



PORT of NEWCASTLE

NEWCASTLE MULTIPURPOSE TERMINAL

TERMINAL RULES AND INFORMATION

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I. PURPOSE AND SCOPE OF TERMINAL

I.1. PURPOSE

The purpose of the Port of Newcastle Multi-Purpose Terminal Mayfield 4 berth (NMT) is to provide cargo owners with a dedicated common user cargo handling facility to support trade growth within the Newcastle and Hunter Region and throughout NSW.

I.2. Scope

Port of Newcastle Operations Pty Limited as trustee for the Port of Newcastle Unit Trust (PON) has developed the Newcastle Multi-Purpose Terminal rules and information to ensure the safe, efficient, and productive use of PON Terminal, berth and storage area and to provide fairness and equity in berth allocation and access for all users (Newcastle Multi-Purpose Terminal Rules). This document outlines the rules and operational requirements of the NMT. The NMT is a common user facility with a single berth, Mayfield 4 (M4) and an adjacent hardstand storage area which is used predominantly for vessel discharge, loading and storage of containerised, general and project cargoes.

I.3. Disclaimer

All information in this document is correct at the time of publication. The document should also be read in conjunction with the relevant Master Stevedore Licence Deed if applicable. PON reserves the right to update and amend this document as necessary to meet business, legislative and operational changes and requirements. To the extent of any inconsistency between these Newcastle Multi-Purpose Terminal Rules and the Master Stevedore Licence Deed, PON will direct as to which interpretation is to be followed.

I.4. Definitions

AMSA – means the Australian Maritime Safety Authority.

Cargo Ready – means sufficient cargo is available for a vessel to commence loading or discharge operations continuously and without interruption to the completion of a vessel.

Contamination has the meaning given in the Master Stevedore Licence Deed.

DAFF – means the Australian Government Department of Agriculture, Fisheries and Forestry.

EPA - means the NSW Environment Protection Authority.

Environmental Law has the meaning given in the Master Stevedore Licence Deed.

Environmental Management Plan has the meaning given in the Master Stevedore Licence Deed.

Estimated Time of Arrival (ETA) – vessels expected time of arrival at ten nautical miles from Nobby's Head lighthouse.

Liner Service Container - regularly scheduled container liner service having a fixed port rotation with published schedules.

NMTS – means the Port of Newcastle Multi- Purpose Terminal Superintendent.

NMT – means the Newcastle Multi-Purpose Terminal Mayfield 4 berth, facilities and hardstand accessed via Selwyn street and Quayside close Mayfield North, NSW.

Mobile Harbour Crane -means Liebherr 550 Mobile Harbour Cranes.

Mobile Harbour Crane Procedure -means the procedure for the use and operation of the mobile harbour cranes as provided by PON to the stevedore from time to time.

NMT Rules or Newcastle Multi-Purpose Terminal Rules -means this document.

Notification- has the meaning given in the Master Stevedore Licence Deed.

NMT Supervisor or Newcastle Multi-Purpose Terminal Supervisor -means the person identified as the NMT Supervisor in section 6 of these Rules, or such other person as notified by PON from time to time.

OCAP or Operational Control Access Period - has the meaning given in the Master Stevedore Licence Deed.

PANSW – Port Authority of New South Wales.

Terminal Stem – the PON published Terminal Stem advising vessel berthing information, berth line- up and berth allocation.

Vessel Traffic Information Centre (VTIC) - means the Port Authority NSW Vessel Traffic Information Centre.

2. TERMINAL MANAGEMENT

2.1. TERMINAL FACILITY OVERVIEW

PON manages the Newcastle Multi-Purpose Terminal (NMT) which includes the Mayfield 4 berth (M4), adjacent hardstands, Mobile Harbour Cranes, and associated facilities.

2.2. TERMINAL MANAGEMENT

The Newcastle Multi-Purpose Terminal (M4) facility, managed through its Marine & Operations division. The primary site contact is the Newcastle Multi- Purpose Terminal Superintendent (NMTS). All activity within the NMT must be communicated to the NMTS including information required for the coordination of cargo operations and the vessel berthing stem.

2.3. ENVIRONMENTAL MANAGEMENT

PON is the holder of the Environmental Protection Licence (EPL) 13181 for the Terminal. Information on the EPL can be obtained from the NSW Environmental Protection Authority (EPA) website:

<http://www.epa.nsw.gov.au/>

3. TERMINAL AND BERTH OPERATIONS

3.1. TERMINAL STEM

The Terminal Stem outlines the berthing arrangements and vessel line up for the NMT and the Newcastle Bulk Terminal (NBT). The Terminal Stem is determined by PON based on achieving overall port efficiency and may be changed or altered at PON's absolute discretion. Changes may be made following consultation with customers, agents, cargo owners, shipping companies and stevedores; however, PON's decision in relation to any changes will be final.

