



MINUTES

Commercial Vessel Advisory Group (CVAG)

Date	26/05/2020		
Time	2:00 - 5:00 pm		
Venue	Microsoft Teams – video conference		
Chairperson	Hendrik Clasie – GM Industry and Environment Section – NSW Maritime		
Attendees	Alan Steber Andrew Stirzaker Anthony Haworth Shane Wilson, Neil Patchett Matthew Jones Nick Lester Phillip Pitt William Ford Sarah Joyce Sean Jewiss Simon Robards, Simon Walter Tricia Beatty Hendrik Clasie, David Hunter, Stephen Nichols, Hayley Ablott, Chris Doolin, Tatiana Nasoufi	AS AS1 AH SW, NP MJ NL PP WF SJ SJ1 SR, SW TB HC, DH, SN, HA, CD, TN	Stebercraft Commercial Vessels Association Captain Cook Cruises BIA TfNSW – CMS Australian Cruise Group Pacific Boating Pty Ltd. NRMA – Manly Fast Ferry Sydney Coastal Councils Group Marine Rescue NSW AMSA Professional Fisher's Association NSW Maritime - TfNSW
Apologies:	Daniel Altiok Brown, Alex Barrell, Lauren Booke, Bahram Abedi Harley Ogden	DAB AB, LB, BA HO	

Agenda Items		Responsibility
1.	Welcome – Apologies Bahram Abedi noted.	Hendrik Clasie
2.	Review and confirmation of minutes from previous meeting Minutes approved.	Hendrik Clasie
3.	Review of actions from previous meeting 1. Has not progressed further. Issues with effectiveness of equipment installed at WB6 facility. Reviewing equipment for long term capability and looking at alternative sites. Priority on ensuring sewage pump out systems are operational.	Hendrik Clasie

Agenda Items	Responsibility
<p>2. No update. Change action item to: obtain update on where Consolidated SEP is at and report back to HC</p> <p>3. Re access arrangements at Woolloomooloo Bay – there are no public access arrangements at Woolloomooloo Bay. Access is for marinas on long term lease arrangements. Comment from Michael Jarvin: this item was raised to ensure Barangaroo/Casino doesn't end up in the same position as Woolloomooloo Bay. Request from Andrew Stirzaker: request to keep matter of Barangaroo on agenda and to stay informed through CVAG forum. Response from Hendrik Clasio: Barangaroo appears to be a private submission and is a private development. Conscious of representing industry in decision making area. ACTION: HC to get update on status of Barangaroo proposal</p> <p>4. No feedback provided by CVAG members. AMSA completed amendment and recirculated 2-3 weeks ago. Simon Walter noted he did not receive any feedback. Comment from Andrew Stirzaker: Simon Walter indicated in the previous meeting that an official policy couldn't be released. Has there been any more on this? Response from Simon Walter: Still working on official guidance. The information sent out is correct however it is not yet official on the AMSA website. Available to use currently as is. Use as primary guide for Ex7. Completed action.</p> <p>5. Hendrik Clasio spoke to the asset maintenance team and seeks context on the visibility around the asset maintenance schedule. Comment from Michael Jarvin: all advisory groups should be given updates on the schedule. Response from Hendrik Clasio: will share immediate schedule subject to change. Question from Andrew Stirzaker: when will works be finished on King St wharf 3 and when will it be available for use again? Information received suggests works proposed to finish end of June. Response from Chris Doolin: King Street wharf 3 will form part of the future plan for all of King Street wharves. It is currently open for use on one side and closed for maintenance on the other side. Our intent is to focus on long term solution but not quite there yet. Item to be tabled at next CVAG after discussions with TfNSW on how to proceed. Long term may result in EOI and go to stakeholders for best use. Too premature to determine what these will officially look like moving forward. King Street 3 is back on the booking system to be utilised. Comment from Nick Lester: Nick has one vessel currently tied up to King St 3 for maintenance and cannot see the other side open, nor deem it to be safe to operate if it is open. Response from Chris Doolin: will make enquiry into further update to clarify conflicting information.</p> <p>6. Included in item 5. Comment from Andrew Stirzaker: wishes to seek further clarification on aforementioned action item 5 with mention in previous meeting of a pollution prevention scheme.</p>	

