

Meeting title	Commercial Vessels Advisory Group (CVAG)
Date and time	Tuesday 26 November 2019 2:00pm – 5:00pm
Venue	Rozelle Ground Floor training room 1A and 1B
Chairperson	Hendrik Clasie – GM Industry and Environment Branch – Maritime Division
Attendees	<i>Hayley Ablott (HA), Lauren Booke (LB), Alex Barrell (AB), Wayne Cartner (WC), Harley Ogden (HO), Simon Robards (SR), Dan Duemmer (DD), Hendrik Clasie (HC), Steve Nichols (SN), Tatiana Nasoufi (TN), Andrew Stirzaker (AS), Steph Sheridan (SS), Nick Lester (NL), Mel Tyas (MT), Kristie King (KK), Judith Webster (JW), Sarah Joyce (SJ), Michael Jarvin (MJ), David Garrett (DG), Simon Walter (SW)</i>
Apologies	<i>Nik Parker (NP), Alan Steber (AS), Tricia Beatty (TB), Peter Harvey (PH), Shane Wilson (SW1)</i>

Item no.	Topic	Lead
1.	Welcome – Apologies Introduction by Hendrik Clasie as GM Industry and Environment	Hendrik Clasie (Maritime)
2.	Previous Minutes and Actions <i>Action item 1 (consultation group membership): Completed</i> Further enquiry from CVAG members in relation to Action item 1 as follows: Michael Jarvin (MJ): Is there scope for consultation group not covered by regulation? Response: No, only National Law stakeholder groups. MJ raised discussion on Exemption 38 and was motioned to move to general business AMSA will be broadly engaging industry in 2020 DVIAC (Domestic Commercial Vessel Industry Advisory Committee) Comment from MJ: The people being affected aren't represented in these groups. Response: Maritime agencies can nominate a member for consideration through CVAG. Feedback is that DVIAC is not representing CVAG members. Question from Alex Barrell (AB): How would CVAG formalise nomination to have a member on these groups?	Hendrik Clasie (Maritime)

Response from Simon Robards (SR): RMS/TfNSW have membership in Maritime agencies. If there is something CVAG wants to get to AMSA, CVAG can propose to take proposed membership to the next MAF meeting.
Comment from MJ: raises concerns that going through the Maritime forum is inefficient.
Comment from SR: Suggestion is for those interested to raise hands if wanting to be on groups.
Comment from Hendrik Clasio (HC): The process for selecting membership for consultation has been identified.

Action item 2: remains pending

Action item 3(i): remains pending

Action item 3(ii): completed

Action item 4: completed.

The leasing arrangements for Barangaroo wharf refers to the boardwalk and some other berthing structure.

Comment from MJ: refers to commercial vessels use of wharves currently not available for use or on the booking system.

Question from Andrew Stirzaker (AS): Is the background that the wharf has been constructed for the Casino to utilise however it is not exclusive use?

Response from HC: Needs further clarification. Received word that it is essentially a facility that an adjacent land commercial operator has wanted and the boardwalk is leased to operate. Not a public facility.

Question from AS: Is public money being spent on building a wharf asset at Barangaroo? Wanting to understand the clarity behind the Casino wharf.

Response from HC: My understanding is that the land owner is paying; It is not a public facility; it is a lessee requesting to build on the site.

Comment from MJ: Maritime need to push this issue up to the ED.
Response from HC: We need to understand why industry needs access to a private facility. There are a lot of public wharves in the area available to the public.

MJ: Take the growth and passenger numbers and sizes of vessels, it won't be long until we need it. Look at historical data to show we didn't previously need facilities and now we do. It is illegal to tie up at Walsh Bay and Woolloomooloo Bay. If we don't do something now, we will find the lease won't consider commercial vessel growth.

Comment from AS: This is a substantial topic for us. Wanting to understand that there is significant demand by the public to access Barangaroo.