Communication:

- a) Agents and/or cargo owners are required to provide vessel updates and cargo details to the NMTS a minimum of fourteen (14) days prior to the vessel ETA for inclusion into the Terminal Stem.
- b) Updates on vessels movements and progress provided to the NMTS before 10am daily to be included in the Terminal Stem.
- c) Once all required information is received, PON will communicate with relevant parties then update and distribute the Terminal Stem to Terminal users and stakeholders.

Priority

- a) All vessels shall be allocated a terminal berthing window on a turn of arrival basis, this is determined by the notice of arrival time given by the vessel Master and/or representing agents to PANSW VTIC on arrival at ten nautical miles from Nobby's Head lighthouse, however;
- b) Liner Service Container vessels operating on timed and regular advertised port schedules, which can provide a schedule of port calls and meet that schedule, will be determined as 'cargo priority' vessels and therefore allocated a berthing window ahead of other vessels and cargoes, provided:
 1. The vessel Master and/or representing agents, provide five (5) days prior notice of the vessel's ETA at ten nautical miles from Nobby's Head lighthouse and confirm twenty-four (24) hours ahead of the actual ETA;
 2. The 'cargo priority' vessel arrives at the pilot boarding ground within twelve (12) hours of the previously confirmed ETA. Any arrival beyond the twelve (12) hours, will result in the vessel losing its berthing window and the turn of arrival berthing priority will then be applied;
 3. In the event that a 'non-cargo priority' vessel is on the berth on arrival of the 'cargo priority' vessel (and subject to above points 1 and 2), the 'non-cargo priority' vessel will be allowed to delay berthing of the 'cargo priority' vessel by up to twelve (12) hours to allow for completion of cargo discharge or loading;

4. If the non 'cargo priority' vessel is not able to complete discharge or loading of cargo within that twelve (12) hour window, the vessel will be required to vacate the berth to allow the 'cargo priority' vessel to berth.
- c) Cargo owners and stevedores must ensure that operations are cargo ready once a vessel occupies a berth and that any required cargo storage arrangements have been made in accordance with 4.4. Sufficient cargo must be available to maintain continuous loading or discharging of the vessel without interruption to completion to be considered a working vessel. Vessels which have restricted operational times due to cargo availability may forfeit a turn of arrival berthing window.
- d) Vessels which have a cargo or operations which may not be suitable to a particular berth may be directed to an alternative suitable berth at PON's discretion.
- e) If the preferred terminal berth is not available, PON may offer a suitable alternative berth. The option to accept this alternative will be for the customer to determine, however if this alternative is refused no priority to the preferred berth is guaranteed and the vessel may forfeit their position. Once the offer of an alternative berth is refused the berth will be allocated to the next suitable vessel in the programme.
- f) In the event that individual cargo owners decide to forfeit their priority position for another competing vessel on guarantee of payment for any incurred costs and delays, all arrangements of this type must first be provided in writing to PON prior to agreement and implementation.
- g) Vessels in port conducting operations at alternative berths will only be considered for allocation to the NMT once notice of completion of operations has been advised, in writing to PON. On receipt of this notice the vessel may then be included in the NMT Terminal Stem.

General Berthing Arrangements:

- a) The NMT berth is an operational berth. Vessels requiring a berth for ship repair, survey, bunkering and cleaning or for any other purpose not deemed to be a working vessel may be allocated a suitable berth after consultation with PON and at PON's discretion. Vessels occupying berths for these purposes will be required to vacate for working vessels requiring the berth at PON's direction.
- b) Bunkering is permitted at the terminal berth however all cargo activity will take precedence over bunkering and the NMTS must be notified of all bunkering activity prior to berthing.
- c) PON may at times carry out repair and maintenance of the Terminal berths, cargo handling equipment and facilities. Should this activity interrupt cargo operations all reasonable efforts will be made to provide a suitable alternative berth where possible, however PON provides no guarantee that an alternative may be available.

