

Contractor HSE Agreement



Instructions to Contractors

Complete the following steps:

1. Read the Contractor HSE Agreement
2. Read and accept the terms and conditions of the Contractor Safety Agreement Contract
3. Complete and return the Contractor Safety Agreement Contract (Section 6)

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1 PURPOSE

Patrick is committed to the health, safety and welfare of all persons visiting its Terminals and to the protection of the environment.

The purpose of this Contractor Health Safety & Environment (HSE) Agreement (the '**Agreement**') is to define the Terminal's policies and procedures that apply to all Permanent Contractors and Non-Permanent Contractors ('**Contractor**' / '**Contractors**') engaged to perform work at the Terminal.

The Contractor HSE Agreement shall be signed by an authorised representative of the Contractor and shall be reviewed, re-signed and resubmitted to the Terminal on an annual basis for the duration of the contract for services.

2 SCOPE

This Agreement applies to all Permanent Contractors and Non-Permanent Contractors accessing the Terminal.

3 DEFINITIONS

Construction Work	<p>means any work carried out in connection with the construction, alteration, conversion, fitting-out, commissioning, renovation, repair, maintenance, refurbishment, demolition, decommissioning or dismantling of a structure or preparation of a building site, and includes:</p> <ul style="list-style-type: none"> • any installation or testing carried out in connection with an activity mentioned above; • the removal from the workplace of any product or waste resulting from demolition; • the prefabrication or testing of elements, at a place specifically established for the construction work, for use in construction work; • the assembly of prefabricated elements to form a structure or the disassembly of prefabricated elements forming part of a structure • the installation, testing or maintenance of an essential service in relation to a structure; • any work connected with an excavation; • any work connected with any preparatory work or site preparation (including landscaping as part of site preparation) carried out in connection with an activity mentioned above; or • an activity mentioned above that is carried out on, under or near water, including work on buoys and obstructions to navigation.
High Risk Construction Work	<p>means construction work that:</p> <ul style="list-style-type: none"> • involves the risk of a person falling more than 2m; • is carried out on a telecommunications tower;

	<ul style="list-style-type: none"> • involves demolition of an element of a structure that is load-bearing or otherwise related to the physical integrity of the structure; • involves, or is likely to involve, the disturbance of asbestos; • involves structural alterations or repairs that require temporary support to prevent collapse; • is carried out in or near a confined space; • is carried out in or near a shaft or trench with an excavated depth greater than 1.5m, or a tunnel; • involves the use of explosives; • is carried out on or near pressurised gas distribution mains or piping; • is carried out on or near chemical, fuel or refrigerant lines; • is carried out on or near energised electrical installations or services; • is carried out in an area that may have a contaminated or flammable atmosphere; • involves tilt-up or precast concrete; • is carried out on, in or adjacent to a road, railway, shipping lane or other traffic corridor that is in use by traffic other than pedestrians; • is carried out in an area at a workplace in which there is any movement of powered mobile plant; • is carried out in an area in which there are artificial extremes of temperature; • is carried out in or near water or other liquid that involves a risk of drowning; or • involves diving work.
<p>Non-Permanent Contractor</p>	<p>means an individual or organisation engaged under a contract for service via a purchase order, which has met Patrick’s minimum HSE and commercial requirements. The contractor is not permanently located at the Terminal.</p>
<p>Permanent Contractor</p>	<p>means an individual or organisation engaged under a contract for service, which has met the HSE and commercial requirements of Patrick’s Approved Supplier process and is permanently located at the Terminal.</p>
<p>Subcontractor</p>	<p>means workers engaged by a principal or main contractor, to supplement or conduct contracted works at the Terminal</p>
<p>Safety Engagement</p>	<p>is a safety based conversation with workers in the workplace that is focused around the hazards and risk controls in that are in place, the objective of the conversation is to bring safe work practices to the front of mind and for the Management team to have a clear understanding of safe work procedures and the HSE Risk and risk controls in the work place.</p>

Standard Operating Procedure (SOP) Safe Work Instruction (SWI)	Safe Work Instructions (' SWI ') or Standard Operating Procedures (' SOP ') are documented sequenced instructions that are developed through a risk assessment process to provide instruction on the accepted safe way to undertake a work activity.
Team Based Risk Assessment (TBRA)	A Team Based Risk Assessment is the risk assessment tool that is utilised to identify hazards associated with a task or environment, analyse the risk associated with each subtask and recommend / introduce practical controls to eliminate risk or reduce the risk to As Low As Reasonably Practicable (ALARP).
Plant and Equipment	is the broad term used to define all fixed and mobile plant, equipment, tools and infrastructure at the Terminal

4 HEALTH, SAFETY & ENVIRONMENT AGREEMENT

This Agreement is specifically designed to ensure that all Contractors are aware of and comply with the HSE expectations and standards in performing work at the Terminal. The Agreement provides descriptive statements for explanatory purposes. In instances where additional clarification is sought, the parent procedural document referred to in Section 8 (References) is to be consulted.

