Otago Regional Council

Otago Harbour

Safety Management System

PHMSC Overview 2024

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Revision history

Document Revision Record						Approval
Rev	Date	Description	Prep	Check	Harbourmaster	
1	10/03/2021	Document developed following review of SMS to better align with latest revision of PHMSC	SDR	PJD	12/03/2021	
2	01/10/2024	Document reviewed and placed online ORC Website	SDR	PJD	01/10/2024	

Distribution

An electronic copy of this document is available on the Council's website on the Harbourmasters page.

Definitions/Acronyms

Definitions of terms and acronyms used in this procedure:

Term/Acronym	Definition/Expansion
AtoN	Aids to Navigation
CEO	Chief Executive Officer
Code	NZ Port and Harbour Marine Safety Code
Designated Person	The key role in the effective implementation of a Safety Management System, takes responsibility for verification and monitoring of all safety and pollution prevention activities
Duty Holder	Person upon whom a duty is imposed by the PHMSC. This can include responsibility for the maintenance of the overall standard and quality of the maritime safety, ensuring personnel are competent to carry out the range of work required of them
ERP	Emergency Response Plan
Guidelines	Documents supporting the NZ Port and Harbour Marine Safety Code
Harbourmaster	Person appointed by the ORC under the Maritime Transport Act to manage maritime safety on their harbour and waterways
HSE	Health, Safety and Environment
HSWA	Health and Safety at Work Act 2015
IMO	International Maritime Organisation
ISO	International Organization for Standardization
KPI	Key Performance Indicator
Otago Harbour	Area defined on Page 13
ORC	Otago Regional Council
MNZ	Maritime New Zealand
MOU	Memorandum of Understanding
MTA	Maritime Transport Act
MTOP	Maritime Transport Operators Plan
PEC	Pilot Exempt Certificate
PHMSC	Port and Harbour Marine Safety Code
POL	Port Otago Limited
Policy	Statement of overall intentions and directions
SMS	Safety Management System
SOLAS	International Convention for the Safety of Life at Sea
SOP	Standard Operating Procedures
Stakeholder	Person or organization that can affect, be affected by, or perceive themselves to be affected by a decision or activity

Overview

Purpose

The New Zealand Port and Harbour Marine Safety Code (PHMSC) provides guidance to port operators and councils on recognised good practices required to safely manage marine activities in our ports and harbours. This section provides a brief summary of each of the main components of the Otago Harbour Safety Management System (SMS).

Compliance

The following legislation was considered in preparing the SMS:

- Maritime Transport Act (MTA)
- Maritime New Zealand's (MNZ) Maritime and Marine Protection Rules
- Health and Safety at Work Act
- Local Government Act
- Port Companies Act.

Commitment Statement

Under the Maritime Transport Act (MTA) 1994 the Otago Regional Council (ORC) takes the role of Harbour Authority for the Otago Harbour and Waterways and has committed to:

- Properly monitoring and managing maritime risk in the region so as to ensure the ongoing provision of a safe and navigable waterway for all harbour users.

- Operating in a manner consistent with the requirements of the PHMSC.
- Acknowledging the critical role of Port Otago toward ensuring maritime safety in the region.
- Ensuring that a positive, meaningful and open dialogue is continuously maintained between ORC and Port Otago in relation to all matters of maritime safety.
- Proactively seeking to progress the standards of good practice for safe maritime operations locally, nationally and globally.

Co-operation

ORC is committed to open consultation with all those organisations that hold a stake in navigation safety Otago. The following stakeholder groups have been identified:

- Port Otago (Port Operator)
- Commercial users
- Recreational harbour users
- Community
- Iwi
- Government and support agencies.

Components

This section provides a high-level summary of the documents that make up the Otago Safety Management System (SMS).

Code Application Assessment

The PHMSC Application Assessment determined where the Code, and this SMS, is applied. The assessment concluded that the SMS would apply throughout the limits of the Otago Harbour, as shown in page 13. A precise description of the harbour limits is provided in the Otago Navigation Safety Bylaws 2020.

Harbour Safety Policy

ORC has prepared a harbour safety policy which outlines how the ORC will undertake and regulate marine operations to safeguard the harbour, its users, the public and the environment.

The harbour safety policy commits ORC to using the PHMSC and its supporting guidelines as the standard against which the ORC will measure itself and be measured by others.

The Harbour Safety Policy is provided in section 2 of the SMS.

Additional Policies

Additional policies are developed as necessary to enhance and improve the Safety Management System.

