

PARTICULAR CONDITIONS

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Particular Conditions

Definitions

1.1

Definitions

In the Contract as defined below the words and expressions defined shall have the following meanings assigned to them except where the context requires otherwise:

The Contract

- 1.1.1 **“Hot Work”** shall mean the performance of work where heat is used or generated and is of such intensity as to possibly ignite flammable liquids, gases or other flammable materials. Hot work is permitted only when and where specifically authorized in writing on the Work Permit.
- 1.1.2 **“Hazardous Areas”** are those areas where an accumulation of petroleum vapours might occur in sufficient concentration to form a flammable mixture. A hazardous area can be one that is normally safe, but has become hazardous due to some performance or operation. Hazardous Areas are classified in accordance with AS2430, Part 1, as Zone 0, Zone 1 or Zone 2.
- 1.1.3 **“Hazardous Work”** shall mean:
- Any work that may require or generate a form of heat or ignition source carried out in an atmosphere that may contain flammable liquid vapours or gases or other flammable materials.
 - Any work carried out on materials contaminated by toxic products, or any work carried out in a Confined Space;
 - Work that will entail use of equipment and materials that may produce static electricity discharge.
- 1.1.4 **“Gas Free”** means non-explosive atmosphere, but not necessarily a lead-free atmosphere.
- 1.1.5 **“Restricted Area”** is that area in which the **Employer** exercises control over all movements and operations, e.g. the area within the boundary fence of sites owned or leased by the **Employer**.
- 1.1.6 **“Confined Space”** is the interior of any tank, or compartment of a tank, vessel, manhole, sewer pump, pit of any excavation all as defined in Australian Standard AS 2865 “ Safe working in a confined space “
- 1.1.7 **“Entry”** shall refer to the entering of any Confined Space or working with any part of the body projecting into a manhole or opening of a tank or compartment of a tank or pit.
- 1.1.8 **“Authorized Equipment”** shall mean equipment which has had any ignition sources modified so that they will not ignite flammable vapors and which has been approved of in writing by the Issuing Authority It shall also mean equipment covered by a work permit or checklist which is considered in writing by the Issuing Authority not to constitute a hazard in the particular area which the work permit or checklist covers.

- 1.1.9 **“Checklist”** shall mean a written instruction of the conditions which must be observed by the Contractor when carrying out routine works for which he has been trained and approved by the Issuing Authority. When a checklist is issued it shall take the place of a work permit for that part of the work.
 - 1.1.10 **“Work Permit”** shall mean the written instruction given by the Issuing Authority to the Contractor telling of the conditions under which each phase of all work described in the Contract or Purchase Order shall be done
 - 1.1.11 **“Issuing Authority”** is the person with the authority delegated by **Employer** to issue a Work Permit and/or Gas Free Certificate.
 - 1.1.12 **“Endorsing Authority”** is the person with the authority delegated by the by the Issuing Authority to re-endorse Work Permits and Checklists.
 - 1.1.13 **“Gas Free Certificate”** shall mean the written certification given by the Issuing Authority that the equipment described on the form is free of flammable vapor and suitable for the work described on the form.
 - 1.1.14 **“Site”** means the land and other places to be made available to the Contractor for the purpose of doing the work described in the Contract or Purchase Order. It may be fenced or un-fenced and may or may not be owned by **Employer**.
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General Safety Policy

2.1 Provision of Site

It is a primary and continuing policy of the Employer that in the conduct of its activities it will endeavour to protect the health and safety of its employees, customers and others who may be affected by these activities and endeavour to limit adverse effects on the physical environment in which its activities are carried out.

These Conditions form part of the contract for work between the Employer and an approved contractor for work to be performed at any Employer property, or works under the control of the Employer. This includes works arranged by Purchase Order or Agreement.

2.2 Statutory Requirements

The Contractor shall comply with all Statutory Regulations governing the work area and work to be done. Where Codes of Practice apply to work, the Contractor shall be guided by these Codes of Practice.