4.1 Work Health and Safety Expectations

In accordance Patrick's Safe Beliefs and Behaviours, the Terminal has very clear expectations on workplace safety and protection of the environment. We believe that through good planning, adequate supervision, and through the application of appropriate and measured risk management principles, safe outcomes are achieved. In this respect, when performing work at the Terminal, all Contractors must:

- undertake work activities in accordance with risk based, documented Safe Work Methods Statements, which are to be held and referenced at the point of work;
- undertake risk management activities to ensure that all hazards associated with the work are identified, controlled and acceptably managed to reduce risks to as low as reasonably practicable;
- provide safe working environments and safe systems of work for all personnel;
- provide, maintain and operate safe plant and equipment;
- cooperate in Safety Engagements with Terminal representatives;
- ensure that all personnel are inducted, licensed, trained and competent to perform the allocated work, and to operate relevant plant and equipment;
- maintain and provide to Patrick on an annual basis a register setting out particulars of all relevant employee training, license and certification records;
- provide to Patrick a HSE Management Plan for each service being provided; and
- undertake an annual audit against the HSE Management Plan and provide a copy of the results of that audit to Patrick.

4.2 Safe Beliefs and Behaviours

The Terminal is strongly committed to the provision and maintenance of healthy and safe work practices throughout our operations. This commitment extends to all personnel that work at the Terminal, including Contractors, who are expected to endorse our Safe Beliefs and Behaviours to ensure that every person goes home safely, every day.

4.2.1 Our Safe Beliefs

We believe:

- all injuries are preventable;
- safety is a shared responsibility;
- involvement of all employees is essential;
- working safely is a condition of employment;
- effective safety standards are essential;
- training and competence are essential for ensuring safe operations; and
- everyone that interacts with our business has the right to be safe.

4.2.2 Our Safe Behaviours

As individuals, we are each responsible for our own safety and for the safety of the people that we work with, and we will:

- work Safely and not knowingly endanger the safety and health of others;
- comply with all workplace policies and procedures;
- immediately report all injuries and incidents as soon as possible after they occur;
- immediately stop another person from working unsafely;
- immediately report and take positive action on all hazards that we observe;
- take personal accountability for all our acts and omissions; and
- actively participate in workplace training and safety meetings.

4.3 Critical Safeguards

Adherence to Patrick's Critical Safeguards helps keep us safe from identified high-risk and potentially life-threatening hazards. A breach of Patrick's Critical Safeguards may, based on a review of the incident, result in disciplinary action up to and including termination of contracting services.

4.3.1 Contractor Management Critical Safeguards

Contractors must comply with our Contractor Management Critical Safeguards, which include the following:

- all proposed scopes of work must be risk assessed against Terminal requirements;
- contracted companies will only be selected and authorised following a safety evaluation that complies with the Terminal contractor management procedure;
- all agreements must be documented and include defined safety obligations for the work to be undertaken;
- during the works, safety communications will be made to those carrying out or impacted by the works;
- the Terminal will actively share safety practices with contracted companies; and

- all contractors will be monitored for compliance with required safety standards and the Terminal will take action where standards are not achieved.

4.3.2 Maintenance Critical Safeguards

Contractors must comply with our Maintenance Critical Safeguards, which include the following:

- all plant and equipment must be risk assessed prior to purchase or modification;
- ownership of equipment, handover responsibilities, acceptance testing and communication requirements between operations and maintenance functions in each business shall be clearly defined;
- all plant and equipment shall be registered in accordance with the relevant legislation in each state or jurisdiction and comply with the relevant legislative requirements and Australian Standards;
- equipment used for maintenance and inspection tasks must be fit for purpose, calibrated, maintained and certified;
- tasks shall be risk assessed and safe work processes shall be in place for all maintenance and inspection activities;
- adequate supervision shall be provided for all inspection and maintenance tasks;
- all personnel involved in maintenance and inspection must be trained and competent to undertake the task;
- maintenance standards and procedures must be in place for all plant and equipment, and any modifications to process or plant must follow change management processes;
- all maintenance and inspection tasks must be carried out in accordance with the applicable divisional standard and processes including isolation, permits and decommissioning;
- a full documented history of inspection, maintenance and modification must be maintained by the Contractor and readily available; and
- all equipment which is put out of service or which has restricted use conditions shall be tagged or isolated to prevent inappropriate use

4.3.3 Yard Critical Safeguards

Contractors must comply with our Yard Critical Safeguards, which include the following:

- all operators must be licensed, deemed competent and authorised to operate container handling equipment in accordance with site safety requirements;
- all sites must have traffic management procedures to manage the risk associated with the interaction between container handling activities, equipment and personnel;
- container handling Restricted Work Zones ('RWZ') must be identified, implemented and adhered to in all circumstances;
- a pre-operational inspection shall be undertaken on all container handling equipment before use;
- all work sites must have appropriate procedures in place for all routine activities;
- personnel must never use equipment other than for what it is designed or intended for and in accordance with the manufacturer's recommendations and safe operating procedures;
- 'fall from heights' engineering controls must be implemented when working at heights;

- all work sites must have emergency response procedures that address preparation for and response to extreme weather conditions;
- all work sites must have processes in place to ensure defects to containers are identified and appropriately responded to;
- all work sites handling fumigation must have a documented process in place; and
- all work sites handling powered containers must have an earth leakage system.

4.3.4 Vessel Critical Safeguards

Contractors must comply with our Vessel Critical Safeguards, which include the following:

- vessel safety inspections must be undertaken on all vessels on arrival, prior to personnel commencing work so that hazards can be documented and communicated and risks controlled;
- workgroups shall be tool boxed prior to the commencement of working shifts;
- a RWZ must be established and monitored during crane working activities;
- work must not be performed in direct vicinity to areas where 'fall from height' risks exists;
- personnel must never be positioned under suspended loads;
- closed loop radio communications between work groups must be maintained at all times; and
- operators must be trained, licenced and assessed competent to operate plant and equipment.