Existing policies contained in the SMS document cover matters such as; Hydrographic survey, Aids to Navigation (AtoNs), Wrecks, Derelict Vessels and Abandoned Ships, Works in Harbour and Compliance.

Harbour Risk Assessment

The Harbourmaster uses risk assessment to identify, assess and prioritise marine risks in the Harbour.

The manner in which risk assessment is used to manage risk has evolved considerably since 2018 and is explained in more detail in the Harbour Safety Plan.

A formal risk assessment processes is undertaken annually and results are captured in HAZMAN II Operational Risk Register.

Memoranda of Understanding

To facilitate safe shipping in the region the Otago Harbourmaster has the following Memorandums of Understanding (MOU) in place:

• Port MOU

The MOUs are reviewed annually with copies held by each party to the agreements.

Harbour Safety Plan

The Harbour Safety Plan describes how maritime risks are identified and managed by the Harbourmaster. This plan meets the requirements as outlined in the Port and Harbour Safety Code and is reviewed annually. The Harbour Safety Plan focuses on those risks that are the responsibility of the Harbourmaster.

• The Harbour Safety Plan specifically describes:
• The vision, mission, purpose and objectives of the Harbourmaster.
• The internal structure of the Harbours Group and reporting relationships within ORC.
• How the navigational risk assessment is kept up to date .
• A schedule of reviews of the Harbour SMS, Navigation Safety Bylaws and Harbourmasters Directions.

The Harbour Safety Plan is subject to annual review.

Harbour Standard Operating Procedures

The Harbourmaster has prepared Standard Operating Procedures (SOPs) for common harbour activities that require consistent execution including; Issuing Navigation Warnings, PEC Examinations, Responding to AtoN failures, Maritime Event approvals.

Navigation Safety Bylaws

The Otago Regional Council Navigation Safety Bylaws regulate maritime and navigation safety in Otago's navigable waters. The bylaws are reviewed regularly to ensure their currency and are enforced by the Harbourmaster. The Otago Navigation Safety Bylaws are available on the ORC website.

The 2003 Navigation Safety Bylaws were reviewed in 2017. A complete overhaul of the bylaws was completed in 2019 and following consultation and hearing process, the new bylaw came into place. Late 2019 saw a reversal of the maritime delegation from Central Otago District Council (CODC), this prompted a further review and merger of the CODC navigational bylaw with the 2019 ORC Bylaws.

Following this process, the new ORC navigational bylaws were approved in September 2020. It was proposed that the bylaws could be simplified in two main ways:

1. The bylaws could be written in plain English.
2. The bylaws could be reduced in size and simplified.

Emergency Response Plans

The Harbourmaster has prepared emergency response plans for foreseeable maritime and navigation risks. A program of drills is being established to ensure that the effectiveness of the emergency response plans is tested and responses are reviewed and continuously improved.

Incident Management

The Harbourmaster team maintains an incident management system (HAZMAN II) for recording all reported incidents, accidents and near misses. This system is critical for understanding the risk profile of the harbour as it shows where risk has materialised and provides an opportunity to review the controls and treatments that are in place to manage risk.

The Harbourmaster responds to marine incidents as necessary to ensure the waters of the harbour remain safe and navigable and all such actions are recorded in the incident management system. This information may be shared with other agencies should an investigation occur or may be used by ORC for the purpose of regulatory action such as enforcement.

ORC recognises the importance of good incident management and has made a significant investment in building an enhanced digital incident management system. The system was launched in June 2021.

Harbourmasters Directions/ Guidance

The movement of vessels within the Otago Harbour is subject to control and direction by the Harbourmaster. A Direction may set a number of control measures that are applicable across the region, or a specific area or operation, to a specific ship or type of ship. Directions primarily pertain to ships of

500 gross tonnes or more but may be applied to any vessel that meets the definition of a ship under the Act. Directions are published on the ORC website and issued in accordance with the Maritime Transport Act 1994.

Maritime Transport Operator Safety Plan

The Harbourmaster operates vessels in compliance with a Maritime New Zealand approved Maritime Transport Operator Safety Plan. This plan ensures the safe operation of the Harbourmasters vessels. The full plan is available in the harbourmasters office.

Staff Training Plans

The staff training plan records all aspects of staff training including certification requirements of the position, certification held, expiration dates, safety inductions and familiarisation with roles and/or equipment, scheduled training and proposed training.