This has been raised with AS by businesses with extreme interest

	<p>for public to gain access to the Barangaroo precinct. Want to have confidence that this is something that can be done. Want to understand the process of private facilities infrastructure. Understand where the pathways are to approach any relevant parties with opportunity to access the wharf.</p> <p><i>Action item 5: remains pending</i></p> <p>Action motion from Hendrik: will seek further information on the Woolloomooloo wharf HC has requested MJ to send a map of the specific location in order to gather facts and determine what to do moving forwards.</p> <p><i>Action item 6: remains pending</i></p> <p>Simon Walter (SW) has put together a draft Guidance notice tabled at meeting “Renewal Survey: Temporary Operations Exemption”. Feedback is welcome</p> <p>HC proposes feedback to be sent to Secretariat of CVAG (Tatiana.nasoufi@transport.nsw.gov.au) to be forwarded to AMSA for consideration. Have guidance note in place for next meeting.</p>	
<p>3.</p>	<p>Sydney Harbour Update</p> <p>Infrastructure: King St Wharf 3: Temporary use of wharf 3. One side will be on the charter wharf booking system and the other side is an expression of interest for temporary exclusive use. Waiting on Transport for the green light to go ahead. Will receive notification when the booking system is live.</p> <p>The wharf booking system for King St Wharf 3 will be out of action for 3 weeks to install a system for pumping therefore there will be a delay in opening the wharf booking system while this is being completed. The wharf is due to be open before Christmas.</p> <p>Question from Nick Lester (NL): will a gate valve be available on Wharf 3? What is preventing access to the wharf now?</p> <p>Clarification: The wharf booking system will be the side of the wharf delayed. This will take 3 weeks. After 3 weeks, this will be on wharf booking system and will become available.</p> <p>Comment from NL: This public asset not available and will stop access to the wharf in the biggest month of the year.</p> <p>There are no other options for pump outs. This is adding to other wharves.</p> <p>Question from David Garrett (DG): Is there a compromise? Is it the whole wharf or just one side needed to be shut down?</p>	<p>Dan Duemmer (Maritime)</p>

Response from Dan Duemmer (DD): The tender will be complete in 5 days. King St does not have 100% utilisation and there is still capacity in the system for this. Need to make decisions for broader stakeholder groups.

Question from AS: In regards to future proofing the wharf. Query is that summer is upon us and we need to have a quick turnaround. What's the timeline on the wharf staying open until it needs to be shut off again?

Response from DD: The wharf is handed back on 26 March 2020.

Comment from CVAG: In March we will lose the ability for the overflow of the pump out facility, and the wharf is lost in 3 weeks in peak system. There is only a small window in pump out. Predicament and frustration noted.

Comment from DD: We are not disagreeing. The timing is not ideal. We understand Blackwattle Bay and White Bay pump out has issues with plumbing infrastructure and is likely due to the questionable activities of some operators. Maintenance teams can only make this happen now due to scheduling. We understand the pain in lack of resources.

Comment from NL: King St 6 is a vacuum and King St 3 is a pump out system. A lot of vessels don't have pumps on board which will compromise those wanting to use wharf 3.

Comment from DD: King St 9 will have a vacuum in the new year when King St 6 is offline.

Question from MJ: Will the new Bank Street facility become a public facility?

Question from NL: Is there a way to place the tender process on hold until after March 2020?

Response from DD: The only option is not to go through EOI and open the facility for use.

NL: If you don't have the tender, can we still have wharf access and pump out?

Comment from CVAG: General consensus would rather wharf booking than EOI. Because the solution is temporary anyway.

Dan: will assess. Good feedback.

Bank Street Marina: Construction is underway with a pump out facility. Facilitates 22 berths, all commercial vessels. Will be operated by Blackwattle Bay Marina. Due to finish in June/July 2020.

Question from MJ: Is there a plan of how it's going to look?

	<p>MINUTES: Attach layout of Bank Street Marina to circulate (Attached architectural plans with minutes email; for more details on the project also find information on https://www.rms.nsw.gov.au/projects/bank-street/index.html).</p> <p>Glebe Island Bridge: Timber fendering will be removed and replaced with yellow special marks. Will shut down channel from time to time for emergency works.</p> <p>Comment from Harley Ogden (HO): This comes up every year. It is important when closing the main side that other vessels don't berth on the other side. Comment noted and will send notification of when this is happening.</p> <p>Noise in Palm Cove: Running the same campaigns as last year with noise on Sydney Harbour. This is a high priority along with wharf booking system non-compliance.</p> <p>Question from MJ: Is there a RMS code of conduct for amplified noise on Sydney Harbour? Response from DD: Yes, the legislation is still relevant. NL: Can we have a copy of this? To include in minutes: MINUTES/Action item: include in minutes – guidance note on top of information around noise complaints</p> <p>Metro works continue with barge spoiling. Aquatic licence guide soon to be published. https://www.rms.nsw.gov.au/documents/about/news-events/sydney-summer-aquatic-events-guide.pdf Boat Challenge 10 December. 75th Sydney to Hobart with 150 entrants. NYE significant changes to exclusion zones. DD circulated changes during CVAG meeting. https://www.rms.nsw.gov.au/documents/about/news-events/sydney-new-years-eve-on-sydney-harbour.pdf</p> <p>Dan Duemmer has resigned from Maritime and is taking up a position at the Port Authority. Last day is 6 December. Chair acknowledges Dan's work and thanks Dan for his support.</p>	
4.	<p>TfNSW CMS Update</p> <p>As part of Evolving Transport, CMS now falls under the Safety, Environment and Regulation division of Transport. CMS operates under the Maritime Safety Plan.</p> <p>Representation of Transport National and State Bodies and Secretariat for the MAC. CVAG minutes went to the MAC and well received and grateful.</p>	Judith Webster (CMS)

