

APPENDICES

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APPENDICES

1. Changes to the Marine Legislation

The following changes to the Marine Legislation occurred during the year:

Date	Legislation	Action
24 Sep 04	<i>Water Traffic Regulations</i>	Amendment to fees
24 Sep 04	<i>Commercial Vessels (Certificates of Competency and Safety Manning) Regulations</i>	Amendment to fees
24 Sep 04	<i>Commercial Vessels (Load Lines) Regulations</i>	Amendment to fees
24 Sep 04	<i>Commercial Vessels (Permits) Regulations</i>	Amendment to fees
24 Sep 04	<i>Management of Waters and Waterside Lands Regulations</i>	Amendment to fees
19 Nov 04	<i>Marine Safety Regulation 2003</i>	Amended by the <i>Marine Safety Amendment (Transitional) Regulation 2004</i> by inserting a new regulation concerning references to marine safety licences
13 May 05	<i>Ports Corporatisation and Waterways Management Act 1995</i>	Definitions amended by the <i>Marine Safety (Random Breath Testing) Act 2005</i>
13 May 05	<i>Marine Safety Act 1998</i>	Amended by the <i>Marine Safety (Random Breath Testing) Act 2005</i>
27 June 05	<i>Marine Safety Act 1998</i>	Amended by the <i>Transport Legislation Amendment (Waterfall Rail Inquiry Recommendations) Act 2005</i> .

Subordinate Legislation Act

There were no departures from obligations under the *Subordinate Legislation Act 1989*.

2. Freedom of Information

Freedom of Information Contact

All Freedom of Information (FOI) matters pertaining to NSW Maritime are handled by:

The Legal Manager/Freedom of Information Coordinator
NSW Maritime
Locked Bag 5100
CAMPERDOWN NSW 1450

Phone: (02) 9563 8648

The Freedom of Information Coordinator may be contacted between the hours of 8.30am and 4.30pm, Monday to Friday to obtain or inspect copies of documents held by NSW Maritime which are the subject of an FOI application.

Freedom of Information Statistics

The following statistics have been prepared in relation to FOI applications received in the period 1 July 2004 to 30 June 2005. Statistics for the previous financial year are in brackets.

SECTION A

FOI Requests	Personal	Other	Total
A1. New (including transferred in)	4 (5)	29 (52)	33 (57)
A2. Brought forward	0 (0)	5 (5)	5 (5)
A3. Total to be processed	4 (5)	34 (57)	38 (62)
A4. Completed	4 (5)	33 (44)	37 (49)
A5. Transferred out	0 (0)	0 (1)	0 (1)
A6. Withdrawn	0 (0)	0 (5)	0 (5)
A7. Total processed	4 (5)	33 (44)	37 (49)
A8. Unfinished (carried forward)	0 (0)	1 (7)	1 (7)

SECTION B

Result of FOI Requests	Personal	Other	Total
B1. Granted in full	2 (0)	13 (14)	15 (14)
B2. Granted in part	2 (5)	11 (26)	13 (31)
B3. Refused	0 (0)	9 (4)	9 (4)
B4. Deferred	0 (0)	0 (0)	0 (0)
B5. Completed	4 (5)	33 (44)	37 (49)

SECTION C

	Personal	Other	Total
C1. Ministerial Certificates issued	0	0	0

SECTION D

	Personal	Other	Total
D1. Number of requests requiring formal consultation	0	4	4

SECTION E

Result of Amendment Request	Personal	Other	Total
E1. Result of amendment – agreed	0	0	0
E2. Result of amendment – refused	0	0	0
E3. Totals	0	0	0

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SECTION F

	Personal	Other	Total
F1. Number of requests for notation	0	0	0

SECTION G

Basis of Disallowing or Restricting Access	Personal	Other
G1. Section 19 (Application incomplete, wrongly directed)	0 (0)	0 (1)
G2. Section 22 (3) (Deposit not paid)	0 (0)	1 (2)
G3. Section 22 (1) (Diversion of resources)	0 (0)	2 (1)
G4. Section 25 (1) (a) (Exempt)	2 (0)	17 (21)
G5. Section 25 (1) (b) (c) (d) (Otherwise available)	0 (0)	0 (0)
G6. Section 28 (1) (Documents not held)	0 (0)	0 (1)
G7. Section 24 (2) (Deemed refused over 21 days)	0 (0)	0 (0)
G8. Section 31 (4) (Released medical practitioner)	0 (0)	0 (0)
G9. Totals	2 (0)	20 (26)

SECTION H

	Fees Received	Costs Assessed	Costs Received
H1. All completed requests	\$810.00	\$2,593.40	\$1,753.40

SECTION I

Discounts Allowed	Personal	Other
I1. Public interest	0	0
I2. Financial hardship (Pensioner/child)	0	1
I3. Financial hardship - Non profit organisation	0	1
I4. Totals	0	2
I5. Significant correction of personal records	0	0