4.3.5 Wharf Critical Safeguards

Contractors must comply with our Wharf Critical Safeguards include the following:

- personnel must never walk or stand under a suspended load or allow others to do so;
- the Ryan Key must be used to hold open stuck twist locks to eliminate workers from the line of fire and to maintain the Restricted Work Zone; and
- all sites must have traffic management procedures to manage the risk associated with the interaction between container handling activities, equipment and personnel.

4.4 Environmental Expectations

Environmental performance is a key priority in all aspects of our business activities. We seek to appropriately balance economic, social and environmental outcomes. We believe that all environmental incidents are preventable and that the efficient use of resources and energy and the appropriate management of waste products are essential parts of good business practice.

In order to meet our environmental obligations, all Contractors are required to comply with our Environmental Critical Safeguards, which require personnel to:

- immediately report all spills and leaks to the Terminal Contract Coordinator;
- dispose of waste, materials and substances in accordance with local regulations, relevant Australian Standards and codes of practice;
- notify the Terminal of any requirement to bring a hazardous chemical, substance or dangerous good onto the site;
- hold and maintain current and relevant Material Safety Data Sheets ('**MSDS**') together with a register of all chemicals or substances that the Contractor brings on to the Terminal;
- clean up the work site throughout each shift, at the end of each shift and on completion of work;
- comply with the Terminal's Environmental Management Plan;

- comply with the Terminal's Waste Management Plan; and
- remove all waste, materials and substances from site at the completion of the work.

5 SPECIFIC REQUIREMENTS

5.1 Site Rules

5.1.1 HSE Management Plan

Contractors must have a HSE Management Plan for the scope of work that is to be performed for or on behalf of the Terminal. Contractors must conduct an annual compliance audit against the HSE Management Plan and must provide a copy of the audit report to the Terminal each year for the duration of the contract for services (and otherwise on reasonable request).

The Contractor's HSE Management Plan shall document the HSE performance objectives for the contract along with relevant Key Performance Indicators (KPIs). Contractors shall report monthly performance against KPIs to the Terminal (or otherwise on reasonable request).

5.1.2 Certificates and Licences

In company with this Agreement, there are a range of certificates and licences that Contractors are or may be required to present and maintain in order to work at the Terminal. The expectation is that Contractors will take proactive measures to ensure that all requested and relevant documentation is provided to the Terminal (or to third parties, where applicable), and that currency of these certificates and licences is maintained.

The Terminal has the right to cease engagement with any Contractor that fails to provide proof of valid agreements, certificates and licences including, without limitation:

- acceptance of and entry into this Contractor Safety Agreement Contract;
- appropriate public liability insurance;
- appropriate workers compensation insurance (if applicable);
- appropriate professional indemnity insurance (if applicable); and
- other relevant licences and permits (e.g. High Risk Work Licences, Electrical Licences).

5.1.3 Security and Access

The Terminal is manned 24 hours, 7 days per week by Terminal security. All Permanent Contractors must hold and maintain a valid Maritime Security Identification Card (MSIC), which must be carried and visible at all times. All Non-permanent Contractors must report to Terminal Security on arrival for security pass issue, which must be carried and visible at all times and must be surrendered upon leaving the Terminal. On completion of security card issue, all Non-permanent Contractors must report to their Terminal Site Representative / Terminal Contract Coordinator prior to the commencement of work.

Officers of the Australian Customs & Border Protection Service and Terminal Security have the authority to check personnel and to inspect vehicles, materials, plant and equipment entering and leaving the Terminal.

'Conditions of Entry' signs are displayed at access points to the Terminal and are to be adhered to at all times.

5.1.4 Emergency Management

The Terminal is resourced to respond to a range of potential emergency situations. In instances, where the Terminal lacks the physical ability, resources or specialist skills to adequately or comprehensively respond to a potential emergency situation, reliance is placed on the State Emergency Services.

The Terminal's Emergency Management Plan ('EMP') and Emergency Response Procedures ('ERP') enable the Terminal and State Emergency Service personnel to manage an effective and safe response to emergencies within the Terminal's boundaries. The EMP and ERP each provide guidelines for actions to be taken during an emergency in order to minimise the potential for injury to people, damage, property or the environment.

5.1.5 Incident Reporting and Investigation

All workplace incidents, injuries, damage and near miss events must be reported as soon as practicably possible after they occur. All emergency incidents or events are to be reported immediately to the Person in Charge (PIC) on site, where there is no Patrick Manager on site the emergency should be reported directly to Terminal Security in accordance with the emergency reporting protocols. All non-emergency-based incident reporting is to be directed to Terminal engineering and maintenance management staff (as appropriate). In accordance with the local HSE and environmental legislation, all notifiable incidents are to be reported to the relevant regulator within the specified time periods.

All Contractors must proactively assist the Terminal with its incident investigation processes, which may include (but not be limited to):

- making employees available for incident investigation interview processes;
- providing all relevant documentation on request to assist with the investigation process;
- allowing any representative authorised by the Terminal to audit any and all records of the Contractor (and / or its subcontractors) relating to an incident and / or the services provided); and
- providing a complete, unredacted copy of an investigation reports prepared by or on behalf of the Contractor within seven (7) days of publication (and otherwise on reasonable request).

5.1.6 First Aid

The Terminal maintains first aid facilities and infrastructure as defined in the EMP. The location of first-aid facilities and personnel will be communicated through the Contractor Induction.

