

Managing maritime facility wait-lists

1. Purpose

At most maritime facilities managed by the Department of Transport (DoT), the number of pens/moorings available for occupation by vessels is not sufficient to completely satisfy demand. Members of the public who wish to have priority consideration for a long-term (annual) occupation of a vacancy in the pen/mooring system when one becomes available are able to put their name on a waitlist.

All maritime facilities where the pen/mooring systems are at full capacity will maintain a waitlist.

The purpose of the Waitlist is to ensure that when a long-term vacancy in a pen/mooring system arises, applicants are given priority in the order in which they have registered their interest.

The management of DoT Maritime Facilities must be undertaken in such a manner that it satisfies the requirements of the WA Public Sector Code of Ethics which is lawfully established under the Public Sector Management Act 1994. The Code of Ethics sets out minimum standards of conduct and integrity to be complied with by public sector bodies and employees.

Under the Code of Ethics, the standards of conduct and integrity to be complied with by all public sector employees are expressed in a number of principles, including the following:-

Personal Integrity

We act with care and diligence and make decisions that are honest, fair, impartial, and timely, and consider all relevant information.

This procedure is in place to ensure that the managing of a Maritime Facility pen/mooring waiting list is conducted according to an honest, fair, impartial and timely standard as outlined above.

2. Definitions

- **'Department'** means the Department of Transport.
- **'Maritime Facility'** refers to any maritime facility managed by the Department.
- **'Vessel Length'** vessel length for the purpose of a waitlist application is the overall length of the vessel from one extremity to the other when utilising the pen, including bowsprit and marlin board or propulsion unit in the raised position.
- **'Facility Manager'** refers to person or persons deemed by the Department to have management control over the facility.
- **'Departmental Officer'** refers to an officer of the Department responsible for customer services in relation to each maritime facility.
- **'Applicant'** refers to a person or company that wishes to have priority consideration for occupying a pen/mooring vacancy at a maritime facility and has been placed on a Maritime Facility Waitlist.
- **'Waitlist'** refers to a list, ordered by date of application, of Applicants wishing to be considered for occupying a vacancy in a Maritime Facility's pen/mooring system when one becomes available.



Each Maritime Facility will manage its own Waitlist, and being placed on one Maritime Facility's Waitlist will in no way influence the Applicant's placement on any other Waitlist managed at a different Maritime Facility. There will be one Waitlist for all applicants regardless of vessel size. The Waitlist will consist of a list of alpha-numeric codes. Applicant details corresponding to each code on the Waitlist will be kept separately on an Applicant Details Register.

- **'Applicant Details Register'** refers to the spreadsheet where contact and vessel details are maintained for all Applicants recorded on the Waitlist. No information is removed from the Applicant Details Register; however comments may be added from time to time. Applicant details from a submitted Application Form are recorded on the next available line on the Applicant Details Register and the corresponding Waitlist Code is placed in line in the appropriate maritime facility Waitlist.
- **'Office'** refers to the building where the Facility Manager and Departmental Officer responsible for management of the Maritime Facility are located.

3. Details

It is the sole responsibility of all persons on the Waitlist to advise the Maritime Facility office of any change of personal contact details.

All long-term vacant berthage will be offered for use by the Department as soon as is practicable after the berth is vacant and available for use.

If a member of the public requests a copy of the pen/mooring Waitlist for a Maritime Facility, the Departmental Officer may print out a copy of the Waitlist but **not** the Applicant Details Register. Should the person already be on the Waitlist but have forgotten their Waitlist Code, the Departmental Officer may remind them of their code upon verification of the person's identity.

When a long term pen/mooring becomes available, the Facility Manager may choose to relocate a vessel already within the pen/mooring system to the vacant pen/mooring if it is in the interest of proper facility management. An example of this would be if the size of a vessel currently within the pen/mooring system is more suited to the pen/mooring recently vacated. Internal vessel relocations such as this may take priority over the Waitlist.