2.3 Areas of Application

These Conditions shall apply at all times during which the Contractor is in connection with the works on the Site or within any of Employer premises or working on Employer facilities plant or fixtures whether or not within the boundaries of Employer premises.

The whole of the Employer premises within the boundary fence or wall shall constitute a Restricted Area (as herein defined) except where specifically exempted in work permit or checklist.

**2.4
Clothing and Personal
Protective Equipment
(PPE)**

All Contractors personnel shall be clearly identifiable in a distinct Uniform.

The minimum level of personal protection that Contractors and their employees shall wear:

- a) Standards approved Head Protection, for all construction work. Approved bump caps may be worn as an alternative for maintenance work if there is no overhead work.
- b) Appropriate eye protection.
- c) Neck to Toe clothing (long trousers, and long sleeved shirt).
- d) Standards Australia approved steel capped safety footwear.
- e) Visibility safety vests must be worn for all work in all areas that may be trafficked or where mobile equipment is operating.

Protective clothing and equipment required to carry out the work and to meet the safety requirements of Employer (and may be specified in the permit(s)) shall be provided and maintained by the Contractor who shall be responsible for ensuring that his employees and sub-contractors wear or use the clothing and equipment.

The Contractor shall ensure that all persons using protective equipment are trained in their use.

To manage the safety of Site visitors to construction works the Contractor will be required to have on Site spare sets of protective clothing and safety equipment to an agreed level to allow visitor access to the works.

**2.5
Incident/Accident
Reporting**

The Contractor will report to Employer any accident, injury, loss or damage to any person or any property of a third party and to the property of Employer, this is to be in a form compatible with Employer incident reporting requirements as defined in Attachment 1.

**2.6
Entry into
Corporation Premises**

Persons shall not enter or attempt to enter the Site or other facilities otherwise than by recognized gates or other entrances as directed by the Employer's Representative. The Contractor must report to an authorized person before entering the premises.

At Sites such as service stations where there may not be defined entrances to work area, the Contractor must report to the Employer's Representative before commencing work or placing equipment on Site.

**2.7
Alcohol and Drugs**

No intoxicating liquor or drugs shall be brought onto the Site or other facilities. Any persons reporting for duty in an intoxicated condition and / or with intoxicating liquor or drugs will be refused admission or not permitted on the Site.

Likewise Contractor employees found under the influence of drugs, either for medical or other purposes and constituting a health/safety issue, will be refused admission and/or sent from the Site.

**2.8
Access to Work Areas**

Neither the Contractor nor any of his employees or sub-contractors shall enter nor be upon any part of the Site other than the permitted location of their work except with the prior permission of the Employer's Representative.

Access to Site shall be permitted Daily.

**2.9
Ignition Sources**

Equipment capable of generating any ignition sources are not permitted into work areas, except where approved by work permit.

Failure to comply with these requirements will result in removal from the Site.

Some examples of ignition sources that are capable of igniting flammable substances are as follows:

- a) All naked flames, matches or lighters of any description, explosive powered tools or firearms.
- b) Electric and gas welding torches and gas welding igniters.
- c) Grit and sand blasting machines or spray painting equipment.
- d) Power-operated grinders and cutting machines and portable electric tools.
- e) Electrical equipment if industrial type, i.e. neither flameproof, intrinsically safe nor approved.
- f) Portable radios, mobile telephones, cameras with batteries, photographic flash units, pocket paging units (not intrinsically safe), pocket calculators, hearing aids - unless certified by a qualified Electrical Engineer as inherently safe - evidence of this will be required in advance of the work commencing.
- g) Hand-operated ferrous tools in contact with dry concrete, stone or masonry, aluminium in contact with corroded steel.
- h) Internal combustion engines and diesel engines that are not provided with approved exhaust and inlet systems and ancillary electrical equipment;
- i) Any other machine or equipment capable of producing a local source of ignition either by flame, static electricity, friction, heat, spark, exhaust temperature, etc.