5.1.7 Drugs & Alcohol

Patrick recognises the value of its employees, Contractors, sub-contractors and visitors and is committed to promoting and maintaining their health and well-being. Alcohol and other drugs can alter a person's ability to maintain safe work practices and can endanger themselves and others. As such, Contractors have a responsibility to ensure that no employees or sub-contractors present for work affected by substances that may inhibit them from performing their duties efficiently or which may cause risk to themselves, to other people in the workplace or to the public. The Terminal is a drug and alcohol-free workplace and all entrants may be subject to random, for-cause or post-incident drug and alcohol testing.

5.1.8 Induction and Training

Contractors, sub-contractors and their nominated employees are required to successfully undertake the Terminal's induction training prior to being permitted to undertake any work on site. Inductions shall be current for one (1) year from the date of induction and a site-specific induction card shall be issued to the inductee on successful completion of the induction training. Contractors and subcontractors shall be responsible for ensuring that all nominated employees re-sit the induction training at intervals of no greater than one (1) year.

Contractors shall ensure that their employees and subcontractors hold the appropriate licenses, certifications and authorisations and are appropriately skilled and trained to complete the tasks that they are engaged to undertake. Contractors shall also ensure that each of their employees and subcontractors that hold high risk work licenses are put through verification of competency training at intervals of no less than three (3) years.

Contractors shall hold and maintain an up-to-date register of all licenses, certifications, authorisations and training relevant to their employees and subcontractors and must provide a copy of the same to Patrick on an annual basis (or otherwise on reasonable request).

5.1.9 Communication and Consultation

Contractors are to regularly communicate and consult with Terminal Management on the progress of the work and any issues as they arise. Additionally, Contractors are required to comply with and implement all communication and consultation requirements in accordance with local HSE laws.

Where HSE issues are raised at Contractor consultative forums that could potentially impact Terminal work groups, the Contractor must escalate these issues to the Terminal Safety Manager for action and / or raise these issues for discussion at the Terminal HSE Committee Meeting.

5.1.10 Privacy and Confidentiality

5.1.11 Contractors must, and must ensure that each of their employees and subcontractors, comply with all applicable laws, regulations, by-laws and Terminal Policies relating to privacy and confidentiality. Without limitation, Contractors must not discuss with any persons / organisations any matter relating to or involving Terminal sites, equipment or people without the express authority and written approval of the Terminal Manager. The use of cameras is prohibited without the express authority and written approval of the Terminal Manager. **Bullying, Harassment and Discrimination**

Patrick is committed to providing a workplace which puts the safety and wellbeing of our employees, customers, contractors and visitors first, and that is free from all forms of bullying, harassment, victimisation or discrimination in line with relevant legislation (including the *Fair Work Act 2009* (Cth) and other legislation relating to equal opportunity, anti-discrimination and occupational health and safety).

Behaviours constituting discrimination, harassment, bullying or victimisation are not acceptable, are contrary to our values and the way we work together, and are against the law. The Contractor must take proactive steps and implement appropriate policies and procedures to prevent conduct, which is or could be construed as discriminatory, harassing, bullying or victimising. Any such behaviour is considered unacceptable conduct and, if found, may result in disciplinary action.

5.1.12 Use of Personal Electronic Devices (PEDs)

PEDs include mobile phones, iPods, walk-mans and other similar electronic devices. The Contractor must ensure that PEDs are not be used within operational working areas within the Terminal. These areas include, but are not limited to:

- inside, and within proximity to, mobile and fixed plant and equipment (including vehicles);
- the engineering workshop and associated engineering areas;
- in proximity to cargo exchange working areas (wharf, crane, vessel);
- in proximity to suspended loads;
- in areas where fall from height risks exist; and
- in operational working areas (i.e. wharf, ship, trucks grids, TMA, OOG and the yard).

For the purposes of working arrangements and / or in the event of an emergency, PEDs may be used but in such circumstances, users must adhere to the following rules:

- do not use the device unless you have established it is safe to do so;
- retreat to a safe, protected, non-operational area (shelter or restricted area);
- remain vigilant at all times;
- restrict use to as short a time as possible; and
- remain stationary for the duration of the use.

5.1.13 Smoking

The following rules apply to all areas of the Terminal and include all Patrick-owned or leased plant such as cranes, mobile equipment and vehicles.

Smoking is only permitted during scheduled rest breaks, and in specifically designated areas.

For the avoidance of doubt, smoking is prohibited:

- in all areas of the truck grids;
- in buildings, plant and machinery and all container/cargo stacking areas;
- in areas of hazardous exposure and/or in accordance with Port regulations;
- in situations that give rise to “passive”, “second hand” or “side stream” smoking by other employees (therefore, a total ban on smoking is to be enforced in all offices, amenity room and any enclosed areas); and
- where it creates a permanent unpleasant atmosphere for others due to residual smoke, such as in cranes, mobile equipment cabins and vehicles.

5.1.14 Housekeeping

Contractors are required to maintain workplaces in a clean and tidy state. Working areas, stairways, passages, emergency exits, firefighting and safety equipment must be kept clear at all times.

5.1.15 Communications

The Terminal operates an internal radio communication system from a series of fixed stations and portable hand-held units. The system is used for routine workgroup communications and for emergency communications. Dependant on the nature of the activity, radios can be issued through the relevant Patrick contract coordinator.

Radios have a broadcast function and all emergency instructions will be communicated via that broadcast function. Further information on emergency response will be communicated through the induction training.

5.1.16 Automated Yard (Sydney and Brisbane)

The Automated Yard is a fully enclosed fenced area where containers are stored waiting to be loaded on-board vessels, or to be received by road transport vehicles from the truck grids. Automated straddle carriers operate within the Automated Yard and, as such, access to the Automated Yard is strictly controlled.

For the avoidance of doubt, access to the Automated Yard is prohibited without prior written approval from Terminal Management.

