

Key Results - Ports to Support a Growing Economy

Regional Ports Update

PORT OF EDEN TRADE REPORT

The Port of Eden is the southern-most declared port in NSW, servicing the south coast of NSW and eastern Victoria. The Port has significant capacity to meet the needs of a variety of importers and exporters, and is also home to a large fishing fleet.

In 2008-2009, the Port of Eden recorded a 5.8 per cent decrease in trade on the previous year to a total of 1,199,172 mass tonnes. Hard woodchip and softwood log exports continued to represent the major commodity traded. However, the total hard woodchip traded fell by 17.7 per cent to 803,369 mass tonnes. Total trade from general cargo vessels and offshore support vessels in 2008-2009 was minor at 1257 mass tonnes or 1.05% of the total trade. Trading ship visits dropped slightly to 69 from 72 in 2007-2008, and there were 31 visits by Royal Australian Navy vessels.

A total of 289,533 mass tonnes of logs were exported during the year, which is a 1.9 per cent decrease on 2007-2008.

PORT OF YAMBA TRADE REPORT

The Port of Yamba is Australia's eastern-most sea port and is located at the mouth of the Clarence River in northern NSW. The Port serves the Northern Rivers district including the towns of Grafton, Maclean, Ballina, Lismore, Casino and Coffs Harbour. It is also the home port of a prawning and fishing fleet, and handles a range of imports and exports.

The Port of Yamba services the general cargo trade to Norfolk and Lord Howe Islands, New Zealand and the Pacific Islands.

In 2008-2009, trade through the port remained steady at 16,002 mass tonnes. The major commodities traded included timber products, miscellaneous manufactured articles and petroleum products. There were 46 vessel visits during the year.

Case Studies

Oil Spill Deployment in Queensland

In line with its oil pollution combat responsibilities and NSW coordination of National Plan arrangements, NSW Maritime coordinated the deployment of NSW Maritime and port corporation assistance to the Queensland Pacific Adventurer spill response from March to May 2009. A total of 28 personnel from NSW were deployed, including nine from NSW Maritime.

NSW Maritime personnel undertook a number of roles and functions including operational management on Moreton Island, waste management coordination, shoreline clean-up oversight and supervision of response teams.

NSW Maritime and the port corporations held a debrief following the incident, ahead of any formal national review of the response, to assist with future planning efforts should a similar incident occur in NSW. The outcomes will be used to strengthen the NSW response capability and contingency arrangements.

Aussie 1 Response

On 22 May 2009 during the North Coast storms and flooding, the tug Lewek Kea reported that it had only one engine working and was having difficulty holding its position about 20 nautical miles east of Crowdy Head, NSW, in heavy seas. The Lewek Kea was towing Aussie 1, a large pipe laying barge (112 x 30 metres) which had over 200 tonnes of marine diesel onboard.

Early the following morning, the tow line to the Aussie 1 parted and could not be reconnected. The Aussie 1 continued to drift during the day until a salvage crew was placed onto the barge by a Westpac helicopter and fortunately was able to connect an emergency tow line to the Lewek Kea. The tug Wickham was deployed from Newcastle and took over the tow from the Lewek Kea the following day, towing the Aussie 1 to Newcastle for reconfiguration of the towing lines.

While the incident occurred in Commonwealth waters with the Australian Maritime Safety Authority being responsible for the vessel, NSW Maritime, as the combat agency for spill response in conjunction with the Newcastle Port Corporation and Sydney Ports Corporation, placed personnel and equipment on standby. If the Aussie 1 had continued to drift and had become in danger of grounding, personnel and equipment were ready to be deployed. The incident highlighted the strength of NSW's response arrangements and cooperation between the agencies involved.

Other Port Matters

MARITIME/ PORT SECURITY

NSW Maritime completed the installation of integrated closed circuit television (CCTV) security systems in the ports of Eden and Yamba this year. In addition, perimeter security at Goodwood Island Wharf, Yamba and the Breakwater Wharf, Eden was improved with the repair and upgrade of the security fencing. Following a risk assessment at Yamba, further work is proposed to link the security systems at Goodwood Island and the pilot station to allow constant monitoring of NSW Maritime assets from either location.

The Maritime Security Plan for the security regulated Port of Yamba expired in May 2009. Prior to expiry, the Plan was reviewed and several changes made to better reflect the current and predicted future operational security needs of the Port. The new version of the Plan has been approved by the Commonwealth Department of Infrastructure, Transport, Regional Development and Local Government and is currently in operation. It will expire in May 2014. The Maritime Security Plan for the security regulated Port of Eden is due for review and replacement in 2010.

Security drills and exercises in Eden and Yamba were carried out to test the security preparedness of the ports as required by the *Maritime Transport and Offshore Facilities Security Act 2003*.

NSW Maritime is represented on the Sydney/Port Botany, Newcastle and Port Kembla Port Security Committees, and on the Transport Security Precinct Committees of Circular Quay, Manly Wharf and King Street Wharf. NSW Maritime is also represented on the Port Security Working Group of Ports Australia. These committees and the working group met regularly during the year.

PORT SAFETY OPERATING LICENCE

NSW Maritime is responsible for ensuring the port corporations comply with the conditions of their Port Safety Operating Licences (PSOL) through a periodic audit process.

The PSOL issued to each port corporation under the *Ports and Maritime Administration Act 1995* (the Act) contains performance standards for safety, provision of navigation aids, environment protection, investigation of incidents and other functions. Under section 15(2) of the Act, the Minister may renew a PSOL and initiate a review process as required.

PSOL regulatory arrangements have been in place since 1995 and current PSOLs were issued to the three port corporations in December 2006 for a period of five years.

NSW Maritime will engage a consultant in August 2009 to conduct a review of PSOL regulatory arrangements. The key purpose of the review is to determine whether the PSOL regulatory model is still the most appropriate mechanism for ensuring the three port corporations achieve their port safety objectives prescribed in the Act.

During the year:

- Audits of the Newcastle Port Corporation PSOL were carried out in November 2008 and June 2009. A Port Kembla Port Corporation audit was carried out in March 2009. The next audit is due in November 2009. Sydney Port Corporation's PSOL audit was carried out in August 2008 with the next audit being scheduled for August 2009
- All port corporations were compliant with the conditions in their respective safety operating licences
- In late 2008, an amendment to the PSOL was approved by the Minister. The amendment enhances the requirements for communications procedures within all NSW ports
- Further work will be undertaken in 2009-2010 to address standards for Vessel Traffic Services within the ports and in adjacent waters. This will complement work in this area which is currently occurring at a national level.

REVISION OF MARINE PILOT HEALTH STANDARDS

NSW Maritime, in conjunction with the three port corporations, is developing a new Marine Pilotage Code to replace the current Training Code for Marine Pilots and Exempt Masters. The Pilotage Code will also contain a new health standard for NSW marine pilots designed to reflect contemporary knowledge and practice, and the workplace of marine pilots.

Development of the new health standard involved consultation with State and national stakeholders, in particular with marine pilots and their associations. Implementation arrangements have also been developed by NSW Maritime and the three port corporations.

Introduction of the new health standard in NSW is expected in the second half of 2009-2010.

Key changes are:

- Periodic health assessments will be carried out less frequently for marine pilots who are less than 50 years old
- Routine health assessments will now be supplemented by triggered health assessments which provide a mechanism for monitoring health continually and ensuring daily fitness for duty
- Assessments will be carried out by authorised health professionals who are formally selected, trained and appointed by NSW Maritime
- Several classifications of fitness will be introduced to provide management with the option to allow employment of marine pilots who are fit for some but not all duties.

COMMERCIAL VESSEL AND FERRY SECURITY

A security package for commercial vessel operators has been distributed to commercial vessel and ferry operators throughout NSW. The package includes security guidelines, a training DVD on the handling and identification of suspicious articles, and an amendment to the Safety Management System (SMS) for charter vessel operators.

The NSW package was a joint initiative undertaken by NSW Maritime, NSW Ministry of Transport, the Commercial Vessels Association, NSW Police and the Commonwealth Department of Infrastructure, Transport, Regional Development and Local Government.

The amendment to the SMS for charter vessel operators was gazetted in NSW in April 2008, and became a requirement for a vessel certificate of survey from that date. In May 2009, NSW Maritime produced a training and review program to accompany distribution of the security package. The program was delivered to charter vessel and private ferry operators at major charter vessel centres throughout NSW. Further training in the implementation of the package is planned for 2009-2010.

Port Planning & Policy

NEW GUIDELINES FOR PORT CORPORATIONS

The PricewaterhouseCoopers Review of Port Competition and Regulation in NSW and the Independent Pricing and Regulatory Tribunal review of the Interface between the Land Transport Industries and Stevedores at Port Botany during 2007 revealed that NSW ports policy and legislative setting need to be updated to improve efficiency and competitive outcomes. The reviews also found the performance of the port-related supply chains is currently below par and that the expansion of port capacity needs to be accompanied by efforts to improve efficiency along the freight supply chains.

The *Ports and Maritime Administration Act 1995* was amended on 1 December 2008 to ensure NSW ports are able to service growing trade in a modern policy setting by:

- Introducing new statutory objectives for the port corporations to promote and facilitate a competitive commercial environment in port operations and to improve productivity and efficiency of the port and the port-related supply chain
- Including an additional principal function for the port corporations to facilitate and co-ordinate improvements in the efficiency of the port-related supply chain.

These amendments will enable port corporations to take the lead in fostering competition and coordinating efficiency improvements among providers of land-based port facilities or services. The reforms were complemented with new statutory powers allowing regulations to be made, if necessary, to:

- Require companies to report on investment and performance
- Set standards for access to terminals and their performance including booking systems
- Establish penalties for not meeting regulating standards
- Require independent audits and inspections
- Penalise supply chain participants, such as stevedores and transport companies, for failing to provide information requested.

PORT BOTANY LOGISTICS TASKFORCE

The Minister for Ports and Waterways, Joe Tripodi, established the Port Botany Logistics Taskforce in 2006 to provide strategic advice to government on ways to improve the port-landside interface. In light of strong growth forecasts for containerised freight volumes through Port Botany, the Taskforce is also examining the efficiency and competitiveness of the port logistics chain to meet projected demand.

The Taskforce is chaired by the Minister and comprises leaders from industry and government. NSW Maritime is a member of the Taskforce and provides secretariat support. It met twice on September 2008 and March 2009.