Agenda Items	Responsibility
<p>Response from Hendrik Clasié: will take on notice and seek further clarification of the local equivalent. Steve Nichols will speak to the scheme later in the agenda. Premise that the NSW Marine Pollution Act (MPA) enables Annex 4 of MARPOL with requirement all large vessels have sewage pollution prevention certificate. Obligated to issue under MPA.</p>	
<p>4 Member reports</p>	
<p>CVA</p> <p>Impacts of Covid-19 discussed. Industry is currently not operating. Concerns of industry operators include what will recovery look like and how long will recovery take?</p> <p>Wishes to acknowledge engagement from TfNSW on rent relief and AMSA on certificates expiry extension. Appreciates recognition of the hardship the boating industry has been under.</p> <p>Query regarding the release of the Sydney Harbour working study as it still hasn't been released to the public forum. Wishes to collectively absorb input from the document as it serves to inform stakeholders and industry collaboration to aid recovery of industry. This is a critical document. Request put forward for an update on the release date of the document. Matt Jones from CMS will provide update on this status.</p>	Andrew Stirzaker
<p>BIA</p> <p>Focus is on the best possible outcome for the boating industry nationwide. Thank you to TfNSW for their support on navigation issues and boating tourism activities.</p> <p>Developing maritime infrastructure submission aiming at NSW Government. State Governments around Australia are looking to invest in infrastructure projects to support recovery. CVAG members invited to email Neil directly for any ideas. Neil@bia.org.au Respond to Neil by the end of the week.</p> <p>Industry promoting Covid-19 safe behaviours. Question to Hendrik Clasié: Is TfNSW providing any information or guidance to the commercial (CV) and domestic commercial vessel (DCV) industry on what or how being Covid-19 safe means?</p> <p>Response from Hendrik Clasié: nothing in development at this stage. AQL and events have been discussed. Confirms NSW Health leading in developing rules and policies for health safety practices.</p> <p>Question: what opportunities are there to help streamline and reduce mixed messages, to support commercial vessels in the local Sydney area? Can anything be done to</p>	Neil Patchett

Agenda Items		Responsibility
	<p>ensure best possible outcomes in terms of Covid-19 safety for staff and the public who use charter vessels? Regarding 1 June lifting restrictions, consider what leverage and muscle TfNSW can bring to ensure operators and public are as fully informed as possible on opportunities arising from lifting restrictions.</p> <p>Working on best possible outcome for rent relief in NSW, includes relief flowing down to sub tenants, berths, moorings.</p> <p>Comment from Anthony Howarth: operators have been receiving regular and useful information around Covid-19 through food and hotel associations. Biggest problem for CV industry is on social distancing and complying with those regulations. Will be difficult to operate unless social distancing eased. Touching on rent issue – will not return to normal for potentially 3-5 years in CV industry. International markets will not open inside of 12 months. Tough reopening for industry across the board.</p>	
	<p>SCCG</p> <p>Re presentation on little penguins in previous CVAG meeting – there have been some improvements in the number of breeding pairs. New penguin signs displayed around North Harbour. Still finding dead penguins from blunt strike, potentially indicating boat strike. Entering into penguin season in June. Please ensure compliance. Quarantine beach will be closed to allow for penguins to breed.</p> <p>Water quality Sydney Harbour management program is seeking to improve consistency and collaboration on efforts. Thanks to TfNSW on this task to see improvements in water quality.</p> <p>Conflicts between swimmers and boat users. Greater number of people around and on the water. Increased complaints regarding private watercraft ie hoverboards and illegally fishing in aquatic reserves. Will be discussing in next couple of weeks.</p>	Sarah Joyce
	<p>Charters – Passenger vessels</p> <p>Anthony Howarth: notes possibility of starting limited sight-seeing cruises towards end of month. Very limited in passenger numbers. Future of charter work looking grim.</p> <p>Nick Lester: industry is facing disaster. Dealing with CI Australia and TfNSW regarding rental relief package. When can this be expected? Submitted to TfNSW 3 weeks ago.</p>	Anthony Haworth Nick Lester Richard Ford