**2.10
Smoking**

Smoking within the Site is prohibited except in declared areas which shall be nominated.

**2.11
Motor Vehicles, Plant
and Equipment
including Motorcycles
and Bicycles**

Vehicles, plant and equipment other than required for the execution of the works are not permitted on the Site or work areas.

Vehicles, plant and equipment may be required to undergo a safety check by the Employer's Representative, who will reject any equipment found to be unsafe.

Operators of vehicles or equipment entering Site or works areas must ensure that their entry or exit is noted by the Employer's Representative, supervisor or other authorized persons.

- a) Contractor's equipment within Employer's premises or on work sites must not:
- b) Block any entry, gateway or access so as to prevent the free access of other vehicles.
- c) Obstruct foam pump houses, fire hydrants, hose boxes or other safety equipment.
- d) Contractor's vehicles must be parked facing the exit of the premises or Site with engines switched off and doors unlocked, but ignition / starter key left in the ignition / starter lock. This does not apply to vehicles on Retail Service Stations as vehicle should be secure.

**2.12
Entry into Confined
Spaces**

Entry into a Confined Space is prohibited except as authorized by a current Work Permit.

**2.13
Hazardous Work
(Hot Work)**

Hazardous, or Hot Work shall not be performed except as authorized by a current Work Permit or approved Checklist.

**2.14
Authorized
Equipment**

Only authorized equipment is to be used by the Contractor, his employees and sub-contractor.

**2.15
Gas Free**

Before working on or in tanks or vessels or in excavations/open drains, sumps, etc., which have or may have contained hydrocarbon liquids or vapours, a Gas Free Certificate and work permit must be obtained by the Contractor from the Issuing Authority. The conditions shown on this Certificate or permit must be strictly adhered to.

**2.16
Minimum
requirements for
Working at Heights**

The following minimum requirements shall be applied when working at heights on Employer installations.

Employer defines "working at heights" as work performed above 2.0 meters (m) or approximately 6 feet (ft). This is further defined as the lowest part of the body is above 2m, or within 2.0m of an edge where a 2.0m or greater fall may occur.

In all cases where legislation or local requirements are more rigorous, the more rigorous rules shall be applied.

Before work is to occur at height a specific hazard identification and risk assessment of the work and specific task(s) must be conducted for each individual case. This is to address all safety aspects of the task and ensure that the correct procedures are applied and appropriate equipment is available. Any rescue methods must also be specified.

Note, where the term "fall arrest system" is used in this document it can be of several different types, a body harness and anchor points or static line, scaffolding (with hand rails) to within 600mm below the exposed edge or temporary handrails etc.

Any fall arrest system shall comply with OSHA, ANSI and CSA Requirements "Industrial fall-arrest systems and devices".

A parapet or hand rail along an exposed edge must be at least 900mm high and in the case of a hand rail have fender boards and intermediate rails to stop a person from sliding underneath the top rail.

**Access
above 2.0m**

Access can be gained via ladders or scaffolding. The following rules must be followed for accessing areas above 2.0m:

Ladders

- a) may only be used for access to areas that are protected by a fall arrest system.
- b) are required to be secured before using i.e. a ladder fixing point must be used.
- c) the ladder must be tied off to the fixing point by the first user.
- d) no work shall be performed from a ladder (over 2.0m) they are for access only.

Scaffolding

- a) must be erected by competent persons in accordance with local OSHA requirements.
- b) may be used for access to areas that are protected by a fall arrest system.
- c) Note the scaffold may be part of the fall arrest system.

Cherry pickers may be used for access to roofs and canopies (excluding new Harmony solar canopies) where the basket is lowered onto the roof more than 2.0m from an edge. While in the basket of a cherry picker a body harness must be worn at all times.

Egress from a scissor lift at height is prohibited. OSHA, if specifically requested for a particular task, can waive this rule.