3.2. EFFICIENCY AND PRODUCTIVITY

- a) Once a vessel has berthed and is secured, the cargo owners appointed stevedore is required to commence cargo operations within two (2) hours of arrival and continue the operation without ceasing until cargo and clean up completion. This will be considered a working vessel.
- b) Vessels which cease operations for sustained periods of time may be considered non-working vessels and will at PON's direction be required to vacate the berth for a working vessel. Reasons for considering a vessel non-working may include:
 - vessel safety or suitability issues determined by AMSA;
 - inability to supply or to engage stevedoring labour;
 - inability to supply or deliver cargo;
 - vessel equipment breakdowns requiring repairs which cease operations for sustained periods;
 - failure of vessel or cargo suitability following survey;
 - extended weather events significantly impacting operations; or
 - for any other reason PON determines a vessel to be non-working.
- c) If an operation is not working to the planned timetable, and the vessel may be delayed or require a longer period at the berth, agents, stevedores and /or cargo owners are required to notify PON four (4) hours prior to the scheduled departure time to discuss possible changes and alternatives.
- d) Vessels, cargoes, and infrastructure requiring cleanliness and/or quarantine inspections including daylight surveys will ensure that inspections are carried out prior to or as soon as practicable after the vessel berths. Operators of vessels requiring inspection before loading or discharging are required to provide written notice of the inspection plan no less than forty-eight (48) hours prior to the vessel berthing. This plan will include DAFF booking time, and estimated time of inspection. Vessels failing inspection may be required to vacate the berth for another working vessel.

4. TERMINAL SERVICES

4.1. MOBILE HARBOUR CRANES

PON provides cargo handling equipment which includes the two (2) Liebherr 550 Mobile Harbour Cranes for use by approved trained and licensed stevedores. This cargo handling equipment is serviced by PON contractors and hired to stevedores for individual cargo operations.

Without limiting the terms of a stevedore's Master Stevedore Licence Deed, stevedores must use the Mobile Harbour Cranes strictly in accordance with the following terms (which are to be complied with at the stevedore's cost):

- a) **Master Stevedore Licence Deed:** the stevedore must use the Mobile Harbour Cranes in accordance with the terms of its Master Stevedore Licence Deed.

- b) **Mobile Harbour Crane Procedure:** the stevedore must:
- operate the Mobile Harbour Cranes in accordance with any Mobile Harbour Crane Operating Procedure;
 - ensure its operation of the Mobile Harbour Cranes are consistent with the standard of an expert professional operator of similar equipment; and
 - not operate the Mobile Harbour Cranes in a manner that will pose a risk to health and safety or result in damage to PON, the Mobile Harbour Crane, the NMT or any other property.
- c) **Personnel operating requirements:** without limiting the terms of any Mobile Harbour Crane Operating Procedure, the stevedore must ensure all personnel operating the Mobile Harbour Cranes:
- have a 0.00% BAC reading prior to and at the conclusion of any operating shifts;
 - are not fatigued and are engaged strictly in accordance with the stevedore's fatigue management policy;
 - have the necessary licences and training to operate the Mobile Harbour Cranes; and
 - operate the Mobile Harbour Crane in accordance with the Mobile Harbour Crane Operating Procedure and any directions of PON and the NMTS.
- d) **Directions of PON and NMT Supervisor:** the stevedore must immediately comply with any directions of PON personnel and the NMTS. Without limiting this paragraph d), PON personnel and/or the NMTS may, at any time, give directions to the stevedore and its personnel in relation to:
- the stevedore's operation and use of the Mobile Harbour Cranes;
 - the Mobile Harbour Cranes hours of operation;
 - suspension of use of the Mobile Harbour Cranes;
 - resumption of use of the Mobile Harbour Cranes after a suspension;
 - compliance with any Mobile Harbour Cranes Operating Procedure;
 - compliance with the relevant Master Stevedore Licence Deed;
 - maintenance of the Mobile Harbour Cranes;
 - the safe operation of the Mobile Harbour Cranes;
 - the removal of any person from the NMT;
 - the removal of any person from the operation of the Mobile Harbour Cranes;
 - the sequence of the stevedoring operations in relation to the Mobile Harbour Cranes;
 - compliance with PON's Environmental Protection Licence;
 - compliance with Environmental Law and the stevedore's Environmental Management Plan;
 - compliance with law; or
 - any other matter PON or the NMTS considers appropriate.
- e) **Joint inspection:** the stevedore and NMTS will conduct a joint inspection of the Mobile Harbour Cranes at the commencement and completion of the stevedore's use of the Mobile Harbour Cranes, to determine, amongst other things:
- the condition of the Mobile Harbour Cranes;

- whether any Contamination is present; and
 - any damage to the Mobile Harbour Cranes is present.
- f) **Incident notification:** if any damage of any kind occurs to the Mobile Harbour Cranes, or any accidents or incidents occur that are notifiable to PON under the Master Stevedore Licence Deed, the stevedore must:
- immediately cease operating the Mobile Harbour Cranes;
 - do all things necessary to minimise the damage to the Mobile Harbour Cranes;
 - immediately report the damage, accident or incident to the NMTS;
 - comply with any directions of the NMTS in relation to the damage, accident or incident; and
 - only resume operation of the Mobile Harbour Cranes at the direction of the NMTS.
- g) **Mobile Harbour Crane delay, disruption or unavailability:** if there is any delay or disruption to the stevedore's use of the Mobile Harbour Cranes, or if the Mobile Harbour Cranes are unavailable at any time, this is solely at the stevedore's risk. The stevedore must immediately report any delays that may impact the duration of the stevedore's use of the Mobile Harbour Cranes to the NMTS.

