

Appendices

NSW Maritime employees participate in Business Clean Up Australia Day, 2006.



1. LEGISLATION

During 2005–2006, the Maritime Authority of NSW administered or operated under the following legislation:

Navigation Act 1901

Maritime Services Act 1935

Marine Pilotage Licensing Act 1971

Commercial Vessels Act 1979

Marine Pollution Act 1987

Marine Safety Act 1998

Marine Safety Legislation (Lakes Hume and Mulwala) Act 2001

Ports Corporatisation and Waterways Management Act 1995.

The Marine Safety Act 1998 is partially proclaimed. When fully proclaimed it will repeal and replace the *Navigation Act*, *Maritime Services Act*, *Marine Pilotage Licensing Act* and *Commercial Vessels Act* and all regulations under those Acts.

Regulatory Amendments

There were a number of amendments made to the Marine Legislation this year (see Table under the heading ‘Changes to the Marine Legislation’).

Subordinate Legislation Act

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

Changes to Legislation

The following changes to marine legislation occurred during the year:

DATE	LEGISLATION	ACTION
1 July 2005	<i>Marine Pilotage Licensing Act 1971</i>	Amendment to the definition of ‘Director General’
30 September 2005	<i>Maritime Services Act 1935</i>	Change to section 30C consequent on the commencement of <i>Road Transport (General) Act 2005</i>
1 October 2005	<i>Water Traffic Regulations</i>	Amendment to fees
1 October 2005	<i>Commercial Vessels (Certificates of Competency and Safety Manning) Regulations</i>	Amendment to fees
1 October 2005	<i>Commercial Vessels (Load Lines) Regulations</i>	Amendment to fees
1 October 2005	<i>Commercial Vessels (Permits) Regulations</i>	Amendment to fees
1 October 2005	<i>Management of Waters and Waterside Lands Regulations</i>	Amendment to fees
24 November 2005	<i>Marine Safety Act 1998</i>	Amendment to Schedule 1 by inserting changes to the breath testing procedures
17 March 2006	<i>Ports Corporatisation and Waterways Management Act 1995</i>	Changes caused by <i>Public Sector Employment Legislation Amendment Act 2006</i> allowing regulations concerning certain staff and the removal of the function of employing staff
5 May 2006	<i>Ports Corporatisation and Waterways Management Regulations 2002</i>	Change to definition of ‘marine legislation’ in <i>Ports Corporatisation and Waterways Management Act 1995</i>
20 June 2006	<i>Ports Corporatisation and Waterways Management Act 1995</i>	Change of name of Waterways Authority to Maritime Authority of NSW
20 June 2006	<i>Marine Safety Act 1998</i>	Changes consequent on the change of name of Waterways Authority to Maritime Authority of NSW
20 June 2006	<i>Marine Safety Legislation (Lakes Hume & Mulwala) Act 2001</i>	Changes consequent on the change of name of Waterways Authority to Maritime Authority of NSW
30 June 2006	<i>Ports Corporatisation and Waterways Management Regulation 2002</i>	Changes to the boundary of Port Kembla

Appendices

2. FREEDOM OF INFORMATION

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 were prepared in relation to Freedom of Information applications received for the year:

SECTION A

FOI REQUESTS		PERSONAL	OTHER	TOTAL
A1.	New (including transferred in)	3	33	36
A2.	Brought forward	0	1	1
A3.	Total to be processed	3	34	37
A4.	Completed	3	30	33
A5.	Transferred out	0	0	0
A6.	Withdrawn	0	3	3
A7.	Total processed	3	34	37
A8.	Unfinished (carried forward)	0	4	4

SECTION B

RESULT OF FOI REQUESTS		PERSONAL	OTHER	TOTAL
B1.	Granted in full	2	17	19
B2.	Granted in part	1	7	8
B3.	Refused	0	3	3
B4.	Deferred	0	0	0
B5.	Completed	3	27	30

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	3	3

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

SECTION F

		PERSONAL	OTHER	TOTAL
F1.	Number of requests for notation	0	0	0

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SECTION G

BASIS OF DISALLOWING OR RESTRICTING ACCESS		PERSONAL	OTHER
G1.	Section 19 (Application incomplete, wrongly directed)	0	0
G2.	Section 22(3) (Deposit not paid)	0	0
G3.	Section 22(1) (Diversion of resources)	0	3
G4.	Section 25(1)(a) (Exempt)	1	7
G5.	Section 25(1) (b) (c) (d) (Otherwise available)	0	0
G6.	Section 28(1) (Documents not held)	0	1
G7.	Section 24 (2) (Deemed refused over 21 days)	0	0
G8.	Section 31(4) (Released medical practitioner)	0	0
G9.	Totals	1	11

