

An aerial photograph of Gisborne Harbour, New Zealand. The harbour water is a vibrant turquoise color, contrasting with the white surf of the waves breaking along the sandy beach. To the left, a large industrial facility with several white buildings and a ship docked is visible. A long pier extends from the industrial area into the harbour. To the right, a residential and commercial area with various buildings, parking lots, and roads is shown. In the background, rolling green hills and mountains are visible under a clear blue sky.

# Gisborne District Council Port & Harbour Safety Code Safety Management System

Revised - 2019

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### Record of Reviews and Revision:

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# Introduction

The NZ Port & Harbour Safety Code was published in 2004 following a number of groundings around New Zealand, including the grounding of *JODY F MILLENNIUM* in Gisborne in 2002. The Code is a voluntary national standard for the safe management of marine activities in ports and harbours and applies, at a minimum, “to any harbour area or commercial port with compulsory pilotage.”

In 2005 a Code Application Assessment was commissioned to determine which waters within the Gisborne District Council (GDC) boundaries the code applied to. This assessment determined that the code was only required to be applied within the Gisborne Harbour Limits <sup>(1)</sup>. While this is the only area to which the Code strictly applies, the assessment also identified other areas within GDC where the council had an obligation to “ensure maritime safety” <sup>(2)</sup>. These areas have been broken down into three regions, which have been included in the Harbour Risk Assessment and are as follows:

- East Cape – The near coastal area from the GDC boundary at Lottin Point southward to Tuahine Point.
- Southern Coastal Area – The near coastal area from young Nicks Head southward to the GDC boundary near Paritu.
- 12 Nautical Mile Limit – The seaward boundary of the GDC which extends 12 nm from land.

This synopsis outlines the Safety Management System (SMS) invoked by GDC to achieve effective navigational safety within the port and harbour. This takes into account the following supporting guidelines:

- Port and Harbour Risk Assessment and Safety Management Systems.
- Guidelines for Providing Aids to Navigation.
- Guidelines for Good Practice for Hydrographic Surveys.
- MNZ Report on Environmental Factors Affecting Access and Operations within New Zealand Ports and Harbours 2005.

Ongoing stakeholder analysis based around known and predicted needs is utilised to identify processes, procedures and standards necessary to underpin the Port Safety Management System.

## 1.1 Implementation

This Safety Management System is designed to be read in conjunction with and makes reference to a wide range of supporting documentation from the GDC management system, including:

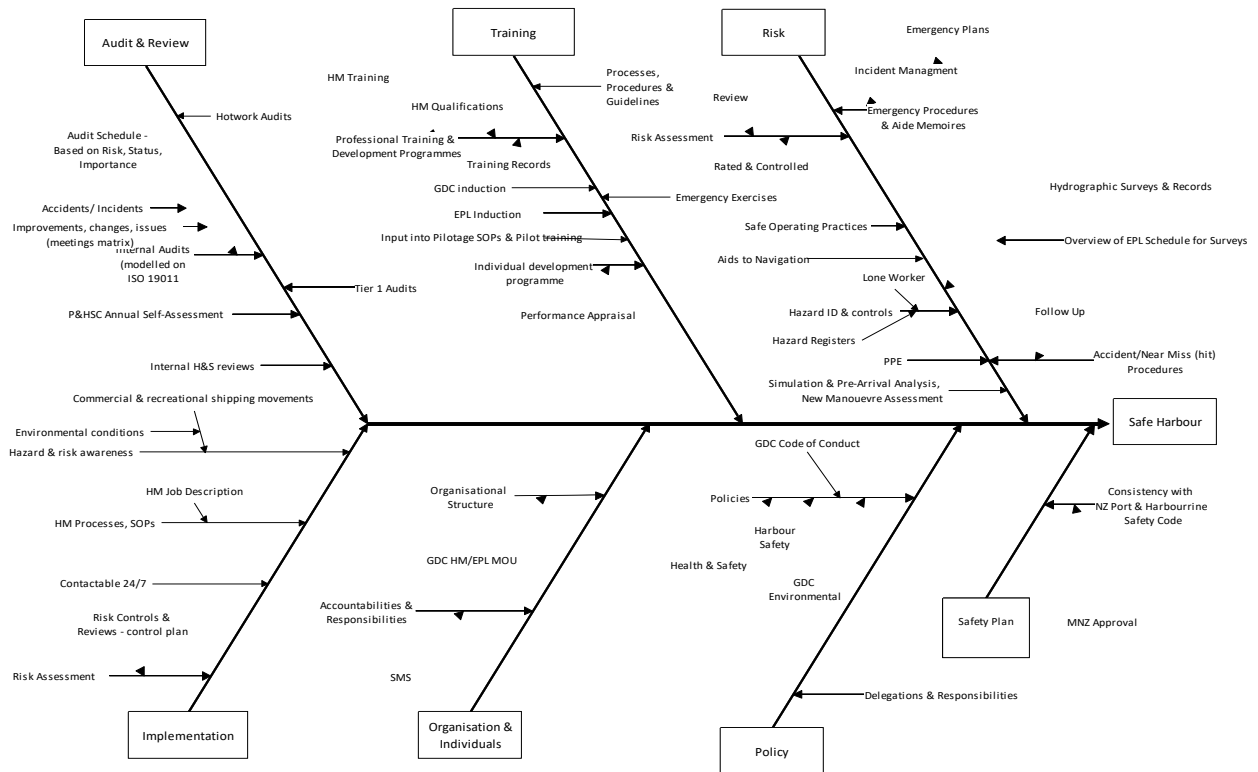
- Formal Risk Assessment
- Available Controls
- Harbour Safety Plan
- Standard Operating Procedures (SOPs)
- Memorandums of Understanding (MOUs)
- Stakeholder Matrix
- Meeting, Forum, and Report Matrix
- Annual Self-assessments
- Regular External Audits