	<p>Discussion at MAC around Syd Harbour facilities for commercial vessels and maintaining a working harbour. Will meet again in March 2020.</p> <p>MAF, ARBSC meetings. Boating Now \$28 million through waterways, led by Maritime Infrastructure Plan. Has been traditionally used for recreational facilities and is now including some commercial aspects of boating. Multi-functional facilities are more favourable under Boating Now.</p> <p>ARBSC: National Standard for ABP for recreational boats. Impacts the lower end of the fleet. Public comment is out until end of January 2020. Consultation commences next Wednesday. Details to be forwarded to those interested. The Standard is a product information standard. Standard for information that goes onto the plate. Labelling standard not a structural standard.</p> <p>Question from MJ: Is the consultation open to anyone? Biggest problem is how old the ABP is. Response from Judith Webster (JW): Yes.</p> <p>MINUTES: Attach draft hosted on QLD website – ask Judith to send link (link for ABP consultation: https://www.msq.qld.gov.au/About-us/News-and-stories/Australian-Builders-Plate)</p>	
5.	<p>DCV Safety Update</p> <p>Since 1 July 2019 – 20 November 2019, 400 inspections, 165 safety advice, 90 low level, 145 medium level inspections; for which 44 notices have been issued including direction, improvement and 1 prohibition notice, 3 breach notices.</p> <p>Aware of commercial vessels being inspected frequently by various Maritime staff. Have established a method to help reduce by way of a report that indicate vessels with expired certificates and vessels that haven't been within 6 months. List is circulated internally and TCOs contact operators, to make arrangements to see them in 3 months. The list will also be circulated to the BSOs and AMSA MSIs in order to avoid the specified vessels unless there is an obvious non-compliance.</p> <p>Comment from MJ: It would be good to have a breakdown and transparency (statistics) each quarter (presentation) in each meeting. Should include the escalation of prohibition notice to above the level it was issued.</p> <p>Response: The DCV database is with AMSA. This is being worked on, there is a system in place that will improve over time.</p> <p>Comment from AB: The sharing of data would sit with AMSA.</p>	Steve Nichols (RMS)

	Response from SR: We can issue consolidated State wide stats	
6.	<p>AMSA Update</p> <p>GPS service July 2020 Consultation on high frequency radio closes Friday 29 November.</p> <p>2 new forms 1780 and 553 available on website. AMSA 1780 application for change of certificate holder for a vessel permission (CoS or Ex40 or non-survey vessel). Streamlined process for changing holder of Certificate for vessel.</p> <p>AMSA 553 application to renew Certificate of Operation without any changes to it.</p> <p>In response to the multiple fatalities in California on a dive boat. AMSA, has focused on fire system compliance. NSW and QLD have conducted 350 inspections of Class 1 and 2 vessels with berthed passengers. Compliance is very good in NSW.</p> <p>Deputy CEO Gary Prosser has moved on from AMSA.</p>	Simon Robards (AMSA)
7.	<p>Sewage Pump-out Update</p> <p>Blackwattle Bay was in operation for some time following the transfer of that site to Urban Growth DPI. Inspection of the structure of the wharf, found it to be unsafe. Other sites are King St Wharf 6 (suction pump out makes it very popular; need to book) and also White bay 6 which has had some challenges in the latest weeks, as a pipe collapsed during operation. This has been restored with the help of Ports using a bypass arrangement.</p> <p>Maritime is experiencing challenges with White Bay 6 pump. A bypass was installed following a collapse. White Bay 6 restored but the bypass wasn't functioning properly and so operators needed to stop using the facility. Concerns were raised about the amount of waste and the system was out of action with plumbers on site.</p> <p>Pumps are not manufactured to deal with other material within the tanks such as oily residues, gluggy solid oil, rags and rusty solid metal pieces. The pumps have been restored and the systems are maintained fairly regularly, however they won't be able to handle other substances going through the system continually. If the system doesn't receive any other substances then it will pull the weight.</p> <p>Question from MJ: Has the Blackwattle bay wharf been looked at</p>	Hendrik Clasie (Maritime)

