

South of Perth Yacht Club (Inc)
External Contractor Agreement

June 2008

Updated: July 2017

office use only:

Contractor Name:

Member No

THIS AGREEMENT is made the _____ day of _____ 201 .

BETWEEN: SOUTH of PERTH YACHT CLUB (Inc) ABN 36 417 855 329
(hereinafter referred to as "SoPYC").

AND: _____ PTY LIMITED
of _____ in the said State
(hereinafter called "the Contractor") of the second part

AND:
of _____ in the said State
(hereinafter called "the Guarantor") of the third part

The following has been agreed:

1. SoPYC prior to the date hereof has agreed to grant to the Contractor a licence to come onto and perform work at South of Perth Yacht Club, Coffee Point APPLECROSS WA 6153 at the request of the club, members occupying a pen on the premise or tenants on the terms and conditions set out in Schedule One.

EXECUTED IN ONE ORIGINALS AND ONE COPY

BY _____
TITLE _____
SIGNED _____

FOR AND ON BEHALF OF
THE CONTRACTOR

BY _____
TITLE _____
SIGNED _____

FOR AND ON BEHALF OF
SoPYC

BY _____
TITLE _____
SIGNED _____

FOR AND ON BEHALF OF THE GUARANTOR

**APPENDIX REFERRED TO IN CONTRACTOR'S LICENCE AGREEMENT
BETWEEN SoPYC AND CONTRACTOR**

Item 1: South of Perth Yacht Club

Item 2: Contractor

Item 4: Commencement Date

Item 5: Annual Licence Fee

\$180.00 incl. GST (One hundred and eighty dollars incl GST)

Gate Access Key (on granting Licence)
\$55.00 (fifty five dollars incl GST)

Item 6: Additional Gate Access Keys

\$55.00 (fifty five dollars incl GST)

Item 7: Contractor Services (i.e. diesel mechanic, boat detailer)

Item 8: Licence Period

Schedule One

Introduction

South of Perth Yacht Club (Inc) (SoPYC) has developed an Environmental Management System as required by the Swan River Trust. SoPYC is also conscious of the safety and well being of all members, guests, employees, visitors and contractors and their mutual responsibilities to contribute to the protection of the environment. In support of this commitment, contractors conducting business at SoPYC have an obligation to comply with SoPYC Constitution, Environmental Management System (as approved by Swan River Trust), policies and procedures. In this document we outline your responsibilities, obligations and rights. The Club is private property, and as such, Management reserves the right to control who is permitted to enter the premises, and who is not.

This privilege is offered to reputable contractors who have accepted our conditions, and who will respect our Club and environment.

Contractor's information

Contractor's Business Name	
ABN	
Contact person	
Address	
Contact phone numbers	
email	

Core business

(description of the services your Company normally provides)

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Registration

Why:

With the current strict Environmental legislation, OH&S, Insurance and Liability issues, the Club is required to ensure that all contractors understand their rights and accept their responsibilities in these matters. Only legitimate businesses with adequate insurance cover are allowed the privilege to provide their services to our members at our premises. Furthermore, your services should be complimentary to the existing activities of the club.

When:

Once this document is read, understood, signed, and all required information is provided, contractors must carry sufficient documentation to demonstrate their status as a contractor or identify they are a bona fide employee of a contractor. This shall be presented upon request.

Who:

It is important that each employee of your business understands the registration procedure, and acknowledges the conditions. We request that all contractors register with us prior job commencement, even if your services are arranged through a member or directly through an on-site tenant.

Cost:

Licence charges will be reviewed from time to time by the Management Committee.

Duration:

Your registration with SoPYC will be valid for the duration of your insurance cover (refer specific insurance requirements). It is mandatory that you provide us with updated insurance documents when applicable. Gate keys will be turned off at each anniversary date until you have provided current documentation.

Disclaimer:

SoPYC reserves the right, at it's absolute discretion, to reject or withdraw the privilege of entry or provision of services from our facility from any person or company at any time.

