have had a site induction
- Obtain prior permission from a senior CBGU JV site representative before taking photos or mobile footage on the site.
- If requested, agree to be tested by an alcohol breathalyser and achieve a 0.00% BrAC reading before being permitted to enter the site

I have read and understood this visitor's induction and any instructions that have been given and acknowledge my safety responsibilities.

Visitor's signature: **Date:**

Accompanied by: (Print name)

FEDERAL CIRCUIT COURT OF AUSTRALIA

REGISTRY: BRISBANE

File number: BRG365 of 2020

COURT USE ONLY

Court Location

Court date

Court time

Australian Building and Construction Commissioner
Applicant

Construction, Forestry, Maritime, Mining and Energy Union
First Respondent

Andrew Blakeley
Second Respondent

Luke Gibson
Third Respondent

Matthew Parfitt
Fourth Respondent

ANNEXURE "PC-6"

This is the document referred to as "PC-6" in the affidavit of Peter Joseph Cullen sworn at Brisbane on 6 October 2020.

Before me:

[redacted]

Signature of witness

STACEY LEIGH VANDERMEULEN

Witness full name

SOLICITOR

Witness qualification

CPB | bam | Ghella | UGL
CBGU D&C JV

106

VISITOR SIGN IN

Date	Time in		Name of visitor	Company represented	Whom Visiting	Time Out	
8/4/2020	4:00	am pm	[redacted]	[redacted]	[redacted]		am pm
09/04/20	0900	am pm				0930	am pm
9/4/20	12.10	am pm				1	am pm
14/4/20	15:30	am pm				17:00	am pm
15/4	11:00	am pm				11:30	am pm
21.4	3pm	am pm				3:30	am pm
21.4	3pm	am pm				3:30	am pm
1.5	10:15a	am pm				11:00	am pm
1.5	11	am pm				11:00	am pm
1.5	11	am pm				11:00	am pm
1.5	1330 10:15	am pm				14:15	am pm
5.5	0745	am pm	Nassos Moloney	ETU	SIM	10:25	am pm

All site visitors must:
Wear approved Personal Protective Equipment at all times when on site
Obey all site safety signs and instructions
Be accompanied at all times whilst escorted on site, and comply with instructions from escort
Obtain prior permission before taking photos / mobile footage on the site

FEDERAL CIRCUIT COURT OF AUSTRALIA

REGISTRY: BRISBANE

File number: BRG365 of 2020

COURT USE ONLY

Court Location

Court date

Court time

Australian Building and Construction Commissioner
Applicant

Construction, Forestry, Maritime, Mining and Energy Union
First Respondent

Andrew Blakeley
Second Respondent

Luke Gibson
Third Respondent

Matthew Parfitt
Fourth Respondent

ANNEXURE "PC-7"

This is the document referred to as "PC-7" in the affidavit of Peter Joseph Cullen sworn at Brisbane on 6 October 2020.

Before me:

[redacted]
Signature of witness

STACEY LEIGH VAN DER MEULEN
Witness full name

SOLICITOR
Witness qualification

COVID-19 Mandatory Health Declaration

First Name: _____ **Surname:** _____ **Project:** _____

Employer: _____ **Date:** _____

DO YOU HAVE ANY OF THE FOLLOWING SYMPTOMS?

- ☐ **Fever**
- ☐ **Cough**
- ☐ **Sneezing and/or runny nose**
- ☐ **Shortness of breath**
- ☐ **Sore Throat**
- ☐ No Symptoms

Have you returned from any overseas country in the past 14 days?

- ☐ **Yes**
- ☐ No

In the past 14 days, have you been in contact with any person who has returned from overseas?

- ☐ **Yes**
- ☐ No

In the past 14 days, have you been in close contact with anyone who has been diagnosed with COVID-19?

- ☐ **Yes**
- ☐ No

If you ticked any of the above symptoms (fever, cough, shortness of breath, sore throat, sneezing / runny nose), or **YES** to any of the above questions, you must not go to work. Speak to your employer or manager.

I declare that the information that I have provided is true and correct.

- ☐ Yes

SIGNATURE

Signed:

By completing this questionnaire, I hereby consent to CPB collecting, using and disclosing my personal information for the purpose of preventing or managing the risk and/or reality of COVID-19 in the workplace and in compliance with the Privacy Act 1988 (Cth) and CIMIC Group's Privacy Policy.

CPB CONTRACTORS

COVID-19 RESPONSE

NEW MANDATORY HEALTH DECLARATION

TUESDAY 7 APRIL

A MEMBER OF THE CIMIC GROUP CIMIC



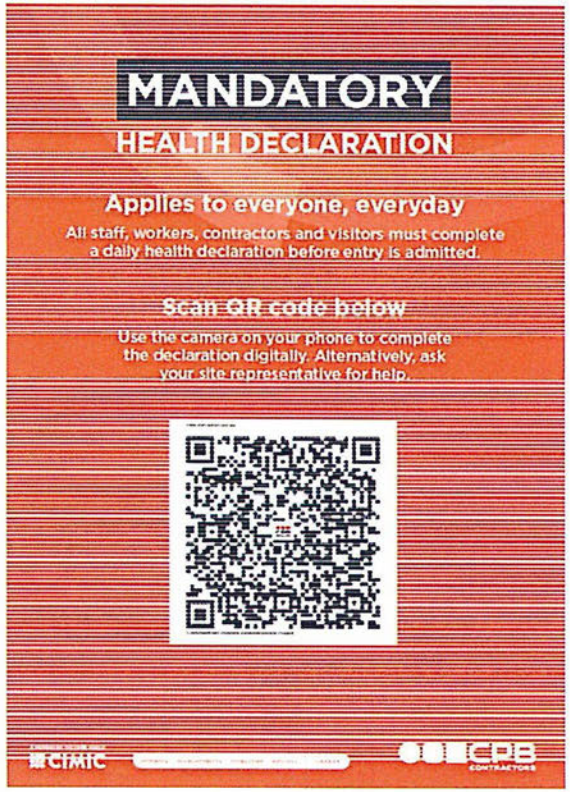
MANDATORY HEALTH DECLARATION

- To protect you and everyone else, we are launching a mandatory health declaration that applies to everyone who enters our offices and sites.
- The mandatory health declaration will commence soon across all Offices and Sites.
- The information you provide will help prevent and/or manage COVID-19 in our workplace.



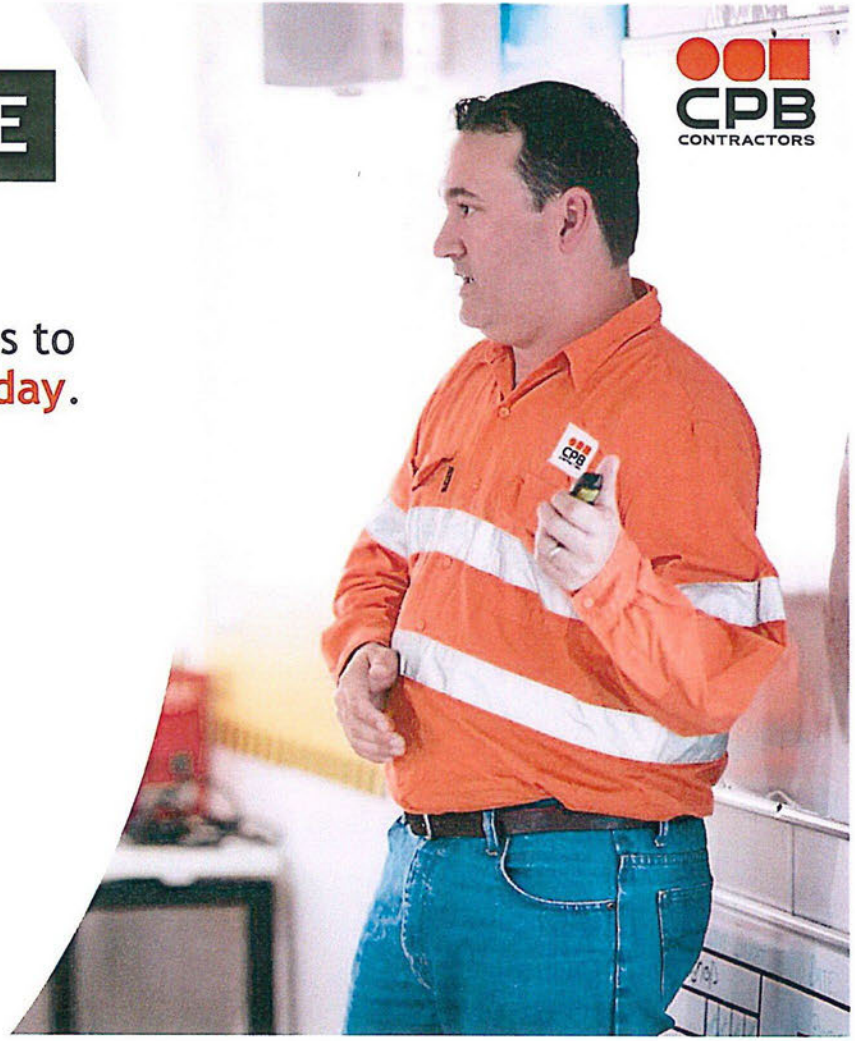
HOW TO ACCESS AND COMPLETE

- Use your phone's camera (or a QR code app) and click on the link that appears
- Answer all questions and submit
- If you receive a 'Green Tick' you are admitted
- If you receive a 'Red Cross' you are not permitted to access any Office and/or Site.
- No phone? A paper declaration can be completed at the Office and/or Site.



WHO NEEDS TO COMPLETE THE DECLARATION?

- The mandatory health declaration applies to **everyone** and must be completed **everyday**.
- It only takes a minute to complete.
- **Let's keep Everyone Safe!**





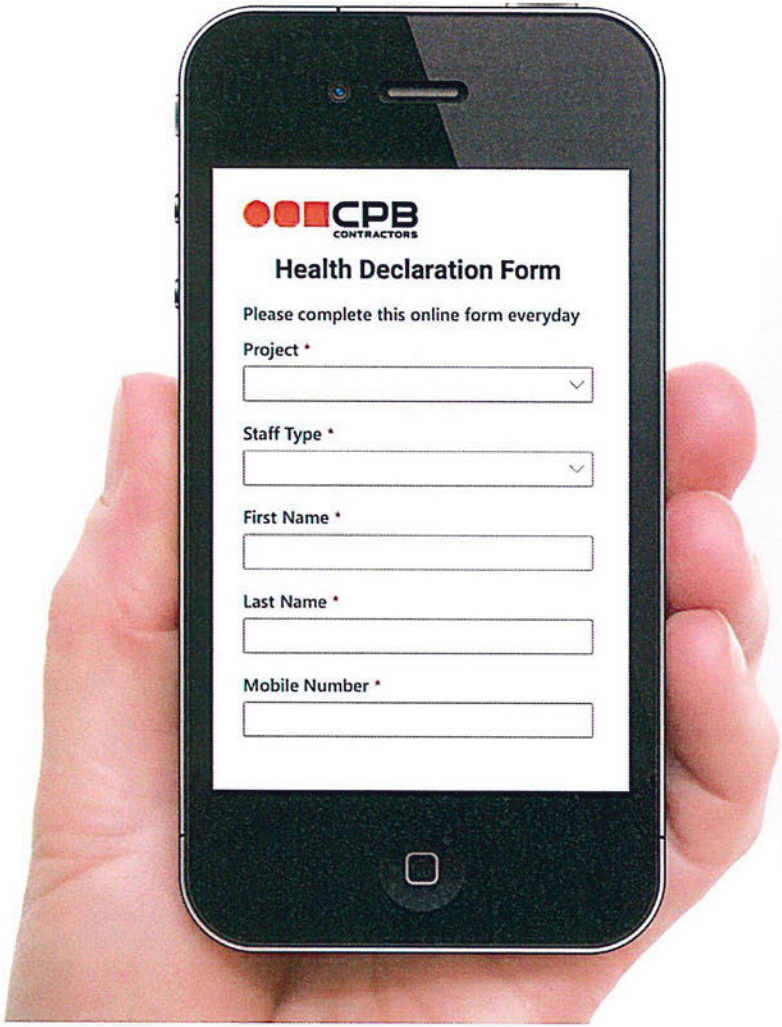
STEP 1

CPB CONTRACTORS

Access the form

- Use your phone's camera or QR code scanner to access the Mandatory Health Declaration