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<p>Requesting a confirmation for rental relief package. Response from Hendrik Clasié: To provide context - TFNSW has a property team that oversee maritime and land based tenancies. HC has attended meetings over the last 4 weeks and has seen a lot of progress made. The mandatory code for commercial leasing has now been adopted into NSW Legislation in April. Some operators did not qualify under the new mandatory code. Jobseeker is a mandatory requirement for rent relief under the code but TfNSW is looking to override this requirement in acknowledging how the industry operates. Foresees by the end of this week or early next week the property management team will be in a position to assess cases. The model is currently being finalised to ensure those that need assistance will receive assistance. Relief to be provided in the form of a waiver or rent or deferral depending on circumstances. Currently unable to give an exact timeframe.</p> <p>Will Ford: extremely challenging times for the industry with no tourists, little domestic activity. Seeing slight increase in ferry passengers. Outlook is grim. What will happen leading up to summer is critical to keep industry alive.</p>	
<p>Boat Share - Pacific Boating</p> <p>Business closed on 8 April. Working with TfNSW, BIA and AMSA over 7 week period to gain understanding as to when restrictions on recreational boating will be lifted. Have returned to operation in the last week. Overall, has come out of Covid-19 OK. Landlords have assisted with rent, boat leases are on hold for a while, Jobkeeper has allowed 100% staff to stay on board. The downside is the industry has lost 30% of membership. Likely to lose another 20% depending on economy recovery. Sanitising boats with hospital grade products, ensuring members haven't been in contact with anyone with Covid-19. Guidelines and principles are in place to protect the business. Wishes to acknowledge Alex Barrell who has been very supportive during the process and to BIA. Question from Phillip Pitt to Hendrik Clasié: Are overnights permitted on rec vessels? HC to take on notice and will advise a response noting that the Health order is changing weekly</p> <p>Professional Fisher Association Tricia Beatty: thanks to TfNSW, BIA, AMSA on providing clarity where needed. CV fishing vessels are exempt from the 4sqm social distancing rule. Notes issues with border matters transporting product across to QLD. Bushfires played havoc with engines due to ash, ordering parts from China impossible due to Covid-19. Request for rent waivers for Co-ops on Crown Land and assistance sitting with Treasury for the past 6 weeks. Awaiting confirmation of waiver for processing facilities, food authority etc. Thank you to AMSA for removing 81 containers from waters</p>	Phillip Pitt

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	<p>off Newcastle (YM Efficiency incident of June 2018). Notes fatality of a deckhand lost on a trawler last week, wasn't wearing a lifejacket. AMSA investigating.</p> <p>Michael Jarvin: Blackwattle bay marina nearing completion. 22 berths. Drew Jones handling navigation issues and sign off. Dan Duemmer looking after harbour master iteration of commercial marina.</p> <p>Have had success sending DCV to work in QLD. Notes crew from QLD can travel through NSW waterways and has offered assistance to CVAG members needing to get this across the line. There is a protocol to lodge paperwork.</p> <p>Comment from Andrew Stirzaker: there is a belief amongst seafarers that they have an exemption from quarantine. Simon are you able to explain what the exemption was that people thought they had?</p> <p>Response from Simon Robards: presume this was an exemption from State-based health orders. There has been no change to National Law.</p> <p>Sean Jewiss Marine Rescue: new vessel over 12m for Botany, Port Hacking. More capable operating offshore. Operating radio bases during lockdown. Have seen an increase in vessels on water logging on. Increase in responses with people having breakdowns of vessel. New Deputy Commissioner to be confirmed.</p> <p>Comment from Alan Steber: request to include on the agenda for next meeting – <i>end of lifecycle/disposal of boats</i> – lost, salvaged, abandoned etc. Difficult to dispose of in metropolitan areas.</p> <p>AMEG Australian Marine Export Group – 12 November 2020 export awards taking place in Sanctuary Cove. This year notes a marine apprentice of the year award.</p> <p>David Hunter: NSW Maritime working with CMS on developing an issues paper looking at data and profiles of owners of end of life boats. Nearing completion. Estimated on moorings alone, approximately 2000 vessels classified as end of life. Need to define what that means. David will touch base with Alan to discuss.</p>	
5.	<p>TfNSW CMS Update</p> <p>Boating fatalities – 23 annual total, trend in weather conditions and age.</p> <p>Boating now program currently wrapping up. Hope to announce successful projects in mid 2020. Focusing on initiatives supporting maritime infrastructure plan.</p>	Matthew Jones
6.	<p>AMSA Update</p> <p>Container ship <i>APL England</i> from China to Melbourne lost 40</p>	Simon Robards