Working within 2 m of an exposed edge

A fall arrest system must be installed whenever work is to occur within 2m of an exposed edge i.e. working within 2m of the roof edge. An exposed edge is any edge that a fall of over 2m can occur.

2.17 Fall Arrest Systems

Fall arrest systems shall not be used as the main protection system unless there are no alternatives.

If fall arrest system is to be used, rescue must be assured within 10 to 15 minutes, In most of our applications that will mean that we have to have a full time safety watch

If we can't be assured that a rescue can be carried out within 10 to 15 minutes the fall arrest system must have a device that automatically lowers the person to ground safely

If we can't comply with the above an alternative safe working procedures must be used refer to local legislative requirements.

Scheduled Maintenance

Where a procedure is considered scheduled maintenance (e.g. a task that is repeated at regular intervals up to 12 months apart) a permanent fall arrest system must be installed if work is to occur within 2m of an exposed edge. Unscheduled tasks can be done from a temporary fall arrest system.

Site Security

3.1 Site Security

The Contractor shall provide security fencing to ensure the Site perimeter is cordoned off to prevent unauthorised public entry. The security fence shall be 1830mm high Cyclone wire mesh with steel posts to achieve a safe secure Site.

The work areas shall be cordoned off at all times to prevent accidental or unauthorized entry and shall carry signage identifying the area as a construction site with warning signs as appropriate. Arrangements for public/operator access across and around work area, trenches, construction materials and equipment storage areas shall be carefully considered to ensure safety to public is maintained at all times.

Additional warnings and / or barricades shall be used where vehicle movements present a risk to the work area.

All demolition areas shall be barricaded off to prevent accidental entry to the works area.

3.2 Site Safety Requirements

Electrical Leads

Only electrical leads equipped with earth leakage devices and inspection tags shall be used on Site. Electrical leads shall be kept clear of the ground at all times.

In the event a suspended lead obstructs access to a work area it shall be placed through a steel conduit on the ground.

Under no circumstances shall vehicles be driven over unprotected electrical leads.

Rubbish

The Contractor is responsible for maintaining the Site in a clean and safe condition. During demolition or excavation activities a maximum of 1 (one) truck load of debris will be permitted to be held on Site. Prompt removal of all debris is required. In the event it is necessary to hold more than one truck load of debris on Site, the debris will be mounded into a tidy heap and barricaded off, to prevent accidental access.

Signs

The Contractor shall install and maintain, as applicable to work scope, the following safety / warning signs on the Site – as approved by the Corporations Authorized Representative.

- a) Safety Helmet Area - On barricades around tank excavation or overhead work.
- b) Danger - Construction Site, Unauthorized Persons Keep Out - At entry to work area.
- c) Danger - Flammable Liquids - on free standing frames or on barricades at hazardous work areas exposed to the public.
- d) Danger - Keep Out No Access - free standing frames or on barricades on all visible public approaches to work areas.
- e) Danger - Do Not Operate - tags with securing cord for all isolations of valving and electrics.

Angle Grinders

The maximum size angle grinder allowed on Site is 7 inch and must be fitted with a double acting switch. They shall only be used for grinding. Cutting with grinders is not allowed. Angle grinders must have all guards in place and current inspection and test tag attached.

During grinding all of the following Safety equipment is used at all times;

- Eye protection (full-face shield and glasses or goggles).
- Hearing protection (ear plugs or muffs).
- No loose fitting or flammable clothing is to be worn.

The use of welding shields alone is not permitted

3.3 Works Control

The construction will take place within the Restricted Area where the existing Office Building is situated.

Works shall be suspended within the area whenever a Tanker is in port for discharge.

At all other times works will be controlled under the Employer's Work Control Procedures.

Fire Watch

If the scope of work involves "naked flame" work in a hazardous area a Fire Watch will be required.

Provision of a fire watch for hot works will rest with contractor.

The Fire Watch will have to be trained in accordance with Employer's Fire Watch Procedures which involves reading and understanding the duties of a Fire Watch.