Some activities during the year included:

1. On completion of a preliminary trial in May 2008, Taskforce members facilitated the start of a comprehensive three-year trial of 'Super B-Double' heavy vehicles within the port precinct. These vehicles, known as High Efficiency Container Trucks, have the carrying capacity of up to four standard containers at a time and they offer the potential to move larger volumes of cargo with fewer truck trips, improve container handling efficiency, lower transport emissions and reduce traffic congestion.
2. In March 2008, the Independent Pricing and Regulatory Tribunal (IPART) released its final report of its Review of the Interface between the Land Transport Industries and the Stevedores at Port Botany. In April, the taskforce consulted key stakeholders regarding IPART's 18 recommendations. In September 2008, the State Government released its response to the recommendations, the majority of which were fully supported with the exception of the suggested introduction of a two-tiered, 'Dutch auction' style port booking system. The Taskforce provided an effective forum for consideration and implementation of the Government's response.
3. Taskforce members provided strategic advice on the prioritisation of a variety of transport infrastructure projects for improving port-related supply chain efficiency including improvements to the rail freight environment. A number of port-related projects were also identified as priorities for the Federal (formerly AusLink Round II) Nation Building program funding, such as duplication of the Botany rail line.
4. On 19 March 2009, the Taskforce hosted a port stakeholder discussion forum to discuss emerging issues surrounding the role and efficiency of empty container parks in the supply chain. After the forum, private submissions from all interested parties including park operators were requested. A second forum for participants to discuss preferred options for action will be held in August 2009.

COORDINATING ACCESS TO NEWCASTLE COAL LOADING FACILITIES

When demand for coal loading services at the Port of Newcastle exceeds terminal capacity, a queue of ships forms in the vicinity of the port.

In order to control the queue and reduce the demurrage costs, the Australian Competition and Consumer Commission (ACCC) has previously granted interim authorisations under the Commonwealth *Trade Practices Act 1974* (TPA) for a capacity balancing system (CBS) at the port.

In late 2008, the absence of any further ACCC authorisations prompted the NSW Government to make the *Ports and Maritime Administration Amendment (Access Rules) Regulation 2008* (the Regulation) under the *Ports and Maritime Administration Act 1995*. The Regulation allows the Minister for Ports and Waterways to require the preparation of access rules for supply chain facilities for coal loading at the Port of Newcastle.

After assisting with the drafting of the Regulation, NSW Maritime undertook consultation with industry on the regulatory setting with the issuing of a Regulatory Impact Statement (RIS) on 30 December 2008. At the close of the consultation period on 14 February 2009, four submission were received. No adjustment to the RIS or the regulatory settings were considered to be necessary as a result of this process.

The Regulation was amended in June 2009 to extend its operation until 10 January 2010 to allow further time to conclude negotiations on the Hunter Coal Port Plan.

Representation on National Forums

AUSTRALIAN MARITIME GROUP

NSW Maritime represents NSW on the Australian Maritime Group (AMG) - an inter-governmental group that brings together the peak maritime organisations at State and national levels to discuss key issues of the maritime sector.

During the year AMG:

- Progressed the proposed national approach to maritime safety regulation
- Conducted an International Best Practice Study to help better understand the competitiveness of Australia's ports
- Contributed to the development of a national system to manage the marine pests risks from ballast water and biofouling.
- Held a forum with industry stakeholders to:
 - share knowledge on, and provide input to, national policy initiatives
 - share knowledge on maritime trends/issues
 - inform industry stakeholders of AMG progress/activities
 - fine tune AMG work plan through industry feedback/comment.

NATIONAL PLAN MANAGEMENT COMMITTEE

The National Plan to Combat Pollution of the Sea by Oil and Other Noxious and Hazardous Substances (National Plan) is an integrated government and industry framework enabling effective response to marine pollution incidents.

Management of the National Plan is overseen by the National Plan Management Committee (NPMC) which provides high level advice to the Australian Transport Council on the strategic, policy and funding aspects of the National Plan. The NPMC is supported by the National Plan Operations Group (NPOG) by providing advice on the operational aspects of the National Plan.

NSW Maritime represents the State on both NPMC and NPOG, plus a number of Working Groups. NPMC met once during the year and considered a range of matters including a proposed major 10 year review of the National Plan arrangements which is scheduled to occur in 2009-2010. NPOG met twice during the year along with a number of working groups.

Key Results - Safe Waterways

Vessel Safety Management

COMMERCIAL VESSEL REGULATION

There are currently six regulations under the *Commercial Vessels Act 1979* relating to commercial vessels in NSW. These regulations have remained largely unchanged and do not reflect the needs of industry in the 21st century.

NSW Maritime has been working with the Parliamentary Counsel's Office to draft a new *Marine Safety (Commercial Vessels) Regulation* to be made under the *Marine Safety Act 1998*. The new regulation will provide a regulatory framework that supports safety, adopts a risk based approach to regulation and supports a viable commercial vessel industry.

NATIONAL STANDARD FOR COMMERCIAL VESSELS

Under the National Marine Safety Strategy, the Uniform Shipping Laws (USL) Code, which sets the commercial vessel standards for maritime safety in each state and territory, is to be replaced by the National Standard for Commercial Vessels (NSCV) as the principal technical standard for commercial vessels. The NSCV will provide a common national standard for the design, construction, crewing and operation of commercial vessels.

NSW Maritime is closely involved in the drafting of the NSCV. Its participation occurs through membership of the National Marine Safety Committee (NMSC) and its various working groups. These working groups include technical panels and groups working on mutual recognition provisions.

In 2008-2009 the NMSC endorsed or progressed the following:

- Implementation of the Uniform Shipping Laws (USL) Code 2008
- Alternative pathways for obtaining marine pilot training and qualifications
- Transitional arrangements for the application of the NSCV to the existing fleet
- The introduction of a new classification system for Personal Floatation Devices
- NSCV Part C Section 2 - Watertight and weather-tight integrity
- NSCV Part F Section 2 - Commercial Leisure Vessels
- NSCV Part C Section 4 - Fire Safety.

In October 2008, NSW Maritime implemented USL 2008 which was the first stage in adopting those parts of the NSCV that have been completed. The key changes related to fire safety, engineering, safety equipment and fast craft.

Preparations are underway to implement additional parts of the NSCV relating to construction, stability, communication and navigation equipment and operational practices under USL 2009 which is to be implemented in October 2009. New standards for operational practices will require all vessels to maintain a safety management system (SMS) and comply with operational requirements and emergency procedures. Work is progressing with the commercial vessel industry to develop support materials to assist the industry to comply with these new requirements.

SURVEY

Further improvements in the scheduling of survey services were achieved during the year through the use of an electronic database to plan and schedule survey inspections throughout NSW.

The establishment of a specialised Initial Survey Team, made up of NSW Maritime ship surveyors and naval architects, ensured the consistent application of design and construction standards for new vessels and improved processing times for initial survey applications.

A NATIONAL APPROACH TO MARITIME SAFETY REGULATION

In December 2007, the Minister for Ports and Waterways wrote to members of the Australian Transport Council (ATC), the Commonwealth Minister for Finance and Deregulation and members of the NMSC's Industry Advisory Council requesting support for a new approach to the legislative implementation of maritime safety standards.

This matter has subsequently been included in the Council of Australian Governments' (COAG) regulation work program and two consultation Regulatory Impact Statements (RIS) were released in September/October 2008 and April 2009. The preferred option in the RIS involves broadening the Commonwealth *Navigation Act 1912* to cover all commercial vessels operating in Australian waters and the Australian Maritime Safety Authority (AMSA) being established as the national regulator. On 22 May 2009, the ATC endorsed AMSA becoming the sole national regulator of all commercial vessels operating in Australian waters by 2013, noting the desire of NSW to

deliver the regulatory services as an agent of AMSA.

NSW Maritime has been closely involved in the development of the national approach and has participated in a number of working groups on its development. The key objective of the proposal is to create a system that establishes and maintains national uniformity in commercial vessel standards, regulations and administration to enable the seamless transfer of labour and vessels between jurisdictions. The aim of these changes is to reduce complexity and costs for vessel owners and crew, and improve safety outcomes through consistent and prompt implementation of standards across jurisdictions.

Two rounds of industry consultations were chaired by the General Manager Commercial Vessels, in October 2008 and April 2009, on Regulatory Impact Statements (RIS) prepared by the Federal Department of Infrastructure, Transport, Regional Development & Local Government.

TRIAL OF CAMERAS AT OCEAN BARS

Following a successful trial of a camera at Narooma Bar in 2007, NSW Maritime agreed to extend the trial program with Coastalwatch to provide web-cam vision of 15 coastal locations such as bar crossings. These cameras and the associated forecasts provides people with valuable information to consider when trip planning. Live vision is now available online for the following locations:

- North Coast
 - Ballina
 - Brunswick Heads
 - Coffs Harbour
 - Iluka/Yamba
 - Port Macquarie
 - South West Rocks
 - Tweed Heads
- Hunter
 - Shoal Bay, Port Stephens
 - Swansea
 - Nobbys Beach, Newcastle
- South Coast
 - Narooma
 - Bermagui
 - Merimbula Bay
 - Moruya River
 - Sussex Inlet.

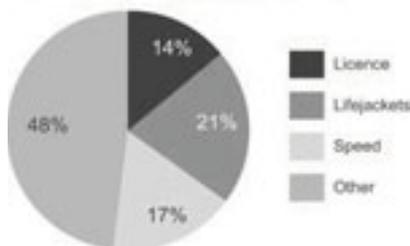
BOATING SAFETY COMPLIANCE

During 2008-2009, a total of 3579 Penalty Notices were issued throughout NSW for a variety of offences. Non-compliance with lifejacket requirements accounted for 741 (ie 21 per cent) of all notices issued which is a slight improvement from the 26 per cent in the previous year.

Excessive speed accounted for 600 (17 per cent) of notices issued. Non-compliance with licence requirements made up 14 per cent, which included operating a PWC and a boat without an appropriate licence.

The remaining notices were issued for a variety of different offences, including safety equipment, navigation lights and registration.

PENALTY NOTICES ISSUED 2008-2009



Case Studies

New Commercial Vessel Changes

During 2008-2009, the Commercial Vessels Division has continued to focus on improving customer service, seeking to meet customer needs and cut 'red-tape' while maintaining necessary safety standards.

Recent reforms streamline commercial boating licence requirements, making it easier for people to find work in the maritime industry.

General purpose hand endorsements were previously processed centrally and applicants had to wait for their endorsement to be issued. Endorsements are now issued on the spot at all NSW Maritime offices, enabling holders of the endorsement to gain work immediately as a deckhand.

Water-ski clubs and other commercial operators will benefit from new streamlined requirements for drivers of water-ski and aquaplane vessels. Operators now need only a general boat licence or personal watercraft (PWC) licence instead of a commercial licence, saving them time and money.

Operators of ocean haul fishing vessels have also benefited under a similar arrangement, whereby only a general boat licence or PWC licence is required.

Holders of commercially endorsed Yachtmaster Certificates issued by Yachting Australia can now be recognised as holding a coxswain certificate so that they can work on commercial vessels in NSW. This will make it easier for yacht owners and operators to obtain crew with appropriate qualifications.

These reforms will assist hundreds of people each year seeking a career in the maritime industry and make it easier for commercial operators to do business while maintaining appropriate standards of public safety.