SECTION J

Days to process	Personal	Other
J1. 0 - 21 days	2 (3)	21 (28)
J2. 22 - 35 days	2 (1)	8 (14)
J3. Over 35 days	0 (1)	4 (2)
J4. Totals	4 (5)	33 (44)

SECTION K

Processing Time	Personal	Other
K1. 0 – 10 hours	3 (4)	31 (30)
K2. 11 – 20 hours	1 (1)	2 (14)
K3. 21 – 40 hours	0 (0)	0 (0)
K4. Over 40 hours	0 (0)	0 (0)
K5. Totals	4 (5)	33 (44)

SECTION L

Reviews and Appeals	Personal	Other
L1. Number of internal reviews finalised	1	1
L2. Number of Ombudsman's reviews finalised	1	1
L3. Number of District Court appeals finalised	NA	NA

Grounds of Internal Review Results	Personal		Other	
	Decision Upheld	Decision Varied	Decision Upheld	Decision Varied
L4. Access refused	0 (0)	0 (0)	0 (4)	0 (2)
L5. Deferred	0 (0)	0 (0)	0 (0)	0 (0)
L6. Exempt matter	0 (0)	1 (0)	0 (0)	1 (0)
L7. Unreasonable charges	0 (0)	0 (0)	0 (0)	0 (0)
L8. Changes unreasonably incurred	0 (0)	0 (0)	0 (0)	0 (0)
L9. Amendment refused	0 (0)	0 (0)	0(0)	0 (0)
L10. Totals	0 (0)	1 (0)	0 (4)	1 (2)

3. Legal Information

Prosecutions conducted

NSW Maritime dealt with 70 breaches of the marine legislation by way of court attendance notice action in various local courts.

4. Publications

Customer and stakeholder newsletter

Maritimes – published as a printed newsletter. An electronic version is available on the Internet and sent through email.

Boating safety and education information

- Boating Handbook

Safety and educational pamphlets entitled:

Brochures & Fliers

- Alcohol and water don't mix
- Aquatic licence
- Be bright – be safe at night

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- Boatcode agents
- Boating on Iron Cove
- Boating safety certificate
- Boatcode built-in security for your boat
- Boats 'n' bars – a safety guide
- Boatsmart – boats and alcohol caution
- Boatsmart from the start – know when to wear your lifejacket
- Buying or registering a vessel
- Carbon monoxide
- Change of contact details
- Determining the length of your vessel
- Don't make waves
- Easy pay (telephone payments)
- Go easy on the drink
- Hypothermia
- Keep your boat afloat
- Leave only water in your wake
- Mooring licence conditions
- Navigation lights
- Noise annoys
- Pittwater no wash zone
- Proof of identity
- Safety equipment checklist
- Sailboarding in the waters of Sydney Harbour
- Ski safe to be safe
- Small craft safety
- Some people go overboard – overloading boats
- Take charge of your discharge
- Take charge of your discharge on Lake Macquarie
- Take note when hiring a boat
- Traffic co-ordination on Parramatta River
- Traffic separation on Middle Harbour
- Wash your boat
- What to know before you tow

Posters

- Always check the weather before and during boating
- Boatsmart from the start – know when to wear your lifejacket
- Boat suitability – know the wind and wave limits
- Capsize is a major contributor to boating fatalities

- Excessive wash can cause nuisance, annoyance or danger
- Go easy on the drink
- Keep carbon monoxide levels at a minimum and prevent poisoning
- Lifejackets compulsory when crossing bars
- Make sure when towing that it is safe
- Preserve the aquatic environment for future generations

Stickers

- Bar crossing
- Bin your butts
- Boatsmart from the start – know when to wear your lifejacket
- Bow riding
- Capacity plate
 - Under 6 metres
 - Over 6 metres
 - Flybridge
 - Inflatable
- Drowning is uncool
- Go easy on the drink
- Hypothermia – cold water kills
- Kids in boats
- Navigation rules
- Ride smart – PWC behaviour
- Row smart
- Safe boating buoyage system
- Safe boating navigation marks
- Safety check
- Safety check – offshore
- Water-ski hand signals
- Whale watching

Information Publications and Maps

- Waterways Authority 2003–2004 Annual Report (also available on compact disc)
- NSW Maritime corporate plan – moving forward 2005–06
- Sydney Harbour aquatic events
- NSW tide tables 2004–2005
- Maritime Infrastructure Program – your boating fees at work
- Waterproof boating maps – your guide to safe navigation of NSW coastal and inland waterways – 30 different maps – \$5.00 Each

- Waterproof coastal maps – your guide to safe offshore navigation – 7 different maps – \$5.00 each.

Audio Visual

- Boat Smart – a compilation DVD of four short boating safety films.

5. Consultants

During the year, three consultancies were engaged in the following areas:

Engineering – \$9,328

Environment – \$34,057

Total – \$43,385

There were no individual consultancies equal to or greater than \$30,000.