SECTION H

		FEES RECEIVED	COSTS ASSESSED	COSTS RECEIVED
H1.	All completed requests	\$1050.00	\$840.00	\$840.00

SECTION I

DISCOUNTS ALLOWED		PERSONAL	OTHER
I1.	Public interest	0	0
I2.	Financial hardship (pensioner/child)	0	2
I3.	Financial hardship – not-for-profit org	0	0
I4.	Totals	0	2
I5.	Significant correction of personal records	0	0

SECTION J

DAYS TO PROCESS		PERSONAL	OTHER
J1.	0 – 21 days	0	10
J2.	22 – 35 days	1	8
J3.	Over 35 days	2	9
J4.	Totals	3	27

SECTION K

PROCESSING TIME		PERSONAL	OTHER
K1.	0 – 10 hours	0	21
K2.	11 – 20 hours	3	4
K3.	21 – 40 hours	0	2
K4.	Over 40 hours	0	0
K5.	Totals	3	27

SECTION L

REVIEWS AND APPEALS		PERSONAL	OTHER
L1.	Number of internal reviews finalised		1
L2.	Number of Ombudsman's reviews finalised	NA	NA
L3.	Number of District Court appeals finalised	NA	NA

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GROUNDS OF INTERNAL REVIEW RESULTS		PERSONAL		OTHER	
		DECISION UPHELD	DECISION VARIED	DECISION UPHELD	DECISION VARIED
L4.	Access refused	0	0	1	0
L5.	Deferred	0	0	0	0
L6.	Exempt matter	0	0	0	0
L7.	Unreasonable charges	0	0	0	0
L8.	Changes unreasonably incurred	0	0	0	0
L9.	Amendment refused	0	0	0	0
L10.	Totals	0	0	1	0

FREEDOM OF INFORMATION STATISTICAL COMPARISONS

FOI REQUESTS	PERSONAL		OTHER		TOTAL	
	2004-2005	2005-2006	2004-2005	2005-2006	2004-2005	2005-2006
New (including transferred in)	4	3	29	33	33	36
Brought forward (incomplete requests from previous year)	0	0	5	1	5	1
Total to process	4	3	34	34	38	37
Completed	4	3	33	27	37	30
Transferred out	0	0	0	0	0	0
Withdrawn	0	0	0	3	0	3
Total processed	4	3	33	30	37	33
Unfinished (carried forward)	0		1	4	1	4

RESULTS OF FOI REQUESTS	PERSONAL		OTHER		
	2004-2005	2005-2006	2004-2005	2005-2006	
Grant in full		2	2	13	17
Grant in part		2	1	11	7
Refused		0	0	9	3
Deferred		0	0	0	0
Completed		4	3	33	27

BASIS OF DISALLOWING OR RESTRICTING ACCESS	PERSONAL		OTHER	
	2004-2005	2005-2006	2004-2005	2005-2006
Section 19 (application incomplete, wrongly directed)	0	0	0	0
Section 22 (deposit not paid)	0	0	1	0
Section 25 (1) (a1) unreasonable diversion of resources)	0	0	2	3
Section 25 (1) (a) (exempt)	2	1	17	7
Section 25 (1) (b), (b1), (c), (d) (otherwise available)	0	0	0	0
Section 28 (1) (b) (documents not held)	0	0	0	1
Section 24 (2) (deemed refused, over 21 days)	0	0	0	0
Section 31 (4) (released to medical practitioner)	0	0	0	0
Totals	2	1	20	11

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DAYS TO PROCESS	PERSONAL		OTHER	
	2004-2005	2005-2006	2004-2005	2005-2006
0-21	2	0	21	10
22-35	2	1	8	8
Over 35	0	2	4	9
Over 21(out of time)	0	0	0	0
Over 35 (out of time)	0	0	0	0
Totals	4	3	33	27

HOURS TO PROCESS	PERSONAL		OTHER	
	2004-2005	2005-2006	2004-2005	2005-2006
0-10	3	0	31	21
11-20	1	3	2	4
21-40	0	0	0	2
Over 40	0	0	0	0
Totals	4	3	33	27