5.1.17 Access to Cranes

Contractor access to cranes is prohibited without the express authorisation and prior written approval from Terminal Management.

5.1.18 Reefer Contractors

Refrigerated container ('**Reefer**') Contractors may access the Terminal and vessels alongside the berth to undertake maintenance and repair functions to Reefer containers at the Terminal and on-board vessels alongside the berth, after receiving prior written approval from Terminal Management. Reefer Contractors shall undertake an induction that is specific to the areas of work that they require to access.

5.1.19 Access to Vessels

Access to vessels alongside is controlled by the vessels command. The Terminal mandates the implementation of a RWZ during cargo operations. The purpose of the RWZ is to segregate personnel from crane working areas on-board the ship when container handling operations are being undertaken.

In circumstances where the RWZ is breached (consciously or unconsciously) by someone who has been granted access to the vessel, or in circumstances where the access procedure is not followed, the container crane operation in the subject bay will cease immediately until the unauthorised entrant is removed. The RWZ applies to all personnel on-board the vessel (including ship's crew), Patrick employees and contractors.

5.1.20 Wharf Operations

The wharf area is a potentially hazardous environment with the interaction of personnel, cargo, mobile plant and vehicles presenting numerous hazards. Consequently, the Contractor must take proactive steps to ensure that all personnel remain aware of the hazards and place themselves in a safe position at all times.

Contractors must ensure that their employees and subcontractors always drive in a safe manner according to prevailing conditions and adhere to the Terminal speed limits and traffic flow. Under no circumstances are personnel to be situated under, or to drive under, suspended loads. Contractor work areas in operational areas must always be isolated by traffic cones or jersey kerb.

5.1.21 Traffic Management

Contractors must ensure that all vehicles they supply or use are safe, maintained and operated by licensed and competent persons in accordance with all applicable legislation, Australian Standards and codes of practice (including, without limitation, the *Heavy Vehicle National Law*, where applicable). Only approved and authorised Contractor vehicles are permitted to access the Terminal. There are a number of registered and non-registered vehicles, mobile plant, dock trucks, commercial trucks and forklifts that occupy and transit the Terminal's roads. Accordingly, Contractors must ensure that the following traffic management standards must be adhered to at all times:

- all drivers must hold a current Australian State or Territory Government issued driver's licence;
- all drivers must carry a current site induction card and driving permit;
- all drivers must drive in a safe manner according to prevailing conditions and must adhere to the Terminal speed limits;
- seatbelts must be worn by all occupants in all vehicles / equipment / mobile plant on site;
- personnel must ensure that all body parts are in the vehicle prior to closing the door;
- standard road rules apply (with the exception of the vicinity of Maritime Security Zone gate interchange area – extreme caution should be displayed in this area);
- personnel must ensure that all vehicle doors are closed whilst driving;
- personnel must never to be carried in the back of utility vehicles;
- vehicles should never be overloaded;
- vehicles must give way to larger vehicles;
- drivers are to drive accordingly to the weather conditions and must reduce speed if necessary;
- caution must be taken when driving on the wharf (vehicles must never drive under a suspended load. Instead, vehicles should wait until the crane spreader is over the ship or in the back-reach area. Drivers must maintain direct vision of persons working under the crane at all times and must follow the directions of crane gang personnel located at the base of the crane);
- vehicles should not be parked over or in the vicinity of the crane rails;
- drivers must obey any directions from Patrick crane personnel whilst transiting the wharf;
- vehicles are to have headlights on when outside of daylight hours and / or where prevailing weather conditions necessitate;
- vehicles fitted with flashing safety lights must ensure that they are operating at all times that the vehicle is in motion (in the absence of a fitted flashing light, hazard lights are to be activated); and
- passengers are not to travel in a vehicle unless seated safely in a designated seat.

5.2 Personal Protective Equipment (PPE)

As the last line of defence in the hierarchy of control, the standardised use of PPE and workplace clothing is a fundamental safeguard. Contractors must ensure that all sub-contractors, employees and visitors:

- comply with the Terminal's PPE requirements;
- be trained in the appropriate use of PPE
- wear the correct workplace clothing and PPE in relation to their working activities;
- maintain PPE in a good working and functional condition;

- report damage or defective PPE, and replacing; and
- not intentionally misuse or damage PPE.

5.2.1 Supply of PPE

Contractors are responsible for the supply of PPE relevant to and suitable for the work being performed and location of the activity.

5.2.2 Selection of PPE

All PPE used at the Terminal must comply with the relevant Australian Standard(s). The suitability of PPE should be evaluated based on the interaction between the hazard, the task being undertaken, personnel attributes and the workplace conditions. When selecting PPE, the Contractor must consult and comply with the following sources of information:

- relevant Australian Standards;
- relevant Codes of Practice;
- applicable MSDSs for work involving chemicals;
- applicable Risk Assessments, Job Safety Analysis ('**JSA**') / Take 3;
- instructions provided by the designers, manufacturers and / or suppliers of PPE; and
- Safe Work Method Statements.

5.2.3 PPE Maintenance

The Contractor must ensure that all PPE is maintained to ensure that it is functional and clean at all times. Prior to each use or at the commencement of an activity, PPE is to be visually inspected to determine that it functions as intended and is free from damage. Where PPE is damaged such that it may not provide the necessary protection, the Contractor must ensure that it is either repaired or disposed of appropriately and replaced. PPE worn by more than one person must be cleaned after every use. The cleaning of PPE shall be undertaken in accordance with the manufacturer's instructions.