Wooden Boat Survey

There has been a steady decline in the number of wooden vessels, as modern and more economical materials such as aluminium and fibreglass have replaced wood as a boat building material. However, NSW Maritime continues to provide expertise in timber boat building and repair through its team of surveyors, which has over 150 years of cumulative experience in surveying wooden boats.

NSW has about 300 wooden vessels operating commercially, and these vessels make up 15 per cent of all vessels in survey.

NSW Maritime recognises the importance of maintaining its expertise in surveying wooden boats and has commissioned a project to share its extensive in-house technical expertise with the boating community. This project will culminate in the publication of a well illustrated technical handbook covering construction, maintenance, repairs and survey of wooden boats. It will provide a valuable resource to maintain our maritime heritage by ensuring that the skills and knowledge of wooden boat building are preserved for future generations.

Assessing Long-Term Trends in Sydney Harbour

Sydney Harbour is the State's busiest waterway, hosting a huge variety of vessels ranging from large ships and passenger ferries to yachts, pleasure cruisers, work boats, sailing skiffs and kayaks. With such a variety of craft, each with particular needs and limitations, NSW Maritime is very mindful of the need to maintain and improve vessel safety on the Harbour.

In response to stakeholder concerns about recent incidents on the Harbour, during the year NSW Maritime undertook an assessment of both commercial and recreational vessel incidents to identify any additional management response that might be needed.

The assessment looked at spatial and time-related incident data for Sydney Harbour going back to January 1992. It considered whether there were any obvious incident 'hot spots' that may need additional safety measures, as well as the question of whether incident rates are greater at night.

The main conclusions were:

- Most incidents occur in and close to the main channel, upstream to the middle reaches of the Parramatta River
- The highest incident risk appears to be in the Harbour Bridge - CBD area, while relatively few incidents have occurred in the Harbour's distant reaches or in North and Middle Harbours
- Despite the high number of fatalities in recent years, overall incident rates have remained stable, with no evidence of any statistical trend (upwards or downwards) through time.

NSW Maritime has already implemented a 15 knot speed limit around the Sydney Harbour Bridge in response to serious incidents in that area. It will use the conclusions of this assessment to refine its management of vessel safety risk on the Harbour.

Marine Legislation

The *Marine Safety (General) Regulation 2009* ("the *General Regulation*") was introduced on 30 March 2009. It is a further update of the marine legislation following the passing of the *Marine Safety Amendment Act 2008* and the commencement of a number of provisions of the *Marine Safety Act 1998* in August 2008.

The *General Regulation* addresses general navigational issues such as the application of the *International Regulations for Preventing Collisions at Sea*, distance off requirements (including distances from seagoing ships and certain wharves), vessel operator conduct (such as causing wash), and certain speed limits (including reproducing three speed limits for Sydney Harbour that apply to pilotage length vessels only). It also contains provisions specifically directed at recreational boating such as boat driving licences, recreational vessel registration, adoption of the Australian Builder's Plate, rules for towing persons such as water-skiers, and recreational vessel safety equipment carriage and wear requirements.

The General Regulation replaces four previous regulations in full and partially replaces some other legislation, resulting in a significant consolidation and reduction in the marine legislation.

Some of the changes include:

- A requirement for all vessels - apart from those exempt, such as kayaks - heading more than 2 nautical miles offshore to carry a 406MHz EPIRB
- New, specific provisions for the offence of 'wash causing damage or unreasonable impact' to other vessels or structures, with a maximum penalty of \$5500
- New requirements to keep inflatable lifejackets properly maintained and serviced
- New safety label requirements with expanded safety information to replace the capacity plate on all vessels
- Increased penalties for driving while disqualified or operating a boat without proper safety equipment
- New offence of dangerous or negligent navigation occasioning grievous bodily harm or death, with fines of up to \$110,000 and up to two years imprisonment
- Increase in penalty to \$44,000 and up to two years imprisonment for operating an unsafe or overloaded vessel.

Emergency Position Indicating Radio Beacon (EPIRB) changes

From 1 February 2009 Cospass-Sarsat satellites no longer detect 121.5 MHz EPIRBs. The 406 MHz EPIRB which assists authorities in faster, more efficient responses is now required.

Under a national agreement a product will satisfy the requirement for a vessel 406MHz EPIRB if it complies with Standard AS/NZS 4280.1 (note that the ".1" indicates compliance with Part 1 of the Standard which applies to EPIRBs. A product marked ".2" will only be compliant with the Personal Locator Beacon (PLB) part of the Standard, ie "Part 2").

Although some products are marked, marketed and referred to as "Personal EPIRBs", these are usually PLBs. Unless a product is compliant with AS/NZS 4280.1 it is not an EPIRB for the purposes of the recreational vessel requirement.

PLBs may be suitable for marine use but not as a replacement for an EPIRB. The standard for PLBs means that there is no certainty they will carry the required detail within the signal to assist offshore searches. While PLB details can be recorded with the Australian Maritime Safety Authority (AMSA), it is not automatic or easily verified for compliance purposes, leading to the potential for an emergency signal location to be detected without details of the vessel size or type, or contact details to assist with decisions relating to the incident.

Furthermore, although a PLB is waterproof and designed to float, it is not required to float upright so when activated at sea it needs to be supported so that its antenna remains vertical and out of the water.

The new *Marine Safety (General) Regulation 2009* which commenced on 30 March 2009 contains a requirement for the carriage of EPIRBs by vessels under 8 metres when more than two nautical miles from shore. So it is now compulsory for almost all vessels heading offshore to carry a 406 MHz EPIRB registered with AMSA. Registration is free and can be done on-line at the AMSA web site.

Carriage of suitable PLBs in addition to an EPIRB is encouraged as an extra safety precaution in certain circumstances.

World Youth Day 2008

World Youth Day, the largest youth event in the world, was held in Sydney from 15-20 July 2008. It attracted 223,000 registered pilgrims from 170 nations, which made it the largest event ever hosted in Australia. The occasion marked the fourth Papal visit to the country, and Pope Benedict XVI's first visit.

On-water activities supported by NSW Maritime included the Barangaroo festivities, a Papal 'boatcade' and the Stations of the Cross re-enactment. Planning for the event commenced in late 2006 and involved most divisions within NSW Maritime. Support was delivered on time and well within budget, with payment of \$225,000 for services provided from the NSW State Government.

Barangaroo festivities required a Maritime and Water Police on-water security patrol for the duration. Night fireworks from two barges completed the inaugural day which included Cardinal Pell's mass and a festival for crowds estimated at 150,000.

On 17 July vessels representing NSW Maritime, Volunteer Rescue organisations and Surf Life Saving departed Rozelle for the Papal boatcade. NSW Maritime vessels also patrolled the 21 gun papal salute exclusion zone in Farm Cove during the Pope's meeting with the Governor, the Prime Minister and the Premier at Government House.

Later in the afternoon the Pope boarded *Sydney 2000* to commence his formal arrival to Sydney. The vessel, with a large escort of NSW Maritime and Police vessels as well as a commercial vessel contingent, followed a course to maximise the Pope's exposure to assembled crowds on the shore and berthed at Barangaroo, where a crowd of over 100,000 awaited his arrival. The Pope's time on-water was judged an outstanding success.

The event involved close cooperation at executive and operational levels between the World Youth Day Coordinating Authority, the Catholic Church - World Youth Day 2008 (WYD08) and the Office of Protocol and Events, Premiers and Cabinet, with the Sydney Harbour Foreshores Authority, NSW Police Force, Captain Cook Cruises, Federal Police Dignitary Protection and marine agencies including NSW Maritime, NSW Water Police, Sydney Ports Corporation, Sydney Ferries, Commercial Vessels Association, Royal Australian Navy, National Parks and Wildlife Services Department of Environment and Climate Control, Australian Volunteer Coast Guard and the Royal Volunteer Coastal Patrol.

Marine Rescue NSW

The NSW Government is supporting the establishment of a new volunteer marine rescue organisation called Marine Rescue NSW.

For many years NSW has had three voluntary marine rescue organisations, the Australian Volunteer Coast Guard Association, the Royal Volunteer Coastal Patrol and the Volunteer Rescue Association, each with their own vessels, operational bases and many hundreds of experienced and dedicated volunteers.

The formation of the new organisation on 1 July 2009 was the main conclusion of an independent inquiry into the issue, the Price Report released in 2008. Ninety-three per cent of almost 800 submissions supported the creation of a new marine rescue group, drawing together people from the three existing organisations into one to provide greater consistency for rescue, communications, training and to serve the boating community.

During the transition the Government will provide \$3 million towards establishing the new organisation, in addition to the regular annual funding of around \$1.4 million. Since 1998 more than \$8.7 million in Government funding has been provided to the three volunteer marine rescue organisations to purchase new vessels, set up search and rescue coordination centres, train volunteers in radio operations and rescue procedures, and help volunteers obtain commercial qualifications.

In addition to these funds, NSW Maritime waives annual registration fees and reduces periodic survey fees by 50 per cent for the NSW Volunteer Marine Rescue units.

Membership to the new body has been invited from the three existing organisations, with more than 2000 volunteers registering their interest online during the first few months.

A Board has been established to administer the new organisation and an Acting Chief Executive appointed. Permanent administrative staff will be engaged as Marine Rescue NSW develops statewide.

Safety Education

BOATING SAFETY EDUCATION

Recreational boating is a popular pastime for hundreds of thousands of NSW families. Each year an estimated 1.5 million people go boating along the NSW coastline and on inland lakes, rivers and estuaries.

NSW Maritime is the State's boating safety regulator, and conducts an active communications and education program to highlight on-water risks and responsibilities. NSW Maritime also works with schools, community and industry organisations to support a culture of boating safety on our waterways.

The Minister for Ports and Waterways Joe Tripodi announced on 1 August 2008 a commitment to increase funding in support of boating safety education to \$3 million over three years starting from 1 August 2009. The Minister stated this was part of promoting a culture of safe boating in NSW.

NSW Maritime convened a Forum of experts in August 2008 to analyse its communication and education efforts and to make recommendations for effective change. The independent consultant who chaired the Forum, subsequently identified a number of key components for effective communication and education, and this input has formed the basis of the NSW Maritime Communications and Education Plan.

The principal focus of the Plan is skipper responsibility, with secondary themes related to lifejacket use, safe navigation, trip planning, and alcohol restrictions. The Plan includes specific campaigns on each theme, targeted at varying boating demographics and using a range of communication and education tools. Reflecting the rapid evolution in communications technology, the Plan identifies the Internet as a channel targeted for significant expansion.

The overall Plan and each individual campaign are subject to regular review for both cost effectiveness and success in delivering safety messages. NSW Maritime will also seek opportunities that may arise from the merger with other agencies under the new Transport portfolio announced in the 2009 State Budget.

