

DRAFT MINUTES

Maritime Advisory Council

Date	Friday 11 December 2015	
Time	9:30am to 12:30pm	
Venue	Media Room, Level 9, 101 Miller St North Sydney	
Chairperson	Darren Vaux	
Attendees	<p>The Hon. Duncan Gay, Minister for Roads, Maritime and Freight</p> <p>Members</p> <p>Kay Cottee (Deputy Chair)</p> <p>Alan Blake</p> <p>Lawrie McEnally</p> <p>John Barbouttis</p> <p>David Edwards</p> <p>Ian Ford</p> <p>Brett Moore</p>	<p>Invited Advisors</p> <p>Adrian Toovey, Office of the Minister for Roads, Maritime & Freight</p> <p>Angus Mitchell, RMS</p> <p>Michael Drake, TfNSW</p> <p>Greer Banyer, TfNSW, Secretary</p>
Apologies	Jan Thurgar	

1.	Welcome and Apologies (Minister, Chair)
1.1	<p>The Chair welcomed attendees and gave Jan Thurgar's apologies due to work commitments.</p> <p>The Minister for Roads, Maritime and Freight welcomed and acknowledged Members. The Minister briefly mentioned key issues including the success of the current lifejacket campaign and continuing to be conscious of a balance between messaging and fun, the ongoing delivery of the Boating NOW program with major projects progressing well and investigation of ways to fund smaller projects underway, maritime events over Christmas, the continuing watch on the Bays precinct to ensure the government's intent is realised with White Bay and Glebe Island protected as a working Harbour until 2022 and 2025 respectively. The Minister acknowledged PWCs issues in southern Sydney and the behaviour of a small component of users encroaching on the enjoyment of other waterway users and that further action will be taken.</p>
2.	Confirmation of Agenda and Declaration of Conflicts of Interests (Chair)
2.1	<p>The Chair confirmed the Agenda with members.</p> <p>The Chair declared his involvement in the Wentworth Point Marina facilities.</p> <p>No other issue raised by a member was considered to be a conflict of interest.</p>

3.	Minutes from MAC meeting – 30 June 2015 (Chair)
3.1	<p>The Chair presented the Minutes of the 30 June 2015 MAC meeting.</p> <p>Kay Cottee moved and Lawrie McEnally seconded the adoption of the Minutes. The Minutes of the 30 June 2015 MAC meeting were confirmed as a true and correct record.</p>
4.	Actions arising from MAC meeting – 30 June 2015 (Chair)
4.1	<p>The Chair noted progress on Actions arising from the 30 June 2015 MAC meeting.</p> <p><u>Item 4.1</u> – Maritime Infrastructure Maintenance (TfNSW) - Michael Drake confirmed that asset owners are responsible for the maintenance of maritime infrastructure and the Boat Facility Guidelines have been produced which is provided to proponents under Boating Now and includes maintenance advice. Routine maintenance is not eligible for funding under Boating Now but funding can include recurring maintenance of a new piece of infrastructure. There is a \$5 million fund for emergency maintenance under Boating Now to get infrastructure back to operational function. TfNSW has no legal or contractual power to enforce maintenance.</p> <p><u>Item 5.2</u> – Marine Safety Regulation (TfNSW) Compulsory registrations for all vessels has been considered however instead TfNSW is working to quantify who is on the water without any training or licence. Once there is a greater understanding of waterway users, education can be better targeted. An update to be provided at next meeting.</p> <p>Angus Mitchell confirmed that entitlement to a general boat licence is reflected on current PWC licences.</p> <p><u>Item 5.4</u> – Maritime Advisory Groups (TfNSW) – complete see Item 6.5.</p> <p><u>Item 5.5</u> – Maritime Stakeholder Forum – need proper flow of information to this group. Angus Mitchell confirmed that by the new year 11 properly formed councils to report in alignment with the regional boating plan areas.</p> <p><u>Item 8.1</u> – Lifejackets and Rockfishing (TfNSW/RMS) - MAC wrote to the Premier. The Minister informed that Council that a cabinet minute on this issue has been reformed to reflect the feelings of this group. Michael Drake updated the Council that the Lifejacket upgrade has started visiting areas in Western Sydney where rockfishers live. Fisheries officers will also attend these sessions and lifejackets will be promoted to rockfishers and boaters. Lawrie McEnally mentioned that he has personally seen changes and rockfishers are starting to wear lifejackets and is hopeful there will be attitudinal change as there has been in boating.</p> <p><u>Item 9.1</u> – Government Radio Network</p> <p>Angus Mitchell advised that the network is limited by its coverage not by the availability of units. There is reasonable coverage in the Sydney metropolitan area but stops half way up the coast. RMS is investigation other technological solutions.</p>
5	RMS Items on Notice
5.1	<p>RMS Updates (Angus Mitchell)</p> <p>Structural changes have been made at RMS - 5 branches: Boating operations (no changes), Statewide Coordination (investigations, specialised BSOs/MSECT and educators), Commercial vessel survey and certification (transition into AMSA model and some staff will be lost), Operational policy and geospatial services, Boating Infrastructure (new branch concentrating on Boating Now initiatives). All managers located at Rozelle with staff throughout the state.</p> <p>RMS has five floors at Miller St and there is a government initiative to move out of CBD and move to buildings that RMS own so that there is more money for frontline delivery. The Rozelle office is being renovated to accommodate more staff. Some waterways fund money is being used.</p> <p>Broad maritime goals - Aligning to broad government direction with the need to constantly show that all Maritime functions should continue to be consolidated. The goals are</p>