6. Overseas Visits

4 – 13 July 2005

Officer – Zenon Michniewicz – GM MPAD

Destination – Lisbon, Portugal

Reason – Present paper at 9th International Conference Cities and Ports.

The cost of Mr Michniewicz's visit was \$10,605.23.

3 – 5 August 2004

Officer – Ravindra Pendharkar – ship surveyor

Destination – Kaohsiung, Taiwan

Reason – Survey inspection of vessel under construction.

The cost of Mr Pendharkar's visit was paid for by the client.

7. Significant Committees

External

Australia and New Zealand Safe Boating Education Group – *Ed Kwanten*

Australian Maritime Group – *Chris Oxenbould, Tony Middleton*

Botany Bay Coastal Management Committee – *Persephone Rougellis*

Commercial Vessels Advisory Group – *John Dikkenberg (Chair), Tony Pengilly, Trevor Williams*

CEO Forum Planning Committee – *Chris Oxenbould*

CEO Network Committee – *Chris Oxenbould*

CEO Counter Terrorism Coordination Group – *Chris Oxenbould*

Department of Infrastructure, Planning & Natural Resources – Sydney Harbour Executive – *Zenon Michniewicz*

DEC (National Parks) – Sydney Harbour Advisory Committee – *Zenon Michniewicz*

East Darling Harbour Taskforce – *Chris Oxenbould*

Foreshores & Waterways Planning and Development Advisory Committee – *Persephone Rougellis (Chair), Ruth Frettingham, Geoff Smith (Secretary)*

National Marine Safety Committee – *Chris Oxenbould, Tony Middleton*

NSW National Plan Executive Committee – *Chris Oxenbould, Tony Middleton*

National Plan Management Committee – *Chris Oxenbould, Tony Middleton*

NSW Water Safety Taskforce – *Brett Moore*

Port of Newcastle South Arm Dredging Steering Committee – *Paul Robinson (Chair), Bill Thomson*

Recreational Vessels Advisory Group – *Brett Moore, Ed Kwanten*

Sharing Sydney Harbour Access Program – Grants Committee – *Zenon Michniewicz – Independent Assessment Panel – Terry Young*

Sydney Harbour Maritime Forum – *Fergus McPherson, Persephone Rougellis*

Transport Services Functional Area Committee – *Brett Moore*

Transport Regulation Executive Committee – *Chris Oxenbould, Tony Middleton*

NSW Maritime Council – *Chris Oxenbould, Brett Moore, Tony Middleton, Zenon Michniewicz, John Dikkenberg, Jill Saffron (Secretary)*

Internal

Executive Management Committee – *Chris Oxenbould, Brett Moore, Tony Middleton, Brian Stanwell, John Dikkenberg, Zenon Michniewicz*

Audit Committee – *Brian Stanwell (Chair), Chris Oxenbould, Brett Moore, Tony Middleton, John Dikkenberg, Zenon Michniewicz, Sue Ohanian, Lay Ying Chu*

Education Committee – *Ed Kwanten (Chair), Deb Andreatta, Rob Moldovan, Phil Howe, Peter Baker, Penny Robins, Mitch Holland, Gary Wells, Neil Patchett*

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Occupational Health & Safety Workplace Committees:

Field Operations OH&S Committee:

Employee (OH&S) Representatives – *Jacqueline Argles* – Chairperson (Commercial Vessels & Assets Management), *Catherine Smith* (Sydney Region), *Carl Cormack & Warwick Scott* (North Region), *Darryl Lennox* (Broken Bay), *Ken D’Cruz* (Commercial Vessels), *Julie Kittely* (Murray Inland), *John Thompson* (Hunter Inland), *Peter Weston* (South), *Lee Anne Stanford* (Botany Bay/Port Hacking)

Employer Representative – *Stephen Brown* (Operations Supervisor – Sydney Region)

Rozelle Bay OH&S Committee

Employee (OH&S) Representatives – *Ken D’Cruz* – Chairperson, *Catherine Smith*, *Pat Luafalealo*, *James Thompson*, *Susan Norbom*, *David Power*

Employer Representative – *Dennis Buttigieg*

Environmental Services OH&S Committee

Employee (OH&S) Representatives – *Harry Parker* – Chairperson, *W Cartner*, *David Downey*, *John Cody*, *Paul Skimmings*, *Fred Eckford*

Employer Representative – *Leslie Brix-Nielsen*

Maritime Property Division OH&S Committee

Employee (OH&S) Representatives – *Theo Poulos* – Chairperson, *Suzanne Harris*

Employer Representative – *Michael Freeland*

Note: Vic Brunetti – is an ex-officio member of all OH&S Committees and acts in an advisory capacity

Product Management Committee – *Ed Kwanten* (Chair), *Trevor Williams*, *Steve Black*, *Charlie Dunkley*, *Scott Kidd*, *Craig Whitmore*, *Graham Dunlavy*, *Gary Wells*, *Deb Andreatta*, *Neil Patchett*

Signage Committee – *Steve Harop* (Chair), *Paul Lowbridge*, *Andy Robertson*, *Paul Scurry*

WADAMP Assessment Committee – *Brett Moore* (Chair), *Terry Young* (Secretary), *Peter Maunder*, *Paul Robinson*, a Boating Industry Association representative, a Local Government Association representative.