Campbelltown Hospital Redevelopment Project

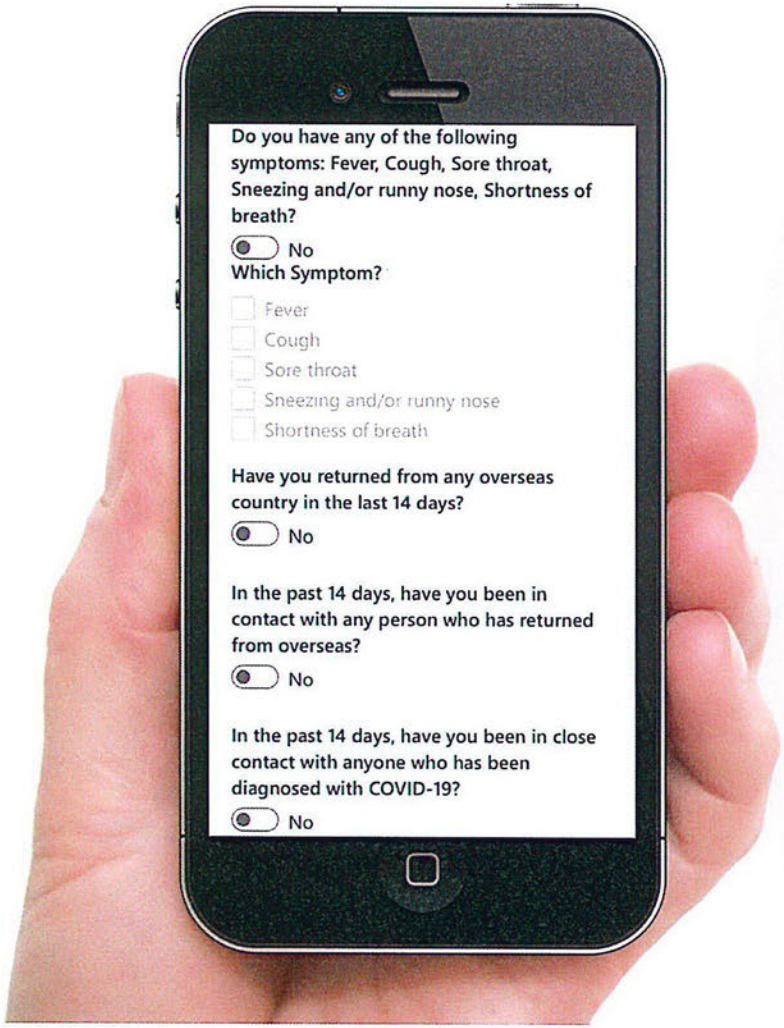


STEP 2

CPB CONTRACTORS

How To Complete

- Select your Project (or office location)
- Select your Staff Type;
  - CPB Salary
  - Sub contractor
  - Other
- Enter your First Name and Last Name
- Enter your Mobile Number

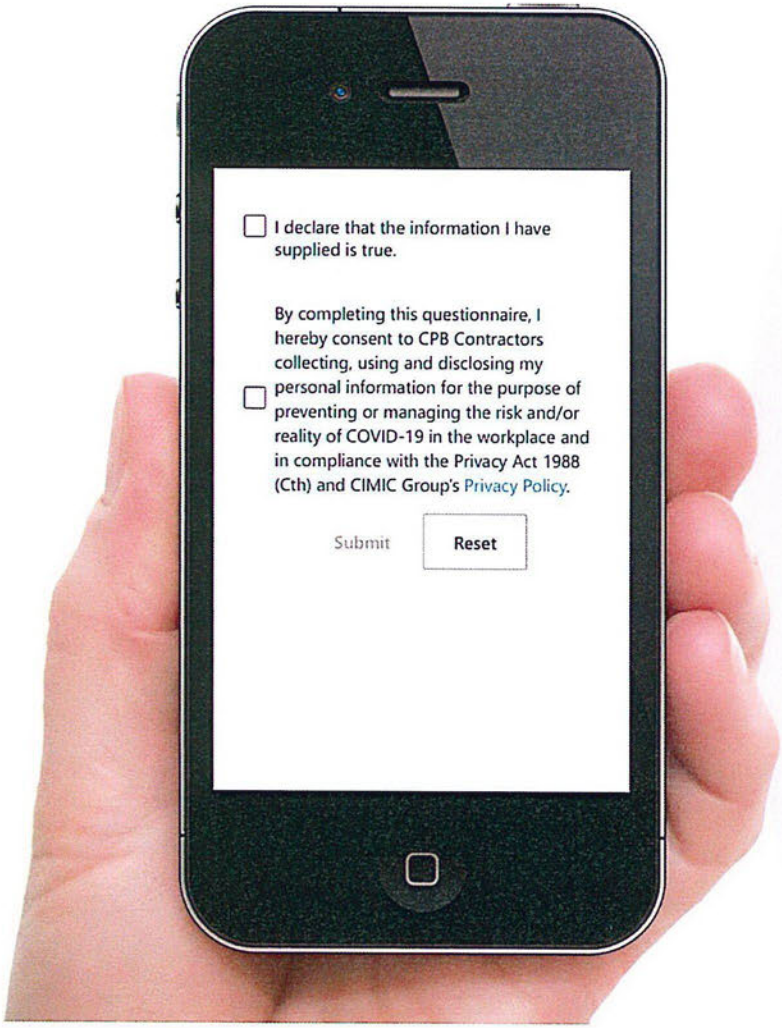


STEP 3

CPB CONTRACTORS

Answer the questions

- Choose options; Yes or No
- Include additional information if required

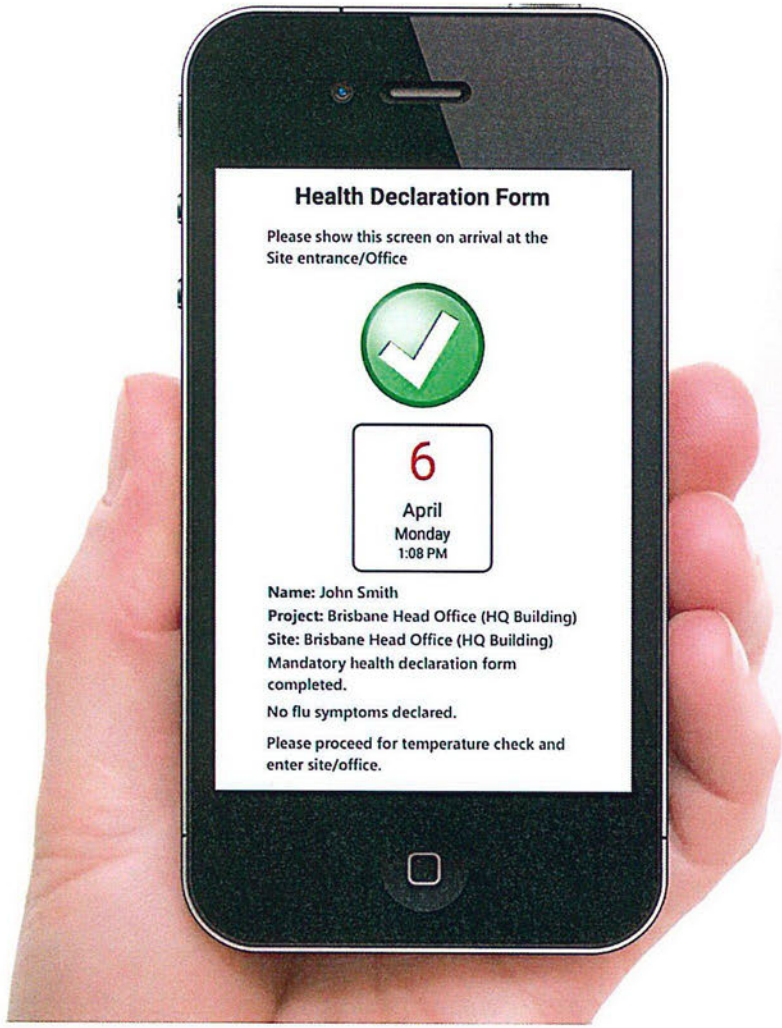


STEP 4

CPB CONTRACTORS

Finalise the declaration

- Confirm that the information supplied is true and acknowledge the privacy statement.
- Press Submit to complete; or
- Press Reset to start again.

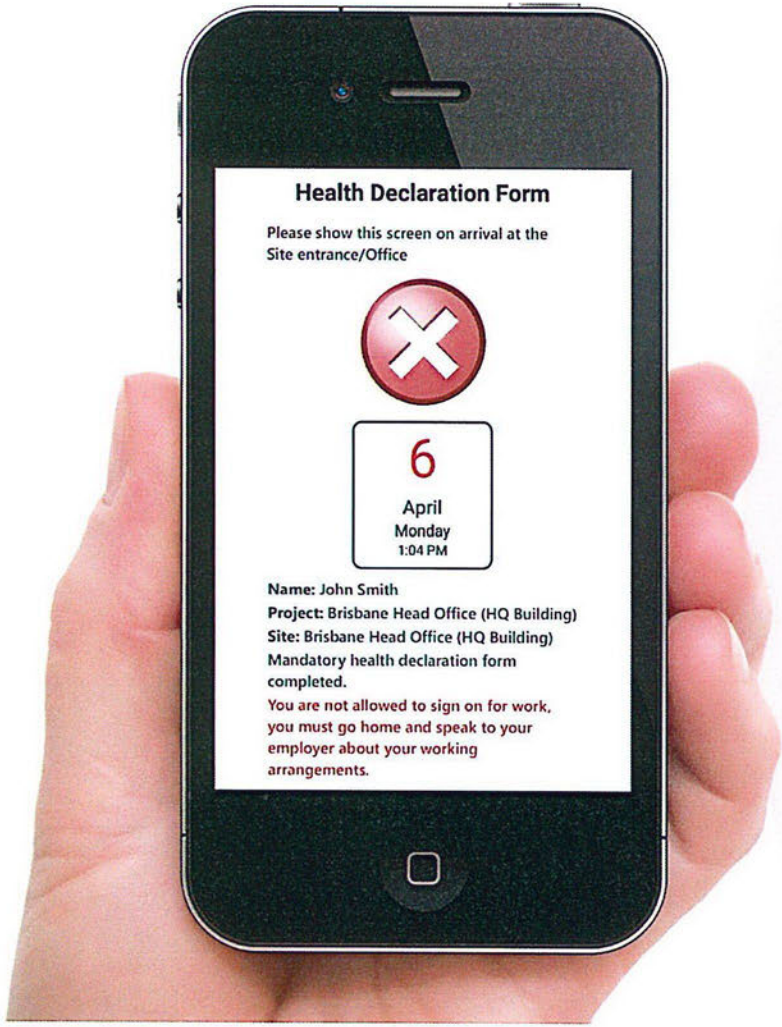


GREEN TICK

CPB CONTRACTORS

Show your result

- If you receive a **Green Tick**, show this screen on arrival at the Site entrance/Office.