There may be circumstances where the Department chooses not to reallocate a pen/mooring that may become vacant on a long term basis. These may include ensuring that the Maritime Facility is better able to cater for casual short term users of the harbour or there may be plans to undertake repair or modification works that will render a number of pens unusable for a period of time.

Maintaining the Waitlist

On a given date the Departmental Officer will contact each of the Applicants recorded on the Waitlist to verify their contact details, and to confirm that they still wish to retain their position on the Waitlist. The period between Waitlist checks will be not less than two years (24 months).

If the Applicant no longer wishes to be included on the Waitlist they are to advise the Department in writing and their Waitlist Code is to be removed from the Waitlist and details of all communication with the Applicant will be recorded by the Departmental Officer in the Applicant Details Register.

If an Applicant is unable to be contacted after three attempts by phone and/or email and it has been over two years (24 months) since their initial application, the Departmental Officer will write to the Applicant using the contact address provided instructing the Applicant to contact the Office within one month to confirm their position on the Waitlist. If a reply has not been received by the Office within the one month period, the Departmental Officer will note the contact attempts in the Applicant Details Register and remove the Applicant's Waitlist Code from the Waitlist.



Online copies of Waitlist and procedures

A public version of this procedure will be maintained on the Department of Transport website, as well as a current version of each Maritime Facility Waitlist (but **not** the Applicant Details Register).

If, within a two week period, there have been any changes to the Waitlist, the Departmental Officer will forward a current copy of the Waitlist to the Manager Coastal Facilities who will arrange for it to be published on the Department website.

When a pen/mooring becomes available

The first option of refusal for vacant berths shall be offered to the longest waiting Applicant on the wait list, regardless of the size of the vacant pen/mooring or the size of the pen/mooring nominated by the Applicant.

If the vessel owned by the Applicant does not meet the minimum or maximum size restrictions for the vacant pen/mooring, the Applicant will be given the option to accept the offer of the pen/mooring on the proviso that they obtain a suitable vessel to occupy the pen/mooring within a reasonable amount of time. This amount of time may be negotiated by each facility on a case by case basis, but should be no longer than three months. Full pen/mooring fees will be applicable from the time the offer has been accepted regardless of when a suitable vessel has been found.

If an Applicant is offered a pen/mooring that is of a larger size than originally nominated on the Waitlist Application Form, the Applicant may accept this offer with the knowledge that their vessel will be relocated to a more suitably sized pen/mooring within the Maritime Facility when one becomes available. The full pen/mooring fees applicable for the vacant pen/mooring will be calculated from the time the offer is accepted, to the time the vessel is relocated, when the pen/mooring fees for the differently sized pen/mooring will apply.

Persons owing overdue debts to the Department for use of Maritime Facilities will not be offered vacant berthage until all debts are cleared. Any conditions that have been required by the Manager Coastal Facilities such as a bond (these will be recorded on the Applicant Details Register) are verified with Head Office and enforced if still applicable.

The person to whom a vacant berthage has been offered has 14 days to accept or decline the berth, in writing, from the date of the offer.

If an Applicant declines the offer of a pen/mooring, they may still retain their position on the Waitlist. If a second vacancy becomes available within a twelve month period and the same Applicant declines this offer also, then the Applicant will forfeit their position on the Waitlist. The Departmental Officer will record the details of all communication with the Applicant on the Details Register and will remove the Applicant's Waitlist Code from the Waitlist. Offers of a pen/mooring where the pen/mooring is of a different size to that nominated by the Applicant on the Waitlist Application Form may be declined without affecting the Applicant's position on the Waitlist.

Periodic Review

Within a period of no less than 12 months, the Manager Coastal Facilities will initiate a review of this procedure. Attention will be given as to whether the procedure itself must be amended to take advantage of any improvement opportunities and better meet customer needs. This review will be conducted in consultation with Facility Managers and Departmental Officers.

During this review period an audit of each Maritime Facility's Waitlist will be conducted to determine whether the Waitlist is being maintained accurately and in accord with this procedure.