Committees Established

Aid to Navigation (ATON) Working Group is a national group chaired by the Australian Maritime Safety Authority and including all port corporations and maritime safety jurisdictions that was formed to create and standardise a national database for all navigation aids in Australia.

Committees Abolished

Towra Beach Steering Committee.

8. NSW Maritime Council

NSW Maritime’s peak advisory body changed its name from the Waterways Authority Council in September 2004 to reflect the agency’s name change.

The Council provided a wide strategic view on maritime issues and meets quarterly. This year the Council provided advice from a key stakeholder perspective on the commercial lease policy, crewing requirements on commercial vessels, the introduction of an annual boating safety award, the Maritime Infrastructure Program and boating safety. Members are:

Chris Oxenbould
Chair

John Barbouttis – since 1 June 2005
Commodore, Royal Motor Yacht Club

Marcus Blackmore
Chair, Industry Advisory Committee to the National Marine Safety Committee

Allan Blake
Managing Director, Blake’s Marine

David Cribb
Chief Executive, NSW Charter Vessel Association

Kay Cottee – since February 2005
Managing Director, Sailous

Vanessa Dudley – since February 2005
Editor, *Australian Sailing Magazine*

Jeff d’Albora – since 1 June 2005
Director, Dalcop Pty Ltd

Bruce Schumacher
Chairman, Advisory Council on Recreational Fishing

Retired Members

Ian Kiernan – Retired November 2004
Chair, Clean Up Australia

Ian McAndrew – Retired May 2005
President, Boating Industry Association of NSW, Managing Director, Australia Marina Management Pty Ltd, Director Australian Marine Industries Federation, Director Marina Association of Australia, Member of National Marine Safety Committee (Industry Advisory Panel)

Hugh Shanks – Retired May 2005
Director, Clontarf Marina

9. Grants to Non-Government Community Organisations

Excluding GST, the following grants were made to the Volunteer Marine Rescue Council of NSW for distribution during 2004-2005:

Association		Grant
Total Funding made available:		674,016.00
Volunteer Rescue Association		84,518.00
Replacement Cat 3 Vessel at Camden Haven Sea Rescue	57,972.00	
SARcc upgrade Point Danger Marine Rescue	2,416.00	
Base level funding for 10 units @ \$2,413	24,130.00	
Australian Volunteer Coast Guard		121,834.00
Replacement Cat 2 Vessel at Port Hacking	53,143.00	
Replacement Cat 2 Vessel at Port Jackson	53,143.00	
SARcc upgrade Port Kembla	4,252.00	
SARcc upgrade Swansea	4,252.00	
MRB upgrade Port Stephens	2,348.00	
MRB upgrade South Head	2,348.00	
MRB upgrade Solander	2,348.00	
Royal Volunteer Coastal Patrol		165,649.00
Replacement Cat 2 Vessel at Sussex Inlet	60,000.00	
Replacement Cat 2 Vessel at Ulladulla	25,000.00	
Replacement Cat 3 Vessel at Sydney	60,000.00	
SARcc upgrade Forster	3,000.00	
SARcc upgrade Coffs Harbour	3,000.00	
Base level funding for 6 units @ \$2,000	12,000.00	
Base level funding for 1 unit @ \$2,649	2,649.00	
Operational Support Funds provided by the State Government:		250,000.00
Royal Volunteer Coastal Patrol	111,353.00	
Australian Volunteer Coast Guard	81,878.00	
Volunteer Rescue Association (Marine)	56,769.00	
Funds received in 2004-2005 and to be redistributed in 2005-2006		52,015.00
		674,016.00

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A total of 88 applications were received for Waterways Asset Development and Management Program (WADAMP) funding. Grants totalling \$1,871,868 were approved for 52 projects to government and non-government organisations (NGO). Grants to NGO included the following:

Applicant	Project Name	Estimated Cost	WADAMP Grant
Wentworth Services Angling Club	Renew existing boat ramp, Wentworth - Murray River	\$10,810	\$5,405
Tareelario Weir Reserve Trust	Upgrade launching facilities Tareelario Weir, Gwydir River	\$14,000	\$7,000
Moree Plains Shire Council For Pallamallawa Fishing Club	Pallamallawa Access Ramp - Gwydir River	\$8,785	\$ 4,385
Narrabri Shire Council & Narrabri Amateur Fishing Club	Concrete Boat Ramp, Cameron Park - Narrabri Creek	\$30,000	\$15,000
Kuring-gai Motor Yacht Club	Pumpout Facility and Tanker Bay, Cottage Point	\$67,960	\$10,000
Middle Harbour Yacht Club	Installation of public sewage pumpout	\$35,613	\$10,000
Lane Cove 12 Foot Sailing Skiff Club	Improve skiff ramp for public access at Longueville	\$55,000	\$20,000

10. Guarantee of Service

NSW Maritime sets internal customer service standards in relation to customer transactions, responses to client submissions, and the quality of information and educational material provided. Through education, appropriate staffing and the review and refinement of business processes, NSW Maritime is continually reviewing areas for improvement.