RED CROSS

CPB CONTRACTORS

Show your result

- If your Mandatory Health Declaration returns a **Red Cross**, then you are not allowed to sign on for work
- Return home and speak to your employer about your working arrangements

QUESTIONS

Note anything unable to be answered here will be responded to at the next update by your SHEQ & HR Managers

Social Distancing Checklist

CPB CONTRACTORS

	COVID-19 Compliance Check	Status	Comment	Photograph Attached
1	Identify and separate your work teams by time, distance or physical barriers	☑ Compliant ☐ Not Compliant		Yes / No ☐ ☑
2	Stagger start and finish times to achieve social distancing	☑ Compliant ☐ Not Compliant		Yes / No ☐ ☑
3	Hold pre-start meetings and toolbox talks in small groups inopen spaces to achieve social distancing	☑ Compliant ☐ Not Compliant		Yes / No ☐ ☑
4	Maximise use of video conferencing for general meetings	☑ Compliant ☐ Not Compliant		Yes / No ☐ ☑
5	Stagger crib breaks to achieve social distancing	☑ Compliant ☐ Not Compliant		Yes / No ☐ ☑
6	Remove chairs out of meeting rooms, lunch rooms and crib rooms etc., to achieve social distancing	☑ Compliant ☐ Not Compliant		Yes / No ☐ ☑
7	Clean crib rooms before and after each crib break for each work crew	☑ Compliant ☐ Not Compliant		Yes / No ☐ ☑
8	Clean all other common areas at least twice daily	☑ Compliant ☐ Not Compliant		Yes / No ☐ ☑
9	Leave doors open wherever possible (e.g. wedge doors open)	☑ Compliant ☐ Not Compliant		Yes / No ☐ ☑
10	Install soap and/or hand sanitisers with signs at every entrance / exit of crib rooms, toilets, offices, hoists, meeting rooms, etc.	☑ Compliant ☐ Not Compliant		Yes / No ☐ ☑

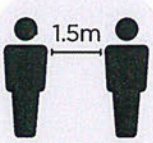
Action Required	By Whom	Date Due	Action Closed



DELAY NON ESSENTIAL FACE TO FACE MEETINGS



DEFER TRAVELLING



MAINTAIN SOCIAL DISTANCING



AVOID MASS TOOLBOX PRESTART MEETING

FEDERAL CIRCUIT COURT OF AUSTRALIA

REGISTRY: BRISBANE

File number: BRG365 of 2020

COURT USE ONLY

Court Location

Court date

Court time

Australian Building and Construction Commissioner
Applicant

Construction, Forestry, Maritime, Mining and Energy Union
First Respondent

Andrew Blakeley
Second Respondent

Luke Gibson
Third Respondent

Matthew Parfitt
Fourth Respondent

ANNEXURE "PC-8"

This is the document referred to as "PC-8" in the affidavit of Peter Joseph Cullen sworn at Brisbane on 6 October 2020.

Before me:

[redacted]

Signature of witness

STACEY LEIGH VAN DER MEULEN

Witness full name

SOLICITOR

Witness qualification

CFMEU

REGIONAL OFFICES
Darwin – Ph (08) 8981 5280
Townsville – Ph (07) 4766 8715

HEAD OFFICE
16 Campbell Stree
Bowen Hills QLD 400
Ph (07) 3231 460
Fax (07) 3231 469
qntqueries@cfmeu.org

WHS Entry Permit Holder

NOTICE OF ENTRY

Section 119 *Work Health and Safety Act 2011* ("WHS ACT")

Full Name of Entry Permit Holder: Luke Gibson

Name of Union Represented: Construction, Forestry, Mining and Energy, Industrial Union of Employees, Queensland
Construction, Forestry, Mining and Energy Union

Name and Address of Workplace being entered: CPB Dutton Pk CRR

Date of Entry or Proposed Entry: 15/04/2020

PURPOSE OF ENTRY:

☑ **Section 117 WHS Act - Entry to inquire into a suspected contravention of the WHS Act.**
☐ **Section 120 WHS Act - Entry to inspect records or information held by another person.**

Additional – for entry under section 117

Details of the suspected contravention to which this notice relates:
(What are the concerns, how do they contravene the WHS Act, what area of the workplace is affected etc.)

Safe Systems of Works into Workers Health (Covid 19)
Access + Egress (Reg 170)
Safe Systems of Work in General Work environment (Sanitary)

Additional – for entry under section 120

Description of the employee records and other documents, or of the classes of records and documents, directly relevant to suspected contravention, that are proposed to be inspected.

Declaration:

☑ The above Union is entitled to represent the industrial interests of workers at this workplace.
☑ The provision in the Union's rules that entitles the Union to represent the industrial interests of these workers is Rule 2.
☑ The records or documents proposed to be inspected related to workers the Union is entitled to represent.
☑ [redacted]posed to be inspected relate to that contravention.

WHS E[redacted]e

Penalties
The maximum penalty for an individual for failure or refusal to comply under s.118 (1) (d) is $10,000.

No. G 05891

120

CFMEU

REGIONAL OFFICES
Darwin – Ph (08) 8981 5280
Townsville – Ph (07) 4766 8715

HEAD OFFICE
16 Campbell Street
Bowen Hills QLD 4006
Ph (07) 3231 4600
Fax (07) 3231 4699
qntqueries@cfmeu.org

WHS Entry Permit Holder

NOTICE OF ENTRY

Section 119 *Work Health and Safety Act 2011* ("WHS ACT")

Full Name of Entry Permit Holder: Matthew Parfitt

Name of Union Represented: Construction, Forestry, Mining and Energy, Industrial Union of Employees, Queensland
Construction, Forestry, Maritime, Mining and Energy Union

Name and Address of Workplace being entered: CPB, Dutton Park, Qld

Date of Entry or Proposed Entry: 15/4/20

PURPOSE OF ENTRY:

- ☑ Section 117 WHS Act - Entry to inquire into a suspected contravention of the WHS Act.
- ☐ Section 120 WHS Act - Entry to inspect records or information held by another person.
- ☐ Section 121 WHS Act - to consult and advise relevant workers on health and safety matters.

Additional – for entry under section 117

Details of the suspected contravention to which this notice relates:

Safe systems of work in relation to Covid (19)
Sufficient Mask, pedestrian delineation
adequate exclusion zone for high risk works

Additional – for entry under section 120

Description of the employee records and other documents, or of the classes of records and documents, directly relevant to the suspected contravention, that are proposed to be inspected.

Declaration:

- ☑ The above Union is entitled to represent the industrial interests of workers at this workplace.
- ☑ The provision in the Union's rules that entitles the Union to represent the industrial interests of these workers is Rule 2.
- ☑ The records or documents proposed to be inspected related to workers the Union is entitled to represent.
- ☑ The records and documents proposed to be inspected relate to that contravention.

[redacted]

WHS Entry Permit Holder's Signature

Penalties
The maximum penalty for an individual for failure or refusal to comply under s.118 (1) (d) is $13,055.

No. F 05969

CFMEU

REGIONAL OFFICES
Darwin – Ph (08) 8981 5280
Townsville – Ph (07) 4766 8715

HEAD OFFICE
16 Campbell Street
Bowen Hills QLD 4006
Ph (07) 3231 4600
Fax (07) 3231 4699
qntqueries@cfmeu.org

WHS Entry Permit Holder

NOTICE OF ENTRY

Section 119 *Work Health and Safety Act 2011* ("WHS ACT")

Full Name of Entry Permit Holder: Andrew Robert BLAKELEY

Name of Union Represented: Construction, Forestry, Mining and Energy, Industrial Union of Employees, Queensland
Construction, Forestry, Maritime, Mining and Energy Union

Name and Address of Workplace being entered: CPB, Dutton Park, QLD

Date of Entry or Proposed Entry: 15/4/20

PURPOSE OF ENTRY:

- [x] Section 117 WHS Act - Entry to inquire into a suspected contravention of the WHS Act.
- [ ] Section 120 WHS Act - Entry to inspect records or information held by another person.
- [ ] Section 121 WHS Act - to consult and advise relevant workers on health and safety matters.

Additional – for entry under section 117
Details of the suspected contravention to which this notice relates:

- SAFE SYSTEMS of WORK IN RELATION TO COVID 19
- SUFFICIENT PLANT | PRESERVATION DOCUMENTATION
- ADEQUATE EXCLUSION ZONE FOR HIGH RISK WORKS

Additional – for entry under section 120
Description of the employee records and other documents, or of the classes of records and documents, directly relevant to the suspected contravention, that are proposed to be inspected.

Declaration:

- [x] The above Union is entitled to represent the industrial interests of workers at this workplace.
- [x] The provision in the Union's rules that entitles the Union to represent the industrial interests of these workers is Rule 2.
- [x] The records or documents proposed to be inspected related to workers the Union is entitled to represent.
- [x] The records and documents proposed to be inspected relate to that contravention.

[redacted]

WHS Entry Permit Holder's Signature

Penalties
The maximum penalty for an individual for failure or refusal to comply under s.118 (1) (d) is $13,055.

No. F 05968

FEDERAL CIRCUIT COURT OF AUSTRALIA

REGISTRY: BRISBANE

File number: BRG365 of 2020

COURT USE ONLY

Court Location

Court date

Court time

Australian Building and Construction Commissioner
Applicant

Construction, Forestry, Maritime, Mining and Energy Union
First Respondent

Andrew Blakeley
Second Respondent

Luke Gibson
Third Respondent

Matthew Parfitt
Fourth Respondent

ANNEXURE "PC-9"

This is the document referred to as "PC-9" in the affidavit of Peter Joseph Cullen sworn at Brisbane on 6 October 2020.

Before me:

[redacted]
Signature of witness

STACEY LEIGH VANDERMEULEN
Witness full name

SOLICITOR
Witness qualification


NO ENTRY
CONSTRUCTION VEHICLES EXCEPTED
NO EXIT
10
NOTICE
ALL VISITORS MUST REPORT TO SITE OFFICE
MUST BE WORN IN THIS AREA
CALL UP
#
123

FEDERAL CIRCUIT COURT OF AUSTRALIA

REGISTRY: BRISBANE

File number: BRG365 of 2020

COURT USE ONLY

Court Location

Court date

Court time

Australian Building and Construction Commissioner
Applicant

Construction, Forestry, Maritime, Mining and Energy Union
First Respondent

Andrew Blakeley
Second Respondent

Luke Gibson
Third Respondent

Matthew Parfitt
Fourth Respondent

ANNEXURE "PC-10"

This is the document referred to as "PC-10" in the affidavit of Peter Joseph Cullen sworn at Brisbane on 6 October 2020.

Before me:

[redacted]

Signature of witness

STACEY LEIGH VAN DER MEULEN

Witness full name

SOLICITOR

Witness qualification


advanced
1300 66 2345
NO
EXIT
CONSTRUCTION SITE
UNAUTHORISED PERSONS
KEEP OUT
THIS PROTECTIVE EQUIPMENT
MUST BE WORN
ON THIS SITE
ALL VISITORS MUST REPORT
TO SITE OFFICE
ALL PERSONNEL MUST BE
SITE INDUCTED BEFORE
STARTING WORK ON THIS SITE
124


ENTRY
CONSTRUCTION VEHICLES EXCEPTED
10
NOTICE
ALL VISITORS MUST REPORT TO SITE OFFICE
THIS PROTECTIVE EQUIPMENT MUST BE WORN IN THIS AREA
CALL UP
UHF24
JB1
125

PJC-02

NOTICE OF FILING

This document was lodged electronically in the FEDERAL CIRCUIT COURT OF AUSTRALIA (FCC) on 25/11/2020 2:39:38 PM AEST and has been accepted for filing under the Court's Rules. Details of filing follow and important additional information about these are set out below.

Details of Filing

Document Lodged:	Affidavit
File Number:	BRG365/2020
File Title:	AUSTRALIAN BUILDING AND CONSTRUCTION COMMISSIONER v CONSTRUCTION, FORESTRY, MARITIME, MINING AND ENERGY UNION & ORS
Registry:	BRISBANE REGISTRY- FEDERAL CIRCUIT COURT - FEDERAL LAW

FEDERAL CIRCUIT COURT OF AUSTRALIA

Dated: 25/11/2020 2:39:48 PM AEST Registrar

Important Information

As required by the Court's Rules, this Notice has been inserted as the first page of the document which has been accepted for electronic filing. It is now taken to be part of that document for the purposes of the proceeding in the Court and contains important information for all parties to that proceeding. It must be included in the document served on each of those parties.

