

WORKING ON, OVER OR NEAR WATER PROCEDURE

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1 Purpose

For the purpose of this document, ‘near’ water is defined as working in close proximity to water where there is a reasonable likelihood of falling in.

The purpose of this Procedure is to outline the minimum requirements and provide guidance to ensure activities related to working on, over or near water on any Mid West Ports Authority (**MWPA**) controlled land or marine area, are conducted in a safe and environmentally acceptable manner.

2 Scope

This Procedure applies to:

- MWPA employees at all times and in all work locations; and
- Contractors working on land or water that is under the operational control of the MWPA.

3 Roles and Responsibilities

Role	Responsibility
Permit Owner	Person who is undertaking the work on, over or near water task and completes the initial permit request. Permit owners are responsible to ensure the permit requirements are adhered to during the work activity.
Permit Coordinator	MWPA person who coordinates the permit process and ensure that the activities can be managed so as not to impact other Port users. Ensure permit criteria are met prior to approving the permit.
Maintenance Supervisor	MWPA person who may coordinate maintenance activities including work on, over or near water that may require an exemption under the Short Duration Tasks section of this Procedure.
Marine Superintendent Wharf Supervisor	MWPA person with relevant qualification or experience to review the activities described in the permit application and to review and approve the content or reject the application until further information is provided.
Work Health and Safety Advisors	MWPA Staff Members who are responsible to conduct health and safety inspection and audit services of working on, over or near water activities.

4 Definitions

Competent Person	<i>As per the Work Health and Safety (General) Regulations 2022, r5:</i> A person who has acquired through training, qualification or experience the knowledge and skills to carry out the task.
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Construction Work	<p>Refer to the <i>Work Health and Safety (General) Regulations 2022</i>, r.289 and r.290 for full details. Applicable activities includes:</p> <p>(r.289)</p> <p>(1) ‘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’; and includes:</p> <p>(2) ‘an activity referred to in sub-regulation (1), that is carried out on, under or near water, including work on buoys and obstructions to navigation’.</p> <p>(r.290)</p> <p>‘structure’ as it relates to work afloat includes the work described above that includes the following</p> <p>‘A ship or submarine’.</p> <p>‘Foundations, earth retention works and other earthworks, including river works and sea defence works’.</p> <p>‘A dock, harbour, channel, bridge, viaduct, lagoon or dam’.</p>
Hazardous Zone	<p>Within the MWPA main harbour, a yellow delineation line is painted on the deck of all berths to identify the separation of the safe zone on the berth side of the line and the potentially Hazardous Zone which is on the waterside of the yellow line.</p>
PFD	<p>Personal Floatation Device. For MWPA activities the minimum standard of buoyancy permitted is a Level 150 device.</p>

5 General Requirements

5.1 WHAT IS WORKING ON, OVER OR NEAR WATER

Activities at the Geraldton Port that require work on, over or near water may include, but are not limited to the following.

- Working near a berth edge, over the face or under a berth.
- Pilotage.
- Operation of water craft in the harbour basin / channel (excludes pilot boat activity).
- Utilising a vessel, pontoon, floating platform or barge as a means of transport and working platform.
- Diving activities.
- Pile driving operations.
- Working in a Work box suspended by crane, over water.
- Working in a Mobile Elevated Work Platform (**MEWP**) above water.

5.2 DOCUMENTS USED TO MANAGE WORKING ON, OVER OR NEAR WATER

Mandatory documents that are required to manage this activity include the following.

Requirement	Document
Working On, Over or Near Water	<p>The mandatory documents used to manage these activities include:</p> <ul style="list-style-type: none"> • Safe Work Method Statement (SWMS) or Job Safety and Environmental Analysis (JSEA) See definition below regarding High Risk Construction Work. • Permit to Work Procedure • Authority to Access • Application for Work Afloat and Diving Permit
Diving Activities	Refer to the Diving Procedure for detail of the management of MWPA controlled diving activities.

5.3 HIGH RISK CONSTRUCTION WORK

Under the *Work Health and Safety (General) Regulations 2022*, (r.291) 'High Risk Construction Work' on, over or near water, means Construction Work that:

- (n) 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;
- (q) is carried out in or near water or other liquid that involves a risk of drowning; or
- (r) involves diving work.