11. Privacy and Personal Information Protection Act 1998

In accordance with the requirements of the *Privacy and Personal Information Protection Act 1998*, NSW Maritime prepared and implemented a Privacy Management Plan. NSW Maritime has received one complaint alleging that it has contravened the Privacy Act and, pursuant to Part 5 of the Privacy Act, a review was underway.

NSW Maritime applies all its responsibilities under the Privacy Act and makes every effort to disclose the following to its customers:

- The uses that will be made of any personal information they provide by way of details on application forms and proof of identity documents
- The use of personal information as provided for under the Privacy Act.

12. Number of Employees by Category and Comparison to the Previous 2 Years

	June 2003	June 2004	June 2005
SES	5.00	4.00	7.00
Senior Officer	0	2.00	1.00
Recreational Boating	187.00	185.39	145.51
Corporate Services	63.00	40.42	41.48
Policy & Business Improvement	16.00	16.00	N/A
Commercial Vessels & Asset Management	N/A	N/A	31.93
Maritime Property	31.00	53.19	45.72
Shipping, Security & Environment	N/A	*4.00	28.73
NMSC Secretariate	3.00	N/A	N/A
Ministerial & Executive Unit/Office of the Chief Executive	N/A	4.00	8.6
	305.00	309.00	309.97

Note: A restructure of the organisation in September 2004 resulted in changes to the composition of some Divisions. Some comparative figures are therefore not available. This table lists positions filled as at June 2005.

N/A – not applicable

* Shipping Safety Unit only

13. Senior Executive Service

Chief and Senior Executive Service positions at each level	June 2003	June 2004	June 2005
8	0	0	0
7	0	0	0
6	0	0	1
5	1	0	0
4	0	1	0
3	1	2	3
2	2	3	3
1	2	0	0
Number of SES positions filled by women:	June 2003	June 2004	June 2005
	0	0	0

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14. Chief Executive Performance Statement

Name: Chris Oxenbould

Position: Chief Executive

Position Level: SES 6

Period in the Position: 1 July 2004 to 30 June 2005

Remuneration Package (including allowances): \$322,300 pa

Mr Oxenbould was initially appointed as the Acting Chief Executive on 19 January 2004 and directed by the Minister for Transport Services to conduct a review of the Waterways Authority. The review's recommendations were endorsed by Government in July 2004.

On completion of the review the Minister assessed Mr Oxenbould's performance and recommended his permanent appointment as Chief Executive for five years from 1 October 2004.

Mr Oxenbould's main achievements in 2004–2005 have included the implementation of the review's recommendations and increasing NSW Maritime's financial distribution to Treasury by \$6.6 million following internal efficiencies and improved property management. He has overseen all of NSW Maritime's other achievements and has been responsible for its performance.

15. Community Affairs – Ethnic Affairs Priority Statement

ACHIEVEMENTS FOR 2005–2006

Action	Responsible Officer	Implementation date	Performance indicator
Development of additional CD ROM training module with multi-cultural diversity topics as part of a self learning and self assessment program	Manager Learning and Development	December 2005	Second module completed that includes cultural diversity and discrimination topics
Assessment of the need at specific offices for information to be provided in languages other than English	Regional Manager Sydney	June 2005	Assessment undertaken and recommendation made

16. Equal Employment Opportunity (EEO) Statistics

A. TRENDS IN THE REPRESENTATION OF EEO GROUPS

EEO Group	Benchmark or Target	% of Total Staff			
		2002	2003	2004	2005
Women	50%	36%	38%	39%	41%
Aboriginal people and Torres Strait Islanders	2%			1.7%	1.5%
People whose first language was not English	20%	11%	12%	11%	12%
People with a disability	12%	9%	9%	9%	6%
People with a disability requiring work-related adjustment	7%	4.2%	4.0%	4.3%	3.3%

B. TRENDS IN THE DISTRIBUTION OF EEO GROUPS

EEO Group	Benchmark or Target	Distribution Index			
		2002	2003	2004	2005
Women	100	84	83	77	77
Aboriginal people and Torres Strait Islanders	100			N/A	N/A
People whose first language was not English	100	111	107	109	110
People with a disability	100	100	95	98	108
People with a disability requiring work-related adjustment	100				N/A

Notes:

1. Staff numbers are as at 30 June.
2. Excludes casual staff
3. A Distribution Index of 100 indicates that the centre of the distribution of the EEO group across salary levels is equivalent to that of other staff. Values less than 100 mean that the EEO group tends to be more concentrated at lower salary levels than is the case for other staff. The more pronounced this tendency is, the lower the index will be. In some cases the index may be more than 100, indicating that the EEO group is less concentrated at lower salary levels. The Distribution Index is automatically calculated by the software provided by ODEOPE.
4. The Distribution Index is not calculated where EEO group or non-EEO group numbers are less than 20.

