



**KIMBERLEY
PORTS**
AUTHORITY

SLIPWAY VESSEL STORAGE AND MAINTENANCE INFORMATION PACK



**Kimberley Ports Authority (KPA)
Contact:**

Operations Department

Location:

549 Port Drive, Broome 6725 WA

Phone:

(08) 9194 3100

Emergency Contact:

0417 173 679 – KPA On Call Officer

Email:

operations@kimberleyports.wa.gov.au

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1. INTRODUCTION

This document provides information on the Port of Broome Slipway Area (as shown in the General Arrangement Plan for Slipway Area, **IP1 (Slipway Area)**) and how the area can be accessed by businesses and private individuals to launch, retrieve, store and maintain vessels.

2. RELATED DOCUMENTS

This information pack incorporates the following documents:

- IP1 - General Arrangement Plan for Slipway Area
- IP2 - Application Form & Contract

The following supporting documents are available from KPA's website at www.kimberleyports.wa.gov.au:

- KPA Port Standards and Procedures
- HSE Slipway Guidelines
- FAQ'S on Slipway Usage

3. BACKGROUND

The Port of Broome Slipway and Storage Area (**Slipway Area**) is located on land which is vested in the Kimberley Ports Authority (**KPA**).

The Slipway Area is important infrastructure for commercial vessels and businesses operating in Australia's North-West and KPA would like to allow vessel maintenance, repair and building (**Vessel Works**), storage, launch and retrieval to continue at the Slipway and Storage Area in a manner which complies with good work practices and relevant legislation, such as the *Environmental Protection Act*.

This information pack summarises the terms, conditions and processes which will need to be complied with by persons wishing to store and maintain vessels on the Slipway Area.

All authorised users need to complete a port induction and hold a Port Induction Card. Any visitors to the Slipway must be supervised by the authorised users.

4. AUTHORISATION FOR USE OF THE SLIPWAY AREA

Without an approved Slipway Area Application Form & Contract, the storage of any vessels or equipment in the Slipway Area is strictly prohibited except in an emergency situation.

4.1. Retrieval of Vessels using Slipway

Commercial vessels up to 10mtrs may be retrieved on the Slipway without a works permit, provided a road legal (registered) trailer or a Jinker designed for that vessel and suitable for recovering that vessel in a safe manner is used.

Vessels of 10mtrs or greater can only be recovered using the Slipway after first obtaining a works permit from KPA.

4.2. Storage Options

KPA has identified 35 Bays within the Slipway Area suitable for storing vessels and equipment. A plan showing the Storage Area Bays is enclosed with this Information Pack and Identified as IP1- General Arrangement Plan for Slipway Area.

The Bays range in size from 40 square metres to 200 square metres.

4.3. Use of Hardstand

The concrete hardstand area plays an important role in allowing Vessel Works (see section 8 below) to be carried out in a way which does not pollute the environment. Consequently, KPA will only permit the hardstand to be used for short periods.

Anyone wishing to use the hardstand will need to complete a Permit to Work form and meet other requirements in accordance with section 8 below. This can be found on the KPA website at <https://www.kimberleyports.wa.gov.au/Port-of-Broome/Port-Operations/Permit-to-Work-System>

4.4. Storage Conditions

Anyone wanting to store a vessel or other equipment in the Slipway Area must:

- a) Comply with the KPA Port Standards and Procedures
- b) Complete the Slipway Application Form & Contract
- c) submit the completed form to operations@kimberleyports.wa.gov.au or drop the forms off at the KPA Office during business hours.

KPA will assess the application and confirm if the application has been approved by returning a KPA signed copy of the application. Usage Fees will apply from the date agreed on the application.

Please note that KPA can order the removal of the vessel from the Slipway Area at the owners cost at any time. If the owner fails to remove a vessel, then KPA can have the vessel removed, sold or otherwise disposed of at the owner's risk and cost.

4.5. Usage Fee - Charges

The costs of storing a vessel on port lands (**Usage Fee**) as at 1 October 2021 are as follows:

Bay	Dimensions	Area (m2)	Total per annum (GST Incl.)	Monthly
1	13m x4m	52	\$2,248.14	\$187.35
2	15 x 7m	105	\$4,539.50	\$378.29
3	15 x 7m	105	\$4,539.50	\$378.29
4	15 x 7m	105	\$4,539.50	\$378.29
5	15 x 7m	105	\$4,539.50	\$378.29
6	15 x 7m	105	\$4,539.50	\$378.29
7	12 x 5m	60	\$2,594.00	\$216.17
8	15 x 7m	105	\$4,539.50	\$378.29
9	13 x 7m	91	\$3,934.24	\$327.85
10	12 x 5m	60	\$2,594.00	\$216.17
11	12 x 5m	60	\$2,594.00	\$216.17
12	12 x 5m	60	\$2,594.00	\$216.17
13	12 x 5m	60	\$2,594.00	\$216.17
14	12 x 5m	60	\$2,594.00	\$216.17
15	12 x 5m	60	\$2,594.00	\$216.17
16	12 x 5m	60	\$2,594.00	\$216.17
17	12 x 5m	60	\$2,594.00	\$216.17
18	12 x 5m	60	\$2,594.00	\$216.17
19	15 x 7m	105	\$4,539.50	\$378.29
20	15 x 7m	105	\$4,539.50	\$378.29
21	15 x 7m	105	\$4,539.50	\$378.29
22	15 x 7m	105	\$4,539.50	\$378.29
23	15 x 7m	105	\$4,539.50	\$378.29
24	10 x 4m	40	\$1,729.33	\$144.11
25	10 x 4m	40	\$1,729.33	\$144.11
26	15 x 7m	105	\$4,539.50	\$378.29
27	17 x 7m	119	\$5,144.77	\$428.73
28	20 x 10m	200	\$8,646.67	\$720.56
29	20 x 10m	200	\$8,646.67	\$720.56
30	20 x 10m	200	\$8,646.67	\$720.56
Short term Bay Hire				
31	17 x 7m	119	\$66.00	per day
32	17 x 7m	119	\$66.00	per day
33	17 x 7m	119	\$66.00	per day
34	17 x 7m	119	\$66.00	per day
35	17 x 7m	119	\$66.00	per day
Hardstand		670	\$88.00	per day

KPA reserves the right to introduce new fees & charges by giving a minimum of 30 days written notice.

Storage charges are on a minimum monthly rate in advance. Payments must be made in full in advance based on the estimated storage requirements as agreed with KPA.

4.6. How to Make Payment

Bay holders will be sent an invoice with EFT banking details on it.

Alternatively, payment is accepted via Direct Credit, please contact Port Operations on 08 91 94 3100 if you wish to make payment this way.

4.7. What if I can't afford to pay for storage or removal of my vessel?

If this unfortunate circumstance occurs, then it is likely that after consulting with the vessel owner, KPA will have the vessel either sold or disposed of at the vessel owner's cost and risk. Further detail is provided in clause 7 of the Terms and Conditions (**IP2**).

4.8. Slipway Ramp Charges

Persons storing their vessel on the Slipway with KPA's approval will not be required to pay for the use of the Slipway ramp.

4.9. Insurance

The User shall effect and maintain any insurance cover designated by KPA and the User shall comply with any requirements promptly. A copy of the User's certificate of currency is to be provided to the

Non Commercial User:

The User (non-commercial) must effect and maintain a Public/General Liability insurance policy or an alternative Marine Liability insurance policy covering the legal liability of the User arising from the use of Equipment, hardstands, the storage and repair/maintenance operations of Vessels (including pleasure and water crafts) within the Slipway Area for an amount not less than \$10 million any one occurrence.

The policy must extend to cover the KPA as principal to the extent of its vicarious liability arising from the negligent act or omissions of the User arising from the use, access and occupation of the Slipway and Storage Area.

Motor Vehicle Third Party Liability insurance covering legal liability against property damage and bodily injury to or death of persons (other than compulsory third party motor vehicle insurance) caused by motor vehicles used by the User within the Slipway and Storage Area for an amount not less than \$10 million any one occurrence or accident.

Commercial User:

The User (commercial) must effect and maintain Public/General Liability insurance or an alternative commercial marine liability insurance policy covering the legal liability of the User and the User's Associates arising from the use, access and occupation of the Slipway and Storage Area, use of Equipment, hardstands, the storage and repair/maintenance operations of Vessels within the Slipway and Storage Area for an amount not less than \$10 million any one occurrence. The policy must extend to cover the KPA as principal to the extent of its vicarious liability arising from the negligent act or omissions of the User and the User's Associates arising from the use, access and occupation of the Slipway and Storage Area.

Motor Vehicle Third Party Liability insurance covering legal liability against property damage and bodily injury to or death of persons (other than compulsory third party motor vehicle insurance) caused by motor vehicles used by the User or the User's Associates within the Slipway and Storage Area for an amount not less than \$10 million any one occurrence or accident.

Where appropriate, the User must also effect and maintain any other relevant insurance for Users performing Vessel Maintenance, Building and Repairs and any other related services within the Slipway Area.

5. ACCESS

Access to the Slipway Area by land is through a gate. The gate is locked by KPA every evening at 8:00 pm and unlocked at 05:30 am. Emergency access can be arranged by contacting KPA's security gatehouse. Living on board vessels at the slipway is strictly prohibited.

6. CCTV

Slipway Area users should note that the Slipway Area is under limited CCTV surveillance and that by entering into the Slipway Area they are consenting to being filmed.

7. CONTAMINATED SITE

The Department of Environment and Regulation (DER) has classified the Port of Broome Slipway as a Prescribed Premise. The contaminants found from soil samples include; hydrocarbons (such as from diesel or oil), metals, organochlorine pesticides and asbestos containing materials (ACM). Further investigations into asbestos concluded that calculated concentrations of asbestos in soil did not exceed the adopted HSL at any of the 30 sample locations. There is however, surface asbestos present in and around the rock wall which KPA mitigates through regular ACM pickups through a licensed contractor, signage and the permit to work system.

