



Port User Company Operating Rules



Executive Summary

This document provides operating rules and expectations for companies, organisations, their employees, and all users of the Northport facility.

It is to be read in conjunction with the 'Port Facility: Health and Safety Requirements' document.

For Port Users involved in dangerous goods or fumigation, please refer to the additional documents 'Minimum Requirements for Fumigation Operations at Northport' and 'Hazardous Substance Storage & Cargo Handling Requirements'.

Document Revision History

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Contents

1.	Introduction	3
2.	Commitment of Northport Ltd	4
3.	General	4
4.	Access to Northport	5
5.	Regulatory and Legislative Requirements	6
6.	Staff and Labour	7
7.	Plant and Equipment	7
8.	Operational and Storage Areas	8
9.	Supply of Information to Northport	8
10.	Wi-Fi and Radio Frequencies	9
11.	Indemnification	9
12.	Force Majeure	9
13.	Amendments	9

1. Introduction

- 1.1 Northport Ltd owns and operates the Northport Facility. These operating rules cover all activities carried out on Northport Ltd owned and leased land areas, as shown on the attached plan, including those within the confines of the Northport Customs Controlled Area (CCA). Northport Ltd requires the supply of information regarding the movement of all cargo across the Northport CCA. Where areas within the facility are subject to a lease agreement with Northport Ltd, then the lease agreement terms shall take precedence over these rules in the case of a conflict.
- 1.2 A 'Port User' is a company or organisation accessing, using, and/or working at the Northport facility or on Northport Ltd owned or leased land.
- 1.3 The Northport Facility is private property. These rules are to provide for permitted Port Users to access, use, and work on this property under conditions acceptable to Northport Ltd. To be permitted entry, users must adhere to all relevant rules and conditions including regulatory compliance, security, traffic management, plant requirements, operational requirements, health and safety requirements, regulatory searches, drug and alcohol testing, code of conduct guidelines, or any other rules outlined or those subsequently implemented by Northport Ltd and notified to port users. Northport Ltd, at its sole discretion, may deny permission to any Port User or its employees who fails to agree to or comply with any of these rules and/or conditions.
- 1.4 To reflect the mutual interests of the Port User and Northport Ltd, the following outcomes are sought:
- The safe, efficient, and optimal utilisation of the Northport Facility assets and infrastructure on a 24hr/7day basis.

- Compliance with all regulatory requirements and obligations as required by the New Zealand Customs Service, Maritime New Zealand, the Ministry for Primary Industries, Worksafe NZ, Environmental Protection Authority, and any other pertinent authority;
 - Assurance that Northport Ltd are provided with all relevant information to ensure regulatory compliance;
 - To have clearly defined roles, responsibilities and respective liabilities;
 - To maintain open and honest lines of communication between Port Users and Northport Ltd.
- 1.5 The nature of the business at the Northport facility requires all Port Users to accept concurrent multiple user operation. They will co-operate and communicate with other Port Users to operate safely, efficiently, and optimally. These rules do not grant exclusive rights to any Port User to the exclusion of any other Port User.

2. Commitment of Northport Ltd

Northport Ltd will:

- 2.1 Within its capacity, provide the berth, hardstand, land, and applicable facilities to enable the Port User to work. The determination of land or resources supplied is at the sole discretion of Northport Ltd;
- 2.2 Allow permitted Port Users access to Northport for the purpose of carrying out port-related activities, and the use of the facilities in common with other users, subject to compliance with rules and conditions;
- 2.3 Provide a clear framework of port rules, conditions, and guidelines, and ensure they are propagated and accessible to Port Users and relevant stakeholders. Monitor the compliance against all rules and conditions and take effective, definitive, and fair action on a breach;
- 2.4 Record and monitor incidents and provide oversight to investigations. Disseminate learnings from incidents and other OSH information. Proactively promote a safe and healthy work environment on the port;
- 2.5 Provide, via its website, a shipping schedule and berth allocation information;
- 2.6 Provide continuous site security, patrols, and monitored CCTV;
- 2.7 Provide general operational oversight of all port operations to ensure a monitored, steady, managed, and optimal storage and turnover of cargo;

3. General

The Port User will:

- 3.1 Adopt and comply with all Northport Ltd conditions and rules, and be subject to monitoring, enforcement, and audits of compliance by Northport Ltd;

- 3.2 Utilise safe operational and general work practices including the use of appropriate, fit-for-purpose plant and equipment, and appropriate PPE for staff. Comply with all relevant legislation and Northport's 'Port Facility: Health and Safety Requirements', which is available on the Northport website;
- 3.3 Maintain auditable policies and procedures;
- 3.4 Maintain the following Policies/Plans, acceptable to Northport:
 - Drug and Alcohol Policy;
 - Occupational Safety and Health Policy;
 - Environmental Policy;
 - Code of Conduct with disciplinary process;
 - Fatigue Management Policy;
 - Emergency Plan;
 - Oil Spill Containment and Clean-up Plan
 - Social Media Policy
 - Policy restricting the taking of Photographs and Video on the Port facility.