Required Insurance Information

The club requires outside contractors to provide the following Certificates of Currency (copies must be provided with your registration):

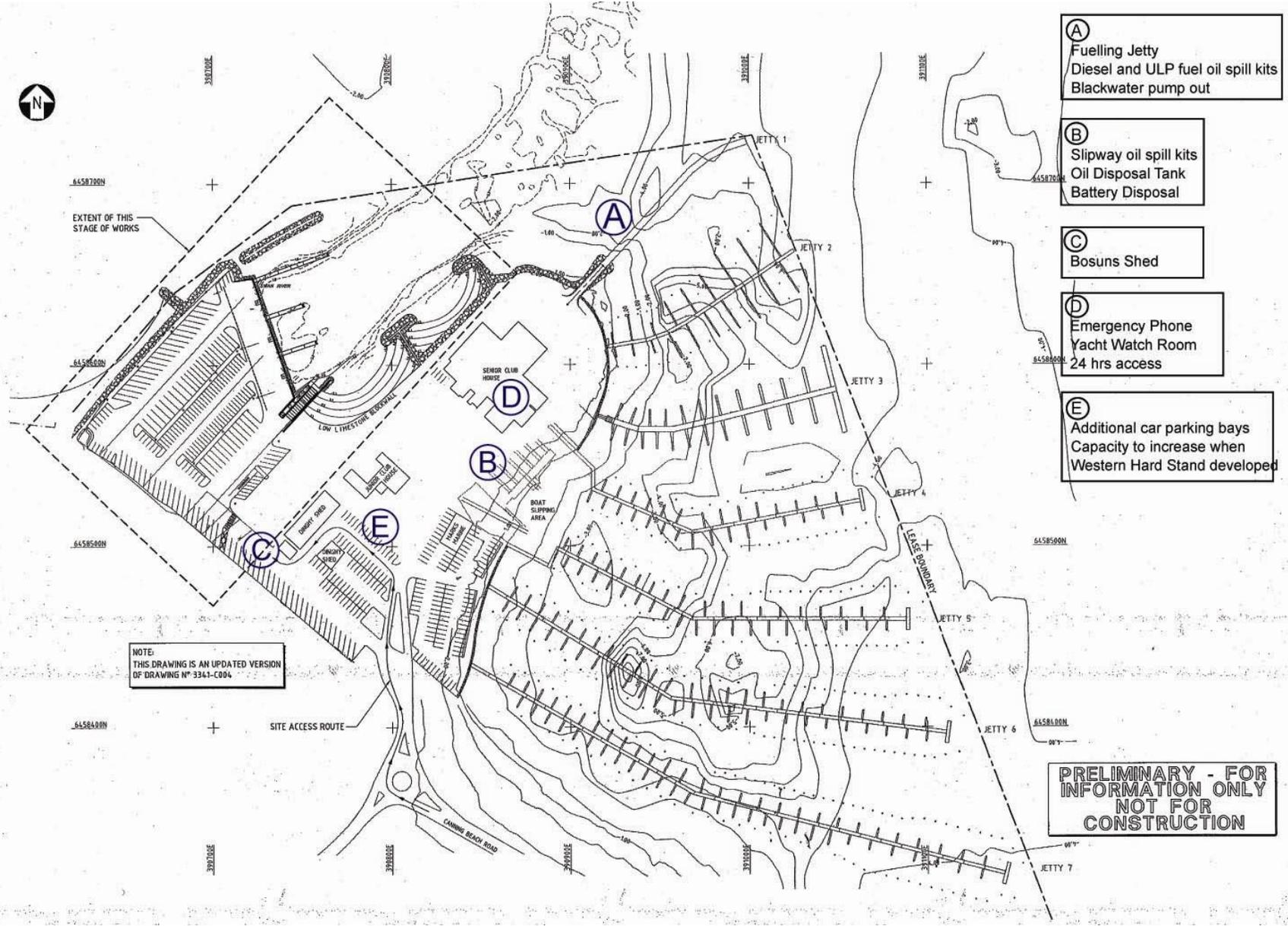
- **Public Liability Insurance** (minimum value \$20 million dollars)
- **Ship Repairers Liability Insurance** (minimum value \$20 million dollars)
- **Workers Compensation Insurance** (unless a sole trader)

These requirements apply in full to all work done on boats on the water, including detailing. Contractors will not be allowed to commence work on boats until such time as the necessary certificates are provided.