A range of remediation works has been undertaken at the site including; installation of 100mm layer over a large proportion of the site, levelling of gravel pavement to designated drainage outlet locations and formalisation of drainage outlets. DER has since advised KPA that on the

basis of the mitigation works KPA has undertaken that it considers the site suitable for continued use as a commercial slipway and boat storage yard.

There is asbestos signage at the Slipway advising of the presence of asbestos on site. Slipway Users should not disturb the ground or armour wall, if works involving disturbing the ground are required, this must be approved by KPA prior to the works commencing. The presence of asbestos pieces should be reported to KPA so that KPA can arrange for the asbestos to be removed.

KPA has a Slipway Asbestos Site Management Plan available from KPA's website at www.kimberleyports.wa.gov.au

8. VESSEL MAINTENANCE, BUILDING AND REPAIR

KPA permits Vessel Works on the Slipway Storage Area under strict controls. These works are to be conducted under the direction of the HSE Slipway Guidelines and controlled through the KPA Permit to Work System and This can be found on the KPA website at <https://www.kimberleyports.wa.gov.au/Port-of-Broome/Port-Operations/Permit-to-Work-System>

Vessel Works will need to comply with a range of obligations including the Port Standards and Procedures, the Terms and Conditions for Use of the Slipway and Storage Area, HSE Slipway Guidelines and all relevant safety, environmental and other relevant obligations available from KPA's website at www.kimberleyports.wa.gov.au

IP2

APPLICATION FORM & CONTRACT FORMATION

This Application must be completed and submitted to the Kimberley Ports Authority (**KPA**) before any use of KPA's slipway or associated storage and laydown areas (**Slipway Area**) commences. The term "Slipway Area" is more fully defined in KPA's Slipway Information Pack.

By signing and submitting this Application, the Applicant acknowledges KPA's Port Standards and Procedures and agrees to be bound irrevocably by the terms and conditions set out in the Contract Formation Section.

Section 1 - Applicant's Details (all information must be completed)

Name of Applicant (Natural Person or Company): _____

ABN (for ABN holders): _____

Contact Person and Position: _____

Postal Address: _____

Residential Address: _____

Phone: _____

E-mail: _____

Mobile: _____

Trade Reference 1 Name/Number: _____

Trade Reference 2 Name/Number: _____

Section 2 - Slipway Use and Storage

Bay No.: _____

Storage Area Required (m²): _____

Period Required (from): _____

(to): _____

Vessel Name: _____

Cost estimate: _____

Responsible Person name and email: _____

Section 3 - Contract Formation

As soon as any of the following events occur or arise out of this Application:

- a) any conditional or unconditional authorisation is given to the Applicant or anyone else by KPA, its Operations Manager or any other officer of KPA with respect to the usage of the Slipway Area; or
- b) the Applicant (or anyone employed by or contracted by the Applicant) enters the Slipway Area or commences use of the Slipway Area,

the Applicant will be bound irrevocably by a contract with KPA, which comprises the details in this Application (including any additional details or revisions to this Application that arise during the Application process) and KPA's Port Standards and Procedures (as amended by KPA from time to time). A copy of KPA's Port Standards and Procedures may be obtained from KPA's website at www.kimberleyports.wa.gov.au

By signing or otherwise submitting this Application, the Applicant acknowledges and agrees that KPA does not owe the Applicant any duty of care in relation to the Slipway Area and acknowledges that KPA does not warrant, represent or otherwise hold out that the Slipway Area or anything in the Slipway Area is safe. The Applicant also acknowledges and agrees that if it enters or uses the Slipway Area it will do so on each occasion entirely at its own risk and will have no legal recourse against KPA or any of KPA's officers or employees in cases where any person is injured or where any property is damaged (regardless any cause of action that may exist in occupiers negligence and regardless of any cause of action that may arise out of any wrongful acts or omissions on the part of KPA or any of its officers, employees or contractors).

Applicant to confirm:

- Port Induction completed and current i.e. holds a Port Induction Card.
- Valid Insurance Certificate of Currency provided with application.
- Applicant has read and understood KPA's HSE Slipway Guidelines and agree to be bound by the guidelines (available from KPA's website at www.kimberleyports.wa.gov.au)
- Applicant has read and understood KPA's Port Standards and Procedures and agrees to be bound by these terms and conditions (available from KPA's website at www.kimberleyports.wa.gov.au)

Signed for and on behalf of the Applicant

Signature:

Signatory's Name/ Company _____

Name: _____

Position: _____

Date: _____

Section 4 – Attachments – KPA Review

- Insurances approved by KPA Operations Manager
- Copy of Induction sited

Section 4 - KPA Approval

Operations Manager (or their representative) to approve the application form once insurances have been checked and Bay number, cost and timeframes for use have been confirmed.

Operations Manager Name: _____

Operations Manager Signature: _____ **Date:** _____