If the Port User or company does not have these policies in place, then the standards of the applicable Northport Ltd policy will apply as a minimum.

- 3.5 Have a procedure to educate, monitor, and enforce their own policies and procedures including a sound investigative process for breaches and a lawful disciplinary process;
- 3.6 Actively promote and enforce a high standard of general behaviour, including supporting Northport Ltd's zero tolerance to all physical and verbal aggressive behaviours.
- 3.7 Report all emergencies and serious incidents immediately and directly to Northport Ltd, and all other near misses, incidents, spills, damage, or observed hazards as soon as practicable, but within 24 hours via the Northport Ltd website.
- 3.8 Ensure the appropriate containment and timely removal of all their waste/rubbish;
- 3.9 Ensure that all spills, either liquid or cargo, either on any surface, in any drain, or over the side of the wharf, are notified immediately to Northport Ltd. Clean-up is to be undertaken in a timely manner using the correct materials and procedures. All waste/clean-up material is to be removed off site and disposed of in the appropriate facilities. Site clean-up is to be accepted by Northport Ltd.
- 3.10 Be liable for any damage caused to any property not belonging to the user;
- 3.11 Have insurance including public indemnity insurance.

4. Access to Northport

The Port User will:

- 4.1 Comply with the security arrangements, including ensuring all personnel complete the Northport Facility induction, as well as, where relevant, their own company local induction for their area or operation. Security arrangements include complying with requirements under

the International Ship and Port Facility (ISPS) Code and the Customs Trade, Partnership Against Terrorism (C-TPAT).

- 4.2 A condition of entry is compliance with all provisions of this Port User Operating Rules document and all access conditions as outlined in the document ‘Port Facility: Health and Safety Requirements’ including:

Personnel

- Nobody under the age of 16yrs may enter unless approved by Northport Ltd.
- Photo ID must be carried at all times
- Entry to the Port is for business related activities only
- All persons must enter at an approved access point using either a Northport access card or signing in as a visitor at the Port Services Centre (PSC). Prior approval must be obtained by persons or vessels wanting to access the facility from the water.
- All visitors must be escorted by a Port User representative.
- No explosives, weapons, alcohol, illicit drugs or drug paraphernalia is permitted
- A high standard of personal behaviour is expected
- The appropriate PPE must be worn
- No personal music devices with headphones are permitted to be worn

Vehicles and Mobile Plant

- Light vehicles must enter and leave via the PSC main gate.
- Vehicles and mobile plant must display an Approved Vehicle sticker or Approved Access Permit
- Vehicles and mobile plant must operate within the New Zealand Road Rules and Land Transport Act 1998.
- Vehicles and mobiles plant will comply with all Northport Traffic Management rules, including denied areas of access, speed limits, intersection control, directional flow, and designated parking restrictions.
- Vehicles and mobile plant must display a 360° flashing yellow light and have headlights on
- Seatbelts must be worn by all occupants of a vehicle.
- The use of communication devices while mobile is prohibited.

- 4.3 Any person detecting or witnessing a breach of security or access rules is to notify Northport Port Services Centre (PSC) immediately.

5. Regulatory and Legislative Requirements

The Port User will:

- 5.1 Comply with the provisions of all regulatory acts and legislation relating to the port users operation and activities whilst on Northport Ltd premises including any New Zealand statutes, acts, regulations, codes or subsequent guidance issued under such acts;
- 5.2 These acts include but are not limited to:
- Health and Safety and Work Act 2015;
 - Building Act 1991;
 - Electrical Safety Regulations 2010 and applicable safety standards;

- Hazardous Substances and New Organisms Act (HSNO) 1996;
- Customs & Excise Act 1996;
- Maritime Security Act 2004;
- Customs Trade, Partnership Against Terrorism (C-TPAT);
- International Ship and Port Facility (ISPS) Code;
- Biosecurity Act 1993;
- Maritime Transport Act 1994;
- Resource Management Act (RMA) 1991, inclusive of any operative regional or district plan in respect of Northport Ltd land and/or premises and any direction from Northport Ltd in respect of their obligations under the RMA and regional/district plans including the Whangarei District Council District Plan Environmental Rules.

6. Staff and Labour

The Port User will:

- 6.1 Ensure that labour contracts provide for a 24 hour a day, seven day a week operation for the loading and unloading of ships, and for other port related activities which may require “out of normal work hours” functions;
- 6.2 Ensure their staff are inducted, trained, assessed, competent, qualified, and licenced to be performing the operation, function, or role they have been assigned, or be under supervision while training in that role.
- 6.3 Ensure port users staff use the toilet facilities provided;
- 6.4 Ensure that port users staff do not swim, jump, dive or fish from ships, wharves or rock walls within the Northport Facility.