Roles and responsibilities

Harbour Authority

ORC has a responsibility to ensure maritime safety within Otago, and may regulate ports, harbours, waters and maritime-related activities in this region for this purpose.

To fulfill the duty of care that this responsibility implies, ORC aims to create an effective regulatory regime that facilitates all harbour users to properly manage both the risks they face and the risks they create in the harbour.

However, in fulfilling this role ORC does not assume direct responsibility for managing the maritime risk of any harbour user.

Every person or organisation who undertakes maritime activity within the harbour is primarily responsible for managing their own risk.

Harbours Authority Structure

There is a defined reporting structure in ORC. The Harbourmaster reports to the Regulatory Group Manager. However whenever necessary, the Harbourmaster has a direct line of contact with the Chief Executive.
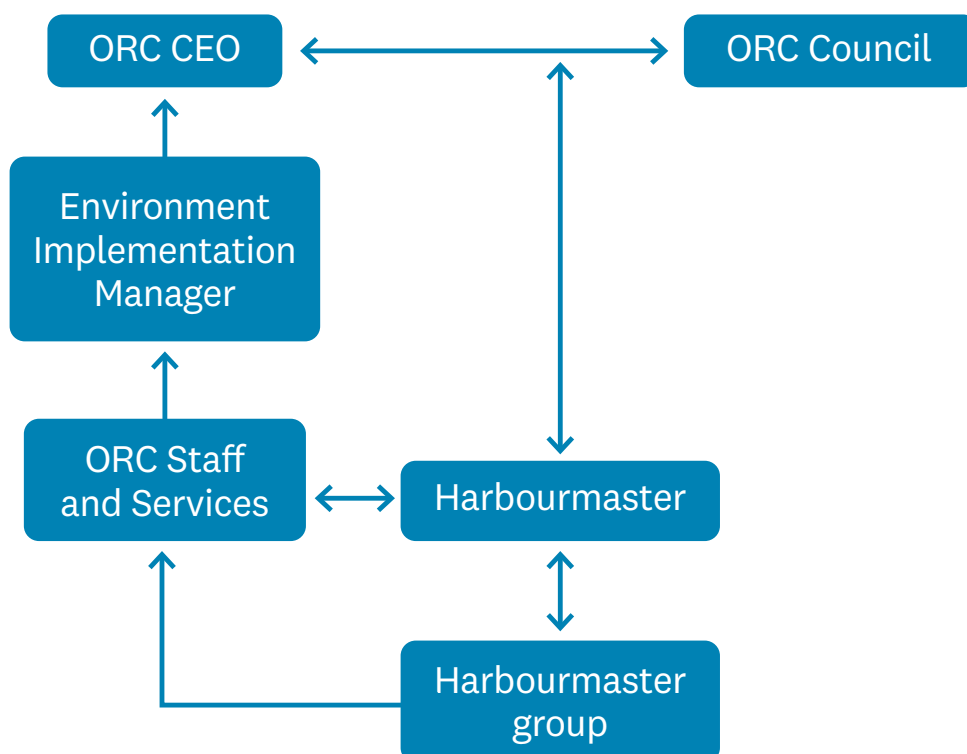
Key roles

The following table provides a brief summary of the primary duties for the key Otago maritime safety stakeholders:

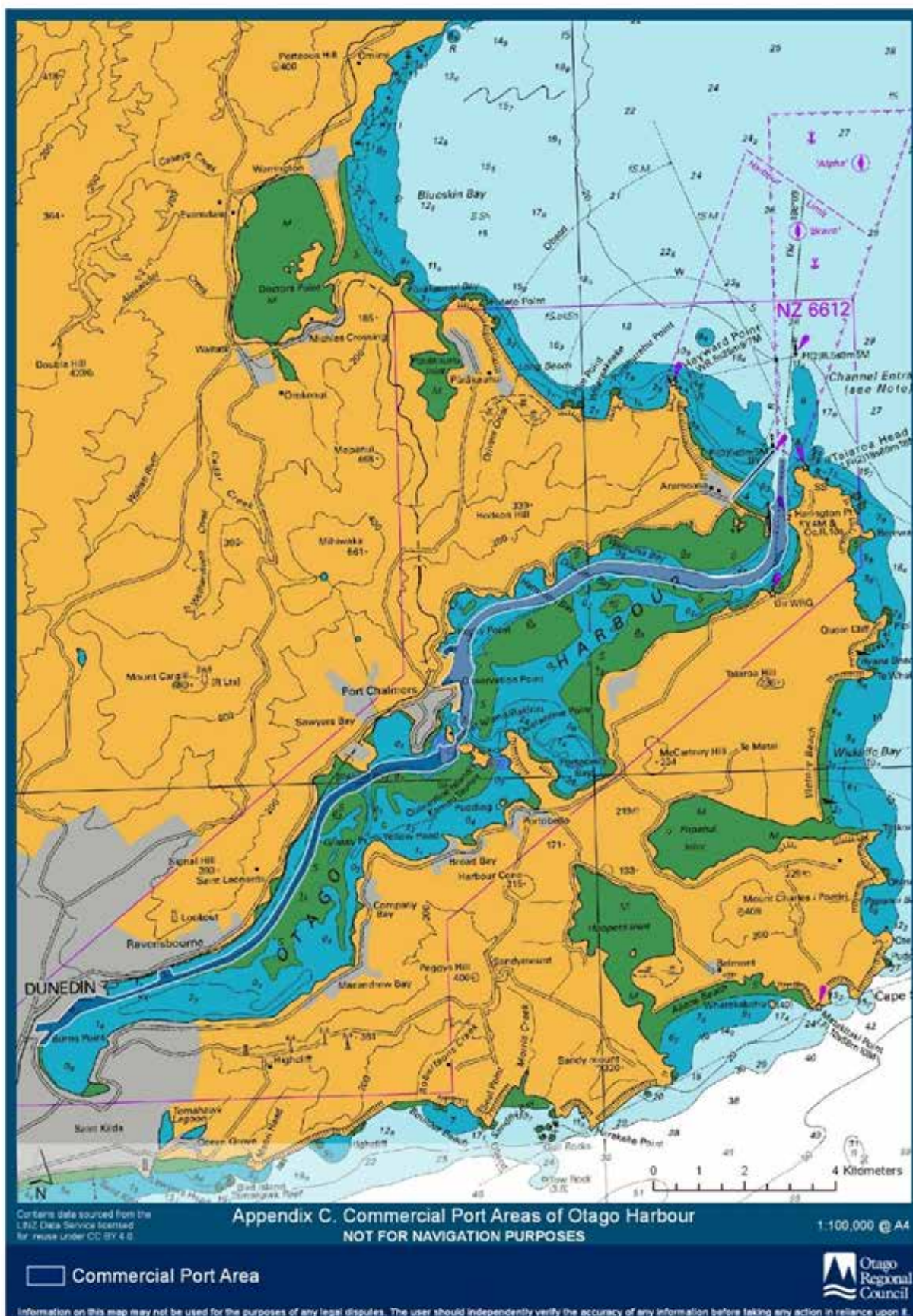| Role	Responsibility
ORC	**Has overarching responsibility for:** • Monitoring the level of maritime risk in Otago and reviewing risk management strategies • Establishing the structure and operating capability of the Harbourmaster Group • Approval and allocation of resources for the Harbourmaster Group **In respect of maritime safety:** • Discharges the duties and exercises the powers given to it, both directly and by delegation in accordance with the Maritime Transport Act 1994 • Discharges the function of "Duty Holder" as defined of the Code by ensuring compliance with the Code, and the management of maritime safety • Approves the strategy, policies, plans and budgets of the Harbourmaster Group, together with its strategic objectives • Ensures the Harbourmaster function is adequately funded to meet its objectives as stated in the ORC's Long Term Plan, the SMS and the Harbour Safety Plan • Reviews the performance of the Harbourmaster Group against its strategic and operational objectives, plans and budgets
ORC Chief Executive	Has responsibility for maritime safety in Otago including the effective allocation of resources supporting maritime safety in Otago Harbour. This includes the review and final approval of the Harbour SMS.
Harbourmaster	The Harbourmaster is appointed by ORC to discharge the statutory role of Harbourmaster in accordance with the Maritime Transport Act 1994 and PHMSC. The Harbourmaster is the designated person responsible for the Harbour SMS. Specifically, the role of the Harbourmaster is to: • Develop, implement and maintain an effective and appropriate Harbour SMS • Ensure the Harbour SMS complies with applicable legislation, regulation, codes and guidelines • Define the policies, plans and budgets of the Harbourmaster Group together with its strategic objectives • Provide the ORC, via ORC Committees, with regular reports on the performance of the Harbourmaster Group in meeting its objectives • Inform the ORC and Executive on matters of Navigation Safety or Maritime Safety as relevant to the region • Provide the ORC with independent professional advice regarding matters of maritime and navigation safety. • Work with Port Otago to ensure compliance with the Code and effective management of maritime and navigation safety risk as pertains to Port Operations, Pilotage and Towing. • Exercise regulatory powers as required to ensure maritime safety • Encourage the effective management maritime risk by all harbour users