Control of the Site and Works will rest with the Contractor, and sub-contractors shall be required to work under their control whilst on Site.

Critical Path

Within 7 days of award of Contract, the Contractor shall present to the Employer's Representative a "Critical Path" network expanded from the Tendered time-chart.

Such expansion of the Tender time-chart shall not change the Starting or Completion Dates of the works, or separate sections of the works listed therein, but shall add greater detail and information such that a detailed "Critical Path" network is obtained.

Should the Contractor wish to vary any dates shown in his Tender time-chart, he shall obtain the Superintendent's approval in writing prior to including such a variation in the "Critical Path" network.

The Contractor shall allow in his scheduling anticipated delays due to days when no works may be permitted on W due to tankers or other operational activities within the terminal. The number of days allowed for such delays shall be clearly stated in the Contractors scheduling.

Project Management

4.1 Contractors Project Management

The Contractor shall appoint for this Contract a Project Manager who shall be responsible for the efficient management and control of the works, for the quality of the work and its performance in the manner specified. The Project Manager shall be suitably experienced in Contracts of this size or larger, and works of this nature and class.

4.2 Responsible Foreman

The Contractor shall have at the Works, from start to finish, a responsible Foreman with appropriate professional qualifications, experienced in all aspects of works in the Contract and who must be on duty or suitably and responsibly represented during all working hours.

A suitably qualified and experienced foreman shall be present at all times at each location of works, work front or item of works as appropriate.

The foreman shall be able to receive and carry out instructions from the Superintendent.

The foreman shall not be replaced by the Contractor without the approval of the Superintendent.

4.3 Appointment

The Employer's Representative reserves the right to approve the appointment of the Contractor's Project Manager and Foremen and to withdraw such approval at any time during the Contract for any cause whatsoever.

Should at any time the Contractor's representatives or project organization be adversely affecting the progress or standard of works, the Employer's Representative may direct the Contractor to take whatever measures are necessary to rectify the situation. Any measures shall be at no cost to the Contract.

Permits and Approvals

5.1 Safe Work Permit / Checklist

Unless otherwise agreed in writing between the Employer and the Contractor, each section of all work shall be covered by the issue of a safe work permit or checklist. All Contractors and persons under their control shall understand and comply with all instructions on the work permit and checklist.

5.2 Daily Endorsement

Work permits and checklists **must be re-endorsed at the beginning of each shift** or daily working period by the Endorsing Authority.

- 5.3
Safety Induction** All Contractors employees shall undergo a Safety Induction by the Employer's Representative. No employee is allowed onto the Site without the Safety Induction.
Safety Induction shall be carried out every four (4) weeks.
- 5.4
Gas Free Certificate
Revalidation** If a gas free certificate has been issued in conjunction with the work permit or checklist it must be re-endorsed at the beginning of each shift or daily working period.
- 5.5
Site Safety
Management Plan** Prior to any works beginning on Site, the contractor must supply to Employer's Representative a Site Safety Management Plan (SSMP) specific to the project. The SSMP shall include a detailed Inspection and Test Plan, and a Method Statement detailing the proposed risk control methods for stages of the Works.
- 5.6
Method Statement** The Method Statement must be accepted by the Employer's Representative before any works can commence, and will be referenced in Work Permits issued by the Site to carry out works. All work will be carried out according to the contractors Safety Health and Environmental Management plan and Quality Manual, copies are to be kept on Site at all times.
- 5.7
Other Permits** The contractor will be responsible for providing any other permits associated with the construction of the facilities, e.g. permits for tie in for wastewater and electrical inspection.
The Contractor assumes full and complete responsibility for any and all Subcontractors working under their direction in performing the scope of work as outlined herein. A list of all Subcontractors proposed by the Contractor shall be submitted to the Owner including a breakdown of the percentage of work to be performed by the subcontractor. Subcontractor(s) shall be subjected to the same safety requirements, verifications, and certifications as the Contractor.
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