A Safe Work Method Statement (SWMS) is required prior to the commencement of work (r.299). Refer to Section 5.4 for the minimum requirements of this risk assessment process.

5.4 RISK ASSESSMENT

A SWMS / JSEA must be completed prior to conducting work on, over or near water and reviewed and updated on site prior to commencement of the activity.

Requirement	Topic
Minimum Written Requirements	<p>Note – Refer to the MWPA Diving Procedure for specific information related to the management of diving activities.</p> <p>Hazards associated with work on, over or near water that require assessment include:</p> <ul style="list-style-type: none"> • Work Vessel – Details of the vessel used for the operations shall be included. • Location – The location of the work site(s) shall be clearly identified. • Berth Edges – See detail in Section 6 re specific controls when working on berth edges. • Access and Signage – List what restrictions or information to access work area / signage that may be required for notification.
	<ul style="list-style-type: none"> • Communication – <u>Shall</u> be identified between the vessel and MWPA Wharf Supervisor. External communication may include the use of flags to inform other vessels who may be in the vicinity of the works.

Requirement	Topic
	<ul style="list-style-type: none"> • Emergency Procedures – Emergency procedures must be identified in the JSEA or separate document and need to ensure they have adequately identified: <ul style="list-style-type: none"> • local / job site emergency response, ensuring personnel are aware of immediate response requirements; • emergency contacts for notification and escalation; and • emergency equipment that is suitable for the nature and scale of the work, for example, first aid / rescue equipment.

6 Specific Requirements

6.1 USE OF PERSONAL FLOTATION DEVICES

An automatically inflating Personal Flotation Device (**PFD**) minimum Level 150, must be worn where there is a risk of falling into the water. The PFD must be in-date, bear a current tag, and checked for currency and suitability by the person wearing it. All personnel required to wear a PFD are to be trained in the correct inspection procedure (signs of wear and deterioration, within annual service date) and the correct method of wearing it.

Where the risks associated with wearing a PFD outweigh the risks of not wearing one, alternative measures can be implemented in lieu of wearing a PFD (use of restraint equipment to prevent a fall into the water).

6.2 THE BERTH YELLOW DELINEATION LINE OR RISK OF FALLING INTO WATER

A yellow delineation line is painted on the deck of all berths. It is there to indicate the separation of the safe zone (berth side) and the potentially Hazardous Zone (water side).

All personnel working or standing on the water side of the yellow line (Hazardous Zone) are required to wear an automatically inflating PFD Level 150. This includes personnel who, in the execution of their work tasks, are or may be required to pass from the 'safe zone' into the Hazardous Zone.

If any work activities are taking place within the Hazardous Zone or in areas of risk of falling into water, the Supervisor must assess the hazards both on deck, alongside the berth or under the deck and manage the risks in accordance with MWPA hierarchy of controls.

A suitable method of communication (verbal / radio) between personnel working near the edge and personnel working away from the edge. Consider environmental conditions prior to commencing work; where possible work on or near water should not be conducted in windy or wet conditions, or if there is significant swell / surge in the harbour.

Whilst undertaking work within the Hazardous Zone there must be another person in close proximity to act as an observer / spotter and must be fully conversant in their role. The observer / spotter shall carry some form of communications device such as two-way or mobile phone, to summon assistance if required. Work that may occur where there is no Hazardous Zone identified (for example, some areas of Fishing Boat Harbour) shall be assessed on a case-by-case basis as to the requirement for a dedicated observer / spotter.

6.3 RESCUE BUOY

A rescue buoy (life ring) should be available not more than 25 metres from the location of work. Other appropriate equipment to facilitate water retrieval is to be available based on the risks of the job and the location.

6.4 WORK OVER WATER

Where maintenance work is conducted over water, the following hierarchy of controls applies.

- Where possible, the risk of falling into the water is to be eliminated or at least minimised by conducting the work on land and then installing in position over water.
- Where work must proceed on or near water edge, fall protection will be used where possible.
- Work from a work basket where scaffolding is not feasible, or the task is of a short duration.
- Personal protective equipment such as fall restraint / fall arrest and PFD. Consideration must be given to individual risks associated with the task being performed.

6.5 WORKS INSIDE THE COMMERCIAL HARBOUR

When a vessel works inside the Commercial Harbour it is the responsibility of the Master of the vessel to ensure that the 'R' flag (positioned at the entry to the work boat pens) is raised and locked into the upright position while working afloat. The lockbox cabinet is located at the base of the flag.