The date and time of lodgment also shown above are the date and time that the document was received by the Court. Under the Court's Rules the date of filing of the document is the day it was lodged (if that is a business day for the Registry which accepts it and the document was received by 4.30 pm local time at that Registry) or otherwise the next working day for that Registry.

FEDERAL CIRCUIT COURT OF AUSTRALIA

REGISTRY: BRISBANE

File number: BRG365 of 2020

COURT USE ONLY

Court Location

Court date

Court time

Australian Building and Construction Commissioner
Applicant

Construction, Forestry, Maritime, Mining and Energy Union
First Respondent

Andrew Blakeley
Second Respondent

Luke Gibson
Third Respondent

Matthew Parfitt
Fourth Respondent

AFFIDAVIT

Name of deponent: Peter Joseph Cullen

Date sworn: 25 November 2020

Signed: [redacted] Taken by: [redacted]

Filed on behalf of Australian Building and Construction Commissioner
Prepared by Samuel Prain, Director-Legal
on behalf of the Australian Building and Construction Commissioner
Address for service in Australia [redacted]t
BRISBANE State [redacted] Postcode [redacted]
Email [redacted] DX
Tel [redacted] Fax Attention

I, Peter Joseph Cullen of [redacted] in the State of [redacted], Senior Safety Advisor, make oath and say:

1. This is my second affidavit in these proceedings.

2. I have previously sworn an affidavit in this matter on 6 October 2020 (**My First Affidavit**).

3. I refer to the contents of My First Affidavit and adopt the defined terms contained therein.

Matters raised in the affidavit of Andrew Blakeley

4. I have read the affidavit of Andrew Blakeley affirmed on 11 November 2020.

5. I refer to paragraph 28 of Mr Blakeley's affidavit. On 15 April 2020, the vehicle gate at that end of the Site was the vehicle exit. The vehicle entrance was at the other end of the site (Gate 2). In accordance with the Site traffic management scheme in place at the time, the vehicle entrance gate had a traffic controller, but we were not required to have traffic control at the exit gates.

6. I do not recall if the vehicle access gates were open on 15 April 2020. Annexure PC-9 to My First Affidavit is a photo of the vehicle access gates at Gate 2. I recall the vehicle exit gates at Gate 1 also opened the same way so that the Site signage on the front of the gates would be visible if someone was to walk past them.

7. The pedestrian gate was a smaller gate to the left of the vehicle exit gates when looking at the Site from the street. There were safety bollards and concrete barriers which directed pedestrians where to walk and to the pedestrian gate when approaching the Site. I do not recall pedestrian access gate was open on 15 April 2020. There were small bright yellow signs that said "pedestrians" which directed pedestrians where to walk when they entered the Site.

8. I refer to paragraph 29 of Mr Blakeley's affidavit. I deny that any workers were exposed to imminent safety risk. When plant is in operation at the Site, our safety procedures require that there are spotters, a plant operating zone and sometimes both. The contractor that was doing the work in that area had a Safe Work Method Statement, which had been reviewed by CPB and approved before carrying out the work. I deny work was being carried out unsafely.

9. I refer to paragraphs 32 and 33 of Mr Blakeley's affidavit. The signage at the entrance to the Site was visible. Even if the gates are open, they are not open in such a way that the Site signage is not visible to an approaching pedestrian. The paint that Mr Blakeley refers to on the ground in the prestart area was put there to mark 1.5m social distancing for the workers to adhere to during the daily prestart meetings we held in the prestart area. The location of the prestart area is marked on the site plan that is annexure PC-1 to My First Affidavit. It is the concrete area between the toilet block and the first two crib rooms. There is a large prestart board attached to

the first and second crib rooms, which is where we conduct our prestart meetings. We were standing in the prestart area during the conversation referred to in paragraphs 53 to 56 of My First Affidavit and that is where I told the Officials to remain.

10. I refer to paragraph 39 of Mr Blakeley's affidavit. I was wearing my CBGU JV uniform. That uniform is a bright orange high visibility shirt, which has CBGU-JV and each of the companies comprising the JV embroidered on the left hand side and Cross River Rail on the right hand side. I was also wearing my hard hat with my name on it. I introduced myself as "Pete" when I first approached the Officials. Mr Melloy and Mr Gallen were also wearing their CPB uniforms and hard hats with their names on them. I do not recall whether they introduced themselves to the Officials. I otherwise repeat what I have said in paragraph 40 of My First Affidavit.

11. I refer to paragraph 40 of Mr Blakeley's affidavit. The sequence of events described by Mr Blakeley is not correct. My initial conversation with the Officials occurred as I have stated in paragraph 40 of My First Affidavit. None of the Officials produced their WHS Act notices of entry at this time. My recollection is that the Officials produced notices of entry later as I have set out in paragraphs 50 to 52 of My First Affidavit.

12. I refer to paragraphs 41 to 45 of Mr Blakeley's affidavit. That sequence is not correct. The next conversation that took place is as I have set out in paragraphs 41 to 46 if My First Affidavit.

13. I refer to paragraphs 46 and 47 of Mr Blakeley's affidavit. I deny that I am inexperienced or that I was out of my depth. I had not previously had Officials ask me to be more specific about the permits they needed to produce when entering the Site. The Officials had told me they had their permits but were refusing to produce them until I was more specific in naming the permits. I was attempting to keep the situation calm and that is why I may have appeared quiet at times. I take mediation for high blood pressure. I was trying to remain calm and not escalate the situation as it is important for me to keep my blood pressure low.

14. I refer to paragraph 48 of Mr Blakeley's affidavit. It is a similar conversation to the one I refer to in paragraph 40 of My First Affidavit. I disagree that there was a discussion about notices of entry at this time. I requested permits. I agree that Mr Blakeley said he had multiple permits and that when I requested to see them, he refused. I otherwise repeat what I have said in paragraph 40 of My First Affidavit.

15. I refer to paragraph 49 of Mr Blakeley's affidavit. I deny Mr Gallen was aggressive or unnecessarily rude. I did not hear him raise his voice.

16. I refer to paragraphs 50 to 51 of Mr Blakeley's affidavit. The conversation referred to by Mr Blakeley is similar to the conversation I refer to in paragraph 46 of My First Affidavit, but the

sequence is not correct. It occurred before I requested the Officials to produce their notices of entry. I repeat what I have said in paragraph 46 of My First Affidavit.

17. I refer to paragraph 52 of Mr Blakeley's affidavit. I deny Mr Gallen said what is alleged. That is not correct.

18. I refer to paragraph 53 of Mr Blakeley's affidavit. Mr Blakeley said words to the effect of "*We will ring Workplace Health and Safety Queensland*" as I have said in paragraph 46 of My First Affidavit.

19. I refer to paragraphs 55 and 56 of Mr Blakeley's affidavit. I disagree that Mr Blakeley said what he has alleged. I recall Mr Gibson telling me that he would be calling Workplace Health and Safety Queensland just prior to Mr Truong arriving. This was after I had told the Officials that we would not be walking around the Site to look at the safety contraventions unless they showed me their permits.

20. I refer to paragraph 58 of Mr Blakeley's affidavit. Mr Gallen was not walking around muttering to himself and swearing under his breath.

21. I refer to paragraphs 59 to 62 of Mr Blakeley's affidavit. The conversation is similar to the one I refer to in paragraph 46 of My First Affidavit. I do not agree with the sequence of events described by Mr Blakeley. I recall the conversation occurring as I have set out in paragraph 46 of My First Affidavit. I recall that all three Officials gave me their notices of entry later. They were folded up and by the time I unfolded each of them, I did not know which Official had given me which piece of paper so while I knew the names of the three people on the Site, I did not know who was who until after the WHSQ Inspectors arrived.

22. I refer to paragraph 63 of Mr Blakeley's affidavit. Mr Gallen did not appear agitated to me. I had earlier introduced myself as "Pete" and explained I was from the Workplace Health and Safety Department. The Officials had not introduced themselves.

23. I refer to paragraphs 64 to 67 of Mr Blakeley's affidavit. That conversation occurred as I have set out in paragraph 46 of My First Affidavit.

24. I refer to paragraph 68 of Mr Blakeley's affidavit. The Site compound (which includes the prestart area and all of the crib rooms and offices) is within the boundary of the construction site.

25. I refer to paragraph 69 of Mr Blakeley's affidavit. I deny Mr Blakeley said what is alleged. I deny Mr Gallen was other than professional in his discussions. I deny that Mr Blakeley was confused. By this time, Mr Gallen had specifically requested Work Health and Safety and Fair Work permits.

26. I refer to paragraphs 71 and 72 of Mr Blakeley's affidavit. I deny this occurred. The final conversation I had with the Officials before Mr Truong arrived is as I have set out in paragraphs 53 to 56 of My First Affidavit. The Officials agreed to remain in the prestart area.

27. I refer to paragraph 78 of Mr Blakeley's affidavit. I do not know what Mr Blakeley means when he refers to the "amenities area". They were directed to remain in the prestart area. They did not. I was following the Officials because it is a requirement of the Site that visitors are not to walk around the Site unaccompanied. If they had remained in the prestart area as requested, there would have been no need for anyone to follow them. The offices area was a work area and we had staff working in the offices and meeting rooms. A site induction was taking place. The Officials were walking around, opening doors to offices and taking photographs, talking to staff and making accusations about social distancing.

28. I refer to paragraphs 83 and 84 of Mr Blakeley's affidavit. I did not say what is alleged and I did not hear this conversation or see what Mr Blakeley has described. There was a water fountain and ice machine in the compound area. There was also another water fountain outside the compound area, about 30m along the concrete path on the Joe Baker side of the Site. There is no ice machine there.

29. I refer to paragraph 86 of Mr Blakeley's affidavit. I deny Mr Blakeley remained in view of me at all times. I had told the Officials that they had to remain in the prestart area. When I said this to them we were standing in the prestart area. The prestart area is the concrete area between the toilet block and the first two crib rooms. There was a large white board which has "Daily Task Prestart Board" written on it at the top that was attached to the outside of the first two crib rooms. We were standing in the concrete area in front of it. None of the Officials asked me where the prestart area was when I asked them to remain in the prestart area. The compound area had around its permitter a mix of temporary metal fencing, concrete barriers and bollards and flagging to delineate it from the rest of the Site. As I have stated in paragraphs 46, 53 and 56 of My First Affidavit, the Officials were told that they were not allowed on Site because they had not shown their permits. They responded by saying they would call WHSQ. As I have stated in paragraphs 62, 63, 67, 75, 77 of My First Affidavit, Mr Blakeley walked away from myself and the other CPB representatives and ignored instructions to either stop or return. Mr Blakeley walked a considerable distance away from the compound, not a small distance.

30. I refer to paragraph 87 of Mr Blakeley's affidavit. I recall following Blakeley when he walked along the concrete path. I do not recall Mr Truong or Mr Gallen being there at the time I was following Mr Blakeley along the concrete path. Mr Gallen came later because that is when Mr Blakeley chested Mr Gallen as I have referred to in paragraph 77 of My First Affidavit. I did

not see Mr Blakeley on the phone at this time. We had a conversation when he got to the vehicle access gate (Gate 2).

31. I refer to paragraphs 88 and 89 of Mr Blakeley's affidavit. Mr Blakeley did not stay 5 to 10 metres away from the vehicle access gate. The length of the concrete pathway from the prestart area to Gate 2 is approximately 65 metres in length. Mr Blakeley then walked a further 5 metres across the haul road and to the capping beam on the other side. Mr Blakeley went further than he has marked on "AB-4" and was further than 20 to 25 metres away from the prestart area. Annexures PC-9 and PC-10 are photographs of the vehicle access gate at the Boggo Road end of the Site (Gate 2). I repeat what I have said in paragraphs 60 to 75 of My First Affidavit. At paragraph 63 of My First Affidavit I estimated that Mr Blakeley had walked approximately 150 metres away from the prestart area. I have since measured the exact distance and it is as I have described in this paragraph.

