



Policy 10 - Port Operations

1. Application

This policy applies to all NQBP Personnel, Contractors, Stakeholders and visitors to any NQBP premises.

2. Policy Statement

NQBP will operate the ports of Hay Point, Mackay, Abbot Point, Weipa and Maryborough (Ports) in accordance with Commonwealth and State laws and any relevant maritime international standards.

Specific policy positions on a number of port operational matters are as follows:

a. Safe Operations

NQBP will operate its Ports and associated services (including but not limited to pilotage, lines handling, provision of access ways and water supply) safely and in accordance with its Safety Management System and effective risk management practices.

b. Closed Circuit Television (CCTV)

NQBP will employ CCTV in its Ports to for the purposes of port security and safety, ensuring compliance with port rules and to facilitate safe and orderly port operations: and any other purpose subsequently approved by the Chief Executive Officer. NQBP will operate CCTV in accordance with applicable law.

NQBP will adopt a Code of Practice for which the Manager Port Operations will have accountability to ensure that CCTV is properly operated taking into consideration issues such as: public interest; privacy; signage; dealing with recorded imagery; complaints; duty of care, contact with Police, breaches of the code and other relevant matters.

c. Port Security

NQBP will maintain effective statutory and management plans and systems to ensure the security of its Ports. Pursuant to its obligations under the MTOFS Act and MTOFS Regs, NQBP has prepared an approved Maritime Security Plan for each of its trading ports. These plans are periodically updated to ensure currency.

The purpose of completing a maritime security plan is to help meet the maritime security outcomes which include:

- a. Fulfilling Australia's obligations under Chapter XI 2 of the Safety of Life at Sea (SOLAS Convention) and the International Ship and Port Facility Security Code (ISPS Code), including those with regard to the rights, freedoms and welfare of seafarers,
- b. Reducing the vulnerability of Australian ships, ports and other ships within Australia to terrorist attack without undue disruption to trade;
- c. Reducing the risk that maritime transport is used to facilitate terrorist or other unlawful activities; and
- d. Ensuring effective communication of security information among maritime industry participants and government agencies.

d. Australian Defence Force (ADF) Vessels

NQBP will provide access by ADF Vessels to its facilities provided the facilities are not required for the loading or unloading of cargo.

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NQBP expects the relevant ADF agency to provide it with a suitable indemnity prior to any such vessel visit.

NQBP acknowledges that the effect of Section 70(a) of the *Defence Act 1903 (Cth)* prohibits it from charging harbour dues, berthage or wharfage to ADF units.

Notwithstanding those provisions, NQBP will charge the charges outlined under the port rules and charges for other services provided including towage, pilotage, water, electricity and any other assistance provided by NQBP employees or contractors.

3. Audit and Review

In addition to any statutory external or third party audits of the various statutory and management systems, NQBP will undertake periodic internal audits on a risk assessed basis to ensure the intent of this policy is being delivered.

4. Operations Policy, Procedure, Rules, Plans and Legislative Framework

NQBP is a Government Owned Corporation and a port authority and is required to comply with its own policies, prescribed applicable legislation and State Government policies and procedures. This policy should be read in conjunction with:

- a. Policy 2 – Compliance;
- b. CCTV Code of Practice
- c. Abbot Point Maritime Security Plan;
- d. Hay Point Maritime Security Plan;
- e. Mackay Maritime Security Plan;
- f. Weipa Maritime Security Plan;
- g. Port of Abbot Point Port Rules;
- h. Port of Hay Point Port Rules;
- i. Port of Mackay Port Rules;
- j. Port of Weipa Port Rules;
- k. *Defence Act 1903 (Cth)* ;
- l. *International Convention for the Prevention of Pollution from Ships, 1973 as modified by the Protocol of 1978*;
- m. *International Ship and Port Facility Security Code 2002*;
- n. *Maritime Safety Queensland Act 2002 (Qld)*;
- o. *Maritime Transport and Offshore Facilities Security Act 2003 (Cth)*;
- p. *Maritime Transport and Offshore Facilities Regulations 2003 (Cth)*;
- q. *Safety of Life at Sea Convention 1974*;
- r. *Transport Infrastructure Act 1994 (Qld)*;
- s. *Transport Operations (Marine Pollution) Act 1995 (Qld)*;
- t. *Transport Operations (Marine Pollution) Regulation 2008 (Qld)*;

5. Policy review Date

This policy should be reviewed by December 2018.

6. Definitions

NQBP: means North Queensland Bulk Ports Corporation Limited ACN 136 880 128.

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Contractors: means contractors or consultants engaged by NQBP under a personal services consultancy agreement or other similar arrangements.

MTOFS Act means *Maritime Transport and Offshore Facilities Security Act 2003 (Cth)*

MTOFS Regs means *Maritime Transport and Offshore Facilities Regulations 2003 (Cth)*

NQBP Employee: means employees and Contractors of NQBP but does not include NQBP directors.

NQBP Personnel: means NQBP officers (for example NQBP directors) and NQBP Employees.

Stakeholders: means any internal or external interested parties not limited to customers, port users, communities of interest, government, employees and associations.

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