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<p>containers approximately 30nm from Botany Bay. Containers likely to be found between Forster to Kiama. AMSA investigating. See link for updates https://www.amsa.gov.au/news-community/campaigns/apl-england-container-loss</p> <p>Covid-19 - blanket 6 month extension to CoC granted. AMSA survey fees relate to 5 year certificates, no fee relief to these. Fee waivers available where temporary exemption required. Certificate exemption options include temporary crewing permit, Ex8, Ex6, Ex7, Ex42, Ex43. Applicants should indicate in your application where there is a Covid-19 impact as fee waivers will be considered. Workshops on hold for passenger safety amendments made to Marine Order 504. Soft launch with educational focus in effect from 31 May.</p> <p>Ex24 is up for periodic review to remain fit for purpose. Will be out for public comment in near future.</p> <p>AMSA operations stepped back from DCV inspections. Front counters have been closed, reopening soon. Continue to provide exams to those seeking CoC under National Law. Exams completed via video and will remain as so for the time being.</p> <p>Projects: CoO consolidation – issued operators certificate listing no vessels. When fleet is switched they are not required to vary certificate. Non-survey permits for grandfathered non survey vessels. Ex2 under National Law, exemption from survey for small low risk vessels. All vessels operating before 2013 continue to be exempt under Ex2.</p> <p>Question from Phillip Pitt: the normal process for CoS is to conduct a minor inspection, is this still the normal process through AMSA connect team? Are they fully operational? Response: an interim survey is required. Have not waived this. Surveyors can do an afloat survey.</p> <p>Comment from Andrew Stirzaker: regarding MO504 educational campaign, there hasn't been any indication a Q&A would be included in the public domain. Expresses concerns that operators will be inadvertently found non-compliant from 1 June. Response from Simon Robards: will take this on notice.</p>		
7.	TfNSW Maritime	
	<p>Operations</p> <p>Looking forward to easing restrictions and normal</p>	Chris Doolin

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<p>working capacity.</p> <p>Post-boating season, after action reviews due. 23 fatalities to be reviewed in more detail. Campaign planning for next boating season in next 4 to 6 weeks.</p> <p>Amplified music noise - seeing reduction and good results. Will form part of next summer season. Have vessels under salvage across the state – paddle steamer in Murray has been raised with minimal impact.</p>	
<p>DCV Safety</p> <p>SLA: reduction in inspections due to Covid-19. 1241 safety advice interactions and inspections in total for the year, noting previous year 2600. Compliance of DCV operations is good. Notes manager approval always required when issuing of serious notice. This is a standing order for all TCOs and BSOs across the State. Will be involving AMSA whenever breach report is considered to enhance consistency.</p> <p>Sewage pollution prevention certificates – responsibility to ensure safety and prevention of pollution from vessels. Sewage pollution prevention certificates will be issued to vessels under MARPOL. Sewage certificates have always been required for Class 1 and 4 vessels. When National Law was introduced, Appendix F removed from Certificate. All State law conditions were removed from Certificates in 2018. Introduced scheme for sewage certificates to be issued. Will keep CVAG advised as scheme progresses.</p> <p>Comment from Andrew Stirzaker: request for brief update of background on sewage certificates.</p> <p>Response from Steve Nichols: we will be developing a communication plan and briefing note and will advise when completed.</p> <p>Question from Andrew Stirzaker: is this independent of the Marine Pollution Act review or in conjunction?</p> <p>Response from Steve Nichols: MPA always enabled Annex 4 of MARPOL. CoS used to have Appendix F that covered this. Lost ability to apply State Law to DCV as they became National Law vessels.</p> <p>Question from Andrew Stirzaker: what does this mean to have a new compliance certificate?</p> <p>Response from Steve Nichols: will provide guidance once developed.</p>	Steve Nichols