A separate **Risk Assessment** is required for all work that could potentially harm the environment, threaten personal safety or cause damage to property and **Safe Work Method Statement** (See page 12 and 13).

For regular contractors who perform recurring jobs, a generic SWMS (Safe work Method Statement) or JSA (Job Safety Analysis) indicating all specific tasks and associated risks will be accepted to replace the individual SWMS. This generic document could be supplemented by individual SWMS's for less frequent jobs.

**Site induction:
Club lay-out and emergency equipment:**





SOUTH of PERTH YACHT CLUB (Inc.) EMERGENCY EQUIPMENT



COFFEE POINT, APPLECROSS, WESTERN AUSTRALIA 6153
TELEPHONE: (08) 9364 5844 FAX: (08) 9364 6185 EMAIL: management@sopyc.com.au

Health & Safety:

Contractors are required to ensure that they are physically fit and capable of undertaking the work for which they have been contracted. It is mandatory that all contractors have completed the Marine Card induction and carry their Marine Card while on site. White Cards are accepted providing the appropriate induction has been completed.

Accidents and Incidents

Any accident or incident that results in property damage or injury, or environmental harm, or threatens environmental harm, must be reported immediately to a SoPYC staff member. An EMS Incident Report must be completed. These are available from the club office.

Any person requiring first aid treatment is to contact either Administration or a Bosun

Job Safety Analysis (JSA's)

The contractor is required to provide a risk assessment (Job Safety Analysis or Safe Work Method Statement) prior commencing any job that involves a certain risk to club property, vessels or the environment. JSA forms are available at the club office.

Compressed air / cylinders

Safety valves are to be utilised in the use of compressed air. Cylinders are to be stored and used in a secure and upright position. All air-lines are to be securely joined to prevent separation during operation.

Diving work

All diving work MUST be approved by the General Manager. Divers are to ensure compliance with AS/NZS 2299.1:1999 Occupational diving operations Part 1: Standard Operational Practice. All divers are to be appropriately certified and possess a medical certificate certifying fitness to undertake the diving work. To conduct underwater hull cleaning, including the use of high pressure equipment on the vessel's hull, requires a letter of consent from the Swan River Trust/EPA. The letter is to include approval of your work methods demonstrating they are in line with current legislation and Schedule 1 requirements. In addition, we will require copies of Commercial Diving Tickets for each diver.

Electrical

Electricity and water are a lethal combination. All electrical equipment must be recently tested (expires each twelve months) and tagged before being used at SoPYC. Any equipment supplied and/or installed by your organisation at SoPYC must be tested and tagged before 'handing over'. On arrival on site, or during your work at SoPYC your electrical equipment may be inspected by a SoPYC representative. Please note that extra care must be exercised during and immediately following periods of rainfall.

Electrical leads must be switched off at the point of power supply and removed when not in use. Extension leads must be kept as short as possible and must be located and protected in such a manner as to prevent damage from vehicular traffic, hot equipment and the water. Use of safety switches for all portable equipment is mandatory. Taped joints, double adapters and piggyback plugs are not to be used. Electrical cables are to be kept above ground level.

If electrocution occurs DO NOT TOUCH the victim unless you have been able to turn off the power supply. Call "000" and notify club staff.

Explosive-powered tools

Explosive-powered tools are not to be used at South of Perth Yacht Club.

Fuel

Where petrol or diesel powered equipment is used on site, fuel must be stored in satisfactory metal safety containers. Contractors are to ensure that adequate ventilation is provided when using petrol or diesel powered equipment and that sufficient non-smoking signs are displayed.

Fire hoses

Fire hoses are not to be used for any purpose other than for the fighting of fires.

Hazardous substances

A Material Safety Data Sheet (MSDS) for all hazardous substances must be available upon request by a SoPYC representative. All users must be familiar with, and understand the first aid and control measures required.

Hot Work / Welding

Adequate fire protection must be provided. A suitable fire extinguisher must be securely attached to each electric or oxyacetylene or Oxy-LPG welding plant brought on site. Welding operations must be screened to protect all personnel against flashes. All gas cylinders, including propane, must be restrained i.e. in a trolley. A Hot Work Permit must be completed prior to any indoors welding commencing.