NEW BOAT LICENCE CHANGES

On 4 June 2008, the Minister for Ports and Waterways, Joe Tripodi, announced a compulsory practical component for any person wishing to obtain a powerboat driver's licence, as part of major reforms to marine safety laws. The new change commenced on 1 June 2009.

The process of implementation was smooth, with requirements for practical boating experience discussed with both internal and external stakeholders. The logbook, which is based on the National Marine Safety Committee's recreational boat operator competencies, was reviewed at the Stakeholders Workshop in November 2008 and received unanimous support.

The logbook provides guides and checklists for both the trainee and the experienced skipper for a range of boating experiences, as well as a log which is to be completed by both the trainee and skipper verifying on-water trips completed.

Compulsory boating experience can be gained by:

- Undertaking a minimum of three trips in a powered vessel under the guidance of an experienced skipper and completing the Boating Licence Practical Logbook

Or

- Attending a practical boating course conducted by a Recognised Training Provider.

Further details regarding the practical boating experience including Questions and Answers are available at www.maritime.nsw.gov.au

MARITIME TRAINING AND CERTIFICATION

During the year a number of reforms were introduced to streamline commercial boat licensing requirements and reduce red tape. Requirements for new Certificates of Competency and the revalidation of existing Certificates were simplified and procedures were introduced to issue general purpose hand endorsements on the spot at all NSW Maritime offices. A risk based approach to licensing requirements for ocean haul fishing and commercial waterski vessels was introduced. Operators now require only a general boat licence to operate these vessels.

Procedures were also introduced to streamline requirements for crew with yachting qualifications to work on commercial vessels in NSW. Holders of commercially endorsed Yachtmaster Certificates issued by Yachting Australia can now be recognised as holding a coxswain certificate so that they can work on commercial vessels in NSW. This reform provides improved flexibility for yacht owners and operators to obtain crew with appropriate qualifications.

Incidents & Investigations

INCIDENT AND FATALITY SUMMARY

NSW Maritime recorded for the year a total of 405 boating incidents involving both recreational and commercial vessels. The number of incidents increased by eight per cent compared with 2007-2008 (376) and is seven per cent more than the 10 year average of 380. There is a requirement to report all vessel incidents to NSW Maritime that result in an injury or fatality, damage to property costing more than \$5000 or damage, or risk of damage, to the marine environment.

This year there were 12 fatalities, and 75 serious and 89 minor injuries. For fatalities in particular this is dramatically less (43 per cent) than the 21 recorded for the previous year and is six less than the 10 year average of 18 fatalities. The number of fatal boating incidents decreased from 17 to 11, a drop of 29 per cent.

The table below shows a summary of incident data for 2008-2009 compared with the results for 2007-2008.

Table 1: Summary of incident data 2008-2009 and 2007-2008

2008-2009	Vessel Type			Total	2007-2008			
	Rec	Com	Com/Rec		Rec	Com	Com/Rec	Total
Incidents	297	72	36	405	256	69	40	365
Fatalities	11	1	0	12	12	9	0	21
Serious injuries	66	9	0	75	49	14	0	63
Minor injuries	65	17	7	89	57	24	5	86

*Figures current as of 10 July 2009

The table above shows incidents involving recreational vessels accounted for 73 per cent of all incidents (297), 18 per cent (72) involved commercial vessels and nine per cent (36) involved both a commercial and recreational vessel.

Vessel capsize and a person falling overboard accounted for the majority of fatal incidents (six and three respectively). The two remaining incidents resulted from a towing incident/collision with a fixed object and the other from a vessel fire.

Preliminary data identifies drowning as the cause of death in the majority of cases. Lifejackets were known to be worn by two of the 12 persons deceased. Alcohol was not considered a factor in any of these fatal incidents.

The introduction of the *Marine Safety (General) Regulation 2009* on 30 March 2009 introduced many safety reforms including: the introduction of new penalties for dangerous behaviour; a compulsory practical component for aspiring boat skippers; new powers for NSW Maritime and Water Police Officers to direct skippers and enforce safety laws; and increased night patrols with blitzes on ensuring vessels have appropriate navigational lights. It is anticipated the new regulations will improve safety on the water and reinforce the culture of safe boating in NSW.

ALCOHOL AND DRUG TESTING

More than 10,000 random breath tests were carried out by NSW Police on vessel operators. As a consequence, 41 vessel operators were charged for being over the prescribed alcohol limit. NSW Maritime continued its public education on the risks associated with alcohol and boating under the 'Go Easy on the Drink' awareness campaign which was adopted by other jurisdictions in Australia.

REPORTS BY OFFICE OF TRANSPORT SAFETY INVESTIGATIONS (OTSI) INTO FERRY INCIDENTS ON SYDNEY HARBOUR

On 4 June 2008, the Minister for Ports and Waterways Joe Tripodi released NSW Maritime's response to the NSW Office of Transport Safety Investigation (OTSI) reports on the collision between the *Dawn Fraser* and a dinghy in Walsh Bay, and the collision between the Harbour Ferry *Pam Burridge* and motor launch *Merinda*.

OTSI made recommendations for consideration by NSW Maritime in relation to both these incidents and a number of them were supported and implemented. The OTSI report and the Government's response are available on the NSW Maritime website.

VESSEL INCIDENT INVESTIGATION

The Maritime Investigations Unit conducted 63 incident investigations (up from 58 in 2007-2008) which resulted in the issuing of 12 penalty notices (down from 20 in 2007-2008) and seven formal warnings (down from 10 in 2007-2008). Investigation Officers attended two Marine Tribunals and two Local Court matters to give evidence.

Five joint investigations were conducted throughout the year: one with NSW Police into a fatal incident; and four with NSW WorkCover targeting non-compliant and unsafe crane barges in Sydney Harbour and Brisbane Water. Seven targeted commercial vessel compliance operations were also conducted.

As a result of these investigations, some 34 safety recommendations were made to commercial vessel operators, port corporations and other NSW Government agencies. The Maritime Investigations Unit closely monitored the implementation of these recommendations and developed procedures to ensure all recommendations were adequately tracked, audited and reported.

The collision between Sydney Ferries' *Pam Burridge* and the *Merinda* occurred on 28 March 2007. The Maritime Investigations Unit prepared physical evidence and facilitated participation of expert witness from the USA for the May 2009 inquest into the four fatalities resulting from this incident.

The Maritime Investigations Unit worked with Maritime Safety Queensland in December 2008 to investigate the sinking and loss of the yacht *Encore* on an interstate voyage. *Encore* sank several kilometres seaward of Broken Bay on 23 October 2008.

NSW Maritime regularly monitors the implementation of safety recommendations from its own investigations, as well as those made by independent transport investigators such as the Australian Transport Safety Bureau (ATSB) and the Office of Transport Safety Investigations (OTSI).

NSW Maritime continued to work with the OTSI and ATSB to develop an efficient and coordinated approach to marine transport investigations to ensure improved safety for the commercial vessel and shipping industries.

Customer & Stakeholder Relations

MARITIME SERVICES AT RTA MOTOR REGISTRIES

All Road and Traffic Authority (RTA) motor registries and Government Access Centres continued to provide selected maritime services including boat licence knowledge tests and receiving payment for boat licences, moorings and vessel registrations.

Some 29,000 renewal transactions and over 9,300 licence tests were conducted at these centres during the financial year.

CUSTOMER SERVICE RESPONSE - INFO LINE

NSW Maritime's Customer Service Infoline received a total of 91,139 calls during the year. This represents an increase of 8380 on last year. Of the calls received 234 (0.3 per cent) were complaints. A comparison of complaints is shown in the table below.

The general on-water complaints (187) registered a decrease of 12.2 per cent, while personal watercraft (PWC) complaints (40) registered an increase of 65 per cent. While the general on-water complaints represented a downward trend, an increase in registrations and licences for PWC has led to an increase in complaints.

Of the 40 PWC complaints 24, or 60 per cent, related to distance-off requirements and excessive speed.

The majority of the 187 general on-water complaints related to safety, speed or noise from vessels.

	Complaints Last Year	Complaints This Year
Personal watercraft	26	40
General on-water	213	187
Other	6	7

2008 STAKEHOLDER FORUM

Following the successful Stakeholder Forum in 2007, NSW Maritime convened a second forum in November 2008. The purpose of the forum was to give a broad cross-section of the recreational boating and commercial vessel community an opportunity to share their views on how boating safety, and boating infrastructure, could be improved.

The views and suggestions raised at the forum informed the development of NSW Maritime's 2009-2012 Corporate Plan, which includes a number of projects designed to address issues raised by stakeholders. NSW Maritime regularly reports progress against matters raised at both the 2007 and 2008 Stakeholder Forums. The most recent progress report, which was published in July 2009, is available from the NSW Maritime website.

The next Stakeholder Forum is planned to be convened in late 2010.

TOLL FREE WEATHER

NSW Maritime subsidises a telephone boating weather forecast service on 131 236. This service provides access to updated weather information from anywhere in NSW for the cost of a local call. This commitment is tied to NSW Maritime's effort to raise awareness of the need for mariners to check the weather and to check it often. A total of 64,212 calls were received for the year with calls increasing in late summer to parallel seasonal boating activity and a peak of 9173 calls (with an average call duration of 160 seconds) in the month of January and a low of 3251 calls in June.

Maritime is delivering a free weather Maritime Alert service via email and looking at the possible use of SMS.

SYDNEY INTERNATIONAL BOAT SHOW 2008

NSW Maritime once again formed a partnership with the Boating Industry Association of NSW for the Sydney International Boat Show. The foundation of the partnership is the promotion of a safety culture. The show attracted 70,767 people and the Authority promoted the "You're the Skipper - You're Responsible" campaign. NSW Maritime had a large stand in Hall 5 and provided gratis floor space to the Royal Volunteer Coastal Patrol and the Australian Volunteer Coast Guard.

To further promote a culture of safety, NSW Maritime expanded the number of partners on the stand. This was intended to present a coordinated, single point of contact of all major maritime safety organisations in one location and also included: Australian Maritime Safety Authority, Australian Hydrographic Office, Australian Volunteer Coast Guard (AVCG), Manly Hydraulics Laboratory, Fisheries (DPI), Department of Lands and the Water Police.

Marine Environment Protection

OIL AND CHEMICAL SPILL RESPONSE

NSW Maritime is the "combat agency" for responding to marine oil and chemical spills in State waters between the Queensland border and Fingal Head (Port Stephens) and from Gerroa to the Victorian border. These areas include the Ports of Yamba and Eden, and the State waters around Lord Howe Island. NSW Maritime conducted a number of exercises during the year to test local arrangements to respond to oil spills.

Exercises were conducted at the regional ports of Eden and Yamba. NSW Maritime also delivered a number of oil spill response training courses, including marine response, incident management and shoreline response courses. A total of five training courses were held with approximately 100 personnel trained across the State. This included personnel from other supporting agencies including local government.

