

Speed Limits in Port of Darwin

Port Notice

Work Safe. Live Safe.

Version Control

Version	Date	Reason for Change
1.0	25/06/2014	Initial version
2.0	31/3/2015	Review – introduction of <i>Ports Management Act</i>

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1. TITLE

Port Notice promulgating speed limits in the Port of Darwin.

2. REFERENCE LEGISLATION

- *Ports Management Act*
- *Marine Act*
- *Environmental Assessment Act 1982*
- *Commonwealth Environmental Protection and Biodiversity Act*
- Technical and Safety Standard for Pilotage and Provision of Pilotage Services for the Port of Darwin

3. SCOPE

This Port Notice applies within the gazetted Port Limits of Darwin as contained in figure 1

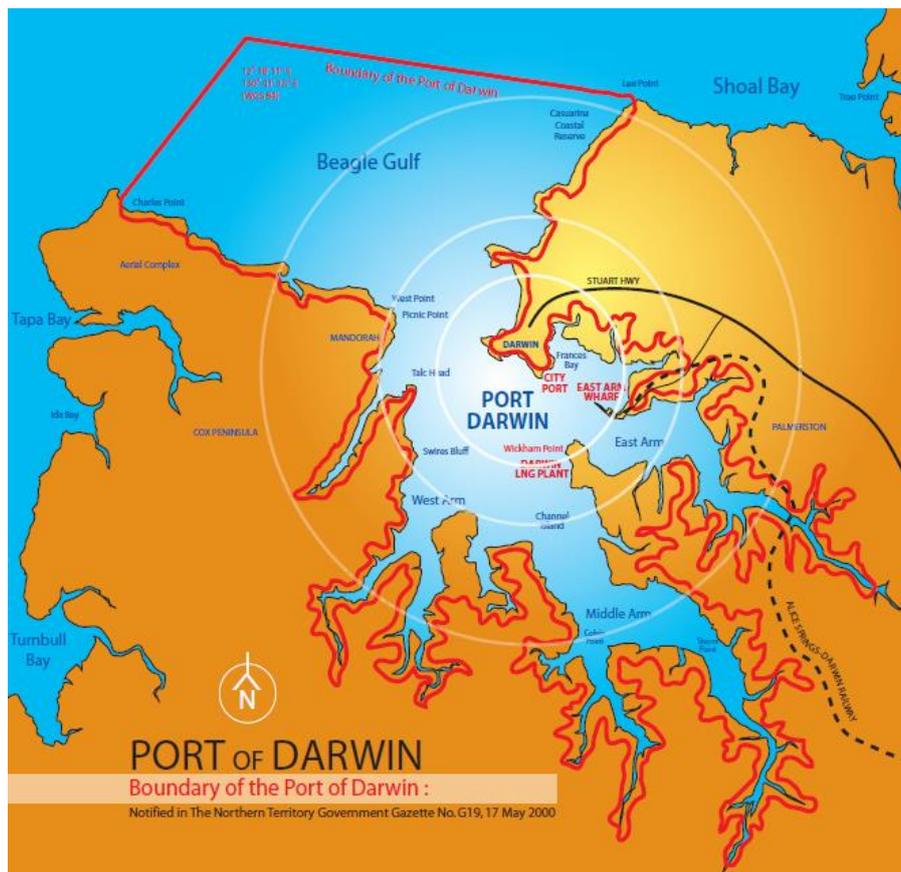


Figure 1 – Darwin Port Limits

4. PREFACE

This Port Notice is issued pursuant to Section 57 of the Ports Management Act.

As a condition of the EAW expansion, an environmental assessment was undertaken in accordance with the requirements of the *Northern Territory Environmental Assessment Act 1982*.

The consequent proposal was approved by the Northern Territory Government on 23 December 2011 and the Australian Government on 5 March 2012 and was declared a controlled action under the *Commonwealth Environmental Protection and Biodiversity Act*.

The EPBC Act approval for the EAW expansion stipulates measures to manage the risk of vessel strike to marine fauna. These must include:

- Prescribed maximum commercial vessel speed limits;
- Enforcement of speed limits;
- Monitoring and reporting of vessel strike; and
- Adaptive management measures.