17. Land Register

NSW Maritime continued to provide details of land that is vested in, owned, occupied or controlled by it for inclusion in a central database – the Government Property Register (GPR). The database is the single source of whole-of-government property data and NSW Maritime submits information in accordance with Section 17 of the *Annual Reports (Statutory Bodies) Act 1984*.

18. Property Disposals

During the year, two properties were sold or divested for a total of \$5700. These included the transfer of 36 hectares of land at Brooklyn to the National Parks & Wildlife Service for addition to the Ku-ring-gai National Park and the transfer of 600m² of foreshore at Camp Cove to Woollahra Municipal Council.

The Chief Executive approved all sales. There were no family or business connections between any purchaser and the Chief Executive. The proceeds of all sales were incorporated into the operating surplus and forwarded as distribution payments to the NSW Treasury.

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19. Asset Acquisition

Expenditure in the Recreational Boating, Commercial Vessels and Assets, Shipping Safety and Environment, and Corporate Services Divisions totalled \$4.8 million on minor capital works acquisitions comprising:

- Upgrade of 122 lights with LED technology and 45 buoys using plastic designs
- New signage that conforms to international standards as part of ongoing replacement program
- Upgrade, replacement and new placements of navigation aids
- Replacement of 11 patrol vessels and five personal watercraft
- Refurbishment of six patrol vessels

- Purchase of 43 outboard engines
- Upgrade of network hardware and desktop computers
- Improvement of mooring facilities for patrol boats (South West Rocks)
- Refurbishment of regional offices (Wollongong and Newcastle)
- Continued motor vehicle replacements.

Expenditure in the Maritime Property Division for the year totalled \$10.59 million, which was just below the 2004–2005 budget of \$10.66 million due mainly to longer than expected approval periods for key projects such as the Manly Wharf refurbishment and the Port of Eden cargo storage area.

COMPLETED WORKS – MAJOR PROJECTS

Project	Description	2004–2005 cost	Total project cost	Completion date
Dawes Point seawall	Restoration of Dawes Point seawall and heritage handrail	\$2.47M	\$2.91M	Dec 2004

WORK-IN-PROGRESS – MAJOR PROJECTS

Project	Description	2004–2005 cost	Estimated total cost	Estimated date of completion
Walsh Bay redevelopment	Reconstruction of Pier 2/3, and project management	\$6.31M	\$24.83M*	Jun 2006
Rozelle Bay infrastructure development	Design of re-directed James Craig Rd and fees relating to the provision of maritime infrastructure by NSW Maritime and the private sector	\$0.57M	\$5.50M	Jun 2006
Manly Wharf upgrading	Refurbishment and enhancement of Manly Wharf to improve functionality for commuters	\$0.29M	\$10.00M	Feb 2007
Yamba tug berth	New pontoon berth for port's tug and BSO vessel	\$0.25M	\$0.30M	Jul 2005
East Circular Quay wharf	Development application and design of new pontoon wharf	\$0.08M	\$2.40M	Dec 2006
Eden multi-purpose wharf	Design and negotiations for cargo storage area	\$0.07M	\$4.00M	Dec 2005

*Total NSW Maritime contribution to Walsh Bay redevelopment

Major maintenance expenses for the year included:

- Maintenance of Sydney Harbour and Newcastle wharves and jetties owned by NSW Maritime and the Ministry of Transport – \$1.2 million
- Towra Beach restoration – \$1.01 million
- Work associated with the proposed remediation of Homebush Bay – \$0.29 million.

20. Energy Management

As a result of the relatively warmer summer experienced during 2004–2005, energy use for the common area of 207 Kent Street increased by 7.5 per cent.

Total energy usage at all other NSW Maritime sites was 1,430,582 kilowatt hours; 4.6% lower than 2003–2004. Total energy usage at the Rozelle Bay office was 1,009,412 kilowatt hours; 1.8% lower than 2003–2004.

21. Heritage Assets

NSW Maritime maintains a Heritage and Conservation Register for the Sydney Region, which was prepared in accordance with the *Heritage Act 1977*.

Lessees are responsible for maintaining properties on 99-year leases while the remaining properties are managed by NSW Maritime and administered according to guidelines pending their sale or adaptive re-use. The properties are managed to a reasonable standard of weatherproofing, fire protection and

security and, whenever possible, they are tenanted. At 30 June 2005, all heritage properties managed by NSW Maritime were tenanted.