EMERGENCY MANAGEMENT

During the year, NSW Maritime continued to fulfil its varied roles in emergency management at the local, district, State and national level. As part of its role as the combat agency for oil spill incident response, NSW Maritime is a member of relevant district and local Emergency Management Committees. These committees coordinate support from various agencies on behalf of NSW Maritime during an oil-spill response.

NSW Maritime is also a member of the State Emergency Management Committee (SEMC) which met on three occasions during the year and was attended by the Manager Shipping and Pollution Response or his delegate. As a member of SEMC, NSW Maritime is a supporting agency under a number of other emergency management plans such as the flood, tsunami and influenza pandemic plans. During recent Swine Flu outbreaks on passenger ships for example, NSW Maritime provided liaison officers to the State Emergency Operations Centre.

ENVIRONMENTAL SERVICES

The Environmental Services team visited an average of 45 locations daily to remove rubbish and hazards to navigation material from Sydney Harbour and navigable tributaries, and represents an improvement in daily site visits of 9.7% over the previous year. During the year, 2734.4 cubic metres of waste was collected, a decline on the previous year. The decline is caused by low rainfall.

VESSEL SEWAGE WASTE RECOVERY

To protect the marine environment from the impacts of sewage pollution from vessels and to encourage the responsible disposal of vessel waste, NSW Maritime maintains multiple pump-out facilities at King Street Wharf and Blackwattle Bay and monitors an additional three pump-out facilities at Cabarita and Birkenhead Point. During the year, 8,871,100 litres of waste was pumped out through these facilities. This represented a 2.2 per cent decrease from the previous year. NSW Maritime also funds fixed and mobile vessel pump-out facilities on Myall Lakes. During the year 123,384 litres was pumped out through these facilities, a decrease of 16 per cent on the previous year.

ENVIRONMENTAL EDUCATION

NSW Maritime continued to promote awareness of environmental issues for the boating community. This involves continual review and refinement of environmental messages in publications such as the Boating Handbook, the Marine Activity booklet for primary school age children, online information and dedicated publications such as *Leave Only Water in Your Wake* and *Take Charge of Your Discharge*.

Advisory Groups

RECREATIONAL VESSELS ADVISORY GROUP (RVAG)

RVAG, whose membership includes representatives from the boating industry, boating associations, clubs, volunteer marine rescue organisations and NSW Police, met on seven occasions during the year and provided advice on a range of recreational boating issues including:

- New practical boating experience
- New Safety Label
- Lights on vessels
- *Marine Safety (General) Regulation 2009*
- Volunteer marine rescue organisations amalgamation
- EPIRBs
- Maritime infrastructure
- Propeller strike incidents
- Lifejackets
- Education/compliance campaigns
- Boating incidents.

COMMERCIAL VESSELS ADVISORY GROUP (CVAG)

CVAG met three times during the year and provides an avenue for NSW Maritime to consult with commercial vessel operators and other stakeholders on operational and regulatory issues. CVAG comprises commercial vessel owners, Registered Training Organisations, Yachting NSW, NSW Police, and other interested parties.

MARITIME MINISTERIAL ADVISORY COUNCIL

The Maritime Ministerial Advisory Council met on five occasions to provide advice, expertise and a strategic perspective on maritime issues to the Minister for Ports and Waterways Joe Tripodi.

The role of the Council is to advise the Minister on strategic matters concerning the promotion of boating and other waterways based activities, waterways safety, environment, navigation, regulation, infrastructure, amenity issues and the development of the maritime industry in NSW.

Over the last year the Council provided advice from a key stakeholder perspective on a wide range of issues. These included NSW Maritime's Corporate Plan 2009-2012, and policy development in relation to boatshare, boat storage, mooring and leasing policies, commercial water-ski vessels, maritime infrastructure funding, marine rescue services and NSW Maritime's communication strategy.

NSW BOAT BUILDERS GROUP

The NSW Boat Builders Group facilitates communication with commercial boat builders. It provides a forum for boat builders, designers and importers of commercial vessels to discuss industry innovation in construction techniques.

The group met three times during the year. The major initiative affecting boat builders was the introduction of new national standards for commercial vessels including fire safety, engineering and safety equipment requirements. In addition, the industry benefited from the introduction of "equivalent solutions" whereby builders can choose to demonstrate compliance with required outcomes rather than specified standards.

TRANSPORT REGULATORS EXECUTIVE COMMITTEE

The Transport Regulators Executive Committee (TREC) is comprised of the Chief Executive Officers and senior executives of the Independent Transport Safety and Reliability Regulator, the Ministry of Transport and NSW Maritime. This committee seeks to deliver better coordinated strategy and policy across each mode of public transport (bus, rail and ferry).

During the year, TREC continued to use a consistent format for reporting on the status of responses to recommendations from investigation of transport incidents by independent transport safety investigators. This enabled improved monitoring of how these recommendations are implemented. At the end of June 2009, NSW Maritime continued to monitor the implementation of recommendations from one ferry investigation by Office of Transport Safety Investigations (OTSI).

In addition, TREC considered issues that applied to all transport modes with emphasis on finalising the development of key performance indicators for safety and the efficiency of service delivery.

Key Results - Improved Infrastructure & Access to Waterways

Major Projects

King Street wharf

Fourteen years in the making and costing \$1.2 billion, the King Street Wharf precinct was completed during the year. NSW Maritime is the landowner in this project and has worked with the private sector in this major redevelopment project at the western waterfront of the CBD.

Stage 4B, the new offices for Macquarie Bank, was completed with occupation expected in July 2009. The main feature of this building is the striking external frame. In addition, during the year the Stage 3C Accor hotel and retail development under the freeway was completed.

Walsh Bay

Following the construction of a new seven storey office building on the Bond Store 1 site in late 2008 and the establishment of more open space within the precinct, the \$860 million joint private sector/Government Walsh Bay redevelopment is largely complete

The NSW Government has provided funding support for the cultural, maritime and foreshore access aspects of the redevelopment. Government is considering options for the future use of Pier 2/3.

Rozelle Bay Maritime Precinct

NSW Maritime continued to work with the seven consortia chosen to develop the Rozelle Bay Marine Precinct. When complete, more than \$150 million of infrastructure for a wide range of essential maritime services, including covered dry boat storage, commercial/retail development, waterfront construction, boat salvage services, vessel refit and repair and maritime contracting industries, will be provided on the north-western side of Rozelle Bay.

By 30 June 2009, all seven groups had received planning approval from the Minister for Planning. Construction work on the Sydney Slipways site for a vessel repair facility under Glebe Island Bridge site was all but finished with the completed areas already operating.

During the year, Polaris Marine also completed its new shed on the site.

Berrys Bay Maritime Precinct

The Berrys Bay Maritime Precinct comprises the former BP terminal site and the current Woodleys leased site on the western side of Berrys Bay, Waverton. Following a call for Registrations of Interest (ROI) to develop the four hectare land and water precinct owned by NSW Maritime and the State Property Authority, a short list of proponents was selected in July 2008. During the year further work including a detailed environmental investigation of the leased area and the adjacent water area of Berrys Bay was completed. In April 2009, detailed proposals requested from the short-listed proponents were submitted for evaluation.

The Precinct is to be developed as a marina and dry boat storage facility, complimented by maritime workshops, offices and ancillary businesses. In addition, public foreshore areas and the adaptive re-use of all structures of heritage significance are key requirements of the development.

It is anticipated that the preferred proponent will be chosen in August 2009, with the newly developed precinct expected to be operational in 2012.

Balls Head Maritime Precinct

NSW Maritime is intending the former Balls Head Coal Loader Wharf at Waverton and adjacent berthing dolphin structure to be redeveloped into a maritime precinct that would provide berthing facilities for commercial charter vessels. A preferred option is being developed and NSW Maritime is intending to submit a development application and seek redevelopment proposals during 2009-2010.

Blackwattle Bay Maritime Precinct

NSW Maritime owns the land at the southern end of Blackwattle Bay bounded by Bridge Road, Pyrmont. In January 2009, NSW Maritime sought a Request for Proposals for the redevelopment and long-term lease for most of the site for maritime related commercial retail use and for maritime industry use, particularly as a permanent home for commercial charter vessels. The redevelopment will include the recognition of the historical

aspects of the site and provision of public foreshore access along the precinct, including the construction of a direct connection to the Sydney Fish Market. A detailed environmental investigation of the land and water area was prepared and provided to all intending proponents.

Eight submissions were received at the closing date of 9 April 2009 and were being assessed with a view to offering an Agreement to Lease to the successful proponent during the second half of 2009.

Superyachts

During the year NSW Maritime advertised for Requests for Proposals from interested parties to submit proposals for the purchase of the Superyacht Marina business, the redevelopment and long-term lease of the Superyacht Marina and the redevelopment and long-term lease of the adjoining dry land at Rozelle Bay.

The Sydney Rozelle Bay Superyacht Marina is an established marina catering primarily to large visiting and locally-based superyachts. The marina was built to accommodate large private vessels visiting the Sydney 2000 Olympic Games. It has remained operational continuously since then, hosting more than 100 superyachts during this time. There is development application approval for reconfiguration to 24 stern-to berths each with an adjacent marina pontoon finger, providing for vessels in the range from 20 metres to 70 metres in length.

The Superyacht Marina Site comprises an area of land below the mean high water mark of approximately 17,554m² (wetland) and an area of land above the mean high mark of approximately 11,640m² (dryland).

Homebush Bay Remediation

In May 2005 NSW Maritime signed a Deed of Agreement and remediation contract with Thiess Services to enable work to commence on the \$140 million clean-up of dioxin-contaminated sediments in Homebush Bay and on adjacent NSW Maritime-owned land. NSW Maritime is contributing around \$21 million of this amount to remediate some 30,000 cubic metres of contaminated sediment on the dry land. Upon completion of works, both the bay and the land site will be safe for human occupation and use.

During the last year, Thiess Services continued excavation and stockpiling of contaminated materials on the land site and commenced work to remediate all contaminated materials. Recently the Minister for Planning approved the transfer of contaminated material from an adjacent site to assist with proving trials of the process equipment which were successful.

Homebush Bay (Wentworth Point) Maritime Precinct

NSW Maritime has two sites at Homebush Bay West covering a total area of 18 hectares adjoining the Parramatta River and Homebush Bay. The area is collectively known as "Wentworth Point". NSW Maritime intends to develop the area as a maritime hub for activities such as dry-boat storage, boat building and repair facilities. An ROI process will begin in August 2009 to assess the level of interest in developing the site as a maritime precinct. To achieve this deadline NSW Maritime continued undertaking studies, designs and assessments.

The site is currently used mainly for industrial purposes. Macquarie Radio, a long time tenant with its transmitter tower, is in the process of vacating the site. The tenancies are being rationalised to eliminate undesirable activities such as the storage of excavated material and to provide a site ready for development. It is anticipated the development of the site as a maritime precinct will generate a significant number of jobs and economic activity.