to be repaired? The pump didn't break down over 8 months.
Response from HC: Reports indicate that the structure is not a safe option and we have looked at other options to enhance it and provide rectification work. There are discussions on decommissioning.

Timelines: Jan- Feb 2020 King St 9 will come on board and it is expected to be as good as King St Wharf 6.

Question from AS: Can we get an understanding of what was the intention with White bay 6 to only operate during daytime hours?

It is noted that AS appreciates Maritime having gone above and beyond to assist ferries. Concern raised over King St Wharf being overloaded and near impossible to pump at reasonable times. In the Summer, King St 6 is denied opportunities to pump out due to queues. The only option left is White Bay 6. Request to provide clarity on the opening times of 8am – 4pm.

Response from HC: This was decided given infrastructure issues and clogging.

Comment from Wayne Cartner: The maintenance work in the last 48 hours included suck truck and sucking the pits clean.

Contractor has sucked out both pits and checking the pumps for a clean situation.

Question from HO: It has been mentioned there are other facilities for vessels to use at King St Wharf locations. Is there a possibility that boats that have those facilities on board can pump out there?

Response from HC: No, they are private facilities.

HO: The pump at Blackwattle Bay seems to be the best pump on the system. What is the future of that pump? Is there a possibility of relocating that?

HC: There is a pump being installed by that operator.

Comment from AB: The pump is ready to install (received correspondence in last month or so).

Comment from HC: Some operators have charged smaller vessels.

Question from MJ: The brief from Property to Chesterton is in excess of what is required to be operational this week. How do we get more of Maritime involved? Include an operator to discuss requirements.

Response from AB: It is not up to us. We have been told we can't use it due to safety.

Comment from AS: I recognise engineers have concerns about safety. Can we have a protocol in place to quote 2 piles to ensure no movement occurs on the wharf, and have for example, one crew member to hook up the pump? This can be fenced off. It would be appreciated if there could be an alternate look at it.

Response from HC: It could be assumed that something new is happening at White Bay 6. There is concern this could happen

	<p>more and more. Blackwattle Bay pump copes with other substances better than any other pump.</p> <p>Comment from AS: What was being discharged at Blackwattle Bay could be the same at other pumps, but the pumps don't manage the same.</p> <p>Response from HC: The team are over there every day making sure things are running. Have looked at how and where cameras can be installed to watch how people use the pump.</p> <p>Comment from AS: Suggestion to put out a warning to Industry.</p> <p>Comment from DG: We should change the way we look at this matter as it happens every year. Maritime should take the responsibility and produce measurable in order for the situation to be rectified and stop re-occurring.</p> <p>HC: The message is that we are working hard behind the scenes and we are aware of the issues. The argument of the responsibility of dealing with waste is on the waste owners. It is about the combination of industry doing the right thing, and the Government providing some options. We are conscious of impact on communities.</p> <p>Comment from WC: We are talking to Sydney Water for options.</p> <p>Comment from AS: The Government provides a waste point somewhere and gets trucks to put in landfill. Analogy of working in partnership with us. We are stuck in this space of using a public provided facility.</p> <p>Comment from HO: We should get more information on alternative options eg. Birkenhead point.</p>	
8.	<p>Marine Estate Management Strategy Implementation plan</p> <p>MEMA is a government authority formed out of 4 separate agencies (3 from Dpi and TfNSW). The act requires that MEMA establishes a strategy plan.</p> <p>This strategy plan has been created and consists of 9 initiatives such as 'enable safe and sustainable boating', enhance social, cultural and economic benefits', 'reducing impact on threatened and protected species' etc. For more information check www.marine.nsw.gov.au</p> <p>TfNSW is responsible for initiative 7 with such actions as mitigate against destruction of sea grass, and other environmental, social and economic aspects of boating.</p>	Judith Webster (CMS)