A heritage assessment of the 1883 Abbotsford Boatshed concluded that its current usage as an operating boatshed and boat hire business should be maintained.

22. Waste Reduction and Purchasing Plan/Recycling

Approximately 21 tonnes of paper and 7.2 tonnes of cardboard were collected and recycled from NSW Maritime's offices.

23. Contracting and Market Testing Policy

All contracts for the engagement of external contractors and/ or consultants are undertaken in accordance with government guidelines.

24. Account Payment Performance

NSW MARITIME – Consolidated

PAYMENT PERFORMANCE REPORT 2004/2005

Schedule of Accounts Payable	Reporting on Payment of Accounts									
	Sep-04	%	Dec-04	%	Mar-05	%	Jun-05	%	Total	%
Current within due date (no)	3,544	88	3,438	82	3,566	87	3,391	83	13,939	85
<30 days overdue	430	11	648	15	399	10	546	13	2,023	12
31–60 days overdue	34	1	56	1	64	2	82	2	236	1
61–90 days overdue	9	0	23	1	22		25		79	0
>90 days overdue	14	0	22	1	29	1	27	1	92	1
Total payable	4,031		4,187		4,080		4,071		16,369	
Accounts paid per quarter	Sep-04	%	Dec-04	%	Mar-05	%	Jun-05	%	Total	%
% of accounts paid on time		88		82		87		83		85
Total amount of accounts paid on time (\$)	19,081,417		16,391,481		55,803,003		28,638,811		119,914,712	
Total amount of accounts paid (\$)	22,832,290		19,912,856		77,888,647		32,008,830		152,642,622	
% of amounts paid on time		84		82		72		89		79

APPENDICES

25. Investment Performance

Throughout the year, NSW Maritime placed funds in three NSW Treasury Corporation Hour Glass investment facilities – Cash Facility, Medium Term Growth Facility and Bond Market Facility.

NSW Maritime retains funds for the following purposes:

- Payment of operating distributions to the NSW Treasury (1 August and 1 December each year)
- Progress payments on major projects (Walsh Bay, Eden, Homebush Bay, Towra Point)
- Cash backing for employee entitlements (annual leave, long service leave)
- Bonds against completion of certain stages of major projects (King Street Wharf)
- Sundry security deposits from developers, lessees and clients
- Progress payments for the NSW Maritime Infrastructure Program
- Cash backing for the pre-30 June 1995 workers compensation and dust and diseases provisions
- Boating fees received in advance (second and third year of three year licences).

Returns from the individual Hour Glass investment facilities were:

NSW Treasury Corporation Benchmark

	2004	2005
Cash Facility	5.59%	5.64%
Bond Market Facility	6.95%	7.09%
Medium Term	9.24%	8.93%
Growth Facility		

26. Debt Management Performance

NSW Maritime's major external debt is for the sub-lease of the Maritime Trade Towers, 207 Kent Street Sydney, which is being repaid over 25 years. The 2004–2005 principal payment of \$2.338 million was repaid in March 2005 and the outstanding balance is \$14.750 million.

27. Ministerials

Ministerial communication is created through an inquiry or complaint directly to the Minister for Ports and Waterways or through another Member of Parliament. There were 687 items of Ministerial correspondence for the year which included 79 items in relation to major ports matters.

28. Research and Development

A marine sediment database has been developed and incorporated on NSW Maritime's GIS system. It is proving to be a useful tool for managing contaminated sediments and their remediation in Sydney Harbour. The database continues to be updated as new information becomes available.

29. MSB Residual Responsibilities

The liability for the repealed Maritime Services Board (MSB) Workers' Compensation Self Insurer's Scheme is vested with NSW Maritime. This responsibility entails managing existing and future workers' compensation claims lodged with the scheme, which operated from 1 July 1989 to 30 June 1995 after which the MSB ceased to operate.

During 2004–2005, the total of weekly benefits paid to claimants and payments to service providers continued a decreasing trend to \$0.118 million, as compared to \$0.135 million for the previous year.

There were 19 active claims outstanding at 30 June 2005, four less than the previous period. The estimated cost of these claims has been set at \$1.95 million. However, based on actuarial advice and allowing for future developments, a provision of \$2.02 million has been set aside. This amount provides for the management of uncertainties inherent in the estimation of liabilities for current and future projected claims.

Following the repeal of the MSB self-insurer licence, a total cost of \$9.01 million has been incurred to date. This amount covers weekly benefits, lump sum payments, provider fees and legal costs.

30. Glossary and Acronyms

Definitions

Bar – ‘bar’, ‘river bar’ and ‘coastal bar’ describe a ridge or lip of sand, gravel or rock that extends across the mouth of a river or bay and forms an obstacle in terms of reduced water depth and/or breaking waves that impede safe navigation.

Commercial vessel – any vessel used in connection with any business or commercial activity, principally for carrying passengers or cargo for hire or reward, or providing service to vessels for reward.