	<ul style="list-style-type: none"> • Increasing safety and compliance; • Improving access to waterways; • Reducing marine pollution and impact if boating on the environment; • Enhancing customer satisfaction and relationships with key stakeholders including increasing electronic approvals; • Increase staff capability and roll out activity based working (ABW); and • Increase efficiency including investigation of connectivity throughout the state so that BSOs get more on water time. <p><u>New reporting hotline</u> - A new statewide hotline will be operational next year for the public to report incidents and negative behaviours and this will link to staff on the water to better target compliance and enforcement. Hotline will be manned by Maritime staff. This will provide date to better inform operations and policy development.</p>
5.2	<p><u>Review of high speed on-water racing events in NSW waters</u></p> <p>As read. No questions.</p>
6	<p>Transport for NSW Items on Notice (Michael Drake)</p>
6.1	<p><u>TfNSW updates</u></p> <p>Michael Drake advised that the functions previously performed by the MMC are now distributed through TfNSW. The former Boating Safety, now Port and Maritime Policy team into Transport Policy under the Executive Director, Anthony Wing and the former Waterways Access and Reform, reports into National Policy and Priority Initiatives under the Executive Director Natalie Pelham. Howard Glenn has left TfNSW and is now the National CEO of BIA. Ian Ford asked about the new TfNSW structure.</p> <p>Action: Michael Drake will send the new TfNSW organisational structure to MAC members out of session.</p> <p><u>Infrastructure</u> - Andrew Mogg has been working very hard on Clarence Plan and has engaged a group to look at ways to combat erosion. Williams River report has been delayed due to flooding in the area. Crown Lands is leading work on slipways.</p> <p>The Moorings Review is progressing including innovative solutions and is being lead by TfNSW. MAC members asked whether Maritime will keep control of moorings. Angus Mitchell advised that as a part of the review, alternative management solutions for moorings including mooring minders will be investigated however Maritime will always have oversight and is conscious that they need to continually prove that they are the best organisation to manage moorings. MAC members cautioned Councils managing moorings and the existing file should be looked at.</p> <p>Council members voiced their concerns about houseboats and hire and drive issues with moorings has created some conflicts this year – what are the business owners telling people hiring vessels. Michael Drake encouraged MAC to contact him or Angus Mitchell about specific issues.</p> <p>Action: Angus Mitchell will write to hire and drive operators about their obligations regarding moorings.</p> <p><u>Boat recycling</u> – the issue of derelict boats was briefly discussed.</p> <p>Action: The Chair will draft a paper regarding recycling options for boats for the next MAC meeting.</p> <p><u>Boat trailer parking</u> - Under new legislation introduced in August 2015, boat trailers will now need to be moved after 28 days or will then subject to impounding act. Councils investigating how to enact these powers.</p> <p><u>Marine Estate Management Authority (MEMA)</u> - TfNSW is a member of MEMA. They have finalised threatened risk assessment for Hawkesbury Shelf region and will be put out for comment early in the new year. TfNSW acknowledges there are some threats to the environment but there are opportunities to economic and social benefits. The Chair encouraged maintaining the emphasis on economic and social benefits. Michael Drake and Adrian Toovey confirmed that this will be done.</p> <p>Action: Project team members from the Office of Environment and Heritage will be asked to give a</p>

