

Section 1 Introduction

1.1 General

Cape Flattery (14° 59'S, 145° 21.08'E) is situated 29 miles north of Cooktown. The port has been established solely for the export of silica sand from Cape Flattery Silica Mines Pty Ltd, a wholly owned subsidiary of the Mitsubishi Corporation. The mine is the largest exporter of silica sand in the world, 1.7 million tonnes being exported in 2007/2008.

The port has a single berth serviced by a travelling ship loader for the export of sand; all vessels berth starboard side to.

Shipping legislation in Queensland is controlled by Maritime Safety Queensland (MSQ), a state government agency attached to the Department of Transport and Main Roads.

The state of Queensland is divided up into six regions, five of which are controlled by a Regional Harbour Master (RHM) and the sixth by a manager, all officers of Maritime Safety Queensland who report to the general manager and under the *Transport Operations (Marine Safety) Act 1994*, are responsible for:

- improving maritime safety for shipping and small craft through regulation and education
- minimising vessel sourced waste and providing response to marine pollution
- providing essential maritime services such as port pilots and aids to navigation
- encouraging and supporting innovation in the maritime industry.

The limit of Queensland coastal waters is defined by a line three nautical miles seaward of the territorial sea baseline. The arrangements outlined in these procedures apply to the geographical areas gazetted as pilotage areas in Queensland. Pilotage areas have been gazetted around designated ports and maritime areas to ensure the safe and efficient movement of shipping. These areas encompass the approaches, main shipping channel and waters of the port.

Collectively, the Regional Harbour Master and the port authority have responsibility for managing the safe and efficient operation of the port.

The Great Barrier Reef Marine Park Authority (GBRMPA) oversees designated zones in which all activities are controlled depending on the sensitivity of the particular zone. Some activities require the issue of a permit for example, cruise ship anchorages and certain areas are designated as preservation zones that prohibit all activities and are 'no go' areas. The marine park has designated shipping areas (DSA) where particular activities, such as shipping, are permitted. Penalties apply for operating ships outside designated shipping areas without the written permission of the Great Barrier Reef Marine Park Authority.

The Australian Maritime Safety Authority, Great Barrier Reef Marine Park Authority and Queensland authorities regularly monitor shipping activities to ensure that local, national and international laws are followed, and to record and evaluate shipping information for future policies. Ship owners, captains and crews face heavy fines and possible prosecution if they do not follow the rules and regulations of shipping within the Great Barrier Reef Marine Park.

The port of Cape Flattery is under the jurisdiction of the Regional Harbour Master (Cairns).

1.2 Purpose

This document defines the standard procedures to be followed in the pilotage area of the port. It contains information and guidelines to assist ship's masters, owners, and agents of vessels arriving at and traversing the area. It provides details of the services and the regulations and procedures to be observed.

Nothing in this publication is intended to relieve any vessel, owner, operator, charterer, master, or person directing the movement of a vessel from the consequences of any failure to comply with any applicable law or regulation or of any neglect of precaution which may be required by the ordinary practice of seamanship, or by the special circumstances of the case.

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Information on external agencies (Customs, Quarantine, Port Authority Rules, REEFREP and so on) is provided as an example only. Readers are strongly recommended to consult their respective websites for current information

The latest version of this publication is available on the [Maritime Safety Queensland](#) website.

Any significant updates to the content of these procedures will be promulgated on this website. The [Far North Queensland Ports Corporation Limited](#) website should be consulted for the latest information on port rules.

Should errors or omissions in this publication be noted, it would be appreciated if advice of these could be forwarded to:

The Regional Harbour Master (Cairns)

Maritime Safety Queensland

Postal address: GPO Box 1787, Cairns, Queensland, 4870

Phone: +61 7 4052 7470

Fax: +61 7 4052 7460

1.3 Datum

All water depths refer to the lowest astronomical tide height (LAT).

All positions in this manual are in WGS84.

All directions are referenced to true north.

1.4 Definitions

1.4.1 AMSA – Australian Maritime Safety Authority

The [Australian Maritime Safety Authority](#) is the Commonwealth authority charged with enhancing efficiency in the delivery of safety and other services to the Australian maritime industry.

1.4.2 MASTREP – the Modernised Australian Ship Tracking and Reporting System

The Modernised Australian Ship Tracking and Reporting System (MASTREP) is a Ship Reporting System designed to contribute to safety of life at sea and is operated by the Australian Maritime Safety Authority (AMSA) through the Rescue Coordination Centre (RCC) Australia in Canberra.

1.4.3 Australian Standard – AS 3846 – 2005

AS 3846 refers to the Australian requirements for the transport and handling of dangerous goods in port areas.

1.4.4 GBRMPA – Great Barrier Reef Marine Park Authority

Commonwealth authority responsible for the management of the marine park.

1.4.5 LAT – lowest astronomical tide

This is the zero value from which all tides are measured.

1.4.6 Manager (Pilotage Services)

The person responsible for the service delivery of pilotage services within the region.

1.4.7 Manager (Vessel Traffic Management)

The person responsible for the management of the VTS centre.

1.4.8 Maritime Safety Queensland (MSQ)

The State government agency responsible for the operations of pilotage, pollution protection services, vessel traffic services and the administration of all aspects of vessel registration and marine safety in the state of Queensland.

1.4.9 Navigation Act

Refer to the Navigation Act 1912.

1.4.10 LOA – Length over all

Extreme length of the vessel.

1.4.11 PEX – pilotage exemption certificate

Exemption granted to certain qualified masters who have satisfied the necessary legislative requirements and are authorised to navigate ships in the port pilotage area without a pilot.

1.4.12 FNQPC – Far North Queensland Ports Corporation Limited

Far North Queensland Ports Corporation Limited (FNQPC) is charged with overseeing the commercial activities in the port, including the maintenance of the port infrastructure.

