



Best Practice Guideline

Trespass, Boundary Fencing and Prevention of Drowning

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Introduction

Every year with the summer season Aspasa members have incidents where individuals enter the quarry area and there are drownings.

To resolve the problem is a challenge for operations. Certain operators, in rural areas have a big problem in that fences are stolen, pulled down, or lifted up, climbed over, etc.

To assist members in a small way, this best practice guideline is shared.

Trespassing

It is the duty of the operator to ensure that a barrier suitable for the purpose of discouraging trespass is placed around the boundary of the quarry and is properly maintained. In this context, trespass means entry to the quarry without the operator's express or implied permission or some legal justification

Barriers

Barriers and fencing needs to be maintained and if there is evidence that it is being breached then appropriate action should be taken.

Barriers are appropriate where it is reasonable to foresee that members of the public, including children, are likely to trespass and could suffer injury if they did so. There is a significant risk of injury or death to trespasser at most quarries. Barriers should always be provided at quarry boundaries which are near to schools, colleges, shops or significant number of homes. The provision of barriers needs to be considered as part of the risk assessment process, and the findings of the assessment included in the safety statement.

The type of barrier depends on the risks. Where the risk of public access is low, hedges, stock proof fencing, bunds, trenches or mounds may be enough. In some circumstances where the risk of trespass is high sophisticated metal palings fences will be required. Trespassing should be actively discouraged by signage and security measures, including reported and appropriate action taken to prevent further trespass. Records must be kept to show that barriers have been appropriately inspected and repaired in accordance with the scheme of inspection at the quarry.

Drowning

There is a risk of drowning in most quarries; the majority of drowning at quarries has involved intentional or inadvertent trespass by members of the public. The Operator has a duty to take precautions to minimise the potential of persons drowning at a quarry even where the person at risk should not be in the quarry. Operators must consider the particular risks associated with trespass where areas of the quarry are flooded or contain other areas of water such as lagoons and setting ponds. The use of water bodies at quarries by youth or other members of the public for recreation or bathing must be prevented as far as is reasonably practicable by restricting access and the placing of appropriate warning signs

Summary

The operator is required to provide secure fencing where there is a risk of a fall into water from an edge above, adjacent to or on a structure or platform above or adjacent to water. This requirement does not apply where access by persons or movement of materials is required and other appropriate precautions are taken.

The operator is required to provide at quarries where there is a risk of persons falling into water and drowning during the course of their work,

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- Suitable rescue equipment such as lifebuoys, rescue boats etc. , properly maintained and ready for use;
- Arrangements for prompt rescue such as an adequate number of appropriately placed lifebuoys, prohibiting lone working near water, etc. The problem being on how to secure these against theft or vandalism;
- Personal flotation devices (PFD's) which are properly maintained, checked before use and tested every 12 months, worn at all times by persons at risk.