	<p>TfNSW also works with other agencies for some of these initiatives. Some of the things TfNSW reports on is how many DCVs are inspected, the mooring program reform etc. Each agency is represented in itself having regard to the initiatives that they uphold for MEMA.</p>	
9.	<p>Protection measures of endangered Little Penguins in Manly Presentation attached following minutes</p> <p>Working closely with stakeholders to protect the population Maritime replacing 6 critical habitat buoys.</p> <p>If you find a deceased penguin, call National Parks as they have been microchipped.</p> <p>Raising awareness of boat strikes impacting penguins. Enforce 4 knot zone.</p> <p>Dusk and dawn is the most dangerous time for penguins. Keep a lookout at these times as it is the most crucial.</p> <p>Issue with shining spotlights onto beaches as it impairs penguins' ability to return to nest.</p> <p>Penguin signs will be erected and old habitat signs will be updated.</p> <p>Call 9457 9577 for dead or injured penguins.</p>	<p>Sarah Joyce (SCCG) Kristie King (Northern Beaches) Melanie Tyas (NPWS)</p>
10.	<p>General Business</p> <ul style="list-style-type: none"> • Publishing of CVAG minutes <ul style="list-style-type: none"> i. There has been a proposal to publish the minutes of CVAG on our website for the public to know what items we discuss and actions we have taken. Are there any objections to this? Proposal was welcomed and no objections stated. ii. SCCG would like their role and responsibilities to be included in the CVAG ToR. No objections were stated and this motion will go ahead. • Wharf restrictions – length & displacement <ul style="list-style-type: none"> There are some wharves - McMahons up to 18m and 100 Tons, Huntleys point 19m, Man-O-Wharf that can't take vessels any more. Since the new signs indicating 	<p>Tatiana Nasoufi (Maritime)</p> <p>D Garrett (Cpt Cook Cruises)</p>

	<p>capacities, the companies want to do the right thing, however we need to discuss regarding wharves that are fit for purpose.</p> <p>Comment from DD: Wharves have always had these capacities but the wharf maintenance team decided to put some signs up to indicate the values. However this was done prior to public consultation.</p> <p>Response from HC: Some work needs to be done to make these existing wharves fit for purpose. Some of these wharves are not really suitable for the vessels.</p> <p>We need to get more information on the restrictions that these limits have been calculated for. The point we want to achieve is to improve wharves so they are:</p> <ol style="list-style-type: none"> i) Fit-for-purpose ii) Suitable for the fleet of vessels <ul style="list-style-type: none"> • Any complaints for DCVs operating from wharves We have been meeting with the Sydney Harbour liquor accord and commercial vessels have been utilising other wharves such as Rose Bay and Double Bay wharves. Question: Has RMS received any complaints for these wharves being operated by DCVs? Response from HC: Just make sure you pay your commuter fees. If we receive any complaints we will let you know and if needed take measures. • CVAG meetings focus and agenda items Is there a plan with the agenda items that we wish to bring up for this group? This will make it easier to plan ahead. Response from HC: Will look into it along with the ToR update. 	<p>Michael Jarvin (BIA)</p> <p>Sarah Joyce (SCCG)</p>
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Next Meetings: Tuesday 25 February 2020

Tuesday 26 May 2020

Tuesday 25 August 2020

Actions

Item number	Action	Status	Responsible / Revised due date
1	Update on what is the process for selecting membership for consultation groups?	Completed	Simon Walter
2	For the oily water discharge facility AB will report on status of the Bailey's facility	Pending	Alex Barrell /Hendrik Clasié
3	(i) Send out Consolidated SEP when finalised	Pending	Tatiana Nasoufi
4	Find out whether there is any leasing arrangements and if there is scope for multi user/arrangement access at Barangaroo wharf	Complete	Hendrik Clasié
5	Taken on notice for Michael Manders to find out what should and shouldn't be around Woolloomooloo Bay	Pending. HC to seek information	Hendrik Clasié/ Michael Manders
6	Feedback on draft AMSA <u>Guidance note</u> regarding Exemption 07. Please provide feedback to Tatiana.nasoufi@transport.nsw.gov.au	New	Simon Robards
7	Dan to determine whether tender process for one side of King St 6 wharf needs to go ahead or can release to public	New	Dan Duemmer / Alex Barrell
8	Code of Conduct and Guidance note to include noise restrictions and circulate to CVAG	New	Dan Duemmer / Alex Barrell