Machine guarding

No machinery, hand tool or other equipment is to be operated without effective guards.

Personal protective equipment and clothing

Appropriate personal protective equipment and clothing, including shoes, must be worn at all times.

Working at heights

Any working platform must conform to the relevant Australian Standards.

Contractors' hoists and scaffolding must be to the standard required by local authorities and approved in writing where applicable.

Ladders must be of industrial standard and be tied off at the top and secured on even ground at the bottom. No one is permitted to work from the top step of a ladder including freestanding industrial ladders. It is advisable to always have one hand holding the ladder and the ladder must not be used as a work platform.

Safety harnesses must be worn and properly secured at heights greater than 2.4 meters and must always be worn in cherry-pickers and other mobile working platforms. Safety harnesses should be worn and properly secured when working atop flybridge cruisers.

Environmental considerations:

General

The Club's *Boat Maintenance Preferred Procedures Manual* must be referred to for all works to be performed on the premises. Any work undertaken at South of Perth Yacht Club that could result in a pollution incident must be safe-guarded against. This may require the pre-deployment of floating booms, mobile bunds or absorption drop sheets. Any contractor found in breach of environmental legislative requirements will be suspended from the club immediately. Any penalties incurred by the club as a result of a contractor's breach of Swan River Trust Licences, Environmental Legislation or OH&S Regulations will be recovered from the contractor. It is the contractor's responsibility to determine whether or not the activities that they are to undertake within the club grounds/jetties/buildings could result in a pollution incident. If any doubt exists, consult with the General Manager or Bosun before commencing your work.

Mechanical repairs and engine servicing

Any mechanical repairs and/or engine servicing are to be conducted in such a manner as to prevent any oil or waste oil products from entering the vessel's bilge or from being spilled into the water.

Noise and fumes

All operations and activities occurring on the premises must be conducted in such a manner that will not cause offensive noise or fumes.

Painting and Antifouling work

Only work of a minor nature is to take place on vessels in wet berths. Major sanding, scraping and painting are only to occur on the slip area. All residue from such operations is to be disposed of correctly, in accordance with the club's Environmental Management Plan and Environmental Legislation. Under no circumstances is residue to be placed in the club's waste bins, unless prior approval has been gained from the General Manager or Bosun.

Any paint or anti-fouling spillages on a hardstand area are to be wiped up. Spillages are not to be hosed down into the waste-water collection system. The use of a drop sheet is mandatory.

Spillages occurring in a slipway area are to be contained and cleaned up immediately. A fee will be charged if SoPYC staff tidy or clean up after contractors.

Re-fuelling activities

Re-fuelling of vessels is not permitted, unless the vessel is berthed at the fuel wharf. This restriction is in place to safe guard the club from the risks associated with refuelling. Designated fire fighting equipment, and spill kits are located at the fuel wharf only. Club staff at the fuel wharf is trained in emergency procedures.

Washing of boats

When contractors are washing and cleaning boats, care is to be taken to minimise the amount of run off that goes into the water. Only appropriate bio-degradable detergents are to be used. The use of a trigger nozzle device on the hose to prevent excess water being wasted is mandatory. Any water restrictions require strict adherence from the contractor.

Waste

No waste must be allowed to enter the water. Waste includes, but is not limited to, paint, varnish, wood and fibreglass dust, oil or oil based products and oily bilge water. Waste bins are located around the club. We expect contractors to recycle waste where appropriate (paper and cardboard, glass and general waste). Oil, oil products and drained oil filters, scrap metal (including anodes), batteries, acids and all other harmful waste generated by the contractor is to be taken off-site by the contractor.

General:

All Contractor's are required to comply with the following conditions:

1. Attend a Marine Card Induction and is a registered Marine Card holder.
2. Every company or self employed person working on the Club premises holds an External Contractor's Licence.
3. That all Contractors and staff working on SoPYC premises, jetties, club vessels and members vessels wear appropriate PPE and high visibility vests.
4. Contractors are to be identified at all times as Contractors while on the premises and that all persons sign in and sign out whilst on the premises. The sign in/sign out box is located in the air lock located by the eastern clubhouse toilets close to the slipway (Figure 1 overleaf). The SoPYC gate key will access the sign in box. The Register must be signed in and signed out. Failure to sign the register may result in access to the site being withdrawn.



