



Framework Agreement: CHAFFERS MARINA LTD And: _____

1. Introduction and Purpose

The Health and Safety at Work Act 2015 (HSWA) imposes a duty on all PCBUs in a contracting relationship to consult, cooperate with and coordinate activities so far as is reasonably practicable. Guidelines to the Act recommend reasonable agreements with other PCBUs to make sure that everyone's health and safety duties are met. Chaffers Marina Ltd is a PCBU.

Agreements between PCBUs in a contracting relationship should focus on:

- Clearly defining roles, responsibilities, and actions, so that everyone knows what to expect.
- Planning ahead by thinking through each stage of the work.
- Thinking about how the work could affect other PCBUs and the public.
- Identifying the risks that need to be managed and consulting with other PCBUs to agree on how those risks will be managed and who is best placed to manage each risk.
- Agreeing on monitoring and assurance processes.
- Agreeing on what needs to happen when incidents and emergencies occur.

This agreement sets out how _____ and Chaffers Marina Ltd will consult, cooperate with and coordinate activities, with the objective of both enabling a safe and healthy construction project, and to meet the requirements of the HSWA.

Chaffers Marina Ltd and _____ have established their intent to work collaboratively and transparently, as a partnership. They will share expertise and ensure early follow-up to issues, observations, inspections, and incidents, ensuring there are no "surprises" to either PCBU.

2. Responsibilities

As the Contractor, _____ will have oversight of health and safety management and performance while at work. It needs to validate health and safety management and performance.

Chaffers Marina Ltd aims to be a health and safety leader. It aims to actively engage with _____ while working at Chaffers Marina Ltd so that it is continuously providing clear direction and monitoring performance. Specifically, its aims include:

- To set clear health and safety expectations and to communicate these to _____.
- To work with the contractor so as to eliminate risks so far as is reasonably practicable or minimise risks if they cannot be eliminated.
- To ensure clear and effective reporting procedures in place so it can be confident all duties are being met.
- To set up a clear framework for information sharing for the duration of the year.

_____ is responsible for operational safety on all its sites. It is responsible for ensuring, so far as is reasonably practicable, that the health and safety of workers and other people are not put at risk by work on its projects. It has prepared a Health and Safety Management Plan and risk

controls to describe processes and controls that are applicable across the whole project. These are incorporated into Construction Plans and Job Safety Analyses (JSAs).

Other specific responsibilities of _____ include:

- To make sure it has all required information from Chaffers Marina Ltd.
- Inductions for all workers and visitors to the site.
- Communications about health and safety at the start of each day (that is, toolbox talks).
- To coordinate and communicate the on-site rules and procedures to everyone who accesses the work site.
- To work with subcontractors to ensure they have a health and safety plan.
- To monitor its workers and subcontractors.
- To put clear and effective reporting procedures in place so it can be confident all duties are being met.
- To make sure all PCBUs on its projects have the information that is needed to plan safe work.

3. Consultation with Other PCBUs

There are several other PCBUs with activities adjacent or within the sites that are impacted by _____ activities.

These include:

- Neighbouring building owners and occupiers.
- Neighbouring Vessel Owners

_____ will provide Chaffers Marina Ltd with any project/maintenance plans that have the potential to impact on the assets and operations of these other PCBUs. These plans will set out any health and safety risks and requirements.

Chaffers Marina Ltd will negotiate with these other PCBUs to determine conditions of work required by these other PCBUs. These conditions will then be communicated to _____ and be included into integrated work/maintenance plans.

_____ will inform Chaffers Marina Ltd of any issues that arise from the requirements of other PCBUs so that Chaffers Marina Ltd can engage in further discussion to modify these conditions, to ensure that the project's risks to workers and others, are reduced as far as is reasonably practicable.

4. Consultation on Health and Safety Matters Between Chaffers Marina Ltd and _____

Chaffers Marina Ltd and _____ aim to ensure that there are consistent processes between them with regard to communications over health and safety plans, inspections, observations, and audits. Communications will be as follows:

- Any health and safety issues identified by _____ will be reported to the Chaffers Marina Ltd.
- If Chaffers Marina Ltd staff identify an issue that they believe is urgent, they will immediately notify the _____ work-site supervisor, and then report the outcome of that discussion to the Chaffers Marina Ltd General Manager.
- Any health and safety issues will be discussed between the Chaffers Marina Ltd and _____ Managers.