Sydney Cove Infrastructure, Usage and Public Improvement Plan

Work commenced in December 2008 on the preparation of an Infrastructure, Usage and Public Improvement Plan for Sydney Cove to cover the maritime precinct from Walsh Bay to the Man O' War Steps. The purpose of the project is twofold:

- To create a strategic plan and development timetable for future maritime infrastructure suitable for the various craft that berth at Sydney Cove and surrounds under NSW Maritime jurisdiction
- To outline a public improvement concept plan that would improve signage, display of maritime/historic information, general and disabled access, functionality and other enhancements.

The plan is near completion and expected to be exhibited during the second half of 2009.

Newcastle South Arm Dredging

NSW Maritime, as owner of the Newcastle Port river bed, is the proponent for the proposal to extend the shipping channels in the port. This will permit the expansion of coal export wharves and facilitate future development of the former BHP Billiton (BHP) steelworks site.

In April 2008, the Newcastle Coal Infrastructure Group (NCIG) commenced the construction of a \$922 million coal terminal with a capacity of 66 million tonnes on Kooragang Island.

BHP is currently undertaking remediation works in the Hunter River South Arm near the NCIG site including the installation of an in-river sheet pile wall to isolate the primary remediation zone. To allow ships to access the NCIG wharf while the remediation work is in progress, a temporary channel will be dredged through BHP's secondary remediation zone. This work was approved and commenced.

NSW Maritime has a facilitation role as both landowner and proponent. This role has been managed by negotiating dredging licences with NCIG and BHP which are drafted to ensure projects are carried out in accordance with government approvals and environmental laws.

The NSW Government has established the Hunter River Remediation Taskforce to assist with coordinating the approvals process for the BHP remediation project. The taskforce has senior representation from relevant government agencies.

Eden

In April 2006, the Minister for Ports and Waterways, Joe Tripodi, opened Stage I of the Cargo Storage Area in Eden. This facility was built to store cargo, mainly softwood logs, prior to export from the multi-purpose wharf. Since then, trade through the cargo storage area has increased with approximately 300,000 tonnes per annum of timber being exported.

The contract for Stage 2 works, which comprises the surface treatment of the second 4 hectare area and additional stormwater management controls was let in May 2009 to a local company, Specialised Earthworks Pty Ltd. The work is expected to be completed in late 2009 at a cost of approximately \$1.7million. It will provide an all-weather surface to reduce sediment runoff from the site during heavy rains.

Case Studies

Better Boating Program

The Better Boating Program (BBP) is a State Government grants program aimed at providing waterways infrastructure for the benefit of the boating community and the marine sector on NSW waterways.

The BBP provides individual grant contributions to proponents such as local government, State agencies, boating organisations and community groups for the development of public boating infrastructure. Typical projects include new or improved boat ramps (including associated works such as car/trailer parking, lighting and landscape), pontoon or public wharf facilities, sewage pumpout facilities and dinghy storage.

NSW Maritime utilises revenue raised from registration and licence fees to fund its contributions to the grants program. Under the BBP, up to \$5 million is available annually from July 2009 for the next five years, to assist in the funding of approved projects across the following three categories:

- Regional Infrastructure Grants
- Sharing Sydney Harbour Access Program
- Sydney Harbour Boat ramps (100 per cent funding).

The BBP is set to deliver great results for the boating public of NSW through new and improved boating facilities and greater access to recreational areas state-wide.

Circular Quay Redevelopment

Circular Quay is the most important public transport interface in Sydney, bringing ferries, charter vessels, buses and trains together to feed commuters and tourists directly into the central business district. It is nestled between iconic landmarks like the Opera House, the Museum of Contemporary Art and the Cahill expressway.

During the year a range of work has been undertaken at Circular Quay to ensure this vital Sydney transport hub remains operational. These works have included the removal of hydraulic ramps on the Number 2 wharf with the termination of the Jetcat service, replacement of piles, a range of inspection works, temporary repairs to the access ramps while a more permanent solution is developed, lateral stability works to the Number 6 wharf, and commencement of work on the western promenade.

One of the aims of NSW Maritime's wharf upgrade program is to achieve a standardised look for all of Sydney's wharves. The Circular Quay redevelopment is significant in settings the scene with regard to concepts to be repeated at suburban wharves. It is anticipated the new architectural concepts currently in development will raise the interest of many stakeholders.

New Mapping Technologies

Following the acquisition of three Real Time Kinematic (RTK) GPS receivers in 2007-2008, the utilisation of this technology over the past 18 months has generated significant efficiency improvements during a period of increased demand for hydrographic work.

This technology allows NSW Maritime's surveyors to determine the location and height of survey points to within a centimetre or better accuracy in real time, without further post-processing of data. The equipment will benefit most survey activities including detail, setout, work as executed, cadastral and hydrographic surveys, when compared to the conventional technique of total station instrument and reflector.

For hydrographic surveys, RTK GPS can reduce or eliminate the reliance on tide gauges because the vertical height of the vessel is continuously determined from satellite observations. This functionality was utilised in October 2008, when NSW Maritime undertook work on Lord Howe Island. The RTK GPS was fitted to the survey vessel *Echo* and transported to the Island. An extensive stretch of the island's waters were surveyed, resulting in major improvements to some of the Island's navigation aids.

Sydney Slipway Facility at Rozelle Bay

The growth in boating and the increasing size of many vessels stored and repaired on Sydney Harbour, together with pressure from adjoining residential uses of the foreshore, has seen a need for new boat repair and maintenance facilities to support the city's large recreational boating fleet.

In 2002 Sydney Slipways responded to the Call for Proposals to develop a first class boat repair and maintenance facility at Rozelle Bay. Agreement for a 42-year lease was signed with NSW Maritime in 2003, Development Approval was granted by the Minister for Planning in 2006 and the works commenced in July 2007, with completion expected in August 2009.

The facility will handle approximately 30 vessels at a time, of up to 800 tonnes, and will save many vessels from having to travel to Newcastle and other ports for annual surveys.

Provision has been made for a number of marine business sub-leases, many of them providing specialist services to the industry.

The development has a state of the art environmental water recycling and cleaning system.

The cost of the development was approximately \$44 million, with about 450 jobs being created in the marine industry.

Asset & Property Management

Commuter Wharf Handover

In 2006, NSW Maritime assumed responsibility for all 46 Sydney Harbour commuter wharves. This involved the transfer of responsibility for wharves from Sydney Ferries, Sydney Harbour Foreshores Authority, Sydney Olympic Park Authority, Ministry of Transport and five Sydney Harbour councils to NSW Maritime. The transfer assigned responsibility for maintenance, upgrade and replacement of commuter wharves to NSW Maritime to ensure wharf safety and improve commuter amenities. The responsibility for cleaning and rubbish removal has been assigned to Councils and adjoining land owning authorities.

At year end agreements had been concluded with three Councils and two of the government agencies that were the former owners of the wharfs.

Wharf Infrastructure Maintenance Program

During 2008-2009 work was completed at 27 of the 46 commuter wharves on Sydney Harbour, and included providing new seating, painting, electrical refurbishments, renewing mooring piles, substructure repairs, new decking, and new shelter facilities. Some 70 closure or partial closure notices were issued to allow the maintenance work to proceed.

Wharf Infrastructure Capital Program

During 2008-2009, NSW Maritime spent \$2.0 million on the following capital works:

- Sydney Commuter Wharf Upgrade Program

The wharf upgrade program plans to achieve the upgrade of all existing Sydney commuter wharves by 2022.

The program aims to provide a distinctive and uniform look for all ferry wharves as well as practical and robust wharves that comply with all statutory requirements.

A study was undertaken to prioritise which wharves were most in need of work and an international competition was held to provide design concepts. A tender for the design of the first 12 wharves was issued in May 2009 and it is anticipated construction will commence in 2010.

- Circular Quay Western Promenade

Investigations were completed into the condition of the substructure of the western promenade Circular Quay which established major works were required. Options were assessed, designs completed, and the works package valued at more than \$1 million went to tender in April 2009. Work on site commenced in June with completion due in late 2009.

- Impact protectors for Circular Quay wharves

A study was concluded during the year indicating the Circular Quay wharves needed new impact protectors. Designs were completed and a contract for the work was tendered.

- Charter wharf upgrade and maintenance

NSW Maritime is responsible for the management of 17 charter vessel wharves and another 50 structures around Sydney Harbour. These structures are being managed together with the commuter wharves. A major electrical and lighting contract was awarded for the replacement of switchboards, conduits, cabling, and light fittings to many of the wharves. This work also included:

- Emergency repairs to the western promenade at Circular Quay in advance of the major contract works
- Piling and substructure repairs to Jeffrey Street wharf
- Manly wharf refurbishment

This year saw the completion of outstanding works from the major upgrade of Manly Wharf. The works included remedial works to mooring piles, repairs to stanchions, alterations to the steel emergency exit gates and corrosion protection to steel piles.

This multi-million dollar project has resulted in major improvements to the commuter wharf. It has delivered improved access and amenity, while retaining the overall historic integrity of the building.

Wharf safety Audit

Under the *Marine Safety Act 1998*, NSW Maritime has responsibility for inspecting public ferry wharves and monitoring wharf safety.

A 'public ferry wharf' is a wharf or associated facilities used for the purposes of public passenger services provided by ferries. This includes commuter wharves, such as Sydney Harbour ferry wharves, and wharves used by smaller commercial operators such as charter or dive vessels in regional NSW. About 240 public wharves fit this description statewide.

During 2008-2009 a total of 48 wharf safety inspections were performed both in regional areas and Sydney waterways. Some 26 wharves were deemed to comply with relevant guidelines while warning or defect letters were issued to owners of 20 wharves for both minor and major non-compliance. No formal Improvement Notices were issued. A number of wharves were deemed not to be public ferry wharves after advice from owners and vessel operators.

Wharf safety audit inspections have resulted in improvement works at the following sites:

- Hawkesbury River at Brooklyn and Pittwater
- Charter vessel wharves at Forster and Nelson Bay
- Wharves used by paddle steamers at Echuca on the Murray River
- Circular Quay wharf 4.

Survey and Spatial

The surveying section has recently received the latest version of Hypack 2009 Hydrographic Survey and Processing software. The software provides tools necessary to complete hydrographic and side scan sonar survey requirements.

One of the new features includes Google KML exporting capabilities and the presentation of side scan sonar imagery and soundings overlaid on a Google Earth background. This feature has recently been utilised by our

hydrographic surveyors to present submerged objects in Rozelle Bay and in the vicinity of Roseville Bridge Marina.

In October 2008, hydrographic surveyors carried out work at Lord Howe Island to assist with the installation, correct orientation and calibration of a new sector light and other safe navigation aids installed at the Island.