Figure 1 Contractors' Sign in sign out box

5. All contractors' vehicles must be identified by a windscreen sticker. Stickers are issued annually once the licence payment is received.
6. Any contractor or employee found to be non compliant with the Licence Terms, Marine Card or these requirements, SoPYC will direct that work ceases immediately and does not resume until SoPYC is satisfied that the contractor or employee complies with SoPYC requirements and Licence conditions.

Damage

Club property damaged by a contractor will be repaired at the contractor's expense.

Discipline

SoPYC reserves the right to refuse access to any contractor.

Dress and conduct

SoPYC requires that contractors wear clothing that is in keeping with safety requirements and standards appropriate to the overall presentation of the club. Contractors must at all times conduct themselves in a manner acceptable to SoPYC. Loud, coarse or abusive language will not be tolerated and may lead to the contractor or employee being removed from site immediately.

Housekeeping

Work areas must be kept clean and tidy with prompt removal of all garbage. Oily rags, and any flammable material residue are to be disposed of correctly. They are not to be placed in the club's rubbish bins. The club structures and walkways are to be kept clear at all times. It is the responsibility of the contractor to remove all rubbish unless otherwise agreed with a SoPYC staff representative.

Hoses

Water hoses located on the club belong to club members. They are not for general or contractor use. If you require the use of a hose please bring your own. If in doubt, contact a Bosun.

Courtesy trolleys

Are provided for the convenience of boat owners only and are not to be used for any work related business under any circumstances.

Club operating times

The Clubs operating hours are 7.30am to 5:00pm, 5 days a week. Any work undertaken by contractors outside these times is to be by prior arrangement only. Registered Licenced Contractors will be issued with a gate key and vehicle sticker granting them access to the premises. The sticker must be displayed at all times. Extra stickers are available upon request.

Power supply

Under no circumstances is a contractor to unplug any other vessel's power supply to operate power tools or accessories.

Smoking

Contractors are to ensure that 'no smoking' restrictions at the Fuel Wharf and other designated areas are observed.

Workshop

The SoPYC workshops are restricted areas and are not for contractors use. It is SoPYC policy that tools and equipment will not be lent or hired out.

Advertising

Contractors are prohibited from distributing promotion or advertising pamphlets, business cards or samples whilst working at our facility. The Club has a number of publications that can be used to advertise your business. Please contact the office for rates and printing specifications.

Alcohol

Consumption of alcohol by contractors is only permitted in the Licenced areas of the club once the work has been completed, all tools have been packed up and boat keys (if applicable) have been returned to the owner, tenants or the club office.

Parking

Registered Licenced Contractors may park in loading bays between the hours of 8.00am and 4.00pm Monday to Friday. Where possible, contractors are requested to park in the main car park. SoPYC parking signage must be observed at all times.

Only contractor's vehicles with appropriate car parking stickers may enter the premises. A wheel clamp is used at SoPYC and may be affixed to unauthorised or incorrectly parked vehicles. A fee of \$150.00 will be imposed to release any unauthorised vehicle.

Contractor Activities

Contractors are only to carry out activities they are lawfully able to perform in Western Australia

Contractors Declaration

I hereby apply for registration as an approved contractor at SoPYC.

I acknowledge receiving and understanding SoPYC Terms & Conditions regarding Health, Safety and Environmental Requirements and should my application be successful, I agree to abide by them.

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

I further agree to ensure that all of my employees, agents or sub-contractors are fully aware of these requirements and obligations and shall abide by them at all times.

Company or Trading Name: _____

ABN: _____

Details of Parent Company (If applicable): _____

Please print name: _____

Date: _____ Signed: _____

The Contractor shall be liable for, and shall keep SoPYC indemnified against, any legal liability, loss, claim or proceedings for personal injury to or death of any person, or for injury or damage to property or for any penalties incurred as a result of any direct or indirect act of the Contractor or its employees, agents or subcontractors.