1.4.13 QSHIPS – Queensland Shipping Information Planning System

An internet web based ship movement booking service that may be accessed by the shipping community 24 hours a day seven days a week.

The program allows port service provider organisations the ability to accept service requests made by shipping agents and streamline ship movement planning by significantly reducing the existing levels of point to point communications that are necessary to ensure a planned ship movement has been adequately resourced with supporting services.

1.4.14 REEFREP

The mandatory [ship reporting system](#) established by IMO Resolution MSC.52 (66), as amended by Resolution MSC.161 (78), and specified in Marine Orders Part 56 (REEFVTS) Issue 2.

1.4.15 REEFVTS

The Great Barrier Reef and Torres Strait Vessel Traffic Service ([REEFVTS](#)) established by Australia as a means of enhancing navigational safety and environmental protection in Torres Strait and the Great Barrier Reef.

1.4.16 RHM – Regional Harbour Master

The person authorised to give direction under the relevant provisions of the *Transport Operations (Marine Safety) Act 1994*.

1.4.17 Sailing time

The actual sailing time is the time of the last line.

1.4.18 Vessel traffic service operator (VTSO)

A person, suitably qualified, delegated by the Regional Harbour Master to monitor the safe movement of vessels and to give direction under the relevant provisions of the *Transport Operations (Marine Safety) Act 1994*.

1.4.19 Vessel traffic service (VTS)

VTS is any service implemented by a competent authority, designed to maximise the safe and efficient movement of water borne traffic.

1.5 Contact information

1.5.1 The Regional Harbour Master

For operational maritime questions, marine incidents, pollution, pilotage, buoy moorings and navigation aids please contact the harbour master's office. The harbour master's office is located at:

Physical address:	100-106 Tingira Street, Portsmith, Queensland 4870
Postal address:	GPO Box 1787, Cairns, Queensland 4870
Phone:	+61 7 4052 7470
Fax:	+61 7 4052 7460
Email:	rhmcairns@msq.qld.gov.au

1.5.2 Port control

There is no vessel traffic service at the port. For ship traffic scheduling, pollution incidents and reporting defective navigation aids please direct initial enquiries by phone, email or fax to the VTS Centre at Cairns. There is currently no direct VHF link to the VTS centre at Cairns.

Phone:	+61 7 4052 7470
Fax:	+61 7 4052 7460
Email:	vtscairns@msq.qld.gov.au

Ship traffic movements may be accessed on the [QSHIPS](#) website.

1.5.3 Port authority

The primary function of Ports Far North Queensland Ports Corporation Limited (FNQPC), under the [Transport Infrastructure Act 1994](#), is to establish, manage and operate effective and efficient facilities and services within the port, while maintaining appropriate levels of safety and security.

They have no direct representation at the port; all enquiries should be directed to their head office in Brisbane.

Phone:	Duty Officer (24 hours) +61 7 3224 7426
Fax:	+61 7 3224 7234

1.6 Rules and regulations

1.6.1 General

The rules and regulations in the port contribute to the safe, efficient and environmentally responsible handling of shipping traffic.

The international rules of the IMO, such as the SOLAS convention and its amendments (for example the IMDG code) and state, national and local port authority regulations are in force in the port.

Based on the Cape Flattery port notices, the port rules on dangerous substances contain additional, specific regulations for ships carrying dangerous cargoes in the port.

1.6.2 Applicable regulations

The [Transport Operations \(Marine Safety\) Act 1994](#) (Section 88) – “A harbour master may direct the master of a ship to navigate or otherwise operate the ship in a specified way.”

Maritime Safety Queensland, through the authority of the Regional Harbour Master, has jurisdiction over the safe movement of all shipping within the pilotage area.

The [Transport Operations \(Marine Pollution\) Act 1995](#) Section 68 – “Authorised officers have the following functions: a) to investigate discharges prohibited by this Act, b) to monitor compliance with this Act, c) to monitor transfer operations, d) to examine ships using coastal waters to minimise discharges, e) to take action to remove a pollutant discharged into coastal waters or to mitigate it’s effect on Queensland marine and coastal environment.”

The [Great Barrier Reef Marine Park Act 1975](#) is the primary act in respect of the Great Barrier Reef Marine Park. It includes provisions which:

- establish the Great Barrier Reef Marine Park
- establish the Great Barrier Reef Marine Park Authority (GBRMPA), a Commonwealth authority responsible for the management of the marine park
- provide a framework for planning and management of the marine park, including through zoning plans, plans of management and permits
- prohibit operations for the recovery of minerals (which includes prospecting or exploration for minerals) in the marine park (unless approved by the GBRMPA for research)
- require compulsory pilotage for certain ships in prescribed areas of the Great Barrier Reef region
- provide for regulations, collection of environmental management charge, enforcement and so on.
- The [Environment Protection and Biodiversity Conservation Act 1999](#) (the EPBC Act) is the Australian Government's central piece of environmental legislation. It provides a legal framework to protect and manage nationally and internationally important flora, fauna, ecological communities and heritage places – defined in the act as matters of national environmental significance.

In addition, they will also complement the procedures of:

- Far North Queensland Ports Corporation Limited (FNQPC)
- Cook Shire Council
- Maritime Safety Queensland (MSQ)
- Australian Maritime Safety Authority (AMSA)
- Australian Customs, Health and Quarantine Authorities (ACS, AQIS)
- Royal Australian Navy (RAN)

as they relate to ship movements within the jurisdiction of the Regional Harbour Master (Cairns).

1.6.3 Permits

Permission is required for special activities such as repairs hull cleaning and painting, and so on. For further information, please refer to [Section 10 Work permits](#). Contact the Regional Harbour Master's office via the [QSHIPS](#) website to make application.