NSW Maritime's boating map series continued to be revised and enhanced. In the past year, five maps were upgraded to a larger format to include more detail for the benefit of the boating public. A further five larger format maps were updated and reissued, as were four small-format maps. These boating maps are printed on waterproof stock and provided at low cost through the network of service centres and can be ordered online.

Maritime Trade Towers

NSW Maritime owns the Maritime Trade Tower at 207 Kent Street and is also a tenant on Level 5, Level 6 and Level 11.

As at 30 June 2009, the building occupancy rate was 100 per cent.

The Maritime Trade Towers currently purchases 12 per cent green power, an increase of four per cent on the previous year and has a four star Australian Building Greenhouse Rating Smart Metering equipment. Reporting on both energy and water consumption enables the building management to closely monitor usage.

The Maritime Trade Towers also have an active waste reduction and recycling program. During 2008-2009 recycling of 66 per cent was achieved.

Removal of Wharf Structure at Rose Bay

The removal of the wharf structure and all sea bed debris at the former Rose Bay Afloat site was completed in September 2008 at a cost of \$130,000.

No. 37 Bank St Pyrmont

In September 2008, NSW Maritime provided consent for Hymix Australia to remove the 75 year old ACR timber wharf which had significantly decayed in recent years. Demolition commenced in February 2009 and is expected to be completed in late 2009.

Domestic Lease Rollout

The program for the issue of some 1500 domestic lease offers around Sydney Harbour continued, with a major objective being the minimisation of costs to lessees for the establishment of these new leases.

Lessees are being offered the opportunity of 20-year leases based on the IPART recommended method for rental pricing and other lease terms and conditions.

A mail out to domestic lessees is proposed to provide further information on registered 20-year term leases including survey requirements, cost estimates for the entire process and the expected timeframe for finalisation.

Commercial Leasing

The Commercial Lease Policy, which was introduced on 1 January 2008, continued to improve business certainty and encouraged new investment in marine infrastructure, while ensuring a fair return to taxpayers for the lease of public land. This policy was reviewed at the end of the year with some refinements to be agreed in early 2009-2010.

NSW Maritime developed template tenure agreements for common maritime related occupations, which were constantly being reviewed to assist lessees.

A new procedure was developed to allow commercial swing mooring licences to be extended to match the term of directly related commercial lease agreements. This provides lessees with improved security of tenure as part of their total business activities.

Community Leasing

NSW Maritime administers community leases via the Commercial Lease Policy, 2008. Community leases cover facilities provided by local councils and amateur clubs (eg rowing and fishing clubs, scouts and guides) such as public boat ramps, swimming enclosures and wharves.

MAPS

The Maritime Property Division continued work on a project to implement a modern Maritime Assets and Property System (MAPS). The project began in 2007-2008 and covers property management and leasing, property planning (including Development Applications, Permission to Lodge applications and engineering assessments), project management for major projects and executive management and reporting.

Over the past year, modules were developed on Domestic Property, Commercial Property and Property Planning. The program is expected to be completed during 2009-2010.

Total Asset Management (TAM) strategy

NSW Maritime submitted a comprehensive Total Asset Management (TAM) strategy to NSW Treasury covering Maritime Infrastructure; Harbour Lands; the Maritime Trade Towers; Heritage Assets; Operational Assets and Accommodation; Dredging Channels and Berthing Boxes. The Maritime TAM strategy is a 10-year plan integrating asset planning with organisational strategic and business planning processes.

NSW Maritime's TAM plan supports NSW Treasury's 10-year State Infrastructure Strategy.

Infrastructure Programs

\$25 Million for Better Boating Program

In August 2008, the State Government announced that the three grant programs funded by NSW Maritime for improvement to recreational boating facilities would be consolidated into a single program, the Better Boating Program from July 2009. The three programs to be consolidated were the Maritime Infrastructure Program, the Sharing Sydney Harbour Access Program and the Better Boating Program.

Funding for the Better Boating Program will rise to \$25 million over 5 years to be made available from 2009-2010. This represented an increase of \$2 million a year compared with previous funding arrangements.

Since 1998 the State Government has provided more than \$20 million in grants supporting over 400 projects across regional NSW for recreational boaters and their families.

Sharing Sydney Harbour Access Program (SSHAP)

The past year was the sixth year of the Sharing Sydney Harbour Access Program (SSHAP) for grants in Sydney Harbour. SSHAP is administered through the Department of Planning with funding and technical assistance provided by NSW Maritime. The objective of the SSHAP is to improve public access to and along the foreshore of Sydney Harbour.

Seven grants were offered through SSHAP in 2008-2009, totalling \$310,755.

SSHAP was originally designed as a five-year program, and in 2007-2008 all stakeholders, including NSW Maritime, the Department of Planning and the Sydney Harbour Foreshore Authority, committed to continuing the program for a further five years until 2013.

Better Boating Program - Sydney Harbour Boat Ramps

The upgrade of boat ramp facilities in Sydney Harbour has been restricted in the past due to limited availability of foreshore land for significant boat ramp upgrades or new facilities.

Eight applications were received in 2008-2009 and grants were awarded for the full funding of six boat ramp projects to the value of \$1.3 million.

Maritime Infrastructure Program

NSW Maritime continued to administer the Maritime Infrastructure Program (MIP) which provided grant funding for boating infrastructure projects in regional NSW.

MIP provides grants that are allocated on a 50:50 partnership basis with funding shared by NSW Maritime and local councils, other State agencies, and boating and community groups. Vessel registration fees contribute to the funding of the program.

Projects are submitted by land owners, usually local councils, as part of the annual call for applications. NSW Maritime works in conjunction with councils during the year, as part of River and Estuary Management Committees or through Boating Management Plans, to identify opportunities and issues on particular waterways,

including improvement to boating facilities.

In 2008-2009, a total of 63 applications for MIP grants were received for regional NSW, which resulted in 40 grants totalling \$1.9 million being offered.

Navigation Aids

Under NSW Maritime's TAM strategy, 289 navigational aids were scheduled for upgrading. Due to operational requirements to replace failed, lost and damaged aids, a total of 476 navigational aids were upgraded during the year as follows:

- 210 lights converted/upgraded to LED technology
- 57 PVC markers replaced aged steel pipe markers
- 71 aqua-buoys
- 77 plastic buoys (1300 series) to replace aged/damaged/new assets
- 37 public/courtesy moorings upgraded
- 35 aged timber piles replaced with solid plastic, steel and timber piles.

Major capital upgrades included:

- Upgrading 10 new solid plastic pole and lights in the Georges River - \$54,032
- Port Hacking upgrades involving new pile, six lights and two new buoys - \$15,276
- Lord Howe Island entrance lead improvements - \$42,526
- Northern rivers PVC pile replacements including Richmond River, Hasting River, Bellinger River, Kalang River, Clarence River and Wallis Lake - \$39,620
- Replacement piles with five new PVC pile and 11 new lights in Woronora River - \$24,366
- Lake Macquarie buoy upgrades - \$7,640
- Parramatta River LED light upgrades - \$21,840
- Sydney Harbour mooring upgrades - \$7,120
- Bermagui Channel with two new lit aids -\$8,861
- Snowy Mountain storage dams navigation aid improvements - \$13,538
- Lake Mulwala aid improvements - \$10,271
- Lake Illawarra new installations - \$16,636.

A total of 726 breakdown notifications were issued - 44 per cent lit aids and 56 per cent unlit aids. This was an increase of 39 per cent on the previous year. The total number of breakdowns represented 19 per cent of the total aid population, which was 3257. The increase in breakdowns was attributed to significant flood damage which accounted for 44 per cent of notifications.

Other major causes of failure were attributed to damage - 10 per cent, vandalism - five per cent which was down two per cent, false alarm - six per cent and missing/off station - eight per cent. The navigation aid maintenance contractor achieved 100 per cent compliance rating for meeting key contract performance targets. The maintenance contract was re-tendered in March 2009 and awarded to Australian Maritime Systems Limited in late June 2009 for three years with a two-year option.

Statewide Planning

Boat Ownership and Storage Study

At the close of the year, there were more than 223,000 registered vessels in NSW. Of these approximately 65 per cent were less than five metres in length, with a further 19 per cent between five and six metres in length. These smaller vessels were generally stored on trailers or elsewhere and transported to the waterway for launching via a boat ramp. There are 625 boat ramps in NSW and 50 in the Sydney region.

NSW Maritime is to prepare a comprehensive Boat Ownership and Storage Study which will update and more accurately quantify the number and types of vessels currently stored in NSW, and forecast future trends in storage demand and types.

The study is expected to be completed in the second half of 2009.

Crossings Code

NSW Maritime developed, in collaboration with the Department of Water and Energy (DWE) and the State's

electricity network operators, the Crossings of Navigable Waters: Electricity Industry Code. The code, based on risk management principles, was developed to promote navigation safety outcomes at both overhead and submarine electricity cable crossings of NSW navigable waters. The Code was approved by the Minister for Ports and Waterways in April 2008.

In August 2008, and in accordance with the *Electricity Supply (Safety and Network Management) Regulation 2008*, the Director-General of DWE wrote to the electricity network operators requiring them to implement the code from 31 December 2008.

From 31 December 2008, the existing crossing licences became obsolete and all have since been formally terminated in favour of the Code. The operation of the Code is being monitored with the initial 12-month review planned due in early 2010.

Sydney Harbour Planning

Bank St Pyrmont

NSW Maritime is planning to create a maritime precinct including park areas and a boating facility for passive craft such as dragon boats and kayaks at Bank St Pyrmont (underneath the Anzac Bridge). During the year discussions were held to integrate the adjacent No. 1 Bank St site, owned by the Sydney Harbour Foreshore Authority, within this development. It is envisaged that once concept plans are further developed, consultation with the community will take place during 2009-2010.

Sewage Pump-out Development

During the year NSW Maritime progressed the following two projects:

- A double sewage pump-out facility for commercial vessels at the north eastern end of Pyrmont Point Park facing Johnstons Bay. This facility would be in a central location in the harbour and positioned near the site of a previous facility at Jones Bay Wharf, which was removed in the late 1990's. NSW Maritime will continue to explore other sites for pumpouts
- A facility for recreational vessels at the site of Yeend Street Wharf, located at the south-western entrance to the newly developed Ballast Point Park. A number of concept options were developed during the year, with the chosen option scheduled for construction in 2009-2010.

Development on NSW Maritime Land

Development Applications Determined

NSW Maritime land includes the bed of Sydney Harbour and its tributaries, Botany Bay, and Port Kembla and Newcastle Harbours. NSW Maritime requires applicants to lodge a Permission to Lodge a Development Application (PTL) for proposed developments on or over NSW Maritime land, as required by Clauses 8F or 49(1)(b) of the *Environmental Planning and Assessment Regulation, 2000*.