32. I refer to paragraph 90 of Mr Blakeley's affidavit. I did not hear Mr Gallen say what is alleged. I repeat what I have said in paragraph 77 of My First Affidavit.

33. I refer to paragraphs 91 to 93 of Mr Blakeley's affidavit. The conversation did not occur on the concrete path along the Joe Baker side of the Street as Mr Blakeley has alleged. I repeat what I have said in paragraphs 76 to 79 of My First Affidavit.

34. I refer to paragraph 94 of Mr Blakeley's affidavit. I do not recall Mr Blakeley saying what he has alleged. I repeat what I have said in paragraphs 76 to 79 of My First Affidavit.

35. I refer to paragraph 95 of Mr Blakeley's affidavit. Mr Blakeley was further than a few metres away from the prestart area. I repeat what I have said in paragraphs 76 to 79 of My First Affidavit.

36. I refer to paragraphs 96 to 107 of Mr Blakeley's affidavit. I went into the toilet block because I needed to use the toilet. I did not follow Mr Blakeley down to the urinal nor did I watch him urinate. I entered the toilet block and walked into one of the toilet cubicles and used the toilet. I otherwise repeat what I have said in paragraphs 80 to 85 of My First Affidavit.

37. I refer to paragraph 109 of Mr Blakeley's affidavit. I repeat what I have said in paragraphs 86 to 93 of Mr First Affidavit.

38. I refer to paragraph 110 of Mr Blakeley's affidavit. I repeat what I have said in paragraphs 86 to 93 of Mr First Affidavit.

39. I refer to paragraph 118 of Mr Blakeley's affidavit. I recall telling Blakeley he needed to do the visitor induction when he had wandered off unaccompanied as set out in paragraph 62 of My

First Affidavit. When the WQHSQ Inspectors arrived, I recall doing the COVID-19 declarations and explaining the Site visitor requirements to them. I do not recall if the Officials were there.

40. I refer to paragraphs 120 and 121 of Mr Blakeley's affidavit. I deny that there were safety contraventions as alleged by Mr Blakeley. Following inspection by the WHSQ Inspectors, an infringement notice was issued relating to maintaining a chemical storage register. The WHSQ Inspectors also directed us to lower the blade attachment on an excavator which had been parked with its attachment raised.

41. I refer to paragraph 154 of the affidavit of Mr Blakeley. That is not correct. When the Officials handed me their notices of entry they were folded up into squares. By the time I unfolded them, I did not know which Official had given me which piece of paper. I repeat what I have said in paragraph 38 of My First Affidavit.

42. I refer to paragraph 155 of the affidavit of Mr Blakeley. That is not correct. I repeat what I have said in paragraph 40 of My First Affidavit.

43. I refer to paragraph 156 of the affidavit of Mr Blakeley. That is not correct. I repeat what I have said in paragraph 43 of My First Affidavit.

44. I refer to paragraph 157 of the affidavit of Mr Blakeley. That is not correct. I repeat what I have said in paragraph 46 of My First Affidavit.

45. I refer to paragraph 158 of the affidavit of Mr Blakeley. That is not correct. I repeat what I have said in paragraphs 61 and 62 of My First Affidavit.

46. I refer to paragraph 159 of the affidavit of Mr Blakeley. That is not correct. I repeat what I have said in paragraphs 67 and 68 of My First Affidavit.

47. I refer to paragraph 160 of the affidavit of Mr Blakeley. That is not correct. I repeat what I have said in paragraph 69 of My First Affidavit.

48. I refer to paragraph 161 of the affidavit of Mr Blakeley. That is not correct. I repeat what I have said in paragraph 70 of My First Affidavit.

49. I refer to paragraph 162 of the affidavit of Mr Blakeley. That is not correct. I repeat what I have said in paragraph 71 of My First Affidavit.

50. I refer to paragraph 163 of the affidavit of Mr Blakeley. That is not correct. I repeat what I have said in paragraph 76 of My First Affidavit.

51. I refer to paragraph 164 of the affidavit of Mr Blakeley. That is not correct. I repeat what I have said in paragraph 77 of My First Affidavit.

52. I refer to paragraph 165 of the affidavit of Mr Blakeley That is not correct. I repeat what I have said in paragraph 79 of My First Affidavit.

53. I refer to paragraph 166 of the affidavit of Mr Blakeley. That is not correct. I repeat what I have said in paragraph 81 of My First Affidavit.

54. I refer to paragraph 167 of the affidavit of Mr Blakeley. That is not correct. I repeat what I have said in paragraph 83 of My First Affidavit.

55. I refer to paragraph 168 of the affidavit of Mr Blakeley. That is not correct. I repeat what I have said in paragraphs 89 to 90 of My First Affidavit.

56. I refer to paragraph 169 of the affidavit of Mr Blakeley. That is not correct. The workers were practicing social distancing. I otherwise repeat what I have said in paragraph 91 of My First Affidavit.

57. I refer to paragraph 170 of the affidavit of Mr Blakeley. That is not correct. I repeat what I have said in paragraph 92 of My First Affidavit.

58. I refer to paragraph 171 of the affidavit of Mr Blakeley. I repeat what I have said in paragraph 96 of My First Affidavit.

59. I refer to paragraph 172 of the affidavit of Mr Blakeley. That is not correct. I repeat what I have said in paragraph 99 of My First Affidavit.

60. I refer to paragraph 173 of the affidavit of Mr Blakeley. Mr Gibson and Mr Blakeley said what I set out in paragraph 101 of My First Affidavit.

Matters raised in the affidavit of Luke Gibson

61. I have read the affidavit of Luke Gibson affirmed on 16 November 2020.

62. I refer to paragraph 27 of Mr Gibson's affidavit. I repeat what I have said in paragraph 5 above.

63. I refer to paragraph 28 of Mr Gibson's affidavit. I repeat what I have said in paragraph 5 above.

64. I refer to paragraphs 37 to 40 of Mr Gibson's affidavit. The sequence of events described by Mr Gibson is not correct. My initial conversation with the Officials occurred as I have stated in paragraph 40 of My First Affidavit. Mr Gibson was there. None of the Officials produced their notices of entry at this time. My recollection is that the Official's produced their s119 notices of entry later as I have set out in paragraphs 50 to 52 of My First Affidavit.

65. I refer to paragraphs 41 to 44 of Mr Gibson's affidavit. This conversation occurred as I have set out in paragraph 43 of My First Affidavit.

66. I refer to paragraphs 45 to 49 of Mr Gibson's affidavit. This conversation occurred as I have set out in paragraph 46 of My First Affidavit.

67. I refer to paragraph 50 of Mr Gibson's affidavit. I did introduce myself. I repeat what I have said in paragraph 7 above. I did not observe Mr Gallen being aggressive at any time.

68. I refer to paragraph 51 of Mr Gibson's affidavit. I did not keep walking away and making phone calls. By this stage, I had made multiple requests for "permits", "work health and safety permits" and Mr Gallen had also specifically requested "Work Health and Safety and Fair Work permits". Mr Gibson was aware we were asking to see the permits relating his right of entry to the Site, because he had told us he had four permits. When I asked to see the permits, he refused.

69. I refer to paragraph 52 of Mr Gibson's affidavit. I did not walk away to make a phone call at this time. In the conversation I refer to in paragraph 36 of My First Affidavit, I told the Officials we would not be escorting them on the Site until I saw their permits. Mr Blakeley did not say to me what he has alleged. He said, "*We will ring Workplace Health and Safety*".

70. I refer to paragraph 53 of Mr Gibson's affidavit. Mr Blakeley did not say to me what is alleged.

71. I refer to paragraph 55 of Mr Gibson's affidavit. The office compound area is a PPE free zone. We do not permit visitors outside the compound area without an escort who has been fully inducted for the reasons I refer to in My First Affidavit. I refer to what I have said in paragraph 29 about the location and delineation of the prestart area and compound area. I deny that there were workers who were not wearing PPE outside the compound area. Workers are made aware of the PPE free zone during their site induction training and any changes to this are communicated to workers during their pre-start briefings and toolbox talks. Mr Gibson did not remain in the PPE free zone at all times. I saw him walk out on the haul road. I deny that there were any workers out on the haul road who were not wearing PPE.

72. I refer to paragraph 56 of Mr Gibson's affidavit. We were trying to establish whether the Officials were permitted to be on Site. They were refusing to produce their permits so we could not take the process any further. At this time, we were waiting on Mr Truong to arrive to assist. The Officials were told to remain in the prestart area.

73. I refer to paragraph 57 of Mr Gibson's affidavit. Parts of what Mr Gibson has alleged I recall being said, but at a different time. The first part of that conversation is similar to the conversation I have set out in paragraph 46 of My First Affidavit. However, my recollection is that part of the conversation happened before the notices of entry were provided to us.

74. I refer to paragraph 58 of Mr Gibson's affidavit. I did not see Mr Gallen being aggressive, agitated or walking around muttering under his breath.

75. I refer to paragraph 59 of Mr Gibson's affidavit. I did not hear Mr Gallen say what is alleged.

76. I refer to paragraph 60 of Mr Gibson's affidavit. I did not see Mr Gallen do this or hear what is alleged.

77. I refer to paragraph 60 of Mr Gibson's affidavit. I did not see Mr Gallen do this or hear what is alleged.

78. I refer to paragraph 61 of Mr Gibson's affidavit. I deny there were workers outside the compound area who were not wearing PPE. Workers are informed during the Site induction the areas where PPE is required. This is also covered in their prestart briefings and tool-box talks.

79. I refer to paragraph 66 of Mr Gibson's affidavit. I repeat what I have said in paragraph 27 above.

80. I refer to paragraph 71 of Mr Gibson's affidavit. Mr Gallen did not say what is alleged.

81. I refer to paragraph 81 of Mr Gibson's affidavit. I repeat what I have said in paragraph 39 above.

82. I refer to paragraphs 82 to 88 of Mr Gibson's affidavit. I repeat what I have said in paragraph 40 above.

83. I refer to paragraph 102 of Mr Gibson's affidavit. That is not correct. I repeat what I have said in paragraph 43 of My First Affidavit.

84. I refer to paragraph 103 of Mr Gibson's affidavit. That is not correct. Mr Gibson did say to me *"Peter, Peter pumpkin eater"*. I repeat what I have said in paragraph 46 of My First Affidavit.

85. I refer to paragraph 104 of Mr Gibson's affidavit. That is not correct. I repeat what I have said in paragraph 99 of My First Affidavit.

Matters raised in the affidavit of Matthew Parfitt

86. I have read the affidavit of Matthew Parfitt affirmed on 11 November 2020.

87. I refer to paragraphs 15 and 16 of Mr Parfitt's affidavit. I do not recall meeting Mr Parfitt or seeing him at the Site prior to 15 April 2020.

88. I refer to paragraph 27 of Mr Parfitt's affidavit. I agree that the Site layout had changed since the Site was initially established. The office area had previously been set up in a different location. It has moved again since as there is now a permanent office building at the Boggo Road end of the Site.

89. I refer to paragraph 29 of Mr Parfitt's affidavit. I repeat what I have said in paragraphs 5 and 8 at [redacted]

90. I refer to paragraph 34 of Mr Parfitt's affidavit. I did not observe Mr Gallen getting agitated or angry at the Officials on 15 April 2020.

91. I refer to paragraph 38 of Mr Parfitt's affidavit. I had introduced myself as I have said in paragraph 9 above.

92. I refer to paragraphs 39 to 42 of Mr Parfitt's affidavit. My initial conversation with the Officials occurred as I have said in paragraph 40 of My First Affidavit. I did not ask for the notices of entry in that initial conversation, nor did the Officials produce them to me at this time. The Officials produced their notices later as I have set out in paragraphs 50 to 52 of My First Affidavit. I requested to see their permits.

93. I refer to paragraph 43 of Mr Parfitt's affidavit. It is similar to the conversation I have referred to in paragraphs 40 to 46 of My First Affidavit. Mr Gallen did not say *"Stop fucking us around. You are acting like fuckheads and dragging this out."* I otherwise repeat what I have said in paragraphs 40 to 46 of My First Affidavit.