5.2.4 PPE Types

5.2.4.1 High visibility clothing

The Contractor must ensure that high visibility upper body garments or safety vests are worn in all designated work areas. Upper body garments shall be fitted with reflective tape visible from the front and rear of the person. Upper body garments must meet the conventional shirt design characteristics (i.e. not singlets). Dirty, aged or faded high visibility upper body garments are not to be worn to ensure high levels of visibility and reflectivity are maintained.

5.2.4.2 Safety footwear

The Contractor must ensure that safety footwear provides protective reinforcement to the toe cap nominally referred to as steel-capped boots. Safety footwear shall be neutral in colour with the style branding and particulars at the wearer's discretion. Safety footwear must be maintained in a reasonable state and is to be replaced if excessively worn or damaged.

Safety footwear is a mandatory requirement in all operational areas of the Terminal.

5.2.4.3 Safety helmet (hard hat)

The Contractor must ensure that helmets are made of plastic or other non-metallic/non-conductive materials and must be designed to fit a chinstrap and hearing protection. Protective helmets are to be worn facing the correct way on the user's head and adjusted to ensure a safe and comfortable fit to head is made, without excessive movement. Helmets must be replaced if the helmet is cracked, damaged or suspected of damage and / or at the user's request. Helmets shall not be defaced with stickers or graffiti markings.

5.2.4.4 Hearing protection

The Contractor must ensure that hearing protection is worn in all designated areas or at the individual's discretion so long as not to present additional risk. Hearing protection shall be made available as individual disposable earpieces or as safety helmet fitted units. Hearing protection shall be replaced as required at the user's discretion.

5.2.4.5 Gloves

When selecting gloves, consideration must be given to ensuring that the wearer will be able to take a safe grip on tools, fixtures and fittings. The Contractor must ensure that gloves are when showing signs of wear, damage, excessive grease or at the user's discretion.

5.2.4.6 Eye protection

The Contractor must ensure that the design and particulars of glasses are fit for purpose to safeguard the user from the potential risk of eye injury. Clear, smoke and yellow tinted glasses shall be made available. Tinted glasses are not to be worn indoors or in areas of reduced ambient light. Glasses shall be replaced if they become damaged, excessively scratched or at the user's discretion.

5.2.4.7 Respirators

The Contractor must ensure that respirators are used where it is necessary to protect personnel from deficiencies of oxygen or contaminants in particulate or gaseous form. Respirators will be selected based on the task or activity being undertaken and documented in the relevant work instruction or JSA.

Respirators are to be checked prior to use to ensure that the selected respirator meets the intended purpose and is functional in all respects. Damaged respirators shall be either repaired or disposed of appropriately and replaced.

5.3 Risk Management

All risks associated with Contractor working activities must be assessed by the Contractor and appropriate control measures implemented. The application of considered and appropriate risk management is critical in identifying hazards and in implementing adequate controls. In this respect, all Contractors are required to refer to SWIs or SOPs and / or to undertake documented risk assessments prior to and throughout working activities.

A record of all risk assessments shall be maintained by the Contractor and shall be provided to Patrick prior to undertaking work at the Terminal, or otherwise on reasonable request.

There are three levels of risk assessment activities undertaken at the Terminal. The initial selection on the most suitable risk assessment tool is based on the:

- consequence of injury or damage;
- likelihood of injury or damage;
- complexity of the activity / task; and
- frequency of the activity / task.

In certain circumstances, Terminal staff will provide direction on the risk assessment tool to be used, which will be documented on **PAT_HSE_FRM_04_046 Safe Work Assessment Permit SWAP** or the Terminal's equivalent.

5.3.1 Task Planning

Task planning is an essential requirement in achieving productive and safe outcomes. Regardless of the task complexity, Contractors must undertake planning activities prior to task commencement. The planning structure should, as a minimum, be documented and follow the following process:

<p>1. Do you have the right:</p> <ul style="list-style-type: none">– Tools, PPE, procedures, plans– Authority, permits and licences <p>2. Think about:</p> <ul style="list-style-type: none">– Incompatible operations, isolations, change– People, safety and environment <p>3. Define the task steps:</p> <ul style="list-style-type: none">– Supervision– Task start– Change– Completion of the task– Clean-up	<p>4. What could go wrong:</p> <ul style="list-style-type: none">– Injury– Damage– Near miss– Environmental incident– Operational incident <p>5. How will I control the risk:</p> <ul style="list-style-type: none">– Procedure / Instructions– JSA– Take 3– Seek higher authority
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5.3.2 Team Based Risk Assessment (TBRA)

A TBRA is a documented risk management tool that breaks down the job into subtasks and process steps and identifies each hazard associated with each process step. The risk assessment principles of identifying the likelihood of a particular consequence are then applied before working through reasonably practicable control measures, using the hierarchy of control to reduce the risk to as low as reasonably practicable.

TBRAs are to be undertaken through consultation with persons who have the appropriate skills, knowledge or experience in relation to the task that is being assessed.

Risk controls are to be routinely verified to ensure that they meet the intended aims of safeguarding people from injury, of preventing damage to plant and equipment from occurring and avoiding damage to the environment.

For planned or routine tasks, SWI's or procedures must be developed, maintained and implemented, in addition to a TBRA.

5.3.3 Job Safety Analysis (JSA)

When documented instructions or procedures for a task do not exist, a JSA is to be undertaken to control unplanned or additional risk, to assess change and / or to address safety concerns. Primarily, JSA's are to be developed for non-routine or irregular activities. JSAs detail the activity, the task steps, hazards and the controls. A JSA is to be developed with involvement from all personnel involved in the activity.