	presentation on the Hawkesbury Shelf Marine Bioregion Assessment at the next MAC meeting.
6.2	<p><u>Marine Safety Regulation update</u> Introduction due after 2015/2016 boating season</p>
6.3	<p><u>Lifejacket Awareness Campaign</u> Michael Drake provided information on lifejacket awareness campaign which is the main boating safety campaign. There are increases in lifejacket wear rates shown by observational study. Ad campaign has changed from 'Never ruined a day on the Water' to 'Don't Risk your life'. Boaters have acknowledged they are aware that they should wear a lifejacket but they don't and so have expressed the need for stronger messaging. New ads focus on the target demographic. The Chair expressed his concern about the negativity of the campaign. Michael Drake emphasised this is one element and the other messaging is still out there. This ad has been specifically targeted to the actual demographic and is based on results from focus group research. Lawrie McEnally has exemption 40 for his vessel and suggests monitoring of this as people have to wear a lifejacket and see what happens with these people. Action: Michael Drake will provide figures of non-boater opinion on lifejacket wear to the Chair.</p>
6.4	<p><u>Maritime Medal Review</u> Advice from the Council was sought as to whether the award should be annual and whether the ceremony could be conducted at an existing event. This year's winners were featured in their own local newspapers however there was no widespread media coverage. The Chair and the Council as a whole see value in the award which has broad spectrum acknowledgement in the industry but doesn't see a separate event as necessary. The Sydney International Boat Show breakfast was suggested as an event which could incorporate the awards ceremony. It was noted that Alan Barrett, BIA has agreed with this idea in principle. Kay Cottee encouraged the advertising of the nominations regionally as well to reflect the intent of the award. Action: TfNSW will explore options for an annual award and ceremony combined with boat show breakfast or an event related to the show. This will discussed with the BIA.</p>
6.5	<p><u>Reports from Advisory Groups</u> As read Ian Ford enquired if MAC members can attend Advisory Group meetings. TfNSW advised that there is good representation currently within CVAG noting that AMSA is be administering the national system.</p>
6.5 A- D	<p><u>Minutes from Advisory Groups</u> As read</p>
6.5 E	<p><u>Rhodes Wharf proposed construction</u> Michael Drake reported RVAG requested this issue be raised with MAC. The location of the proposed wharf is just to the west of existing rail bridge. Rowing NSW concerned due to the popularity of this waterway to rowers and became aware of this issue in Sept 2015 as they were not initially indentified as stakeholders. The length of the wharf is due to the tidal and shallow nature of the waterway and forces rowers into the centre of the channel which Rowing NSW considers unsafe. RVAG are concerned about two issues with the proposed wharf:</p> <ul style="list-style-type: none"> • The impact on river and • That this may be the first stage of banning of recreational craft on this area of the river. <p>Angus Mitchell reported that RMS responsible for building the ferry wharf and understand the needs of rowers but the reality is that there are competing needs and there will be an impact on rowers. He emphasised that there is no intention to ban recreational boating in this area but there will be a need for</p>