94. I refer to paragraph 44 of Mr Parfitt's affidavit. I deny that Mr Gallen was visibly angry during the conversation. I deny Mr Blakeley said was is alleged. I repeat what I have said in paragraph 46 of My First Affidavit.

95. I refer to paragraph 46 of Mr Parfitt's affidavit. I did not hear Mr Blakeley say this. I repeat what have said in paragraph 46 of My First Affidavit.

96. I refer to paragraph 47 of Mr Parfitt's affidavit. This is a similar conversation to the one I refer to in paragraph 46 of My First Affidavit. I agree that Mr Blakeley and Mr Gibson told us they had multiple permits and they were asking us which of their permits we wanted to see. I agree that Mr Gallen. The Officials had not produced their notices of entry at time. I repeat what I have said in paragraph 46 of My First Affidavit.

97. I refer to paragraph 52 of Mr Parfitt's affidavit. I repeat what I have said in paragraph 27 above. I was maintaining 1.5m social distance.

98. I refer to paragraphs 56 and 57 of Mr Parfitt's affidavit. The Site does not have a prestart shed. A courier arrived to deliver a parcel and dropped it near the gates. The courier did not enter the Site.

99. I refer to paragraphs 60 and 61 of Mr Parfitt's affidavit. I repeat what I have said in paragraph 84 of My First Affidavit.

100. I refer to paragraph 64 of Mr Parfitt's affidavit. I repeat what I have said in paragraph 39 above.

101. I refer to paragraph 65 of M Parfitt's affidavit. I deny that the WHSQ Inspectors agreed that there were safety contraventions at the Site as alleged by the Officials. I repeat what I have said in paragraph 40 above.

102. I refer to paragraph 66 of Mr Parfitt's affidavit. I deny that the barrier protection was inadequate.

103. I refer to paragraphs 70 and 71 of Mr Parfitt's affidavit. I did not say what is alleged.

104. I refer to paragraphs 72 and 73 of Mr Parfitt's affidavit. I deny that I was giving any of the Officials "attitude". My behaviour on this day was no different to any other day.

105. I refer to paragraph 78 of Mr Parfitt's affidavit. I did not say the WHS permits were folded. I said the notices of entry were folded.

106. I refer to paragraph 79 of Mr Parfitt's affidavit. Mr Parfitt was not there when Mr Blakeley was at Gate 2. I do not know where he was.

107. I refer to paragraph 80 of Mr Parfitt's affidavit. Mr Blakeley was aggressive towards Mr Gallen. I repeat what I have said in paragraph 77 of My First Affidavit.

108. All the facts and circumstances deposed to in this affidavit are within my own knowledge except where they have been deposed to from information only and my means of knowledge and sources of information appear in my affidavit.

Sworn by the deponent
at Brisbane in Queensland
on 25 November 2020

[redacted]
Signature of deponent

Before me:

[redacted]
Signature of witness

STACEY LEIGH VANDERMEULEN
Witness full name

SOLICITOR
Witness qualification

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CPB EMPLOYS INTIMIDATION TACTICS ON CROSS RIVER RAIL

July 8, 2020

CPB Contractors, the cut price builder charged with delivering Queensland's $5.4 billion Cross River Rail project, is using intimidation and bully boy tactics to try and dodge scrutiny of dangerously unsafe work practices.

Union officials have been regularly threatened and obstructed by CPB employees when trying to respond to safety and other concerns reported by members working on the project, CFMEU assistant secretary Jade Ingham said.

"What you've got is a contractor that will do anything possible to avoid scrutiny and accountability. CPB hates attention being drawn to its failings as a builder and its disdain for workers – and scurries away like a cockroach trying to escape the light."

Mr Ingham said CPB regularly sought to provoke union officials, and tried to engineer confrontations and spurious grievances it could then present to the ABCC in an attempt to tie unions up in costly and protracted legal action.

One CPB operative in particular, Peter Cullen, is ostensibly employed as a safety officer but spends more time trying to obstruct union officials and government inspectors going about their lawful business than actually enforcing anything vaguely related to 'safety', he said.

Cullen is widely known around the Cross River project as "Peeping Pete" because of his habit of following officials into the toilets and standing over them and watching in an attempt to intimidate.

"Either Peeping Pete is deliberately trying to intimidate and threaten officials, or he has other issues that clearly need addressing," Mr Ingham said. "He seems to spend more time loitering around the toilet block than actually out on the site doing his job."

"Peeping Pete is a poster boy for CPB's low rent approach to management, and pretty much typifies the standards you can expect from a cut price contractor like this."

The Courier Mail
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CFMMEU accused of 'pervert' smear over 'Peeping Pete' post

The militant construction union is being sued by a safety advisor on the $5b Cross River Rail project, who claims he was dubbed "Peeping Pete".

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Vanda Carson court reporter

2 min read March 11, 2021 - 12:00AM Courier Mail

A safety adviser on the state's largest infrastructure project who claims he was wrongly dubbed a pervert and "Peeping Pete" has sued the construction union and a senior union official claiming his reputation has been tarnished.

Peter Joseph Cullen, from Dutton Park, who is working on the $5b Cross River Rail project for contractor CPB Contractors Pty Ltd, is claiming $400,000 in damages from the Construction Forestry Maritime Mining and Energy Union (CFMMEU) alleging a Facebook post "suggests highly inappropriate conduct of a perverse kind, which is particularly upsetting to him".

The claim also alleges that the defamatory meanings of the post are "grave and highly damaging" because they attack his integrity, he also says he was denigrated through "sensational and demeaning language".



Cross River Rail's Woolloongabba Station Precinct under construction. Picture: Liam Kidston

The CFMMEU is alleged to have posted the false statement on Facebook accusing him of "following officials into the toilets and standing over them and watching in an attempt to intimidate".

"Cullen is widely known around the Cross River project as 'Peeping Pete'," the statement says.

"Either Peeping Pete is deliberately trying to intimidate and threaten officials, or he has other issues that clearly need addressing," CFMMEU Queensland and NT assistant divisional branch secretary Jade Ingham says in the statement, which is part of the damages claim filed in the District Court.

"He seems to spend more time loitering around the toilet block than actually out on the site doing his job," Mr Ingham is quoted in the statement posted on Facebook on July 8, contained in the claim.



CFMMEU Queensland and NT assistant divisional branch secretary Jade Ingham.



CPB Contractors senior safety advisor Peter Joseph Cullen, from Dutton Park.

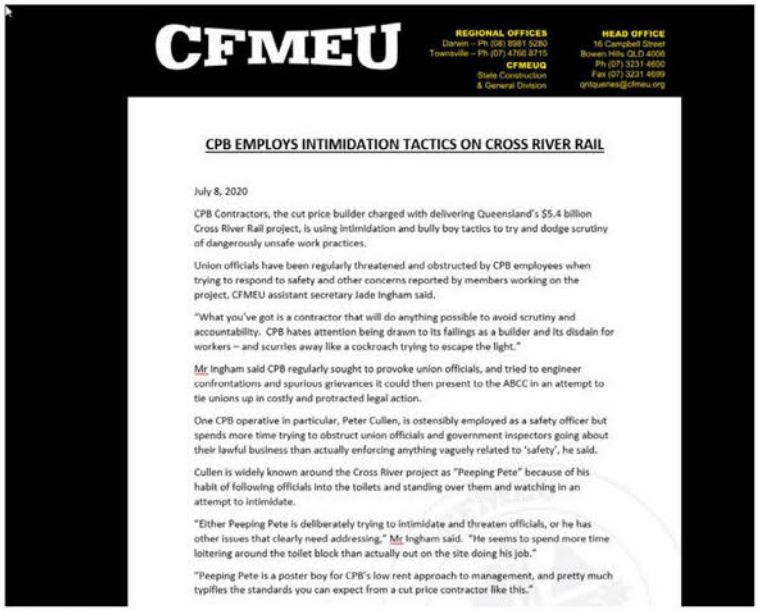
Mr Cullen claims the Facebook publication and its sharing by at least eight people on the social network has caused him to suffer "substantial hurt, distress and embarrassment".

He claims the defamatory meanings of the publication include that he "habitually follows union officials into toilets, stands over and watches them in order to intimidate them in an effort to avoid them scrutinising the dangerously unsafe practices of his employer at the Cross River Project".

He also claims a second defamatory meaning is that he "loiters around the toilets to obstruct and harass union officials and government inspectors rather than fulfilling his role as safety officer on the Cross River Rail project".

He has asked the court to order the union to take down the Facebook post, which remains online.

He is also seeking a permanent injunction restraining the defendants from repeating the statements.



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"Peeping Pete is a poster boy for CPB's low rent approach to management, and pretty much typifies the standards you can expect from a cut price contractor like this."

CFMEU Press release, Intimidation tactics on Cross River Rail

The $400,000 damages he is claiming is made up of $300,000 in general damages and $100,000 in aggravated damages.

He alleges Mr Ingham is liable for the publication of the defamatory Facebook post because he either prepared the statement himself or prepared it with another CFMMEU agent.

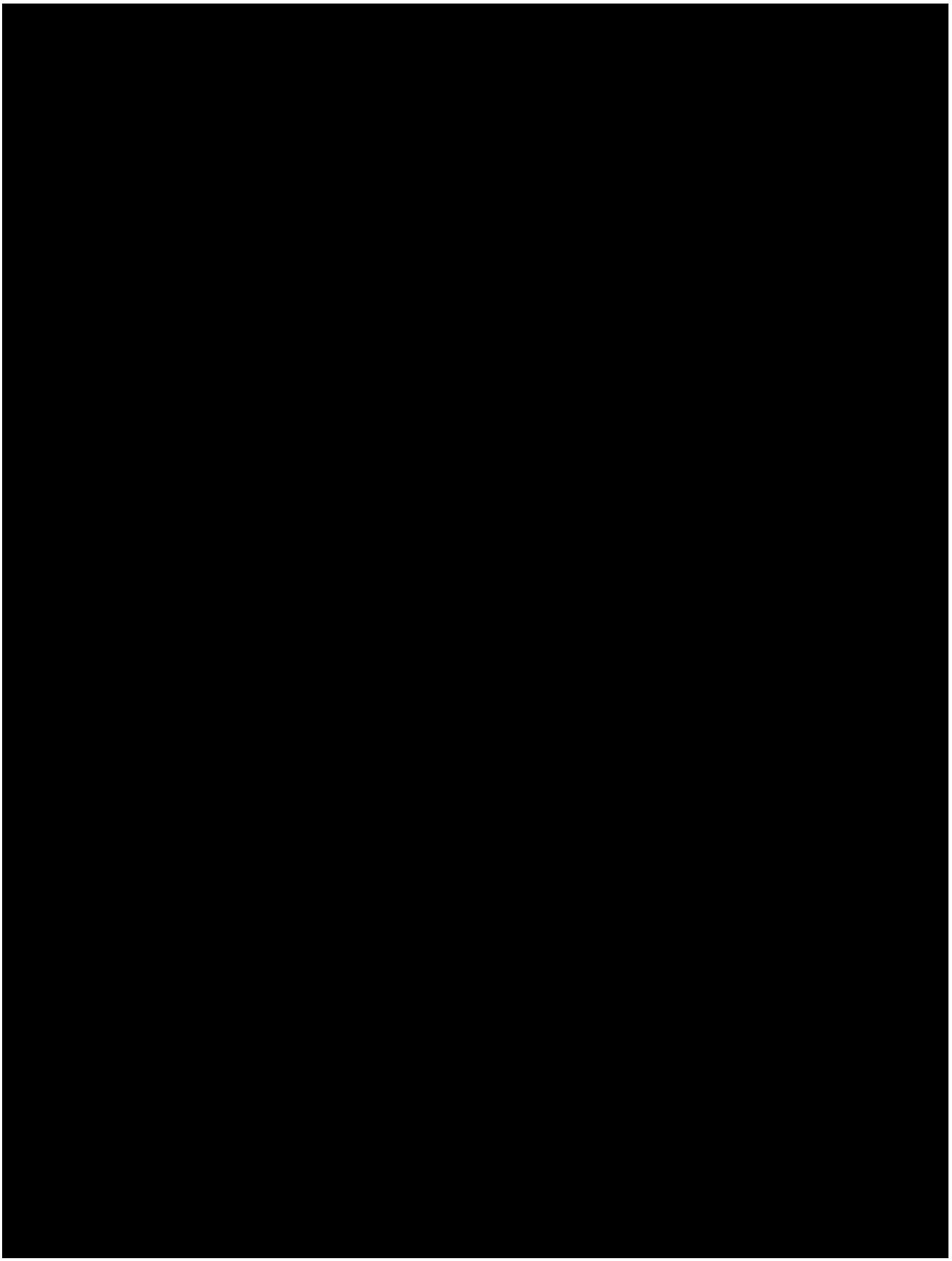
The CFMMEU Facebook page had about 19,000 followers at the time the post was made, the claim states.