4.2. TERMINAL CARGO HANDLING SERVICES

PON provides the option of Cargo Handling Services within the NMT for the receipt, internal movement and delivery out of cargo pre and post stevedoring operations. All enquiries for these services are to be directed through the NMTS.

4.3. SECURITY

The Newcastle Multi-Purpose Terminal provides 24/7 security to the Terminal during shipping operations. The facility is fenced and secured with entry and exit points controlled by PON contracted security. All personnel entering the Terminal must be PON inducted or escorted by PON inducted personnel.

<https://www.portofnewcastle.com.au/inductions/>

4.4. CARGO STORAGE

- a) PON provides areas for storage of cargo pre- and post-vessel discharge and load operations. Should storage be required within the NMT, a formal agreement for storage of cargo must be in place prior to discharge /loading of vessels. Any changes to formal arrangements must be approved in writing by PON. Storage rates will apply and all enquiries for these services are to be directed through the NMTS.
- b) Should the cargo owner or stevedore fail to make appropriate storage arrangements as described in a), PON, at its discretion, can refuse the receipt and discharge of cargo within the NMT and/or direct the stevedore to not load/discharge the cargo to be stored. Any resulting additional costs will be borne by the cargo owner and stevedore.

5. Stevedores Information

5.1. STEVEDORING SERVICES

Stevedoring services are provided by third party stevedoring companies who are directly engaged by shipping lines, cargo owners and/or their representatives. Stevedores operating within the terminal are required to have a stevedoring licence with PON. Current PON stevedoring licence holders are:

- QUBE Ports – 02 49280511
- LINX Cargo Care - 02 49620 618
- Newcastle Stevedores – 02 4978 7100

5.2. OPERATIONAL CONTROL ACCESS PERIOD (OCAP) NOTIFICATION

Stevedores must submit an Operational Control Access Period Notification to PON (which must include the period of time for use of the Mobile Harbour Cranes if required) in advance for an Operational Control Access Period of a dedicated area of the terminal to conduct operations as per clause 3 of the Master Stevedore Licence Deed.

5.3. CARGO HANDLING EQUIPMENT & MOBILE PLANT

Stevedore's cargo handling equipment and mobile plant required for each vessel operation may be delivered twenty-four (24) hours prior to commencing vessel operations and must be removed from the terminal within twenty-four (24) hours of completion of vessel operations. All activity related to cargo handling equipment and mobile plant is to be communicated through the NMTS.

5.4 BERTH ACCEPTANCE AND HANDOVER PROCESS

A pre-vessel site and Mobile Harbour Crane inspection by Stevedores and a PON representative is required before commencement of all operations and a PON Site and Cargo Handling Equipment Inspection forms are to be completed. Once an operation has ceased and all cleaning of the berth has been completed a berth and Mobile Harbour Crane inspection by Stevedores and a PON representative is required before acceptance and sign off by PON.

Liebherr Handover Procedure - https://www.portofnewcastle.com.au/wp-content/uploads/2023/12/Liebherr-LHM-550-Mobile-Harbour-Crane-Handover-Procedure_v1-003.pdf

Liebherr Pre Start Checks - https://www.portofnewcastle.com.au/wp-content/uploads/2023/12/Liebherr-LHM-550-Crane-Pre-Start-Checks_v1-004.pdf

5.5 STEVEDORE PRODUCTIVITY

Stevedores are required to allocate adequate labour resources to commence operations (including operation of the Mobile Harbour Cranes) within two (2) hours of vessel arrival and continue to provide adequate resources without ceasing until cargo and clean up completion for a vessel to be considered a working vessel. If Stevedores cannot meet this requirement for any reason the NMTS must be notified immediately.

On operations where multiple stevedoring services are utilised, each party is required to ensure changeover periods between stevedoring operations are not more than one (1) hour to ensure optimum efficiency and productivity.

6. PORT OF NEWCASTLE CONTACT LIST:

Title	Name	Mobile	email
Newcastle Multipurpose Terminal Superintendent	Chelsea Neely	0407 932 359	Chelsea.neely@portofnewcastle.com.au
Senior Manager Terminals & Logistics	Wayne Mabbott	0418 824 563	Wayne.mabbott@portofnewcastle.com.au
Senior Operations Manager	Phillip Bourquin	0402 059 770	Phillip.bourquin@portofnewcastle.com.au
Security Manager	Brett Pennell	0438 474 430	Brett.pennell@portofnewcastle.com.au

7. Attachment (a)

Newcastle Multi-Purpose Terminal (M4) Site Plan

