



# CODE OF CONDUCT

Sandspit Marina Society as "Sandspit Marina" (SMS)  
(*"We/Us/Our/the SMS Marina"*)

## 1. Who are we?

- (a) This document represents combined values and standards set by the **Sandspit Marina Society** located at 1287 Sandspit Road, Warkworth NZ.
- (b) The Sandspit Marina is renowned for its first-class facilities with a team that is dedicated to professionalism and ensuring a great experience for all using the facilities.

## 2. What is the purpose of this Code?

- (a) We are committed to ensuring the health, safety and wellbeing of all persons who enter upon, access and/or use the SMS Marina including the associated precinct areas ("the Precinct") and to providing a safe working environment for all.
- (b) This Code has been developed by both the SMS Executive Committees and Management Team to:
  - (i) provide clarity as to the obligations, responsibilities, and expectations of those who are a member of, enter upon, access and/or use our facilities and precinct.
  - (ii) ensure that We meet Our responsibilities and duty of care under relevant workplace health and safety legislation regarding the provision of a safe workplace.
  - (iii) prevent (or minimise as far as practically possible) the occurrence of any incidents within the Marina or associated workplace; and
  - (iv) protect and preserve Our reputation, and that of SMS, in the wider community.

## 3. Who does this Code apply to?

- (a) All Marina Berth License Holders and Marina Users and any persons present on site in their associated party (*"Associates"*).
- (b) This Code applies to any person who enters upon, accesses and/or uses SMS facilities from time to time and includes:
  - (i) any person or entity which has a contractual relationship with Us to access, use, maintain or berth vessels in the Marina facilities (*"Operators"*) and any persons present on site in their associated party (*"Associates"*).
  - (ii) any person or entity engaged by Us or the Operators to enter upon and access the Marina facilities to perform works or provide services (*"Contractors"*); and
- (c) This Code also applies to each of the Contractors and Operators:
  - (i) employees, agents, and sub-contractors (including any employees of contractors) (*"Workers"*).
  - (ii) managerial or supervisory staff (*"Managers"*); and
- (d) Each Operator, and Contractor must ensure compliance with this Code by their Associates (if any) and (to the extent possible) each of its customers, passengers, invitees, clients or any other visitors or entrants to the Marina precinct from time to time. Any breach of this Code by an Associate will be deemed to be a breach of this Code by the relevant Contractor or Operator.
- (e) This Code also applies to any person employed by Us (or a related entity of Us) in relation to Sandspit Marina (*"Our Personnel"*).
- (f) For ease, any reference in this Code to the word *"You"* or *"Your"* is taken to mean each Member, Operator, Contractor or Associate and Our Personnel. Any reference to *"We"*, *"Us"* or *"Our"* includes (where the context permits) Our Management and Service Teams.

#### 4. What are the principles of this Code?

(a) You must at all times:

- (i) Familiarise and fully understand Your obligations under this Code.
- (ii) Be responsive, courteous, fair, equitable, and respectful in Your dealings with others.
- (iii) Take responsibility for Your own actions and safety.
- (iv) Exercise due care, skill, and diligence in carrying out Your duties.
- (v) Wear appropriate clothing and footwear when having regard to the purpose/s for which you are entering, accessing and/or using the Sandspit Marina facilities.
- (vi) Refrain from behaving in a manner that will, or could reasonably, result in Our reputation or that of others using the Marina being damaged (to any extent);
- (vii) Preserve the confidentiality of, and not improperly use or disclose for Your own benefit or that of others, any information disclosed to You by Us in connection with Your access to and/or use of the Marina.
- (viii) As an Employee or Contractor, attend and participate in any training We may offer or require You to take part in from time to time relating to the subject of any workplace health and safety matters or any of Our policies and procedures.
- (ix) Ensure that You present (and remain) in a state that is fit for work (if applicable).
- (x) Keep any noise to a minimum having regard to, and so as not to disrupt, the other users of the Marina.
- (xi) Not consume alcohol within the Marina, except within licensed premises or on board a private vessel within the Marina.
- (xii) Not possess or consume any illegal substances or drugs within the Marina precinct.
- (xiii) We are a Smoke Free Workplace. Not smoke (including Vaping) nor dispose of cigarette butts anywhere in the Marina precinct.
- (xiv) Not engage in any conduct that is discriminatory in any form, including but not limited due to sex, race, sexuality, disability, cultural background, religion, marital status, age, union affiliation, political conviction, or family responsibilities.
- (xv) Not bully, harass, intimidate, overbear, slur or otherwise be physically or emotionally threatening (whether verbally or in writing) to any person.
- (xvi) Demonstrate consideration for others, not engage in any conduct which is immoral or could commonly be considered offensive.
- (xvii) Not do anything which will, or may reasonably, unduly disrupt any other users of the Marina precinct or impact on the health or safety of any person.
- (xviii) In the case of Our Personnel, notify us if You have any conflict of interest between the duties You owe to Us and Your own interests.
- (xix) Otherwise without exception comply with and observe:
  - (A) the Marina Rules (a copy of which is available on Our website and will be provided to You on request), including any necessary changes being made to give context to Your duties and/or the reason for You entering upon, accessing and/or using the Marina.
  - (B) The Marina Alcohol & Drug Policy (a copy of which is available and will be provided to You on request).
  - (C) any other policies and procedures implemented by Us from time to time in relation to the use of any part of the Marina facilities; and
  - (D) all directions given by Us in relation to the subject matter of this Code,

The above is reasonably applicable to You when considering Your position, role, membership, duties, actions and/or reason for entering upon, accessing and/or using the Sandspit Marina.

## 5. What are the consequences for breaching this Code?

- (a) If You breach any part of this Code, You acknowledge that We may do any or all of the following:
  - (i) require You to immediately cease Your duties and/or carrying out works within the Marina precinct.
  - (ii) require You to immediately depart the Marina precinct
  - (iii) prohibit Your entry and access to the Marina precinct, whether temporarily or indefinitely.
  - (iv) restrict Your entry and access to the Sandspit Marina precinct
  - (v) notify, report, and liaise with Your employer, manager or any other relevant person who has a supervisory capacity in relation to You (if any).
  - (vi) if You are Our Personnel, impose conditions relating to Your ongoing employment or terminate Your employment (to the extent permitted by law).

## 6. Is there anything else You need to know?

- (a) If You wish to contact Us, report non-compliance, or have any queries or concerns about this Code, please contact Us as follows:
  - i. by phone – Marina + 64 9 425 0099.
  - ii. by email – [manager@sandspitmarina.co.nz](mailto:manager@sandspitmarina.co.nz).
  - iii. by post – 1287 Sandspit Road, Warkwoth RD2 Auckland 0982
- (b) If You do not agree with any part of this Code, please advise Us in writing. If this is the case, You may be prevented from entering, accessing and/or using the Sandspit Marina.
- (c) This Code is current as of November 2021. We will periodically review and update this Code as necessary. We will not necessarily separately notify You of any changes. An updated copy will however be uploaded to the **Sandspit Marina** websites.