The JSA is to be read, understood and acknowledged through signature by all personnel prior to the commencement of the activity (refer **PAT_HSE_FRM_04_015 Job Safety Analysis Form** or to the Terminal's equivalent).

5.3.4 Take 3

A 'Take 3' is a personal safety assessment to be used for low-risk, simple tasks at the start of a task, when a task changes, when conditions change and / or as a personal safety assessment at any time. Where a 'Take 3' is not used, a JSA should be used in its place.

5.4 Plant and Equipment

Contractors must ensure that all plant and equipment that they supply or use is safe for use, is licensed, and is guarded in accordance with applicable statutory requirements, relevant Australian Standards and codes of practice. Plant and equipment is to be maintained by a competent person and must only be used for its intended designed purpose and in accordance with SOPs. Contractors must ensure that operators are licensed and appropriately trained and must be sufficiently briefed on area of operations and relevant hazards. Security of equipment is the contractor's responsibility. The borrowing or the use of Terminal plant and equipment will only be permitted on approval from the Terminal Engineering Manager.

The Terminal reserves the right to inspect plant, tools and equipment and where necessary and to prohibit use if deemed to be unsafe.

5.5 Work Permits

5.5.1 Safe Work Assessment Permit (SWAP)

A Safe Work Assessment Permit must be completed by all Contractors prior to the commencement of work and a copy provided to the Terminal. The SWAP shall document the specifics, manning, relevant permits, and safety aspects of the task. If a Contractor has been engaged to undertake multiple jobs, a SWAP must be completed for each job. Where a job duration extends more than one day, a SWAP must be completed each day.

5.5.2 Confined Space Entry Permit

Contractors must not enter any confined space, including open topped tanks, transport containers, pits, sewers and ducts or any area that is not intended or suitable for human occupancy without the express written authorisation of the Terminal Engineering Manager.

The Terminal's confined space register is to be referenced to identify spaces deemed as confined. All work in confined spaces must be conducted in compliance with all appropriate statutory requirements

and relevant Australian Standards and codes of practice. A Confined Space Permit must be completed prior to entry.

The mandatory requirements for confined space entry are:

- workers must be trained and competent in confined space entry and related tasks;
- confined space risk assessments must be conducted prior to entry;
- all potentially hazardous services should be isolated prior to any person entering a confined space;
- a competent standby worker for confined space work will be appointed and shall be present at the entry point for the duration of the work;
- any atmospheric monitoring equipment used must be of an approved type, must be listed on a register and must be regularly inspected, tested, calibrated and stored in accordance with manufacturer's specifications, and;
- an emergency rescue plan for the confined space work must be documented and all required equipment must be readily accessible in the case of an emergency.

5.5.3 Hot Work Permit

Hot work includes, but is not limited to, welding, oxy-cutting and / or heating with a welding torch, grinding and drilling operations in any area of the plant outside of engineering workshops. Due to the nature of these operations and the risk of fire, regular clean-up and post-work site checks must be conducted. Generally, a Hot Work Permit must be completed prior to the commencement of any hot work outside of the designated engineering workshop areas (however, this requirement may be waived by the Terminal Engineering Manager in certain circumstances and in the Terminal Engineering Manager's complete discretion).

5.5.4 High Voltage Access Permit

Any work performed on high voltage ('HV') electrical equipment must only be undertaken by suitably licenced and competent personnel. HV Access permits must be completed prior to the commencement of any HV access work.

5.6 Fall Prevention

Fall prevention applies to any situation where a risk of injury from falling exists, regardless of the height of the fall. The critical safety guards for the prevention of falls which the Contractor must comply with are as follows:

- all contractors and employees who conduct work at heights must be trained in the plant and equipment used and must hold any relevant licenses, certifications and approvals;
- all fall risks must be assessed prior to work commencing;
- no personnel are to work within two (2) metres of an unprotected edge where the potential fall is greater than two (2) metres.
- ladders must only be used for access and only where other methods of access are not practicable (in such circumstances, a person must have three points of contact at all times and the ladder must be tied off and / or supported below);

- work at height must not take place when working alone or where there is a heightened injury risk due to the prevailing weather conditions ;
- barricades and signage must be erected where work is being conducted above in order to protect others from falling materials. Devices must also be in place to stop tools and equipment from falling, such as kick-boards;
- a rescue and retrieval plan must be in place before work at height commences and must be practiced regularly;
- users must inspect fall prevention and restraint equipment prior to use;
- fall prevention and restraint equipment must be regularly inspected and tagged; and
- equipment must be destroyed and disposed of following a failure of equipment, or where there is excessive wear or malfunction (however, such equipment is to be preserved for the purpose of investigation if involved in an incident).

5.7 Lifting

Lifting applies to all mechanical lifting and rigging activities whereby an object is either lowered or raised into a position. The critical safety essentials for any lifting operations which the Contractor must comply with are as follows:

- lifting operations are to be planned, supervised and carried out in a safe manner by people who are competent and appropriately licensed and qualified;
- all routine lifts must have a specific procedure supported by a documented risk assessment;
- all non-routine or recovery lifts must be subject to a lift plan and a documented risk assessment (TBRA).
- lifting and rigging gear must be engineered, certified, and used in accordance with the intended design purposes and specified limits and must otherwise be in good working order as verified through pre-operational inspections and routine testing;
- lifting plant and equipment must be certified and be used in accordance with intended design purposes and design limits and must otherwise be in good working order and be subject to routine maintenance;
- any lift plan and safe work instruction, along the roles of individuals involved in the lift, must be communicated to all members of the team prior to the lift;
- pick-up and lay-down areas are to be within the crane's load lifting radius and the lift path must be kept clear of obstruction at all times. Designated RWZs / exclusions zones must be established in and around the lift perimeter;
- prior to commencing a lift, the load's weight and centre of gravity shall be established;
- lifting operations shall be conducted under controlled circumstances and the load must be clear of possible falling objects, fastenings and dunnage prior to the lift;
- persons are prohibited from putting themselves directly under a suspended load or "in the line of fire" of a suspended load; and
- if a load needs to be manually positioned into its point of rest, persons shall not approach the load until it is at a safe height. Rigging equipment shall not be removed until the load has been safely landed on the ground or certified structure.