Role	Responsibility
Harbourmaster Team	The Harbourmaster team are ORC personnel who support the Harbourmaster in meeting his duties. The Harbours Group currently includes the Deputy Harbourmaster and an operational manager. Their collective responsibilities include: • Implement the Harbour Safety Plan • Maritime risk management including risk assessment and implementation of risk controls and treatment • Maintaining situational awareness as to the maritime risk in the harbour • Ongoing engagement with harbour user groups • Encouraging compliance with the Maritime Transport Act and Navigation Safety Bylaws through education and enforcement activity and campaigns • Issuing and enforcing Harbourmaster Directions • Incident management including recording and responding to incidents, accidents and near misses and investigations • Maintaining Aids to Navigation in the Harbour • Maintaining Harbourmaster Group assets • Maintaining the Maritime Operator Safety Systems Certificate • Ensuring the provision of harbour information as necessary to support safe navigation. Such information may include documentation, weather monitoring equipment, AIS and radio networks • Issuing navigation warnings as required • Maintaining and procuring sufficient hydrographic data so as to support safe navigation
Pilots	Are responsible for: • The safe and efficient pilotage of ships in Otago's pilotage areas during all phases of pilotage. • Maintaining their qualifications and pilot documents in accordance with the Pilot Training and Proficiency Plan • Identifying and reporting to the Harbourmaster any incidents, near misses, issues with AtoNs or any other matters relevant to maritime safety.
Port Otago Limited	Port Otago Limited operates the commercial Port terminals within the Otago Harbour. The Port is committed to meeting the requirements of the Code and: • Implements and maintains an effective and appropriate Port SMS including a port risk assessment • Provides safe pilotage and towing services in the region • Provides a 24/7 local port service radio station to ensure safe navigation of ships to and from the port and facilitate harbour safety • Ensures effective management of maritime and navigation safety risk in the Otago Harbour as pertains to the activity of the port and its customers.

Role	Responsibility
Port Manager	Is responsible for: • Port wharves, assets, equipment and support facilities • Maintaining the Port SMS including the port risk assessment • Acts as PHMSC Designated Person • Security at the Port including PFSO role and administration of security assessments and plans Note: as the Port's Designated Person, the Port Manager has direct access to the PMNZ Chief Executive and, ultimately, the PMNZ Board for any significant issue related to health, safety, environment and operational effectiveness
Ship Operators	Are responsible for the safe and efficient operation and maintenance of their ships
Commercial Operators	Are responsible for the safe and efficient operation and maintenance of their ships
Masters	Are responsible for: • Commanding his/her ship including overarching responsibility for the safety of the ship • Ensuring compliance to Otago's Navigation Safety Bylaws and Harbourmaster Directions • Appraising, planning, executing and monitoring the navigation of their vessel
Recreational Users	Are responsible for the safe and efficient operation and maintenance of their ships

Harbour limits

The limits of the Otago Harbour are shown below. A precise description is provided in the Otago Navigation Safety Bylaws 2020.

Appendix C. Commercial Port Areas of Otago Harbour
NOT FOR NAVIGATION PURPOSES

1:100,000 @ A4

☐ Commercial Port Area

Otago Regional Council

Information on this map may not be used for the purposes of any legal disputes. The user should independently verify the accuracy of any information before taking any action in reliance upon it.

Code application assessment

Communications

Role	Responsibility
Navigation Safety Meetings	• 6 weekly meeting between ORC. POL and MNZ usually involving the harbourmaster, deputy, marine manager and MNZ Local staff. • With a standing agenda • Update on Otago's navigation safety risk management • Progress on risk control actions • Effectiveness of existing risk controls • Audits and inspections • Incidents, near misses or maritime safety concerns
ORC Council	Quarterly reported via the Environmental Delivery group
Harbour Safety Advisory Group	Annual meeting held for all stakeholders in and around the Otago Harbour Standing agenda
Navigation warnings	Promulgated by VHF radio, website and social media to provide important and/or critical navigation safety information for harbour users.
Signage / Notice Boards	Used to display a range of information, warnings or instructions.