	<p>recreational boaters to mitigate the potential safety issues.</p> <p>The Minister asked the Council to note that the wharf has been moved 30m to the west.</p> <p>The Council noted the referral of the issues from RVAG acknowledges there is ongoing dialogue between RMS and Rowers.</p> <p>Action: The MAC to be informed of any progress with the project.</p>
6.5 F	<p><u>MPAG report on SHREP</u></p> <p>Due to RMS concerns with SHREP, former Director General of the Department of Planning, Mr Sam Haddad has been engaged to review current planning arrangements and his report recommended that the SHREP be repealed and replaced. RMS is pushing for the SHREP to be replaced with a new merit based planning instrument.</p> <p>The Chair noted that a state environment planning policy about developments on land water interface to support recreation and light commercial boating is needed. Currently outcomes are delayed and poor.</p>
7	Technical and Standing Items
7.1	<p>Maritime Incident report (Michael Drake)</p> <p>16 fatalities not 17 last year due to one being attributed to a medical condition rather than a boating related fatality.</p> <p>Overall fatal incidents and serious incidents have reduced although they are volatile. The most common demographic is middle age men in small boats.</p> <p>Cold water shock may have contributed to one of the fatalities. Education about cold water will start to focus on 1-10-1 principle used in North America.</p> <p>Michael Drake noted the number of close quarters incidents on Sydney Harbour as raised by Lawrie McEnally.</p> <p>Kayaking and paddlecraft represent around 30% of fatalities in Vic and sits around 10% in NSW and we are trying to tap into the paddle network to understand who they are and to target education. The Chair noted the increase in ownership of inflatable SUPs that go on boats and could lead to increased incidents. Michael Drake confirmed the definition of a vessel as currently legislated does not include SUPs.</p> <p>Kay Cottee questioned how far off the coast NSW powers extend. Michael Drake confirmed that state waters extend to 3 nm off the coast plus Lord Howe Island.</p> <p>Brett Moore noted that there is still a lot of work to do given the number of fatalities and serious incidents.</p> <p>Members noted the update on the Maritime Incident report.</p>
7.2	<p>Waterways Fund Expenditure (Angus Mitchell)</p> <p>Costs \$80 million to deliver Maritime Services. There is some difficulty in forecasting revenue. \$141.8 cash and investments at 1 July 2015.</p> <p>The Chair emphasised that the MAC will do whatever it can to support the continued use of the expenditure.</p> <p>Peter Duncan and the Minister are supportive of the fund and its use by Maritime.</p> <p>Motion: Lawrie McEnally forwarded and Kay Cottee seconded the MAC acknowledging RMS for the presentation of the report. Members noted the importance of maintaining independent control of the Waterways Fund through RMS as it is essential for the ongoing safety and maintenance of infrastructure.</p>
8.	MAC Members' Items on notice (Members)
8.1	<p><u>PWCs on Sydney Harbour</u></p> <p>Alan Blake and the Chair raised the issue but given the behavioural issues happening currently this will be flagged as a matter for ongoing discussion. Council members recognised that there could be issues with a</p>

	<p>distinct group if they were reintroduced to Sydney Harbour. Angus Mitchell confirms this would be true and given that the harbour is so busy with so many residents it would be unlikely that the rules be changed. He is supportive of options being explored if the correct resources and compliance officers were available. Michael Drake noted that the presence of these types of vessels in groups on a waterway can be upsetting to residents and other waterway users just by their presence.</p> <p>Ian Ford raised that PWCs are an issue with ferries on Georges River and this would be a significant concern on Sydney Harbour. There is continuing resistance of residents but increasing numbers of PWCs. David Edwards supports exploring whether there may be a place for PWCs somewhere on the Harbour.</p> <p>Action: This issue to be discussed regularly at MAC meetings</p>
8.2	<p><u>Marine Pilotage exemptions</u></p> <p>Ian Ford asked if there will be a blanket exemption for pilotage on recreational vessels which was discussed in 2012. Michael Drake informed the MAC that current pilotage requirements are in the Marine Safety Act. Blanket exemption for recreational vessels needs to be looked at. TfNSW is consulting with harbour masters around Australia and WA example of case by case is attractive as a risk based approach.</p> <p>Action: TfNSW will report back about exemption investigation at the next MAC meeting.</p> <p>Action: Angus Mitchell will seek advice as to why there is no pilot on Yamba.</p>
9.	Other Business
9.1	<p><u>Marine Rescue NSW State Funding Expenditure Review</u></p> <p>Angus Mitchell reported on the Marine Rescue NSW Internal audit – all expenditure tested meets the definitions of allowable expenditure with some minor amendments and money is being spent in accordance with their current remit. The Chair said that agreement was very broad and Angus Mitchell acknowledged that these need to be tightened prior to the next agreement. Fundraising monies don't match capital expenditure and also needs to be tightened up. No issues with headquarters funding. No issues with allocation of funds and 50% of funds were allocated to capital expenditure in 2013/14. Angus Mitchell will provide the review findings when able.</p> <p>MAC members requested further information about the level of funding required for MRNSW services to continue.</p> <p>The MAC seeks future input into setting the level of funding, negotiating the terms and determining the expected outcomes.</p> <p>Motion: The MAC endorsed support for Angus Mitchell and requested to be part of the process of determining the terms of further funding.</p> <p>Action: Report on Marine Rescue Funding to be presented at next MAC meeting.</p>
9.2	<p><u>Boating Education Officers</u></p> <p>Kay Cottee complemented the work of Boating Education Officers and the new reporting hotline.</p>
9.3	<p><u>Glebe Island Bridge</u></p> <p>Bays Precinct Advisory Group have raised the issue of the opening and closure of the Glebe Island Bridge. DV recognises this as a significant issue with the operation of recreational and commercial vessels. To maintain operation of the bay a new solution may be needed.</p> <p>Action: Include on MAC Agenda item for next meeting.</p>
9.4	<p><u>Lifejackets</u></p> <p>Lawrie McEnally reported that local fishing groups are wearing auto-inflate lifejackets but there is push back from local fishing groups to replace CO₂ bottles as they are \$40 to replace. Michael Drake said there are some recharge kits for around \$20. Now the focus is on service and maintenance and the van will be selling recharge kits.</p>

