

2 April 2024  
4:00pm – 5:30pm  
Room G.MR.04  
33 James Craig Road Rozelle  
MS Teams

## Minutes

### Commercial Vessel Advisory Group (CVAG)

Chair Hendrik Clasie (HC), Maritime Environment Industry and Assets

#### Attendees

##### **Transport for NSW – NSW Maritime**

Nick Dinham, (ND), Maritime - Waterways Operations Sydney Harbour  
Sian Nivison, (SN), Maritime – Greater Sydney  
Steve Nichols, (SNI), Manager DCV Safety Maritime  
Will Grant (WG), Project Officer, Maritime

##### **Transport for NSW – Safety, Environment and Regulation**

Matthew Jones, (MJ), Senior Manager Strategy & Policy (Maritime)

##### **Members**

Brent Warhurst, (BW), Australian Maritime Officers Union  
Chris Saunders, (CS), Maritime & Safety Training  
Daniel Da Silva, (DS), Australian Commercial Marine Group  
Grant Campbell (GS), NSW Police MAC  
Harley Ogden, (HO), SH Liquor Accord  
Ian Brightwell, (IB), Bulk Liquid Industry Association  
John Paton (JP), NSW Fishing Charters  
Kelvin Parkin, (KP), Marine Rescue NSW  
Michael Jarvin, (MJ), AIDGC  
Neil Patchett, (NP), Boat Industry Association  
Nick Lester, (NL), Sealink Captain Cook Cruises  
Richard Cordwell, (RC), SH Attractions  
Sam Moran, (SM), OTSI  
Scott Kelly, (SK), NSW Police MAC

Apologies Rosemary Donley (RD), TFNSW SER Strategy & Policy

Guests Dave Hopper, (DH), Principal Manager Dredging - Maritime  
Tatiana Nasoufi, (TN), DCV Safety Maritime

Welcome, Apologies, Acknowledgment of Country

Conflict of Interest Declarations

- Nil conflict raised by any member

Approval of minutes from previous meeting

- Approved by members

## **Items for Discussion**

### **Item 1: NSW Coastal Dredging Strategy - DH**

- The Maritime Infrastructure Delivery Office (MIDO) is responsible for delivering the dredging program.
- There is limited funding available which includes a stimulus package and a grants program.
- Priorities are determined by the dredging strategy, customer feedback and the strategic plan developed by the Centre for Maritime Safety.
- A business case has been developed for funding the ongoing dredging program and we are awaiting approval. Clarification is being sought regarding the source of funding.
- Areas to be dredged are determined by stakeholder feedback and hydrographic surveys.

### **Item 2: NSW DCV Overview - SNI**

- AMSA and TfNSW work under a service level agreement to provide compliance and enforcement services on AMSA's behalf in NSW.
- 216 detailed and 117 safety interactions since 1 July 2023.
- A total of 653 deficiencies were found.
- 51 reviews of safety management systems and stability information systems used by contractors by TfNSW have been completed to date.
- All drug and alcohol reports have been submitted.
- Bar crossing applications – 19 licenses issued from 19 applications.
- Authorised Training Providers – 13 audits have been completed.
- Technical Compliance Officers continue to provide technical advice and carry out inspections on vessels that are considered high risk or end of life.
- A member of SNI's team is a member of the Technical Committee of Industry Skills Australia which is involved in updating the training packages for Marine Order 505.
- A naval architect in SNI's team is on the working on the review of the small craft design standard - Australian Standard 1799.
- Two state-wide campaigns – fire safety and education regarding the Marine Pollution Act.
- Compliance approach to Coxswain 3 – there is still an educative position. Any operators are still operating under Exemption 38 are being assisted to obtain to correct certification.