7. Plant and Equipment

The Port User will:

- 7.1 Comply with all load-bearing and/or other operational restrictions imposed by Northport Ltd with specific reference to the engineering of the wharf, bridges, and storage areas;
- 7.2 Obtain approval from Northport Ltd prior to bringing any new plant and equipment onto the Port Facility. Certification and licences may be required prior to this approval being granted.
- 7.3 Ensure that all plant and equipment is regularly serviced and maintained to a safe operating condition including all COF/WOF standards where applicable.
- 7.4 Store all equipment and plant used for cargo handling off the port when not in use, unless explicitly permitted by Northport Ltd. This will be managed on a case-by-case and holistic storage volume management basis. There is a reasonable tolerance for equipment being on the port when setting up for an operation;
- 7.5 Clearly mark all equipment, vehicles, and plant with the owner’s name or logo;

- 7.6 Ensure that any tracked plant and/or equipment that may damage the asphaltic-concrete paving is suitably transported to and from the wharf areas. Any exception to this requirement must first be approved, in writing, by Northport Ltd;
- 7.7 Ensure that equipment on the port can be moved at short notice. For vehicles parked on the berth, keys should remain in the vehicle as it is imperative that it can be moved immediately, by a suitably qualified person, if required.

8. Operational and Storage Areas

The Port User will:

- 8.1 When provided an operational area, safely, efficiently, and optimally utilise, manage, and control this area. All consideration must be given as to the implications of being a Principle Conducting a Business or Undertaking (PCBU) for this operational area as defined under the Health and Safety at Work Act 2015. A Traffic Management Plan (TMP) must be considered for all operations, and where applicable the TMP co-ordinated with other affected port users and submitted to these Port Users for agreeance and to Northport Ltd in a timely fashion for assessment and approval;
- 8.2 For shipping marshalling operations, ensure berth signs, as acceptable to Northport Ltd, are placed out in a clearly visible location at either end of the operational area, are monitored during the operation, and removed promptly on completion;
- 8.3 For shipping operations, ensure all equipment, cargo, and refuse remains 4m clear of the berth front at the extremities of the operation as to not impede ship movements (ie linesmen operations) on the berths;
- 8.4 An operation must follow an established and risk-assessment based Standard Operating Procedure (SOP) or Job Safety Analysis (JSA), and every operation should commence with an appropriate toolbox meeting. Any non-routine operations must have their areas defined and demarcated with cones/barriers and signage as appropriate.
- 8.5 At the end of the operation, or the return of storage space, ensure the timely removal of all equipment, plant, any residual or reject cargo, rubbish and debris. The area is to be left in a tidy and ‘shovel clean’ state.

9. Supply of Information to Northport

The Port User will:

- 9.1 Supply Northport Ltd with cargo information to meet all regulatory requirements and Northport Ltd’s own internal requirements in a timely manner;
- 9.2 Supply Northport Ltd with an accurate vessel cargo exchange summary at the earliest possible opportunity on completion of the vessel exchange. It is expected that this information will be exchanged electronically unless otherwise agreed, and the return completed within three working days of ship completion.

10. Wi-Fi and Radio Frequencies

The Port User will:

- 10.1 Obtain prior-approval from Northport Ltd for the installation of any hardware on Northport infrastructure; all installation and electrical design and final install drawings must be provided.
- 10.2 Ensure the introduction of new wi-fi or other wireless networks do not interfere with existing networks utilised by Northport Ltd of other Port Users or immediate local residents, and must gain prior approval from Northport to install equipment or utilise intended frequencies;
- 10.3 Ensure radio frequencies do not interfere with any existing frequencies utilised by Northport Ltd, border security agencies or existing Port User frequencies.

11. Indemnification

The Port User will:

- 11.1 Indemnify Northport against all claims, proceedings or losses caused by the acts or omissions of the port user whether relating to Northport Ltd or any other person.
- 11.2 Have insurance policies of an amount to be reasonably determined by Northport to cover as far as may be legally possible. The indemnities included in clause 12.1 and shall provide evidence of such insurances if so requested by Northport Ltd.

12. Force Majeure

- 12.1 Northport Ltd shall not be held responsible in any way for any loss or damage arising out of a suspension of services resulting from any Act of God, strike, lock out, industrial dispute, or any other issue outside of the control of Northport Ltd.

13. Amendments

- 13.1 Northport may review and amend these rules at any time. Notice of such changes will be provided when appropriate and practicable to do so. When such changes are made, thirty (30) days' notice of any change to these rules will be provided.

Questions should be directed to:

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PO Box 44
Ruakaka
Ph 09 432 5010.
info@northport.co.nz
Duty Officer: 09 432 5060.

<http://www.northport.co.nz>

ATTACHMENT: Northport Ltd - Outline of Premises