The CFMMEU Queensland said outside court that they would be defending the claim.

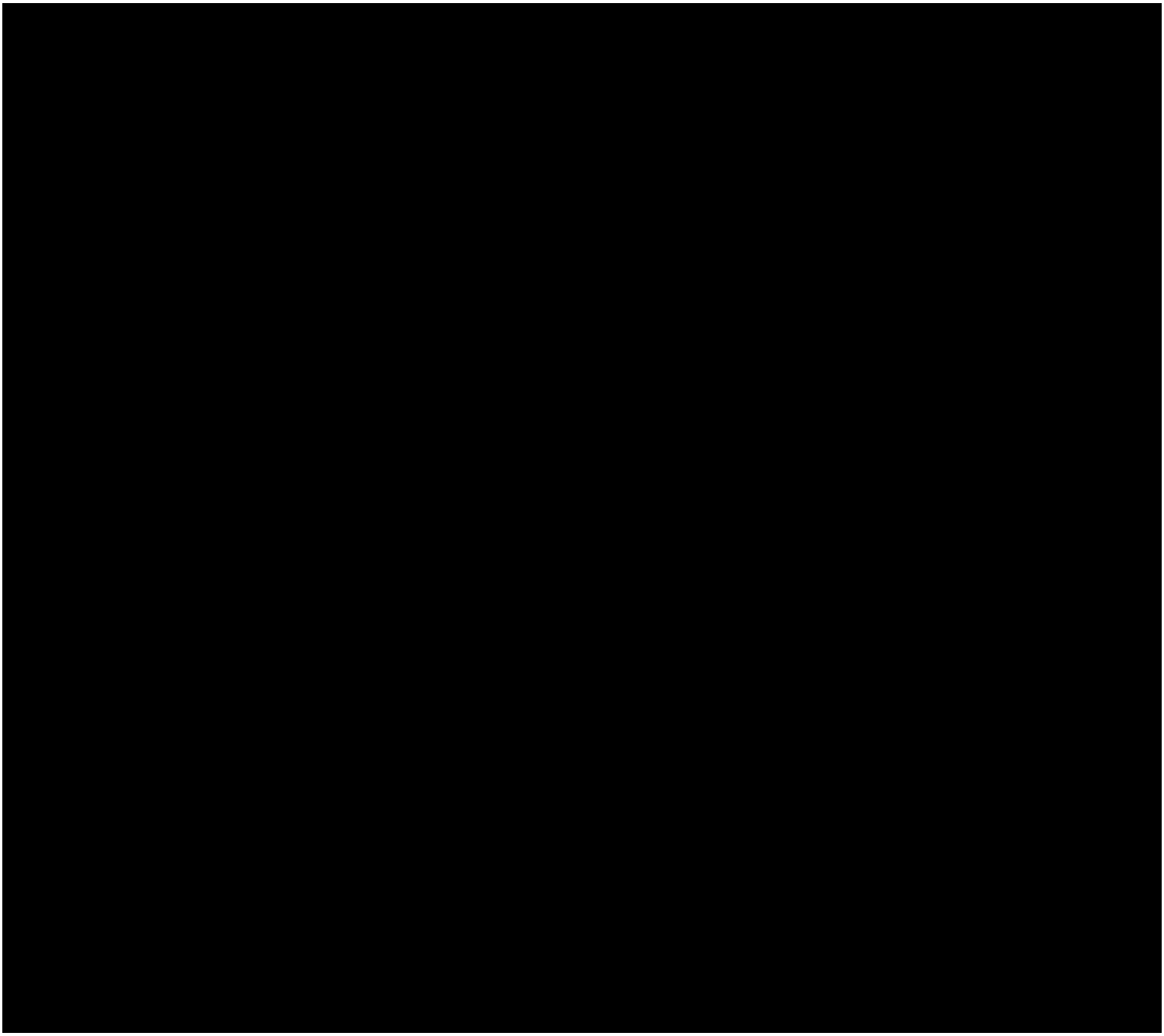
No defence has been filed and no hearing date has been set.