For Office use only:

Contractors Insurance details:

a. PUBLIC LIABILITY current copy on file

Insurance Company

Policy Number

Expiry Date

Value:

b. SHIP REPAIRERS LIABILITY current copy on file

Insurance Company

Policy Number

Expiry Date

Value:

c. WORKERS COMPENSATION current copy on file

Insurance Company

Policy Number

Expiry Date

Notes: *(list any discussions, warnings / reminders and follow-up conversation if insurance details are incomplete)*

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Risk Assessment

The contractor is required to provide a risk assessment (Safe Work Method Statement or Job Safety Analysis) prior commencing any job that involves a certain risk to club property, vessels, personal safety or the environment.

SAFE WORK METHOD STATEMENT FORM			
Date			
Contractors Business Name			
Employees name			
Boat details			Berth number:
Description of Activity (summarise)			
Activity	Potential Hazards / Risks	Risk Control Measures	Responsibility
List the critical steps in this activity in the sequence that they are carried out	Against each step list the hazard that could cause personal injury, damage or environmental harm (if applicable)	List the control measures required to eliminate or minimise the hazard or risk	Write the name of the person responsible to implement the control measure identified

SAFE WORK METHOD STATEMENT FORM - page 2

Personal Protective Equipment required (tick the appropriate box)

- | | | | |
|---|--|--|---------------------------------|
| <input type="checkbox"/> Gloves | <input type="checkbox"/> Protective clothing | <input type="checkbox"/> Hearing protection | <input type="checkbox"/> Other: |
| <input type="checkbox"/> Safety glasses / goggles | <input type="checkbox"/> Safety footwear | <input type="checkbox"/> First Aid kit | |
| <input type="checkbox"/> Face shield | <input type="checkbox"/> Respirator | <input type="checkbox"/> safety harness and strong point | |

Environmental & Safety precautions that must be taken when appropriate (follow Best Management Practice)

- | | |
|---|--|
| <input type="checkbox"/> disconnect power supply (12V, 24V and/or 240V) and tag "do not operate" for the duration of your service | <input type="checkbox"/> ensure residual current devices are fitted to each power outlet, check functionality of RCD's |
| <input type="checkbox"/> place oil absorbing pads in bilge area | <input type="checkbox"/> have a basic oil spill / recovery kit within reach |
| <input type="checkbox"/> keep all chemicals in spill proof containers | <input type="checkbox"/> observe strict NO SMOKING |
| <input type="checkbox"/> use dust extraction systems | <input type="checkbox"/> have fire fight equipment within reach |
| <input type="checkbox"/> place oil spill booms around the vessel | <input type="checkbox"/> check for trip or slip hazards |
| <input type="checkbox"/> place (floating) mats underneath work area to collect shavings / dust | <input type="checkbox"/> ensure adequate ventilation when working in confined spaces |

Completed by (print name):		Signature:	
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SOUTH OF PERTH YACHT CLUB

OIL AND HAZARDOUS MATERIALS INCIDENT REPORT FORM

- 1. Date and Time of Discharge

- 2. Location of Discharge:
(See Map overleaf)

- 3. Cause of discharge

- 4. Steps taken to stop discharge

- 5. Materials used to clean up/absorb/ contain the spill

- 6. Type and volume of substance discharged/ contained/cleaned up

- 7. Rating: Minor Moderate Significant Extreme

- 8. Description of discharge Released to water Released to soil Damage to Flora/Fauna
 Disturbance to Neighbours Other Please specify:

- 9. Person/Vessel/Activity responsible for discharge

- 10. Contact details of person/vessel responsible for discharge (if known) or witness(s)

- 11. Was discharge reported Yes No

If Yes to whom	
GM	<input type="checkbox"/>
Bosun	<input type="checkbox"/>
Other	<input type="checkbox"/> Who: _____
Date Reported: ___/___/___	

If no, explain why not reported

If external Authority, name and contact details:
(i.e. SRT, EPA, Fire Brigade)

12 Were there injuries? No
Yes Describe injury

Medical Action Required
(i.e. Ambulance, taken to Doctor)

13. Have containment materials been replaced/reordered? Yes Date

No By

14. Steps taken to prevent recurrence of incident/discharge:

15. Other information which may assist:

Name

Signature

Title

Date

Contact Details