<sup>(1)</sup> As defined in the Gisborne District Navigation & Safety Bylaw, schedule S1.1 - The area within a straight line from Young Nick's Head to Tuahine Point, including the navigable limits of the Waipaoa River, Taruheru River and Waimata River.

<sup>(2)</sup> The term “maritime safety” is used here as that is the term used in Section 33C of the Maritime Transport Act in relation to the functions of regional councils.

## 2 Safety management system interfaces

The following diagram depicts the interfaces of the Harbour Safety Management System:



### 3 Policy

GDC recognises the importance of the Port and Harbour Safety Code and is committed to maintaining a Safety Management System that is consistent with the National Code and integrates the risks identified by both the Port and Harbour. Gisborne District Council is committed to:

- fulfil its statutory requirements to ensure maritime safety;
- using the Code and its supporting guidelines as a standard against which the council will measure itself and be measured by others;
- ensure that the relevant assets of the harbour are managed safely;
- enforce bylaws and harbourmaster directions appropriately;
- ensure that staff are properly trained for emergencies and contingencies;
- identifies measures to address conflicts of interest;
- adequately resourcing the Harbourmaster's functions;
- carrying out and participate in regular audits to ensure the system is fit-for-purpose.

#### 3.1 Maritime safety

Gisborne District Council is responsible for ensuring maritime safety throughout the region. To meet this obligation, the council will:

- regulate the ports, harbours, waterways and maritime activities within the region through the application of bylaws, signage, and harbourmasters directions;
- ensure suitable anchorages, mooring locations, and channels are determined, marked, and maintained.
- ensure wrecks and obstructions which pose a hazard to navigation are properly marked and removed;
- regulate all hot work and diving operations within the harbour through an application and permit system;
- advise port and harbour users of navigational, tidal, weather, and other relevant information or warnings as required;
- actively encourage stakeholder participation in maritime safety issues;
- educate users and stakeholders on maritime safety and environmental protection;
- maintain appropriate marine oil spill and emergency response capability.

#### 3.2 Health and safety

Gisborne District Council is committed to protecting all workers and members of the public from harm while undertaking Council duties or while working on, or visiting Council buildings, facilities and worksites.

The Council Health and Safety Policy complies with the Health and Safety at Work Act 2015 its amendments, regulations and standards under the Act. The Council will comply with approved codes of practice, industry publications, regulations, guidelines, best practice documents and safe operating procedures.

#### 3.3 Environmental protection

Our natural environment is the foundation of our community's wellbeing and prosperity. All natural resources – air, land, water and indigenous biodiversity – are taonga that we must safeguard and restore, for current and future generations.

Gisborne District Council maintains an approved Regional Marine Oil Spill Contingency Plan and conducts regular training exercises. GDC also maintains a Regional Coastal Environment Plan in accordance with the Resource Management Act 1991 (RMA).