- If these Managers are unable to agree, the issue will be escalated to include the Chaffers Marina Ltd Board.
- Action items identified during any Chaffers Marina Ltd observations or audits should be communicated by the Chaffers Marina Ltd General Manager to _____ and recorded in _____'s system for managing these.

Any Chaffers Marina Ltd observations, inspections and audits will be according to the monitoring and assurance protocols contained in Section 7 of this Agreement.

5. Code of Conduct

The following are the minimum requirements for the Contractor's staff attending site:

- any staff of the Contractor are to wear a uniform/ID that clearly identifies their company by name;
- no smoking is permitted on any Chaffers Marina Ltd managed sites;
- no material of an objectionable nature is to be viewed or displayed while on a Chaffers Marina Ltd managed site;
- no staff member is allowed on a Chaffers Marina Ltd managed site if they are under the influence of alcohol or drugs; and
- any staff of the Contractor with convictions for assault within the last 5 years will not be allowed to attend a Chaffers Marina Ltd managed site.

The Contractor is not permitted to undertake the Works in close proximity to an unaccompanied minor (less than 16 years of age) without appropriate supervision.

6. Work Planning

Processes for health and safety management and minimum standards for critical risk controls are set out in the Site Specific Safety Plan and the Standards that have been agreed between Chaffers Marina Ltd and _____.

The application of these requirements occurs in Construction Plans and Job Safety and Analyses (JSAs). This detailed planning is the responsibility of _____, and it has appropriate processes and expertise to develop these plans.

To ensure that _____ can efficiently develop these plans, _____ will invite Chaffers Marina Ltd to observe or participate in a sample of these, during their preparation.

The extent of participation / observation will be determined by factors such as whether this is a new construction activity, and the extent to which it includes activities with critical risks.

7. Monitoring, Visible Commitment and Assurance

There will be three processes for monitoring health and safety performance demonstrating the commitment of Contractors to health and safety and assuring that health and safety performance in achieving agreed standards and expectations.

- Monitoring day-to-day operational performance will occur through inspections based on specific checklists and carried out by persons that are qualified to assess the effectiveness of critical risk controls.

- Visible management commitment will be demonstrated by Chaffers Marina Limited staff visiting worksites to observe and learn, and to engage with supervisors and workers.
- Assurance will be achieved through independent audits of health and safety management processes and thorough assessment of the adequacy of critical risk controls.

Inspections

_____ is responsible for monitoring health and safety performance, and particularly the application of critical risk controls, in accordance with its responsibility for operational health and safety. Monitoring may occur through inspections of work areas to ensure that critical risk controls are being adequately implemented and that workplace behaviours are safe.

Inspections may record any risk controls and/or any worker actions that are not compliant with _____'s Standards. Record keeping will include an action item to ensure future compliance.

Chaffers' Marina Ltd needs assurance that _____'s monitoring programme is effective. Accordingly, _____ will:

- include summaries of the results of any inspections in its annual HSE report to Chaffers Marina Ltd.
- Invite Chaffers Marina Ltd to participate or observe during some of these inspections.

Audits

Both _____ and Chaffers Marina Ltd encourage regular audits. There are two types of audits:

- Reviews that assess whether management processes (for example, construction planning, worker engagement, incident management) are being carried out in accordance with the Site Specific Safety Plan.
- Reviews that assess whether the risk controls in _____'s Standards are being effectively implemented.

Audits should use checklists based on requirements in the Site Specific Safety Plan and the Standards. An auditor should:

- Be qualified to understand the requirements contained in the Site Specific Safety Plan and the Standards.
- Be independent of the work-site that is being audited.

From time to time, Chaffers Marina Ltd may engage an independent auditor directly, and initiate its own audit. This should occur in consultation with _____.

Schedules for Inspections & Audits

INSPECTIONS		OBSERVATIONS		AUDIT	
Contractor HSE Manager	Monthly	Contractor HSE Manager	Monthly	Contractor Independent Audit	Annual
		Chaffers Marina Staff	Monthly	Chaffers Marina Independent Audit	Annual

8. Monthly Health and Safety Reports

A health and safety annual report will be prepared based on the template below (this should be incorporated into the updated Contractor Annual HSE Plan.

