



# DEVELOPING WORKPLACE HEALTH & SAFETY GUIDANCE

for the

RECREATIONAL & LIGHT COMMERCIAL  
BOATING INDUSTRIES

## WHS GUIDANCE MATERIAL

### SECTION 1 - INTRODUCTION

Prepared between January 2010 & October 2011 with the generous support & assistance of individuals and businesses within the membership of the Boating Industry Association of NSW (BIA).

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**DISCLAIMER:** This research was funded under the WorkCover Assist Program. The research conclusions are those of the authors and any views expressed are not necessarily those of WorkCover NSW or the Boating Industry Association of NSW.

*Note: This material provides a brief overview of some of the key issues and readers are directed to the further guidance material provided and to seek expert advice as required. Each business should utilise risk management principles, including consulting relevant workers, to ensure any control measures implemented are properly tailored to the site, workers and tasks.*

*To ensure you comply with your legal obligations you must refer to the appropriate legislation. Information on the latest laws can be checked by visiting the NSW legislation website ([www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au)).*

*This publication does not represent a comprehensive statement of the law as it applies to particular problems or to individuals or as a substitute for legal advice. You should seek independent legal advice if you need assistance on the application of the law to your situation.*



## Introduction

Achieving a safe site with safe work practices requires a business's ongoing commitment and action. It is process of continual improvement to adapt to changes in technologies, changes in plant and equipment, taking on new personnel, as well as to meet requirements under various health and safety regulations, codes of practice and Australian Standards.

Australia is moving towards a national model of managing health and safety at workplaces, and from 2012 it is planned that all states and territories will be adopting the new:

- Work Health and Safety Act
- Work Health and Safety Regulations and
- Codes of Practice.

These laws will replace the NSW Occupational Health and Safety Act (2000) and the NSW Occupational Health and Safety Regulation (2001)

The following guidance material has been prepared for BIA members to provide information on managing selected 'hazardous' issues in the industry:

- height safety
- undertaking hazardous manual tasks
- working in confined or enclosed spaces and
- moving boats.

In each section there is:

- an overview of the hazard
- an outline of the legal requirements for addressing each of the hazard areas
- case studies from BIA members illustrating how different businesses have tackled the hazards
- lists of other potential options that could also be considered for controlling risks
- references for where to look for further guidance and more technical information

This guidance is not 'prescriptive' but rather provides BIA members with suggestions and options from businesses that face similar health and safety challenges. It encourages the user to follow the risk management approach to identify hazards, assess the risks and to eliminate or otherwise control the risks so far as reasonably practicable. Under the WHS Act this means *"that which is, or was at a particular time, reasonably able to be done in relation to ensuring health and safety of workers, taking into account and weighing up all relevant matters including:*

- (a) the likelihood of the hazard or the risk concerned occurring; and*
- (b) the degree of harm that might result from the hazard or the risk; and*
- (c) what the person concerned knows, or ought reasonably to know, about:*

- (i) the hazard or the risk; and*
- (ii) ways of eliminating or minimising the risk; and*
- (d) the availability and suitability of ways to eliminate or minimise the risk; and*
- (e) after assessing the extent of the risk and the available ways of eliminating or minimising the risk, the cost associated with available ways of eliminating or minimising the risk, including whether the cost is grossly disproportionate to the risk"*

When undertaking risk assessments in the workplace it is a legislative requirement that consultation with workers is carried out as part of the process. By drawing on the experience, knowledge and ideas of the workers a business is more likely to identify all hazards in the workplace and choose effective control measures.

When implementing control measures within a workplace the Hierarchy of Control should be utilised. The Hierarchy of Control ranks the levels of control from the highest level of protection and reliability to the lowest level of protection and reliability.

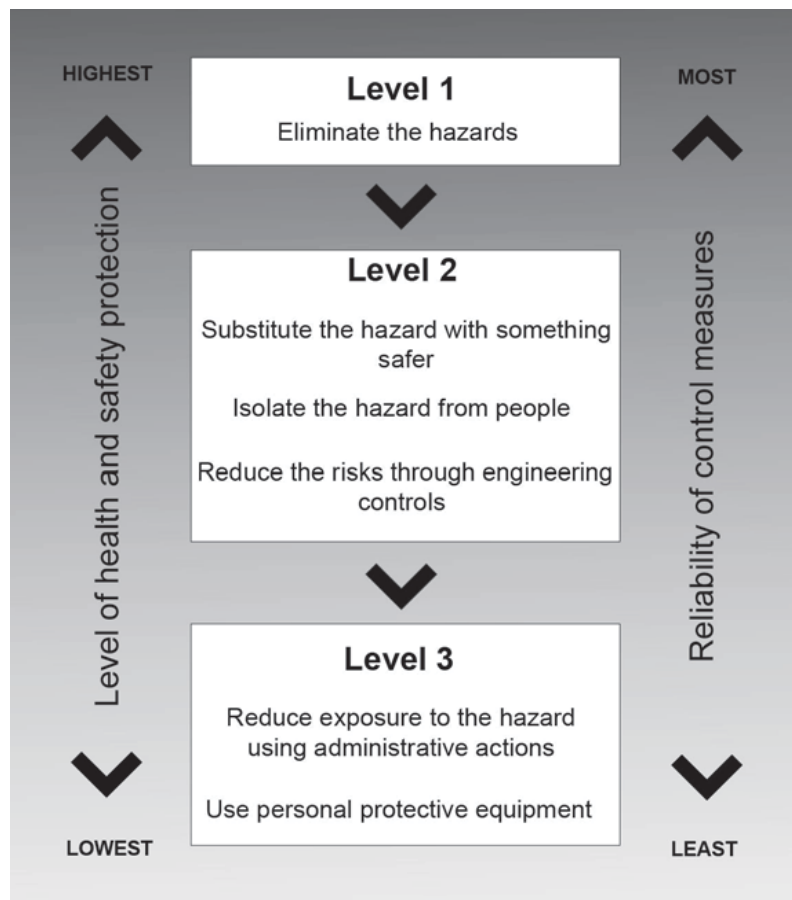


Diagram 1 - Hierarchy of Control (Model Code of Practice – How to Manage Work Health and Safety Risks)

Methods used by other businesses to eliminate or control risks may be easy to copy, or may need to be adapted to suit, or may not suit the conditions and personnel at other businesses. Regardless of which option is the best fit for individual businesses it is hoped that this guidance will assist BIA's members to review and upgrade their existing health and safety management and generate new ideas for managing hazards at work.

## Further Guidance

Work Health and Safety Act 2011

Work Health and Safety Regulation, Safe Work Australia

Model Code of Practice – How to Manage Work Health and Safety Risks, Safe Work Australia

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