Monitoring

Overview

This section discusses the different mechanisms ORC employs to assure its continuously improving delivery of maritime safety in Otago Harbour.

Stakeholder Engagement

Stakeholder engagement is an ongoing, rather than one-off, activity. The list of formal stakeholder engagement meetings is provided on page 13 but the Harbourmaster should seek to informally engage with all stakeholders as regularly as possible.

Harbourmaster's Review

The Harbourmaster shall continuously review the effectiveness of the SMS, including SOPs, Harbour Safety Plan, MTOP and other supporting documents and systems. Such reviews should include other members of the Harbours Group.

The reviews shall consider:

- Stakeholder feedback including both positive and negative stakeholder feedback.
- Drills and Exercises reports.
- Audit report(s).
- PHSC self-assessments and panel findings.

Drills and Exercises

The Harbourmaster shall establish an annual program of drills and exercises to test the effectiveness of the emergency response plan.

The scenario should include a debrief of all involved. The debrief should seek to identify what went well and opportunities for improvement.

Self-Assessment

The Harbourmaster shall ensure an annual self-assessment of the Harbour SMS is completed and is submitted to the PHSC working group. The self-assessment should be completed together with Port Otago.

PHMSC Panel Review

The PHMSC working group convenes an external panel to check consistency of Port and Harbours SMS with the Code approximately every three years. A copy of the previous Otago Review is available from the Harbourmaster's office.

Performance Measurement

The Harbourmaster has defined key performance indicators (KPIs) to assist with monitoring the effectiveness of the Harbour SMS. The KPIs are reviewed annually and results are reported to ORC as part of the Annual Plan and Long Term Plan processes.

If the Harbourmaster has any concerns as to adequacy of resources available to meet ORC's maritime safety management obligations, these concerns will be recorded in the annual activity report.

Harbour safety policy

The ORC has a responsibility to facilitate maritime safety within the waters of the region. The area of jurisdiction, commonly referred to as 'Harbour Limits', is defined within the Navigation Bylaws.

The ORC's committed to:

- Use the Code and its supporting guidelines as a standard against which the ORC will measure itself and be measured by others.

- Enforce bylaws and Harbourmaster Directions appropriately.

- Ensure that staff are properly trained for emergencies and contingencies.

- Identify measures to address conflicts of interest.

- Adequately resource the management of maritime safety in the harbour.

To this end, it is the ORC's policy to:

- Appoint a Harbourmaster and provide resources to ensure a 24/7 response capability.

- Establish, fund and maintain an effective Harbour Safety Management System consistent with Port and Harbour Safety Code requirements and guidelines.

- Conduct regular risk assessments to ensure the risk profile of the harbour is properly understood and that all identified risks are being controlled as far as is reasonably practical.

- Regularly review navigation Bylaws and Harbourmaster Directions to ensure these instruments are fit for purpose and align with the requirements of statue.

- Routinely engage with key stakeholders including Maritime New Zealand, Port Otago, to develop and maintain a shared understanding of maritime risks as relate to shipping in the harbour.

- Encourage compliance among all harbour users with Navigation Bylaws, Harbourmaster Directions, the Maritime Transport Act 1994 and the associated maritime rules. A specific emphasis is placed on Maritime Rules 90 and 91.

- Implement such hydrographic surveys as are necessary for safe and efficient navigation within harbour limits to provide harbour users with up-to-date, timely and accurate hydrographic information.

- Remove sunken, derelict or abandoned ships and other obstructions that are, or may become, an impediment to maritime safety.

- Ensure the provision of aids to navigation within harbour limits as necessary to ensure safe navigation through the regions waters.

- Provide harbour users with relevant information to support maritime safety in the region.

- Provide opportunity for all harbour users to engage with the Harbourmaster and contribute to understanding risk in the harbour.

- Provide professional advice to ORC as required regarding any form of development affecting navigational safety within The Otago Region.

- Develop and maintain an Incident Management Systems to record all maritime safety incidents that occur and the response actions of the Harbourmaster.

- Maintain a Harbour Safety Plan that defines in detail the actions and activities the Harbourmaster undertakes to manage risk in the harbour.

Compliance strategy

The Harbourmaster encourages harbour users to comply with all Maritime Rules, Navigation Bylaws and Harbourmaster Directions through the combined regulatory efforts of education and enforcement.

Educational programs and related initiatives to promote safe navigation practices and encourage compliance are recorded in the Harbour Safety Plan. Enforcement Acton is taken by the Harbourmaster as required.