5.8 Isolations

All Contractors who work on or identify faulty or unsafe plant and equipment must comply with and implement all requirements defined in the Terminal Isolation Procedure. Suspected and actual breaches of the Terminal Isolation Procedure must be recorded and immediately reported to the Terminal Engineering Manager. Upon investigation and subsequent findings, disciplinary action may be undertaken.

All Contractors that are working in operational areas shall define their work area with traffic cones or barricades to isolate the work area from Terminal operations.

The Contractor must ensure that all stored energies are risk assessed with appropriate controls put in place and communicated prior to working on equipment or plant that has the potential for the uncontrolled release of stored energy.

All sources of exposure to live electricity are to be isolated prior to working on plant or equipment. If work is to be completed on live equipment, the Contractor must conduct a risk assessment prior to commencing the work and a copy of the same provided to the Terminal. The Terminal Engineering Manager shall authorise the work and the Contractor shall have in place a 'working on live equipment' procedure with licensed personnel appropriately trained in that procedure.

5.9 Hazardous Substances and Dangerous Goods

The Contractor must inform Terminal Contractor Coordinator of the intention to bring hazardous substances and / or dangerous goods to site. The nature of the product or material will otherwise be assessed by the Contractor prior to seeking authority from the Terminal and such authority being granted by the Terminal to bring that product or material onsite. In relation to each hazardous substance, the Contractor must maintain and provide to the Terminal a copy of a register of all hazardous substances and / or dangerous goods on site, all applicable MSDSs together with a written risk assessment in relation to the use, storage, transport and disposal of those hazardous substances and / or dangerous goods.

The Contractor is responsible for ensuring the appropriate storage of any hazardous substances and / or dangerous goods brought onto site. All hazardous substances and / or dangerous goods must be stored and handled in accordance with relevant statutory requirements, Australian Standards and codes of practice.

At the conclusion of the works, all unused chemicals, substances and materials brought onto the Terminal and the Contractor must remove any waste generated from site.

6 CONTRACTOR SAFETY AGREEMENT CONTRACT

Contractor Company Name: (the ' Contractor ')	
ABN:	
Registered Address:	

On behalf of the Contractor listed above, I acknowledge and confirm that:

- I have received, read, understood and accepted all of the rules, regulations and procedures pertaining to our engagement to conduct contracted services at the Patrick _____ as prescribed within this Contractor HSE Agreement (and am duly authorised, on behalf of the Contractor to do so);
- the Contractor accepts full responsibility for ensuring that all sub-contractors, employees, agents and visitors are made aware of, understand and comply with the terms of this Contractor HSE Agreement and all other applicable rules, regulations and procedures pertaining to our engagement to conduct contracted services at Patrick _____;
- Patrick's Terminal Induction Procedure is incorporated into and forms part of any and all contracts (either written and/or verbal) between us and Patrick, and that any contravention of this Contractor HSE Agreement and all other applicable rules, regulations or procedures (either by the Contractor or by any of our sub-contractors, employees, agents or visitors), may cause dismissal from site, refusal from further entry and/or the termination of such contracts; and
- the Contractor assumes liability for and will indemnify and keep indemnified Patrick against any claims, costs, (including legal costs on an indemnity basis), losses, liabilities, damages or proceedings whatsoever and howsoever arising in respect of a breach of this Contractor HSE Agreement.

<i>Declaration for and behalf of the Contractor:</i>	
Name:	
Position Title:	
Mobile Number:	
E-mail Address:	
Signature:	
Date:	

7 REFERENCES

- Patrick Health, Safety & Environment Policy
- Patrick Drug & Alcohol Policy
- Patrick Prevention of Bullying Harassment & Discrimination Policy
- Patrick Home Safely Everyday – Our Beliefs
- Patrick Home Safely Everyday – Our Personal Safety Values
- Terminal Emergency Management Plan
- Terminal Emergency Response Procedures
- Terminal Environmental Management Plan
- Terminal Waste Management Plan
- Job Safety Analysis
- Take 3
- PAT_HSE_FRM_04_046 Safe Work Assessment Permit SWAP
- PAT_HSE_FRM_04_015 Job Safety Analysis Form
- Terminal Induction
- Terminal Contractor Induction
- Terminal Confined Space Register
- Terminal Isolation SOP/SWI
- Terminal Contractor Reefer Repair SOP/SWI
- Terminal Workplace Clothing and PPE SOP/SWI
- Terminal Access and Movement through the Terminal SOP/SWI
- Terminal Ship Working Activities SOP/SWI
- Terminal Yard Working Activities SOP/SWI
- Patrick Critical Safeguard – Contractors
- Patrick Critical Safeguard – Maintenance
- Patrick Critical Safeguard – Vessels
- Patrick Critical Safeguard – Wharf
- Patrick Critical Safeguard – Yard