### 3.4 Hydrographic survey and publication

Eastland Port Limited carries out hydrographic surveys of the commercial port area and the approaches as per their survey schedule or after an exceptional environmental event. These surveys are conducted on a quarterly basis and all sounding data is shared with the harbourmaster for consultation and review.

### 3.5 Dredging

Eastland Port Limited oversees a dredging programme that is ongoing and operates as necessary to maintain the port and approach channel at a minimum agreed depth. Any additional dredging to increase the charted depths is required to undergo the regional consent process.

### 3.6 Aids to navigation

Eastland Port Limited owns and maintains all Aids to Navigation (AtoN) within Gisborne Harbour limits, excluding the Waihora Rocks cardinal mark. This buoy is owned by GDC. A comprehensive list of the AtoN maintained by EPL is available within the EPL Risk Assessment. A review of these aids is completed by the Harbourmaster on an annual basis.

### 3.7 Notification of matters affecting safety of navigation

Matters relating to navigational safety are reported to the Harbourmaster and MNZ as appropriate. Temporary Marine Events require permitting by Gisborne District Council, including approval by the Harbourmaster.

Any temporary events which may impact navigation safety require public notice and are posted on the GDC website. These are also conveyed to EPL Management and pilots as well as key stakeholders at least one week prior to the event.

### 3.8 Traffic management

Gisborne Harbour Radio is based around commercial vessel movements and is operated by EPL as a restricted port radio service for commercial shipping, pilots, and port services such as tugs and mooring staff. All ships within the Gisborne Harbour Limits are required to maintain a continuous radio watch on VHF channel 12; however, shore side monitoring is normally during business hours only.

### 3.9 Berth management

Berths are maintained solely by EPL.

## 4 GDC organisation structure

Gisborne District Councils has a statutory function to ensure maritime safety within the region. The Harbourmaster is in turn appointed by council to manage maritime safety, including developing and maintaining the Safety Management System. The Harbourmaster reports directly to the Director of Environmental Services and Protection, who sits directly below the Council Chief Executive.