Enforcement action may be necessary in any circumstance in which a Rule, Bylaw or Direction has been breached.

When a breach of a regulation is detected the Harbourmaster commits to:

- Immediately seek to stop the activity in breach of the rule (so far as is relevant and practicable).

- Investigate and collect evidence of the breach.

- Issue a notice of breach (where practicable).

If a notice of breach is issued the Harbourmaster or enforcement officer will:

- Review the evidence in conjunction with the Harbourmaster team.

- Assess the risk or potential risk that arose as a result of the breach.

- Determine the appropriate compliance intervention.

- Compliance intervention options range from:

- An approach based on information and education to support and encourage compliance through to;

- An approach (usually through investigations) that may lead to enforcement interventions such as warnings (written or verbal), infringement notices, Harbourmasters Direction, detention/imposition of a vessel or prosecution.

Under most circumstances in Otago waters the choices will be as follows;

1. Take no further action

2. Inform/educate only

3. Provide a warning, either verbally or in writing to the alleged offender

4. Issue an infringement

5. Seek a prosecution.

In determining the appropriate compliance intervention the Harbourmaster encourages an approach that aligns with Maritime NZ and considers the following key points:

- The approach chosen should be the one that best deals with the matters being addresses - education need not necessarily occur prior to enforcement.

- More than one action might be appropriate - it might be appropriate to prosecute an individual operator and undertake an education campaign in the relevant sector.

- In all cases, lessons learned should be identified to support improvement in safety and environmental protection.

Hydrographic policy

The New Zealand Hydrographic Authority, based at LINZ, is responsible for the production and distribution of navigational charts for New Zealand's coastal waters and surrounding sea and environs.

This requires accurate hydrographic data to be accumulated thought a rigorous and ongoing survey programme outlined in the LINZ Hydrographic Plan.

LINZ may also utilise hydrographic data collected by other agencies such as ports and councils to improve the accuracy of charts.

The NZ Port and Harbour Safety Code describes ORC's responsibility for providing adequate information about harbour conditions so that users can determine whether they are safe.

In meeting this obligation with regard to hydrographic survey the Harbourmaster commits to:

- Undertake hydrographic surveys as necessary to ensure maritime safety in the region and in alignment with the Port and Harbour Safety Code.

- Conduct hydrographic surveys to a standard that enables LINZ navigational charts to be updated.

- Determine areas for hydrographic survey through a process of risk assessment and in close consultation with key stakeholders and harbour user groups.

- Adhere to the Good Practice Guidelines for Hydrographic Surveys in New Zealand Ports and Harbours.

- Promulgate the findings of any hydrographic survey commissioned by ORC to all relevant stakeholders and harbour user groups.

- Advise harbour users by way of a Harbourmaster Notice and/or a Navigation Warning and/or a Notice to Mariners of any hazards to navigation identified in any hydrographic survey.

- Make hydrographic survey deliverables freely and publically available via digital means and in a format that is useful to harbour users to support safety of navigation.

The Harbourmaster and Port Otago have agreed to freely share all hydrographic survey data and have defined their respective responsibilities with regard to hydrographic surveys in the ORC POL MOU.

Aids to navigation (AtoNs) policy

The ORC owns, operates and maintains approximately two hundred AtoNs throughout Otago's Waterways all of which serve to support safe navigation across the region.

Additional AtoNs have also been established in the harbour by Port Otago for the main shipping channel. Temporary AtoNs are occasionally established for scientific research purposes or other projects such as Works in Harbour.

In managing the ORC's AtoNs the Harbourmaster commits to:

- Operate in accordance with the Maritime New Zealand Aids to Navigation Guidelines.

- Establish, alter or remove AtoNs in accordance with the requirements of section 200(7) of the MTA.

- Categorise AtoNs in accordance with the standards set out by IALA.

- Respond to outages and failures in a timeframe based on IALA standards, with Category 1 AtoNs requiring an immediate response wherever possible.

- Respond to outages and failures in a manner consistent with the Harbours Operational Health and Safety Plan.

- Make reasonable effort to inform harbour users when an AtoN has failed or is unreliable. This is achieved by promulgation of navigation warnings through Otago Harbour Radio. Depending on circumstance, the ORC website and Facebook page may also be used to ensure widespread awareness.

- Maintain an up to date AtoN register recording relevant details about each AtoN including all failures, a history of repairs and a work programme.

- Routinely visit each AtoN for the purposes of preventative maintenance. All reasonable effort will be made to visit each AtoN site at least once every 12 months.