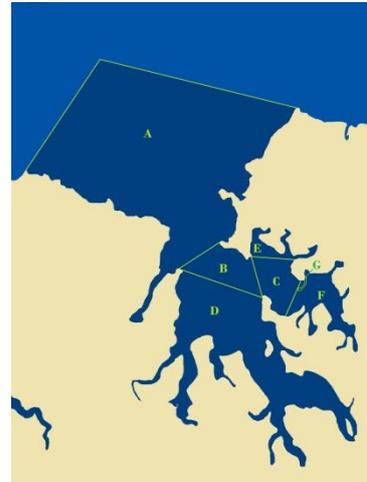
5. COMMERCIAL VESSEL SPEED LIMITS

For the purposes of this direction, **Commercial Vessel** means a vessel greater than 35m LOA, the use of which is made, allowed or authorised in the course of any business or in connection with any commercial transaction and, subject to any law in force in the Territory, includes a Government vessel, but does not include a vessel which is used solely for pleasure or recreation.

Darwin Harbour is a compulsory pilotage area divided into a number pilotage of sub-areas. These sub-areas are described in the Technical and Safety Standards for Pilotage and the Provision of Pilotage Services for the Port of Darwin.

Prescribed commercial vessel speed limits are as follows;

- Zone A – 16 knots
- Zones B & C – 12 knots
- Zone D – 10 knots
- Zones E, F & G – 8 knots



Vessels may exceed the prescribed speed limits by the minimum amount required where:

- The vessel may be unreasonably compromised (e.g. due to tidal windows increasing the risk of grounding);
- The vessel has fixed speed settings that are unreasonable if operating below the nominal maximum speed limit; or
- Specific exemption is provided in situations where there is a high probability of unacceptable constraints to economic, social and environmental aspects if the speed limit were applied.

Vessels may exceed the prescribed speed limits when rendering assistance to a vessel or persons in distress or when directed by the Port Management Officer or Harbour Control.

Applications for exemption are to be submitted, in writing, to the Port Management Officer.

6. GENERAL VESSEL SPEED LIMITS

As required by Marine (General) Regulations, the master of a vessel must not navigate the vessel at a speed:

- Exceeding 5 knots within 30 m of a person in the water;
- Exceeding 5 knots within 150 m of the water's edge at Nightcliff Beach, Fannie Bay or Mindil Beach;
- Exceeding 5 knots through or in a mooring area or within 30 m of a moored vessel;
- Exceeding 5 knots within 100 m of a jetty, wharf or commercial shipping and cargo area; or
- That the wash from the vessel endangers the safety of a person, boat or structure.

Similarly, a person must not navigate or use a vessel carelessly, negligently, recklessly or at a speed or in a manner that is dangerous to, or likely to, cause injury to a person or damage to property (including the vessel).

7. ENFORCEMENT OF SPEED LIMITS

Darwin Harbour Control is fitted with a range of sensors that enable it to monitor vessel speeds. Vessels exceeding the prescribed speed limit will be requested to reduce speed by the Harbour Control Officer.

Harbour Control Officer will log occasions where vessels exceed the prescribed speeds limits and report these to the Port Management Officer.

The Port Management Officer will evaluate each occasion and the explanation offered by the vessel master and take such action as deemed necessary. Such action may include prosecution.

The Port Management Officer will conduct annual reviews of these logs to inform adaptive management measures. Such adaptive management measures will include initiatives aimed at reducing risk of vessel strike such as the revision of speed limits in areas identified as high risk.

8. REPORTING VESSEL STRIKES OR NEAR MISSES

Any commercial vessel that strikes or otherwise injures wildlife, or has a near miss on wildlife (<20m), and becomes aware of that fact is to complete the Animal Near Miss/Strike Form and send it to the Darwin Port Environmental Manager at Darwinport.dpa@nt.gov.au.

9. REVIEW STATEMENT

This Port Notice will be reviewed biennially by the Port Management Officer.



TERRY O'CONNOR
Darwin Port Operations Pty Ltd
1 July 2015