NSW Maritime's Policy *Obtaining Permission to Lodge a Development Application* was adopted in August 2007. PTL is the first stage of statutory approvals required for developments on or over land owned by NSW Maritime.

NSW Maritime generally determines application within 30 days for minor developments and 60 days for other developments. NSW Maritime determined 121 PTL applications during the year, which took an average of 42 days to make a determination.

Corporate Services

Development of our Organisation

Several minor restructures and changes in reporting lines enabled NSW Maritime's structure to better deliver its corporate objectives. These efficiency improvements were necessary to deliver on the core priorities of the organisation and to meet the needs of stakeholders in an environment of fiscal constraint.

NSW Maritime has continued with its staff recognition program designed to recognise exceptional service and effort by its employees. Numerous General Manager's awards were well received by a number of staff and the Chief Executive's award was given to Geraldine Andrews, of the Ports and Shipping Division, for her management of the Government's ports reform agenda.

The Maritime Consultative Committee, which consists of representatives of NSW Maritime and the Unions, met monthly and provided a useful and productive forum for the parties to exchange information and to discuss employee-related policies, programs and working arrangements.

Learning and development

During the year, NSW Maritime commissioned a new Learning & Development (L&D) Plan covering the period to 2012 which was geared towards achieving goals of the Corporate Plan.

The L&D Plan has a branch specific focus that will concentrate on specific training tailored to the needs of staff at a branch level. This is combined with more traditional programs, such as NSW Maritime's facilitation of a Certificate IV in Frontline Management course and its ongoing commitment to the NSW Public Sector leadership courses, that aim to develop leadership talent across all levels of the organisation.

A highlight of the L&D team this year was the development of a crew volunteer course for staff without on-water qualifications, to be trained up to assist Boating Safety Officers manage special aquatic events such as New Year's Eve fireworks, the Sydney to Hobart yacht race start and the Sydney Harbour Australia Day activities.

A number of training programs were carried out including: Ethics & OH&S training; induction; merit selection courses; Equal Employment Opportunity (EEO); and Harassment Contact Officer training.

Legal Services

The Legal Services Unit functions statewide and is involved in the enforcement and provision of advice in relation to marine and environmental legislation and the management of NSW Maritime's property and planning functions. Work included the preparation of contracts and processing *Freedom of Information Act 1989* applications, searches of NSW Maritime records, responses to subpoenas and penalty notice representations, and advice in relation to landowner leasing and planning matters.

In addition to providing advice and representation in traditional areas of public sector legal practice, Legal Services assists in meeting the training needs of NSW Maritime officers and ensuring organisational compliance with various legislative requirements. The legal team maintains a watching brief on legislation and policies that may impact on NSW Maritime.

A detailed overview of the key areas of practice and responsibility of Legal Services is set out in the Appendices.

Occupational Health and Safety

A review of NSW Maritime's Occupational Health and Safety (OHS) Policy statement re-affirmed the commitment to meeting the requirements of the NSW *OHS Act 2000* and the *OHS Regulation 2001* and fulfilling its duty of care responsibilities.

NSW Maritime's senior management provided resources and support to ensure workplaces are kept safe and without risk to health for its workforce, contractors and all visitors.

These efforts also underscore the importance given to meeting the objectives of the NSW Government's Working Together OHS & Injury Management Strategy, which resulted in NSW Maritime achieving above average trends when compared to the whole of the NSW public sector.

The underlying theme continued to be raising all employees' awareness toward implementing effective OHS risk management initiatives suited to particular needs.

The following are indicative of the continued effort at Maritime to meeting its OHS obligations:

- Introduction of regular reporting to NSW Maritime's Executive on the performance of its three OHS Committees toward achieving effective OHS consultation
- The implementation of employee welfare information and screening programs, designed to address health and safety in the workplace and lifestyle issues including fitness, sun exposure, virulent diseases and associated immunisation clinics
- Planning and development of the new periodic medical program for Environmental Services Officers
- Review and updating of Emergency Response Plans and Influenza Pandemic Management Plans to support the overarching Business Continuity Plan
- The delivery of training for Customer Service Officers based in the office or in the field to mitigate aggressive customers and risks to health and safety
- OHS training initiatives for First Aid Officers, including skills to utilise external defibrillators for resuscitation, and ongoing training for OHS Committee members
- Factoring OHS risk management considerations into the development of new medical standards for Marine Pilots in NSW
- The delivery of OHS Induction Training sessions for new employees
- The implementation of OHS control measures targeting Boating Safety Officers field operation risks.

Occupational Health and Safety Performance

Average days of sick leave per employee	decreased from 4.4 to 3.7
Average days of sick leave per employee (excluding long term sick leave > 15 days)	3.59
Number of lost time injuries	decreased from 9 to 8
Reported non-lost time injuries	decreased from 11 to 10
Total number of workers' compensation claims	increased from 20 to 21
Days lost for workers' compensation per employee	increased from 0.47 to 0.70
Occupational Health and Safety legislation prosecutions	0

MSB workers' compensation liability (non-dust diseases claims)

There remain 16 claims outstanding at 30 June 2009, with two of these claims subject to long-term ongoing awards estimated above \$200,000 each. There are also eight claims for industrial deafness, four for skin cancers and two other claims of which one has the potential to bear increased liability for NSW Maritime.

During the period 2008-2009, 14 new claims were lodged with four referred to the GIO as the MSB Insurer on risk up to 30 June 1989, prior to the MSB being a self insurer. During this period 15, predominantly dealing with industrial deafness and skin cancers, were finalised.

The total claims expenditure incurred for the period 2008-2009 was \$137,000, which is lower than the expenditure incurred for the previous period.

To cater for future developments, a provision of \$1.6 million was provided to continue managing the claim run off. This is an increase of \$210,000 from the previous period. This cautionary approach factors in any uncertainties in the estimation of liabilities for current and future projected claims.

Since the suspension of the MSB self-insurer licence in 1995, the total cost incurred to date for workers' compensation liabilities (non-dust diseases claims) is \$9.5 million. This comprises weekly benefits, lump sum payments, medical and legal costs.

MSB dust diseases liability

At 30 June 2009, NSW Maritime was one of four respondents to one dust diseases claim with an estimated total liability of \$150,000. NSW Maritime carries a 72 per cent share of this liability based on the decision of an apportionment mediator.

Another claim for dust diseases lodged with NSW Maritime has been referred to the GIO as the period of exposure was during the time the GIO was the MSB Insurer.

The actuarial assessment resulted in a provision of \$1.9M being provided to manage current and future claims. This is marginally lower than the figure provided for the previous period.

Equal Employment Opportunity

NSW Maritime is comprised of a skilled and diverse workforce.

The Equity and Diversity Management Plan 2008–2012 is an important means of supporting and developing this workforce. Some of the actions arising out of the plan performed during the year included the following:

- All staff received refresher Cultural Awareness and Equity and Diversity Training. Senior Managers and Managers also received training regarding their managerial responsibilities in relation to harassment and discrimination in the workplace
- The Harassment Contact Officer (HCO) program was renewed with calls for nominations issued in early 2009
- NSW Maritime's Grievance Procedures and Prevention of Workplace Harassment Guidelines were reviewed and are due to be issued in late 2009
- Maternity Leave and graduated return to work procedures were implemented for female field officers, with the first Boating Safety Officer returning from maternity leave
- In 2009, NSW Maritime's Spokeswoman's Program sponsored a place at the Macquarie Graduate School of Management's Conference – the 2009 Australian Women's Leadership Symposium (10-11th June)
- Relieving, Parental Leave and Mentoring Administrative Instructions were developed to further support NSW Maritimes EEO objectives
- NSW Maritime continues to support the Lucy Mentoring Program, a leadership program with a primary focus on women at university. It aims to inspire and educate women about the opportunities available within the public sector
- The Community Language Assistance Scheme underwent an annual review regarding usage levels. No new trends in customer needs were identified. Accredited staff members continue to provide valuable support in Greek, Italian and Indonesian when required
- Equity and Diversity was integrated into NSW Maritime's on-line induction package and forms an important part of the face-to-face induction presentation that all new staff are required to participate in.

Multicultural Relations

A review of the effectiveness of NSW Maritime's Ethnic Affairs Priorities Statement (EAPS) and its implementation was conducted during the year. Although the level of usage of the Community Language Assistance Scheme and NSW Maritime's safety messages in community languages did not demonstrate any new trends in customer needs, the review identified there would be a benefit of revisiting the EAPS strategy model provided by the Community Relations Commission and re-drafting a new agency-wide strategy. The draft was commenced during the year and is due to be completed and published on the NSW Maritime website during the 2009-2010 financial year.

Customer service training, which was embedded with a strong cultural diversity component, was delivered to all staff during the year. Additionally, all managers took part in EEO training.

Disability Action Plan

In order to ensure NSW Maritime's accessibility meets the needs of its customers and stakeholders, a web-based survey was conducted during the year. The purpose of the survey was to ascertain the level of disability amongst NSW Maritime's client base, to identify specific access issues customers with disabilities may face and to gather ideas on how NSW Maritime could improve its accessibility for all customers. The results of the survey was analysed. The outcome is informing the development of NSW Maritime's next Disability Action Plan, which is due to be released later in the year, following further consultation.

NSW Maritime also continued to consider opportunities to provide improved disabled access at the earliest stages of project planning for new or upgraded maritime infrastructure and to include training on assisting customers with disabilities as part of its induction program.

Personnel policies and procedures

A new Relieving Policy, updates to the Transfer Costs Policy, Subsistence (Travel Allowance) Policy and the Parental Leave Policy, have been developed and negotiated through the Maritime Consultative Committee.

Case study

Training of Staff

The Learning & Development (L&D) unit supports NSW Maritime's on-water staff with innovative programs designed to keep Boating Safety Officers (BSO) thoroughly trained. The L&D team's core responsibilities include managing the BSO competency training framework, organising a yearly compliance training event designed to keep investigative skills up to date, and providing general professional advice for all on-water staff in areas of professional development.

One of the most challenging aspects of the BSO's role is the management of large annual aquatic events such as the New Year's Eve celebrations, Sydney to Hobart Yacht race start and Australia Day festivities, which stretch NSW Maritime resources to the limit. This year the L&D unit helped to design and deliver a volunteer crew course that trains our office staff to assist BSOs on the water during these big events. Policy officers, accountants, customer service officers and many other back office staff were trained in emergency procedures, communications and general deck hand duties so they could become part of NSW Maritime's 'frontline' team during big on-water events.

Another innovative program was the introduction of 'CARM' training. This training was designed to assist BSOs diffuse potentially dangerous situations when dealing with aggressive, violent or intoxicated members of the public. This program leveraged on the existing skills and experiences of our staff and provided them with some proven methods of quickly de-escalating situations before they get out of hand.

This support is crucial in maintaining NSW Maritime's on-water capabilities.