A current version of this procedure will then be published on the Department website.



4. Actions

Once a pen/mooring vacancy exists the Departmental Officer will undertake the following tasks:-

- Check the Waitlist starting from the oldest application;
- Contact the first Applicant to see if they are interested in taking up the offer of the vacant pen/mooring.
 - If the Applicant has nominated for a different sized pen/mooring than the one that has been vacated, notify the Applicant of the conditions required in accepting the offer (see above);
- If the Applicant has indicated on their Application Form that they intend to acquire a vessel, check to ensure they will have a suitable vessel for the pen being offered - within a reasonable amount of time; and
- Ensure all appropriate compliance certificates are current and correct. i.e. current insurance, registration, electrical and/or gas paperwork. Copies of these compliance certificates shall be filed appropriately.

If the Applicant indicates that they will not have a suitable vessel within a reasonable amount of time, or the vessel they intend to place in the pen/mooring vacancy does not have the required certification, or does not meet Department of Transport Maritime Facility requirements, then the offer to take up a pen/mooring vacancy is withdrawn and the Applicant is notified in writing of this fact. The Applicant may be given the option of retaining their position on the Waitlist in accord with the provisions detailed above.

If the owner does not answer the phone:

- Where possible a phone message is to be left on an answering machine;
- Where possible an email message is to be sent to the applicant;
- Follow up phone calls / emails are to be sent a maximum of two (2) attempts;
- After the second unsuccessful attempt, a letter is sent to the Applicant's contact address advising of the offer to occupy a pen/mooring vacancy and instructing them to contact the Department within 14 days to confirm their acceptance of the offer;

If no response has been received by the Applicant by the end of this 14 day period:

- All details of the contact attempts are to be recorded on the Waitlist register;
- The Applicant will retain their position on the Waitlist; and
- The Departmental Officer will contact the next person on the Waitlist and repeat this procedure.

If the offer of a pen/mooring is accepted by the Applicant, the Departmental Officer will process the pen/mooring application in the usual manner. The Applicant will have fourteen (14) days to submit the appropriate pen/mooring application as well as the required fee(s) and any relevant documentation such as gas/electrical certification and insurance certification that the Department may require.

If a completed pen/mooring application and appropriate payment has not been received within 14 days from the acceptance date of the offer to occupy a vacancy, the offer will be withdrawn, the Applicant informed of the withdrawal in writing and the next Applicant on the Waitlist will be given consideration.



Once a pen/mooring application has been processed and payment has been received from the Applicant, the Departmental Officer will remove the Applicant's Wait List Code from the Waitlist and record details of all communication with the Applicant in the Applicant Details Register.

Failure of the Applicant to place a vessel in the pen or mooring by the end of the three month period (or other time as agreed) may result in the remaining portion of the pen licence fee being refunded and the offer of a pen or mooring being rescinded. In this case the next available Applicant on the Waitlist will be approached to fill the vacancy.