Hire and Drive – a business involving the temporary hiring out of a vessel through a hiring agreement or transaction which involves the use of a vessel by the public on specific terms.

Irregular riding – driving a PWC in a circle or patten, weaving or diverting, or purposefully surfing down or jumping over or across any swell wave or wash, but does not include any necessary turns and diversions.

Marine Ministerial Holding Corporation (MMHC) – entity established under the Ports Corporatisation and Waterways Management Act as the legal owner of the assets and liabilities of the former Maritime Services Board of NSW that had not been transferred to either of the Newcastle, Port Kembla or Sydney Ports Corporations or the Waterways Authority, for example the harbour beds of those ports. During 1999–2000 all MMHC assets and liabilities were transferred to the Waterways Authority and on 29 June 2000 the MMHC was dissolved.

Navigable waters – all waters that are from time to time capable of navigation and are open or used by the public for navigation, whether upon payment of a fee or otherwise.

Personal watercraft (PWC) – a power-driven vessel that has a fully enclosed hull, does not retain water taken on if it capsizes and is designed to be operated by a person standing, sitting astride or kneeling but not seated within the vessel.

Recreational vessel – a vessel which is not used for, or in connection with, a commercial purpose.

Safety compliance – the level of safe navigation compliance achieved by the recreation and commercial boating public. The compliance rate is calculated as:

$$\frac{\text{number of vessels not issued with infringements and formal warnings}}{\text{number of vessels checked.}}$$

One vessel check could result in multiple infringements or formal warnings issued.

Wetland – all land and seabed located below a defined level called the Mean High Water Mark which is 1.48 metres above the zero of the Fort Denison Tide Gauge.

Acronyms

BSO	Boating Service Officer
CPI	Consumer Price Index
CSO	Customer Service Officer
GIS	Geographic Information System
GPS	Global Positioning System
IGLS	Integrated Graphical Leasing System
MRB	Marine Radio Base
MSB	Maritime Services Board of NSW
NMSC	National Marine Safety Committee
PWC	Personal watercraft
RIB	Rigid Inflatable Boat
SARcc	Search and Rescue Coordination Centre
SEDA	Sustainable Energy Development Authority
SHOC	Sydney Harbour Operations Centre
SREP	State Regional Environmental Plan
WAC	Waterways Authority Council
WADAMP	Waterways Asset Development and Management Program
WALROS	Waterways Authority Licensing and Registration Online System
WAPAG	Waterways Authority Policy Advisory Group

31. Annual Report Availability and Costs

The Annual Report is available in a printed format, as a compact disc and online at www.maritime.nsw.gov.au
The total production cost was \$33,286 representing a saving of almost \$5,000 on 2003–2004.

CONTACT INFORMATION

SYDNEY REGION

Office	Address	Phone/Fax	Opening Times
Rozelle Bay	James Craig Road Rozelle Bay 2039 Locked Bag 5100 Camperdown NSW 1450	Ph: (02) 9563 8511 Fx: (02) 9563 8530	Monday – Friday 8:30am – 4:30pm
Sydney	Level 6 Veritas House Maritime Trade Towers 207 Kent Street Sydney NSW 2000	Ph: (02) 9241 6307 Fx: (02) 9241 3663	Monday – Friday 8:30am – 4:30pm

HAWKESBURY/BROKEN BAY REGION

Hornsby	4 Bridge Road Hornsby NSW 2077	Ph: (02) 9477 6600 Fx: (02) 9477 3418	Monday – Friday 8:30am – 4:30pm
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NORTH COAST REGION

Coffs Harbour	Bay 2 14 Isles Drive Coffs Harbour NSW 2450	Ph: (02) 6651 3400 Fx: (02) 6651 3529	Monday – Friday 8:30am – 4:30pm
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HUNTER/INLAND REGION

Newcastle	8 Cowper Street South Carrington NSW 2294	Ph: (02) 4940 0198 Fx: (02) 4940 0995	Monday – Friday 8:30am – 4:30pm
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SOUTH COAST REGION

Wollongong	Unit 5 Cnr Kembla & Beach Streets Wollongong NSW 2500	Ph: (02) 4227 3644 Fx: (02) 4226 1452	Monday – Friday 8:30am – 4:30pm
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MURRAY/INLAND REGION

Albury	440 Swift Street Albury NSW 2640	Ph: (02) 6021 7188 Fx: (02) 6041 2668	Monday – Friday 8:30am – 4:30pm
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MARITIME PROPERTY AND ASSETS DIVISION

Port of Eden	Main Jetty Snug Cove Eden NSW 2551	Ph: (02) 6496 4600 Fx: (02) 6496 4611	Monday – Friday 8:30am – 4:00pm
Port of Yamba	Shop 1 Yamba Marina 3 Yamba Rd Yamba NSW 2464	Ph: (02) 6646 1852 Fx: (02) 6646 9270	Monday – Friday 8:30am – 4:00pm

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