9.5	<p><u>MAC secretariat</u></p> <p>Brett Moore proposed to thank David Surplice for his time in support of the MAC. This was seconded by the whole Council.</p>
9.6	<p><u>AMSA Regulation</u></p> <p>The Chair noted ongoing issues with interpretation of AMSA Regulation in relation to small tender boats etc. Angus Mitchell agreed that a way forward is needed. TfNSW and RMS met with AMSA, BIAA and BIA. Alan Blake will raise this with Howard Glenn to progress.</p>
9.7	<p><u>Houseboats</u></p> <p>The Chair asked what is the current situation with houseboats and live aboards? There is a need for review due to the changing nature of boats and people's behaviour and there is no way of enforcing the regulation.</p> <p>Action: Michael Drake will circulate the paper from RVAG.</p>
10.	<p>Next Meeting – The next meeting of the MAC will be in April 2016. Date and location TBC.</p>
<p>END - The meeting closed at 12:30pm</p>	

Actions arising from Maritime Advisory Council meeting 11 December 2015

	Action	Responsible/ Due Date
1.	6.1 - TfNSW updates Action: Michael Drake will send the new TfNSW organisational structure to MAC members out of session.	TfNSW/next MAC meeting
2.	6.1 - TfNSW updates – Hire and drive operators Action: Angus Mitchell will write to hire and drive operators about their obligations regarding moorings.	RMS/out of session
3.	6.1 - TfNSW updates – Boat recycling Action: The Chair will draft a paper regarding recycling options for boats for the next MAC meeting.	Chair/next MAC meeting
4.	6.1 – TfNSW updates - Hawkesbury Shelf Marine Bioregion Assessment Action: Project team members from the Office of Environment and Heritage will be asked to give a presentation on the Hawkesbury Shelf Marine Bioregion Assessment to the MAC.	TfNSW/OEH Completed 23/03/16
5.	6.1 - TfNSW updates – Lifejacket Awareness Campaign Action: Michael Drake will provide figures of non-boater opinion on lifejacket wear to the Chair.	TfNSW/ see Item 6.2
6.	6.4 - TfNSW updates – Maritime Medal Review Action: TfNSW will explore options for an annual award and ceremony combined with boat show breakfast or an event related to the show. This will be discussed with BIA.	TfNSW/ see item 6.5
7.	6.5E - TfNSW updates – Rhodes Wharf proposed construction Action: The MAC to be informed of any progress with the project.	As required
8.	8.1 - PWCs on Sydney Harbour Action: This issue to be discussed regularly at MAC meetings.	As required
9.	8.2 - Marine Pilotage exemptions Action: TfNSW will report back about exemption investigation at the next MAC meeting. Action: Angus Mitchell will seek advice as to why there is no pilot on Yamba.	TfNSW & RMS/next MAC meeting
10.	9.1 - Marine Rescue NSW State Funding Expenditure Review Action: Report on Marine Rescue Funding to be presented at next MAC meeting.	RMS/next MAC meeting
11.	9.3 - Glebe Island Bridge Action: Include on MAC Agenda item for next meeting.	TfNSW/ See Item 8.2
12.	9.7 - Houseboats Action: Michael Drake will circulate the paper from RVAG.	TfNSW/ see Item 7.2