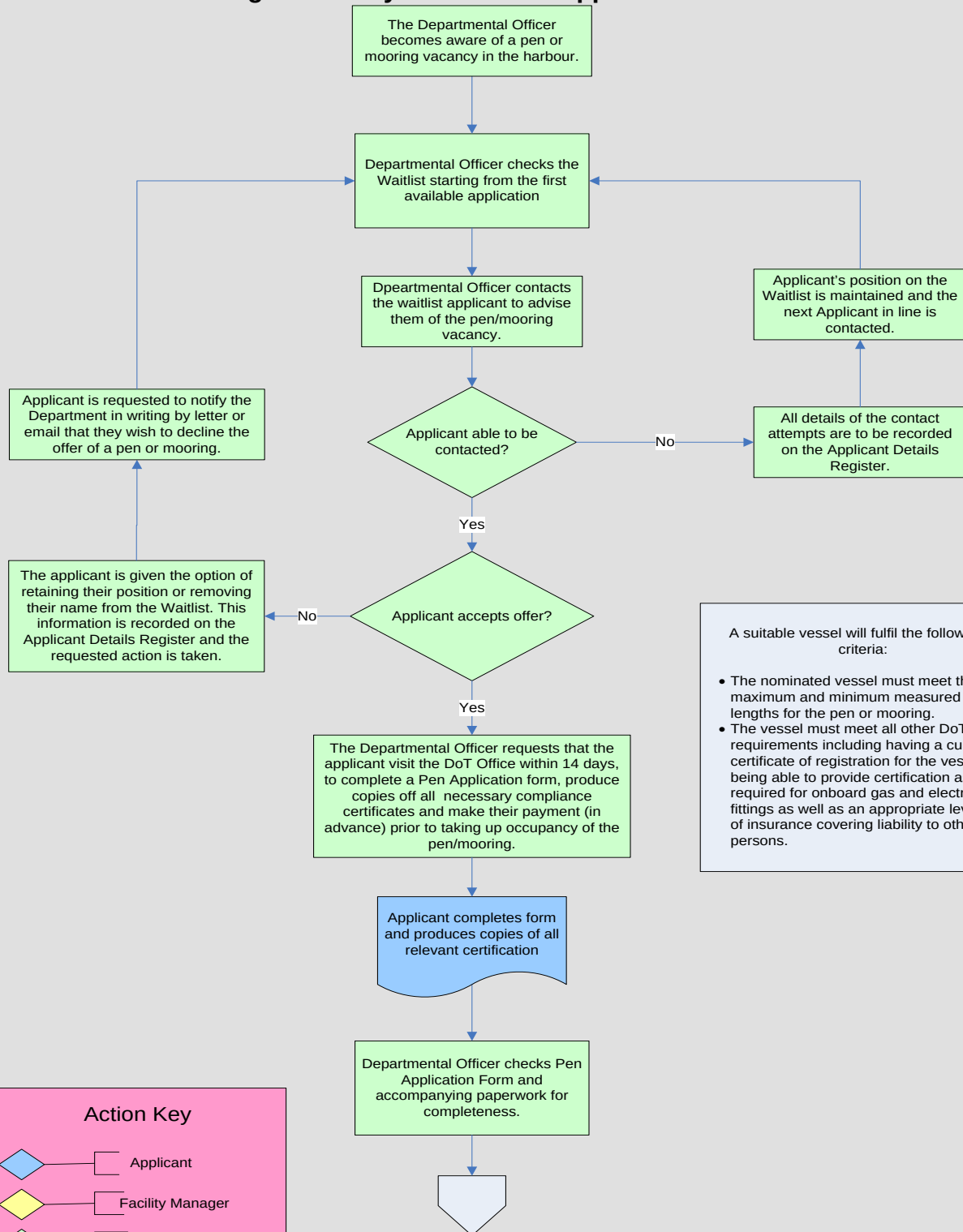
When a refund of part of an annual pen/mooring licence is made to an Applicant, the amount retained by the Department of Transport will be calculated at the casual rate appropriate for the period of time the Applicant has occupied the pen/mooring.

If the offer of a pen/mooring site is rejected:

- The Departmental Officer will request the Applicant put this in writing either by letter or email;
- A copy of the rejection notification will be placed on the Applicant's file; and
- All details will be noted on the Applicant Details Register.
- The Applicant may also be asked if they wish to maintain their position on the Waitlist as outlined previously. If they do not wish to remain on the Waitlist, their Waitlist Code is removed from the Waitlist and a note of these actions is made on the Applicant Details Register.



Offering a Vacancy to a Waitlist Applicant - Flowchart



A suitable vessel will fulfil the following criteria:

- The nominated vessel must meet the maximum and minimum measured lengths for the pen or mooring.
- The vessel must meet all other DoT requirements including having a current certificate of registration for the vessel, being able to provide certification as required for onboard gas and electrical fittings as well as an appropriate level of insurance covering liability to other persons.