Health, and Safety Plan	Updated Hazard Register and site safety plans.
Assurance	An assurance from the Contractor that they review their HSE procedures on an annual basis
Significant Incidents and follow-up and emergent trends	Commentary on any significant incidents (notifiable incidents and serious near misses)
Items for Information	Report on any significant internal and external events.
Statistics	To be reported as numbers for: • Injuries, categorised as First Aid, Medical Treatment, Lost-Time, and Notifiable Injuries • Other notifiable events and serious near misses • All incidents / near misses for significant risk categories

9. Incident Investigation

Serious incidents, (those that caused or had the potential to cause a serious or fatal injury) will be immediately notified to _____ Manager.

These incidents will be investigated by _____, using the ICAM (Incident Cause Analysis Method) or a similar method. The investigation team will include Chaffers Marina Ltd's General Manager.

Draft investigation reports will be submitted to _____ Manager for review, prior to a final report being prepared.

Final investigation reports will be provided to Chaffers Marina Ltd.

10. Standard Risk Controls

Confined Spaces

The Contractor carrying out Works in confined spaces are legally required to follow the mandatory Confined Space procedures as specified by local regulations. All necessary equipment and employee training/certification is to be provided by the Contractor.

Electrical Safety

Live electrical work is **NOT** permitted on site. All electrical supplies are to be isolated, locked out and tagged before Works are carried out on electrical equipment.

All portable electrical equipment shall be tagged and tested by a licenced tester.

Falls / Working at Height

At a minimum, a JSA is to be prepared in all instances where there is no system of fall prevention in place. Riggers are required to have a current Working at Heights Certificate.

Fire Protection

Fire protection alarms, fixed installations and ancillary equipment shall not be shut down or altered without the prior approval of Chaffers Marina Ltd.

First Aid

While first aid facilities may be immediately available on site (e.g. in a tenancy), it is important that the Contractor has its own first aid kits in its vehicles and be trained in their use.

Hazardous Chemicals

Chemicals are not to be stored on Chaffers Marina Ltd sites.

Hot Work

A hot work permit must be used for any welding or grinding works in or on a vessel in the water. This is issued by the GWRC Harbour Master. For welding or grinding at the boat lift, Chaffers Marina Ltd will issue the Hot Works Permit.

Ladders

Ladder injuries are the second-highest cause of workplace injuries in New Zealand. Ladders are the device of last resort for Works at Height.

All ladders brought to site by the Contractor must be of the correct type for the task and be in good condition.

If the Contractor uses ladders, it must be appropriately trained in their use and shall ensure that all of the Contractor's employees and any sub-contractors are appropriately trained for using ladders.

Machinery

Machinery by its very nature is hazardous and may result in serious harm, injuries, or death.

All fixed machinery such as lift machines, air conditioning units, pumps, fans, gates, etc., are to be correctly maintained in accordance with local regulations/codes of practice.

All moving machinery must be adequately guarded. Machinery guarding on site must comply with the latest Machinery Safety Standards.

All Works undertaken shall comply with all local regulations and codes of practice. Provision must be made for the safe cleaning, maintenance, and repair of machinery. This includes guarding, lockout mechanisms, and a training programme for safe work procedures.

All machinery is to be electrically isolated and secured from movement before Works are undertaken.

Noise

Exposure to noise levels above 85dB is likely to cause damage to hearing. The higher the noise level, the less time needed for permanent injury. For this reason, any high noise activity associated with the Contractor's activity needs to be controlled so that it doesn't impact on employees and other persons on site. This is particularly important where young children may be present.

The Contractor's employees are to carry a noise meter and assess noise levels prior to starting the Works. (**Note:** smartphone apps are available at no cost). This is to include ambient noise and activity-based introduced noise. Appropriate hearing protection is to be used as part of PPE.

Traffic

At Chaffers Marina Ltd, speed limits, traffic signage and normal road rules apply.

If Works are being undertaken in an area where forklifts or other vehicular machinery operate, it is a minimum requirement to complete a JSA.

Issued by Authority of Chaffers Marina Ltd

Contractor: _____