The flag is to be raised and locked into the upright position with the use of the hasps and a padlock. An information tag shall be placed onto the padlock which clearly shows:

- the Master's name;
- their contact number; and
- the permit number under which they are working.

If the flag is already raised, the Master is to ensure that they place an additional padlock and information tag onto the hasp. The tag must show all of the above details. The key to the padlock is to be kept by the Master of the vessel.

For works in the Commercial Harbour it is the responsibility of second or subsequent permit holder Masters, to contact parties whose tags are already attached to the raised flag and inform them of their work activity. Clarification can be sought by contacting the Harbour Master's office on VHF 11 or by calling 9964 0505.

When works have been completed for the day the Master of the vessel is to ensure that the padlock and information tag are removed from the hasp. If theirs is the last padlock to be removed, they must lower and stow the flag. The padlock, key and hasp are to be placed back into the lockout cabinet. If the lock is not removed, the Master will be contacted and required to return to the Port in order to remove the lock from the hasp.

6.6 SHORT DURATION TASKS

The requirements for formal working afloat approval can be expedited for members of the MWPA maintenance team for short duration tasks or short notice working afloat tasks.

The Maintenance Supervisor or delegate can call the Duty Pilot or Ship Scheduler and verbally request approval for the work afloat. They are to explain:

- the nature of the task;
- location of the task; and
- expected task duration.

Typical short duration working afloat tasks for the Maintenance team include:

- move barge;
- 60 minute tasks; or
- short notice simple tasks.

If approval is given, they must send an email to the shipping email address (shipping@midwestports.com.au) and the Wharf Supervisors are to be copied into the email (wharfsupervisors@midwestports.com.au). This email must explain the nature of the task, location and duration of works. The requirements for the personnel working afloat remain the same as is set out in 'requirements checklist' of the working afloat / dive permit. Upon this approval the Maintenance team can proceed with their activity.

Similar exemption from the formal working afloat approval applies to members of the Marine team (Pilot Boat Crew and Marine Specialists). This is in recognition of the fact that a large proportion of their day-to-day tasks involve working on, over, and near water and much of it is on short notice (weather dependent). Because of this, it may be impractical to require a formal permit to be obtained prior to starting.

Prior to commencing work outside the harbour basin, Marine staff should contact the Duty Pilot or Ship Scheduler and advise the nature of the task, location and estimated duration.

Some examples of the types of tasks Marine staff routinely undertake which are exempt from requiring a formal permit include (but are not limited to):

- minor maintenance and cleaning of vessels alongside jetty;
- minor maintenance work on navigational aids;
- conducting safety drills;
- clearing channels of obstructions;
- pilot transfer operations; and
- security patrols.

7 Working Suspended Above Water

MWPA has an exemption from the requirement to wear a harness when working over water in a work box or Mobile Elevated Work Platform (MEWP). Refer to the Working at Heights Procedure for more detail.

8 MWPA Vessels and Licence Requirements

Vessels used on MWPA controlled waters must be either:

- in survey;
- survey exempt (EX); or
- registered as survey-exempt vessel (C-survey exempt).

8.1 SURVEY EXEMPTION

Regulation 10A of the WA Marine (Surveys and Certificates of Survey) Regulations 1983 allows for certain Class 2 vessels to be survey exempt. These vessels must:

- be less than 8 metres in length;
- not carry passengers;
- not operate further than 5 nautical miles off the mainland; and
- be registered and carry prescribed safety equipment.

MWPA has a number of vessels that have been exempted – refer to class 2E vessels in Table 3.

8.2 PASSENGERS DEFINITION

‘Passengers’ are defined under the National Standard for Commercial Vessels as ‘any person other than: the Master and other members of the crew; a person designed as special personnel or a child under one year of age’.

8.3 ‘SPECIAL PERSONNEL’ DEFINITION

‘Special personnel’ are defined under the National Standard for Commercial Vessels as: ‘all persons who:

- have knowledge of safety procedures and handling of safety equipment onboard;
- are not passengers, or members of the crew, or children under one year of age;
- are carried onboard in connection with the special purpose of that vessel, or because of special work being carried out aboard that vessel; and
- are able bodied’.