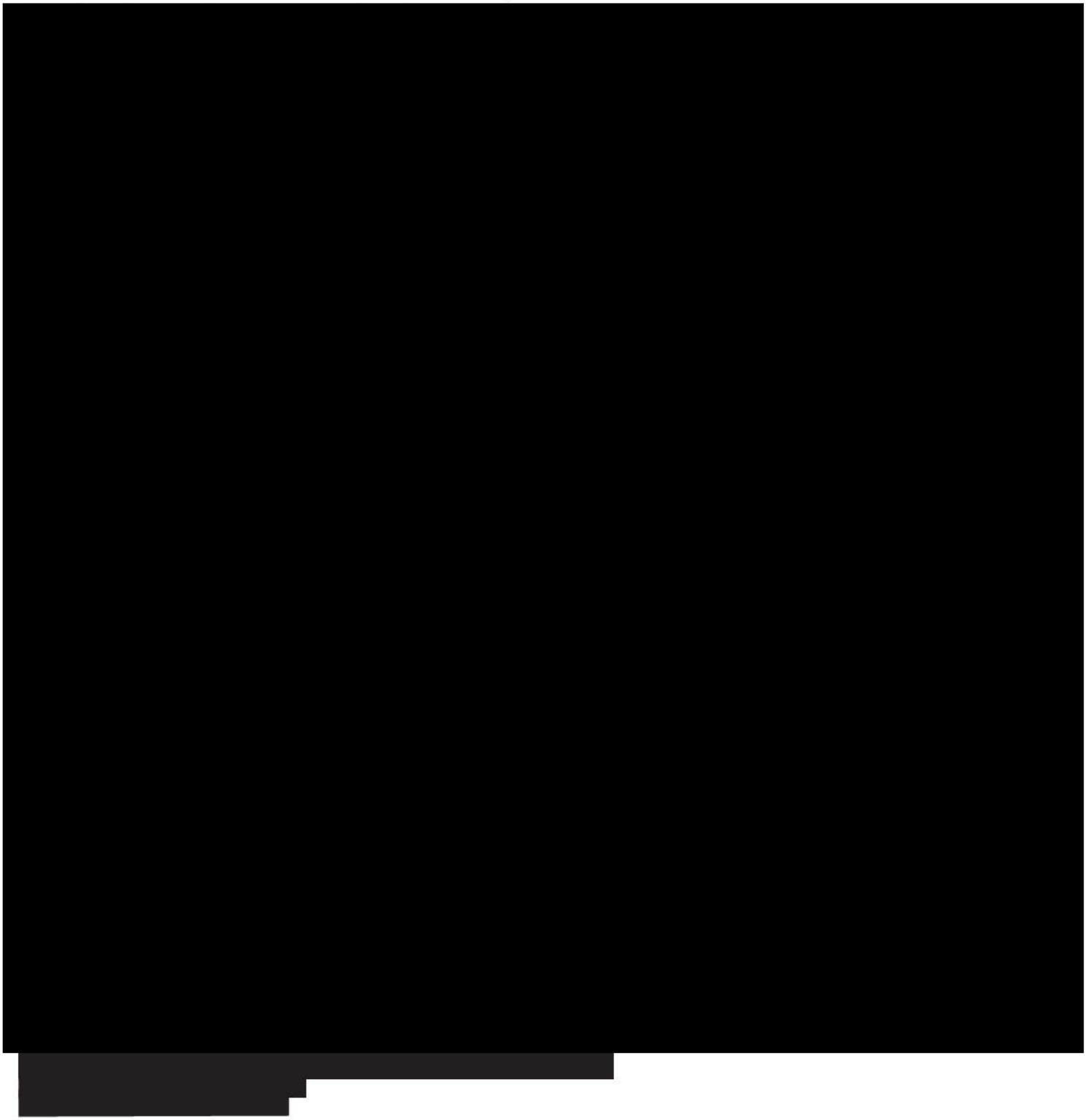
PJC-06

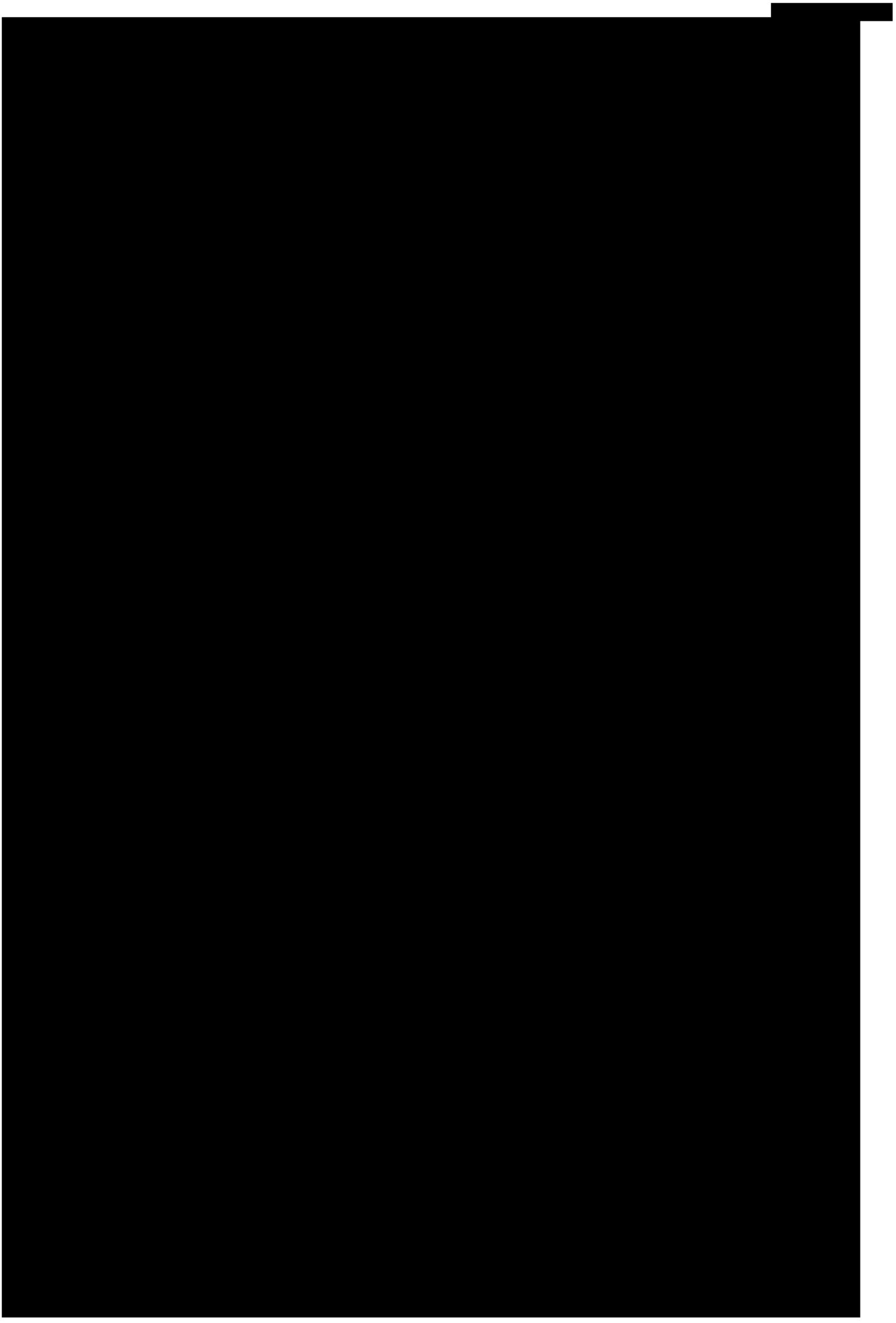




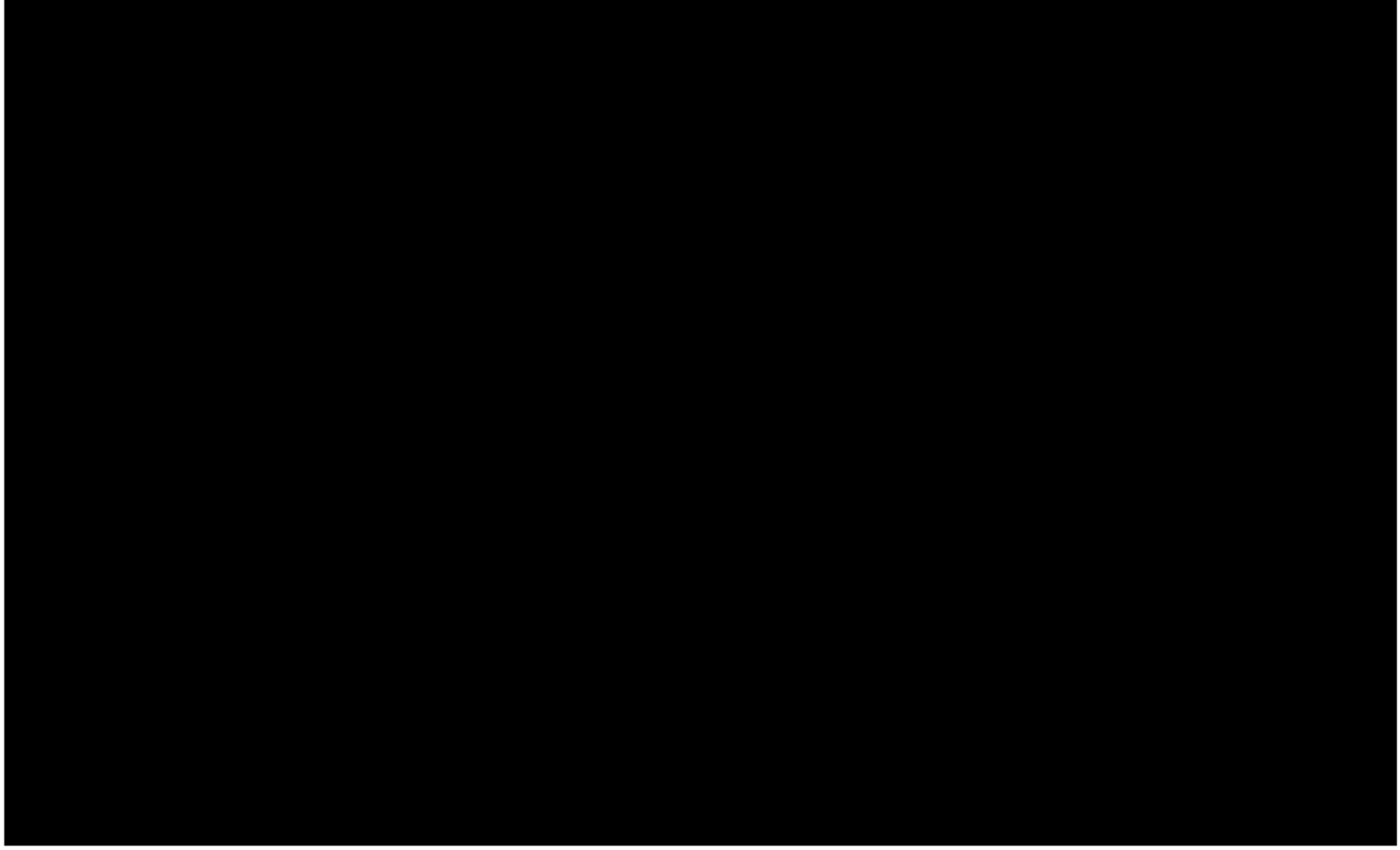


PJC-08





[redacted]





PJC-10

RE: Northern Portal Investigation

From: "Credaro, Chris" [redacted]
To: "Cullen, Peter" [redacted]
Date: Wed, 19 Jul 2023 17:34:40 +1000

Will do Pete.

Regards

Chris Credaro
Health and Safety Director

CROSSRIVERRAIL TUNNEL & STATIONS | CPB CONTRACTORS | bam | Ghella | UGL
Cross River Rail - Tunnels and Stations
CBGU D&C JV
[redacted]

From: Cullen, Peter [redacted]
Sent: Wednesday, 1
To: Credaro, Chris [redacted]
Subject: FW: Northern Portal Investigation

Hi Chris,

Could please follow up on my below email to Sarah Adams regarding the out-come on the Northern Portal Investigation.
I did request this information prior to my return to the N.P on the 17/07/2023 but have not received any correspondence.

Regards

Peter Cullen
Senior Safety Advisor

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CBGU D&C JV
[redacted]

From: Cullen, Peter
Sent: Tuesday, 18
To: Adams, Sarah [redacted]
Cc: Purvis, Jamey
Subject: RE: Northern Portal Investigation

Hi Sarah,

I am just following up on my request that was channeled through Chris Credaro on Friday 14th July regarding the out-come and request arising from the Northern Portal investigation.

I requested from Chris that I could be sent an email or letter stating the out-come of these investigations.
As I recall the out-come of these investigations were:

- The allegations omitted by the HSRs/Union Delegate were unfounded.
- Along with I had done nothing wrong.

It was also suggested I could sit with Terry Prior regarding receiving some tips in dealing with Union delegates, Chris said he would request to have an email sent to me stating that a " Tips meeting" with Terry.

I would like to thank you for your time regarding this investigation and the handling of this matter.

Regards

Peter Cullen
Senior Safety Advisor



[redacted]

From: Adams, Sarah [redacted]
Sent: Friday, 7 July 20[redacted]
To: Cullen, Peter [redacted]
Cc: Purvis, Jamey [redacted]
Subject: Northern Portal Investigation
Importance: High

Hi Pete,

As you are aware, we are currently undertaking an investigation into incidents that took place at the Northern Portal on 4th and 5th July which you were involved in.

While this investigation is taking place, we ask that you refrain from making any communication with anyone on the project in relation to the matter, until the process is completed. This is normal procedure.

Upon your return from leave on Monday 10th July, please report to the Milton office, Jamey will call you to confirm these details.

Regards

Sarah Adams
HR Manager



[redacted]

PJC-11

FW: Union Intimidation and threats NP

From: "Cullen, Peter" [redacted]
To: "Credaro, Chris" [redacted]
Cc: "Rasmussen, Shane" [redacted], "Bennett, Peter' [redacted]
Date: Tue, 01 Aug 2023 18:49:23 +1000

Chris,

Please see an email below involving Peter Bennett (Senior Supervisor NP), Shane Rasmussen (Superintendent NP) & myself.

These threats of harm and personnel been targeted from trade unions (CFMEU & ETU) need to be internally & externally investigated and reported to all authorities.
I call on you as our Safety Director to ensure our health and safety at the workplace is upheld.

Regards

Peter Cullen
Senior Safety Advisor

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CBGU D&C JV
[redacted]

From: Bennett, Peter [redacted]
Sent: Tuesday, 1 August 2023 11:01 AM
To: Purvis, Jamey [redacted]
Cc: Rasmussen, Shane [redacted]; Cullen, Peter [redacted]
Subject: Union Intimida

Good Afternoon ,

I thought I would send a follow up email requesting Company assistance with the below situations of union intimidation, threats and accusations at me at the northern portal.

On Wednesday 5th July a HSR Committee meeting was undertaken .The code of conduct and difference of opinion was raised in relation to actions conducted with Union Delegate Rob welsher and Peter Cullen on Tuesday 4th July .
The ETU (chris lynch) was immediately contacted and came out to site and held discussions with Jamey Purvis .
I was Requested to have a meeting with Jamey Purvis and Shane Rasmussen-I was asked to explain the events that transpired at the HSR Committee meeting .I was requested to leave site
(stood down) and work from home – Jamey explain that this was just to cool the situation down and is not on recorded with HR as a reprimand but in the ETU eyes it is the resolution they wanted .The ETU had advised that they are gunning for Peter Cullen, Shane Rasmussen and me to be removed from the job.I accepted the decisions but was not told of the accusation and remined the both that I will be on holidays from 10/07/23 till 24/07/2023.

I returned to site on Monday 24/07/23 and was requested to present to Milton for discussions with HR and Josh Sims .I asked what was the reason for the Meeting and I was told by HR Nicola that there was an accusation of bullying , intimidation and harassment to Rob Welsher at the HSR Committee meeting on Wednesday 5th July.I was advised to fillout a witness statement and wait for the investigation to find the outcome. I was asked to have a meeting with Josh sims and Nicola (HR) that I was cleared of any wrong doing and requested by Josh Sims to undergo some coaching and mentoring by Terry Prior as positive out comes from the investigation.

I returned to full duties onsite (northern portal) Tuesday 25/7/23 and unfortunately heard of the Major Incident that happened at the Bogo rd site.

Wednesday 26/7/2023 5:30am I was greeted by 2 x CFMEU official onsite at Pre-start area advising Shane Rasmussen and I that " No one will be going to work today ".All Blue collar left site by 6am .No one signed on .

Thursday 27/7/2023- 5:30am Greeted at the NP Front gates by 25-35 CFMEU/ETU officials and persons picketing the Front gates. Chains and locks where placed on these CBGUJV gates and no one was allowed to enter site due to the intimidating actions and words from the union officials. I managed to open the back gate and allow some whit collar workers through to conduct work. Throughout the day there was CFMEU/ETU yelling over the fence "your going to have blood on your hands"
Rocks where thrown over the fence by CFMEU/ETU targeting Shanes Bike and my car and office shed walls.

Friday 28/7/23 -5:30am Greeted at the NP Front gates by 25-35 CFMEU/ETU officials and persons picketing the Front gates. Chains and locks where placed on these CBGUJV gates and no one was allowed to enter site due to the intimidating

actions and words from the union officials.
CFMEU Union officials had communicated to Jayce Emerton (AMWU Delo) out the front of site , that there's going to be blood shed if we (Shane and I) allow people to work . They advised that they have have all the number plates of persons onsite especially Shane Rasmussen and Peter Bennett and have no issues following these people home to help them understand what we want.
Jayce Emerton (AMWU Delo) also advised that there are people at the gates with balaclavas on and these persons are carrying weapons -bats/knifes/hand gun.
Shane and I requested a meeting with Jamie Purvis and phoned Jayce Emerton to confirm the threats and intimidation being pushed by the CFMEU/ETU. Jamie Purvis advised everyone to leave site immediately and that he will call and advise on weather to come to work or work from home .
Jamey advised Shane and I to work from home until advised otherwise.

I have major concerns for the safety of myself Shane Rasmussen and peter Cullen at the CRR worksites. These threats to life are very serious to the health and safety of Us.I would like to understand the level of protection that CBGUJV are going to take to ensure I have a safe place of work. Have the local law enforcement agencies been informed. Has WPH&S been informed of these serious threats to us on site ?.

Regards

Regards

Peter Bennett
Senior Supervisor

CROSSRIVERRAIL TUNNEL & STATIONS
Cross River Rail - Tunnels and Stations
CBGU D&C JV
[redacted]