- Wherever possible and as budget allows, introduce smart technology such as cellular and IoT connectivity to enable remote and timely monitoring of AtoNs.

- Regularly review and enhance the adequacy of the network as required.

AtoNs that are owned and operated by other agencies are not the direct responsibility of the Harbourmaster however, the Harbourmaster commits to:

- Immediately advise Maritime New Zealand directly if any of their AtoNs have failed or are reported as unreliable.

- Assist Port Otago to manage its AtoNs as per the ORC POL MOU.

- Provide navigation safety guidance to any person or organisation seeking to install and AtoN in Otago Harbour.

Passage planning policy

Safe conduct of a ship through pilotage waters depends on high standards of passage planning.

A high standard of passage planning requires every part of a ship's voyage passage to be planned, and for all members of the bridge team to have a common understanding of the plan. This means that every member of a bridge team, including the pilot, must operate according to the same passage plan.

To encourage the necessary standard of passage planning on ships operating in Otago Harbour the Harbourmaster is committed to:

• Engage with Pilots and ships operating under Pilot Exemption to encourage passage planning and related BRM practices that meet or exceed recognised international standards of good practice.

• Encourage Pilots and ships operating under Pilot Exemption Certificate to develop consistency in their passage planning by following the good practice guidance for port passage planning available from the New Zealand Maritime Pilots Association.

Making basic passage plans, as pertain to ships, publically available on the POL website so as to help ensure all harbour users have the opportunity to develop an awareness of the routes ships will follow when navigating in Otago Harbour.

Wrecks, derelict vessels and abandoned ships policy

Wrecks and Derelict Vessels

The statutory power for the removal of wrecks is set out in section 33J of the Maritime Transport Act (1994) where such a wreck presents a hazard to navigation.

Where a wreck or derelict vessel has been identified as presenting a hazard to navigation, the Harbourmaster shall:

• Make a reasonable effort to identify and find the owner or agent of the wreck or derelict vessel.

• In writing, require the owner or agent of the wreck or derelict vessel to remove the vessel from the waters of the region within a specified timeframe and in a satisfactory manner.

• Ensure that if a derelict vessel is to be returned to the water following repairs, it no longer presents a hazard to navigation.

Where the owner or agent cannot be found or where the owner or agent has failed to remove all or part of the wreck within the specified timeframe the Harbourmaster shall:

1. Take possession of the wreck.

2. Remove, destroy or dispose of the wreck.

3. Recover actual costs incurred in the removal of the wreck as a debt to the Harbour Authority

Abandoned Ships

Where any vessel within the waters of the region appears to be abandoned the Harbourmaster shall secure, remove, store or dispose of the vessel if:

• The Harbourmaster has advised the NZ Police of his intentions.

• Reasonable efforts have been made to identify and locate the owner of the vessel.

• A notice, advising that the vessel may be removed and sold or otherwise disposed of by the Harbourmaster, has been affixed to the vessel in a conspicuous place for more than 28 days.

• The Harbourmaster has publicly notified the intention to sell or otherwise dispose of the vessel.

• The Harbourmaster has made a reasonable effort to notify any person or party known to have a security interest in the vessel of the intent to sell or dispose of the vessel.

The Harbourmaster will seek to recover all costs incurred in the removing, storing and selling of the vessel.

Works in harbour policy

With the exception of emergency works, all Works in the Harbour are undertaken in accordance with the Marlborough Environment Plan and overarching legislation such as the Resource management Act.

The Harbourmaster is committed to ensuring that whenever Works in Harbour are undertaken, matters of maritime safety are adequately managed throughout the duration of the work.

In general, the Harbourmasters expectation is that the persons and organisations commissioning and conducting the work will be responsible for identifying and managing the maritime risk associated with the project.

For most projects, the Harbourmaster will require a navigation safety plan to be developed which will identify at a minimum:

- All maritime risks.

- Risk treatments and controls including the need for navigation warnings.

- Key personal and their roles.

- Means and processes for effective communication across organisations and agencies.

- Emergency response plans.

Navigation safety plans must be approved by the Harbourmaster.

The Harbourmaster will issue navigation warnings in relation to Works in Harbour as necessary so as to ensure maritime safety.

The Harbourmaster will make all reasonable effort to ensure that persons and organisations undertaking the Works in Harbour comply with the navigation safety plan and all other relevant Rules, Bylaws and Harbourmaster Directions.