8.4 ‘SMOOTH WATERS’ DEFINITION

‘Smooth Waters’ (sheltered waters) for Geraldton are defined in Schedule 1 of the *WA Marine (Certificates of Competency and Safety Manning) Regulations 1983* as ‘South of the West Breakwater and south of the parallel of the East Breakwater Light’. Refer to the published Department of Transport drawing located at Attachment A.

8.5 REQUIRED SAFETY EQUIPMENT

All vessels must be fitted with the required safety equipment – refer to the WA Department of Transport ‘Application for Registration of a Survey Exempt Vessel’ for equipment requirements. Different equipment requirements apply for Smooth Waters compared with unprotected waters.

8.6 COMMERCIAL VESSELS

Commercial vessels can be classified into four different categories as follows.

Table 1 – Vessel Class

Class 1	Passenger vessels, being vessels carrying more than 12 passengers
Class 2	Trading vessels, including tugboats, barges, vessels that may carry up to 12 passengers
Class 3	Fishing vessels
Class 4	Hire and drive vessels

They are also classified by their area of operation, as follows.

Table 2 – Operational Areas

'A' Area	An unlimited area of operation
'B' Area	Offshore operations to 200 nautical miles of the coast
'C' Area	Restricted offshore operations within a range of 30 nautical miles from 'D' area waters or mainland coast
'D' Area	Operations within gazetted partially smooth waters
'E' Area	Operations within gazetted smooth waters (generally inland waters)

Table 3 lists the minimum licence requirements to operate MWPA vessels.

Table 3 – Vessel Licence / Competency Requirements

MWPA Vessel	Class	Vessel Length (m)	Permitted to Operate this Vessel if:		
			Restricted Coxswain	Coxswain	Master Class 5 Trading
Pilot Boat	1		No	NO	Yes
Pile Driving Barge (Thor)	Currently out of Service	18	No	Yes	
Flat Bottom Punt	2E	5.45	Yes – With conditions (see clause below)	Yes – Only within 15nm of the Mainland Coast	
Flat Bottom Punt	2E	4.85			
Rigid Inflatable	2E	4.28			
Barges	2E	6.5			
Poly Craft Boat	2E	4.1			

A Restricted Coxswain certificate of competency legally entitles the holder to operate a Survey Exempt vessel of less than 12 metres in length, less than 5 nautical miles from the mainland without passengers. However, the MWPA Harbour Master has determined for safety reasons that the restrictions outlined in Table 3 apply.

8.7 EMERGENCY RESPONSE

In the event of person(s) falling into the water.

- Make sure that the person is conscious and that their PFD has inflated.
- If conscious, assist the person to the nearest man overboard ladder and/or throw them a life buoy if required.
- If person has fallen overboard during a vessel movement advise Pilot, tugs and Pilot Boat. If there is a risk of injury from vessels the Pilot may have to take action to prevent it.
- Consider deploying dinghy or similar to assist.

- Provide first aid assistance, and if necessary, call for ambulance on 000.
- Raise the alarm verbally, by radio or port emergency number as necessary.
- Report the incident to the Harbour Master and enter into MWPA Incident Management Database.

9 Attachments

Document Title
Attachment A – Department of Transport Drawing
Attachment B – Permit Process Diagram

10 Associated Documents

Document Title
Application for Work Afloat and Dive Permit Form
Permit to Work Procedure
Wharfside Man Overboard Safe Work Instruction
Working at Heights Procedure

Location – Mid West Ports Intranet – [Document Centre](#)

11 References

Standard	Title
Australian Standard	AS4758.1-2022 Lifejackets – General Requirements

Location – SAI Global – <https://www.saiglobal.com/online/>

Act or Regulation
<i>Work Health and Safety Act 2020</i>
<i>Work Health and Safety (General) Regulations 2022</i>
<i>WA Marine (Certificates of Competency and Safety Manning) Regulations 1983</i>
<i>WA Marine (Life Saving Applicants, Fire Appliances and Miscellaneous Equipment) Regulations 1983</i>
<i>WA Marine (Surveys and Certificates of Survey) Regulations 1983</i>

Location - Western Australian - <https://www.legislation.wa.gov.au> | Australian - <https://www.legislation.gov.au>

12 Monitoring, Evaluation and Review

This document is required to be reviewed every two years from the last scheduled review date.