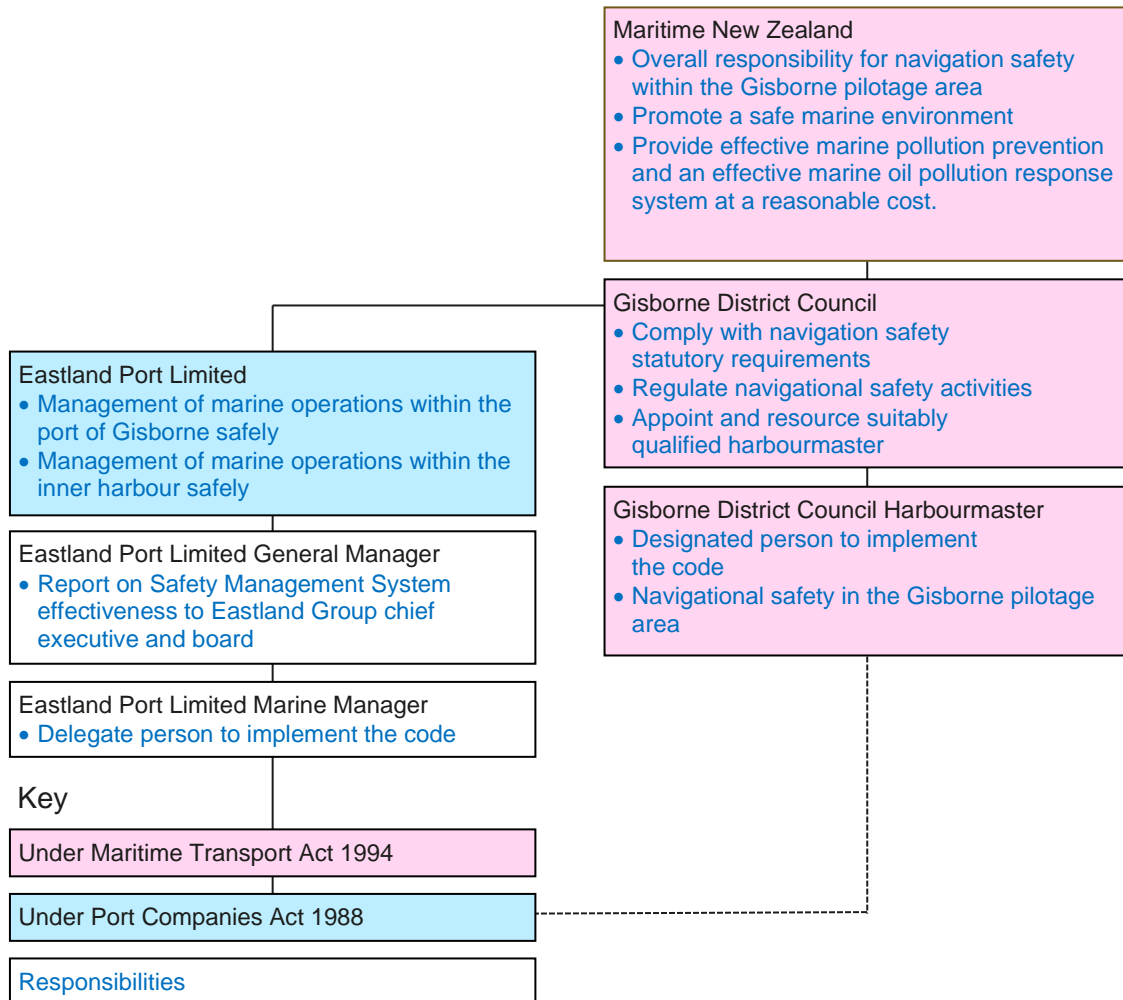
### 4.1 Conflicts of interest

There is no apparent conflict of interest between Gisborne District Council and the commercial port operations of Eastland Port Limited. The Harbourmaster is employed by GDC and has no commercial interest or affiliation with Eastland Port Limited.

## 4.2 Memoranda of understanding, delegations and agreements

A memorandum of understanding has been signed between GDC and EPL is reviewed and renewed on an annual basis. This MoU clearly delineates navigation safety responsibilities within and between the two signatories.

## 4.3 Organizational responsibilities



## 5 Harbour risk management

Gisborne District Council completed a comprehensive risk assessment prior to developing the SMS. This assessment took into account historical information provided by the port as well as potential dangers within the harbour. This risk assessment is subject to regular review in conjunction with EPL.



## 6 Emergency plans

The Tairāwhiti Civil Defence Emergency Management Group Plan as well as the GDC Health and Safety Handbook identify potential hazards and maintain various contingency plans, including natural disaster plans. Gisborne District Council maintains a MNZ approved Tier II Marine Oil Spill Contingency Plan and conducts regular training exercises. In the event of an emergency which affects shipping, Local Navigational Warnings will be issued by Gisborne Harbour Radio under Harbourmaster direction via VHF channel 16 and 12 as advised in the NZ Nautical Almanac.

### 6.1 Accidents/incidents

Accidents or incidents involving GDC staff are to be reported as required by the GDC Health and Safety Handbook using the VAULT reporting portal. Any accidents, incidents or mishaps which require notification to MNZ will be done as soon as practicable via the on-line reporting form.

## 7 Training

Standards of competence for GDC employees are established and form part of the staff selection process. Competence is monitored and is incorporated into the annual review process.

Where the Harbourmaster holds a delegation from the Director of MNZ to exercise the powers under section 48 of the Maritime Transport Act 1994, the Harbourmaster will participate in examinations for issuance of Pilotage Licenses and Pilotage Exception Certificates as appropriate.

## 8 Audit and review

The system review process is designed to confirm the effectiveness of the Safety Management System and highlight areas for improvement.

The methodology of system reviews follows the internationally recognised Standard ISO 19011:2018, "Guidelines for Quality and/or Environmental Management Systems Auditing".

As a general rule, reviews of the SMS will take place on no less than an annual basis.

### 8.1 System review schedule

GDC forward systems review schedule is based on:

- Status and importance
- New/changed risks and hazards
- Change in harbour use or operations
- Improvements
- Reported accidents, incidents and mishaps
- Results of external audits
- Ad hoc reviews arising from other identified factors.

GDC utilises internal and external audits to:

- Monitor the overall effectiveness of the SMS and identify opportunities for improvement.
- Confirm that SMS components are understood and have been implemented.

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Printed: 29 March 2023