### Item 3: Policy and Legislation Overview - MJ

- More information can be found on the Transport for NSW website at this link - [Sewage Pollution Prevention for DCVs | Transport for NSW](#)
- No regulatory impact statement was completed for the SPPC. The Parliamentary Council's Office advised that this was not required.
- SNI has been discussing potentially transitional vessels with AMSA. All that is required is that a marine surveyor certifies that the changes don't affect the stability of the vessel. A plan of management can be put in place to mitigate the installation of a smaller tank.
- The numbers of vessels affected has yet to be confirmed.
- Fully functioning pump-out facilities are required to enable people to comply with the new regulations. HC advised that the MIDO team are working on this issue. The facilities are often not working because an operator has discharged prohibited substances. Please take care of them.
- HC advised that the regulations around what can be discharged have not changed. It is still prohibited to discharge oily water.
- HC – does not expect there is an appetite to prepare an impact statement for pollution regulations post commencement. Maritime is happy with the measures put in place to assist vessels in becoming compliant. Maritime will be educating and encouraging operators in the first instance.
- IB mentioned there are concerns from operators. HC stated that we are happy to work with operators and AMSA when necessary.
- NP stated that a state-wide approach to pump-out facilities is required.
- NL stated that prompt communications will help operators become compliant. SNI added that all vessel operators will be contacted to advise them what they can expect.
- Guidelines for best practice for system specifications will be produced.
- SNI advised that Maritime to be doing the inspections and issuing certificates. There is also the provision for the regulation for private enterprise to be appointed inspectors which allows for some flexibility in how the scheme can be run.
- HC – recreational boats are not part of the scheme. It's an offence for them to discharge raw sewerage and all reports will be investigated.

### Item 4: Waterways Update - ND

- Increased opportunities for commercial vessel bookings during Vivid including King Street 3 and Casino wharves.
- Well done to the Wharf Assets team for scheduling maintenance around Vivid while minimising the impact on commercial vessels.
- Noise from commercial vessels – there have been significant improvements. A noise abatement notice was issued over the Easter long weekend.

- Summary of major events now the boating season has finished.
  - 5 major events
  - 21 hours of exclusions zones across 62 hours of event duration. This involved tasking 195 vessels across the 5 events to support the event exclusion zones.
- NL – raised the issue of maintenance at Manly Wharf and Clifton Gardens wharf. ND - Clifton gardens is not a Maritime asset, it a Mosman Council asset. ND – is unaware of any changes to the current Manly Wharf maintenance plan. The activities of teenagers at Manly Wharf to be discussed between both NL and ND offline.

#### **Item 5: AMSA Update - SR**

- No report

#### **Item 6: OTSI Update - SM**

- Collision at the Commissioner's Steps in Sydney Cove. There are many hazards Sydney Cove and lessons have been learnt. Communication is crucial.
- Collision with the Rhodes – the master miscalculated the drafts and clearance in an unfamiliar area and lost the steering light. The lesson is to stop and consider potential risks and conduct risk assessments.
- Emerald class systemic steering issue. Please assess maintenance practices with the aim of identifying systemic issues.
- Children overboard incident at Riverview – the investigation is nearly completed. The assistance from the operator has been much appreciated.

#### **Item 7: NSW Police MAC Update – GC and SK**

- Noise complaints - it's been a very good year with very few breaches. MAC is working with Liquor and Gaming and Maritime
- MAC is taking a more formal approach issuing noise abatement directions rather than warnings. This allows for more legislative power and creates better records.
- HO – noise complaints are subjective and depend on weather conditions and the tolerance of people affected. Operators are trying to do the right thing. Perhaps an offline meeting including the people who complain and Liquor and Gaming might help.

#### **Item 8: Long Term Strategy for Berthing of Commercial Vessels in Sydney Harbour - SN**

- Preliminary analysis has commenced. Industry feedback is welcome in developing the strategy.
- MJ – hopefully will have more information by the next meeting. The challenges are well understood.

#### **Any Other Business - Chair**

- IB – asked about an update on mooring minders. HC suggested a quick update at next meeting.

- NL asked for an update on Glebe Island Bridge. The wooden fender has gone, there is just the bridge which has rotten pylons. This is a concern for the larger charter vessels who are concerned about a potential accident.
- Historically CVAG had a 10-15 minute slot for industry updates. HC to consider the best way of organizing industry updates.
- There has been an amalgamation of the Commercial Vessel Association into the AMEX super yacht group. The idea is to provide industry with a greater consultative and communications framework.
- HC welcomed Brent Warhurst.
- NP - the BIA also represents Class 4 DCVs. It is good to get the news that AMSA is looking at the parameters of Coxswain 3 vessel length. The SMS review is also welcome.

**Next meeting 2 August 2024 – All - Sydney International Convention Centre Darling Harbour - room E3.4**