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	<p>Comment from Neil Patchett: concerned about the level of engagement with stakeholders and CV industry. Would be good to collaborate on development of draft procedure. Have other alternatives to regulation been considered? What has been done in the years since this was removed? Agrees with Andrew on his concerns. Request involvement in process.</p> <p>Response from Hendrik Clasié: the requirement to have certificate has been in place since 2014 however as a regulator, whilst state based surveyors were undertaking inspections, there was visibility around how operators were managing their sewage. National Law sought to standardise maritime safety requirements. Will move discussion offline.</p> <p>Simon Robards notes it was decided by State and Territory Premiers through the Council of Australia Government process to consciously leave environmental matters out of National Law and retain them as matters for the states.</p> <p>Comment from Neil Patchett: should be talking seriously about what is being done on status for new infrastructure on waste removal. Conversations must go hand in hand. No point in having compliance if disposal opportunities are less than adequate.</p>	
	<p>RVAG update</p> <p>No events taking place in ski racing. Sports areas hurting. Membership decrease. Working closely with peak bodies and members on reintroducing events back to participants with Covid-19 safety implications.</p> <p>Discussion on introduction of computerised license testing, moorings online, broader solution for expired flare collection which will require assistance from Marine Rescue.</p>	David Hunter
8.	<p>General Business</p> <p>Phillip Pitt Development of fish markets in Blackwattle Bay will be fast tracked. Question to Hendrik Clasié: what restrictions, if any, will be around boating in Rozelle Bay around constructions commencing soon?</p> <p>Response from Hendrik Clasié: do not have much detail around this at the moment. Response from Chris Doolin: no update at this stage – considerations underway. Update briefing held recently. Comment from Hendrik Clasié: as soon as we are aware, we will communicate this to the industry. Looking to minimise restrictions to navigation as much as possible.</p> <p>Question from Phillip Pitt: will the pump out facility be moved to</p>	

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	<p>another location in area?</p> <p>Response from Hendrik Clasie: we are looking at another location within the area and awaiting information on feasibility.</p>	
8.1	<p>COVID-19 and co-operations with DCV industry</p> <p>Covered in members updates.</p> <p>Commercial mooring licences are not part of commercial tenancy. Renewal notices will be sent out to inform customers that renewal can have rent relief dependant on circumstances and to contact NSW Maritime to discuss.</p> <p>Wharf bookings - next cycle for bulk bookings 1 Oct 2020 to April 2021. Team in process of loading bulk bookings onto database. Payments to be deferred until closer to October under the proviso of Covid-19. Wharves for ad hoc bookings for operators will open without the upfront payment.</p> <p>Comment from Neil Patchett: requests closure ASAP on the issue of rent relief on commercial rent. Have had very clear, rapid advice and policy position from QLD, WA. Industry is hurting. Want to keep businesses viable.</p>	Hendrik Clasie
9.	<p>Next meeting Tuesday 25 August 2020</p>	

Actions

Item number	Action	Status	Responsible / Revised due date
1	For the oily water discharge facility HC will report on status of the Bailey's facility	Pending	Hendrik Clasie
2	Obtain update on where the consolidated SEP is up to and report back to Hendrik Clasie.	Pending	Tatiana Nasoufi
3	HC to request update on status of Barangaroo proposal	Pending	Hendrik Clasie
4	TfNSW Maritime Ops to follow up on access to King St Wharf 3, provide update on current situation of KSW 3 and asset maintenance schedule for other wharves.	Pending	Chris Doolin
5	Hendrik to contact asset maintenance to seek advice on ability to share schedule of ferry wharves upgrade and confirm whether Double Bay is on the list	Pending	Hendrik Clasie

6	CMS update on status of Sydney Harbour Working Study	New	Matthew Jones - CMS
7	Respond on current status of overnight stay on recreational vessels	New	Hendrik Clasié
8	Industry concerns for passenger monitor implementation as per amendments to Marine Order 504	New	Simon Robards
9	TfNSW Maritime to communicate with Alan Steber on proposed agenda item 'Boat end of lifecycle/ disposal'	New	David Hunter