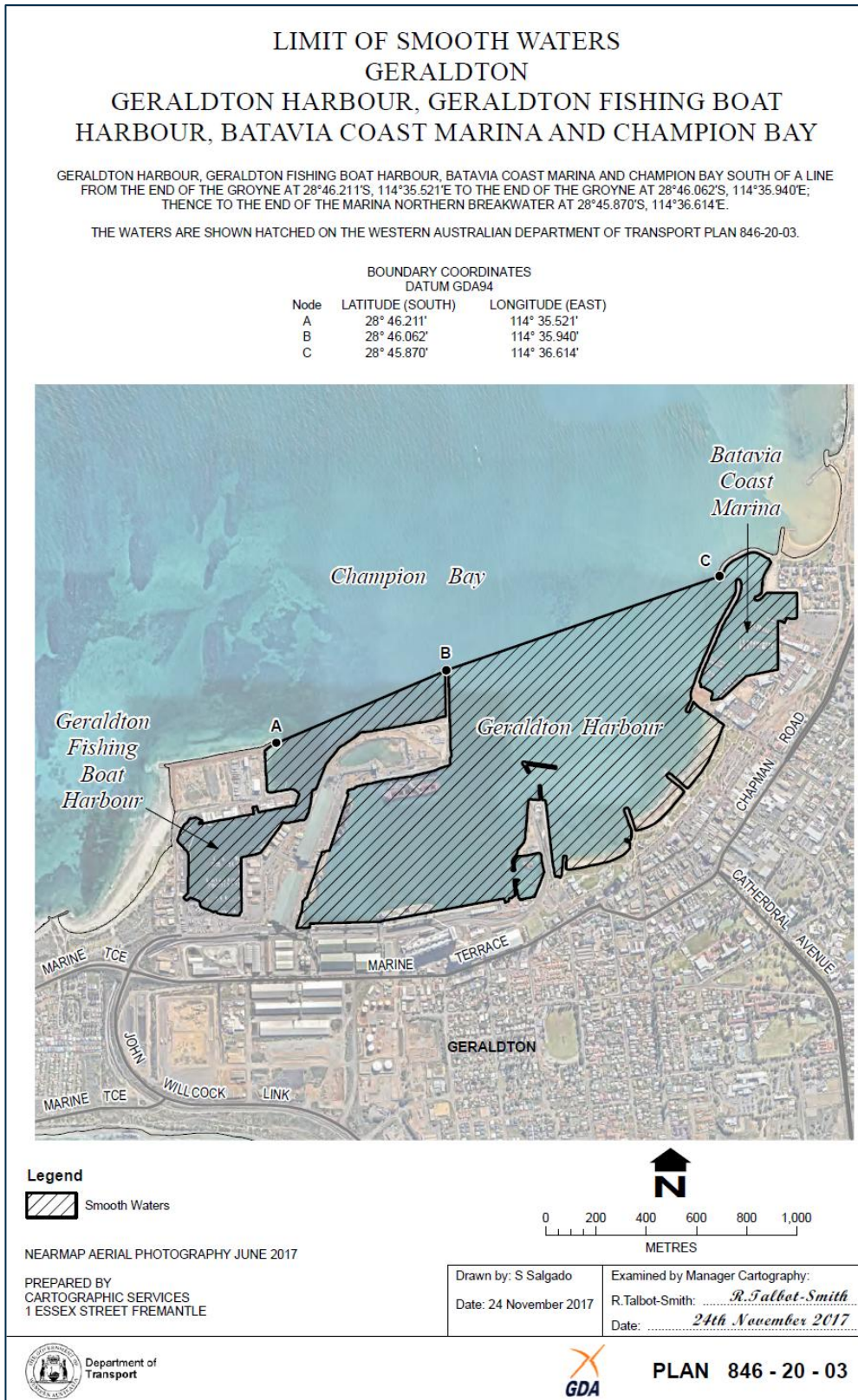
Minor updates made within this two year period, will not be taken as a *full review*.

The Document Custodian is responsible for conducting the review in accordance with **Controlled Documents Review and Approval Process Work Instruction**.

13 Administration

Document Custodian:	Operations Manager
Document Approver:	General Manager - Operations & Logistics
Approval Date:	14 January 2023
Document Review Period:	2 yrs

Attachment A – Department of Transport Drawing



Attachment B – Permit Process Diagram