TYPE OF DISCOUNT ALLOWED ON FEES CHARGED	PERSONAL		OTHER	
	2004-2005	2005-2006	2004-2005	2005-2006
Public interest	0	0	0	0
Financial hardship - pensioner/child	2	0	3	2
Financial hardship - non-profit organisation	0	0	2	0
Totals	2	0	5	2
Significant correction of personal records	0	0	0	0

GROUNDS ON WHICH INTERNAL REVIEW DETERMINED	PERSONAL				OTHER			
	UPHELD		VARIED		UPHELD		VARIED	
	2004-2005	2005-2006	2004-2005	2005-2006	2004-2005	2005-2006	2004-2005	2005-2006
Access refused	0	0	0	0	0	1	0	0
Deferred release	0	0	0	0	0	0	0	0
Exempt matter	0	0	0	0	1	0	0	0
Unreasonable estimate of charges	0	0	0	0	0	0	0	0
Charges unreasonably incurred	0	0	0	0	0	0	0	0
Amendment	0	0	0	0	0	0	0	0
Totals	0	0	0	0	1	1	0	0

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3. LEGAL INFORMATION

Prosecutions Conducted

During 2005–2006, NSW Maritime dealt with 64 breaches of the marine legislation by way of Court Attendance Notice action in various local courts statewide.

4. PUBLICATIONS

All publications are available free of charge unless noted otherwise and many are available on the Internet.

Customer and Stakeholder Newsletter

Maritimes is published as a printed newsletter and an electronic version is sent via the Internet and 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
- 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/Advisory Signs/Warning Signals/Remember
- 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

- NSW Maritime Annual Report (also available on compact disc)
- NSW Maritime Corporate Plan
- Sydney's Aquatic Events
- NSW Tide Tables
- Maritime Infrastructure Program – Your Boating Fees at Work
- Waterproof Boating Maps – Your guide to safe navigation of NSW coastal and inland waterways – 42 different maps (\$5 each)
- Waterproof Coastal Maps – Your guide to safe offshore navigation – 7 different maps (\$5 each).

Audio Visual

- Boat Smart – a compilation DVD of four short boating safety films (\$10 each).
- Big Ships Small Boats – a short film on boating safety in ports
- Ride Smart – a short film on PWC safety
- Boat Smart – a short film on the water traffic rules
- Blue Water Safety – a short film on bar crossings.

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5. CONSULTANTS

During 2005–2006 nine consultancies were engaged in the following areas:

Engineering	\$15,100
Planning	\$48,100
Environmental	\$4,900
Total consultancy costs	\$68,100

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

6. OVERSEAS VISITS

14 – 19 November 2005

Officer – Graeme Mugavin
– ship surveyor

Destination – Shenzhen, China

Reason – Survey of a 20 metre charter vessel under construction

The cost of Mr Mugavin's visit was paid for by the client, with the exception of \$91.00 which was the cost associated with his travel insurance.

7. SIGNIFICANT COMMITTEES

External:

- Australian Maritime Group – Chris Oxenbould, Tony Middleton
- CEO Counter Terrorism Coordination Group – Chris Oxenbould/Brett Moore
- CEO Network Committee – Chris Oxenbould/Brett Moore
- Commercial Vessels Advisory Group – John Dikkenberg, Tony Pengilly, Mike Traynor, Jack Hannan, Trevor Williams, Steve Brown, Craig Purdon, Chris Bolton
- East Darling Harbour Taskforce – Chris Oxenbould/Brett Moore
- Maritime Consultative Committee – Brian Stanwell (Chair), Sue Ohanian, Lynn Greenwood, Erin Campbell (ASU – Workplace representative), Michael Fleming (Australian Maritime Officer's Union), Jim Tosh (Australian Services Union), Paul Garrett (Maritime Union)
- National Marine Safety Committee – Chris Oxenbould/Brett Moore, Tony Middleton

- NSW Maritime Council – Chris Oxenbould, Brett Moore, Tony Middleton, John Dikkenberg, Stephen Montgomery, Jill Saffron (Secretary)
- NSW National Plan Executive Committee – Chris Oxenbould, Tony Middleton
- NSW Water Safety Advisory Council – Brett Moore
- Recreational Vessels Advisory Group – Brett Moore (Chair), Ed Kwanten, Carly Barton (Secretary)
- Sharing Sydney Harbour Access Program Grants Committee – Paul Robinson – Independent Assessment Panel – Terry Young
- State Emergency Management Committee – Chris Oxenbould/Brett Moore
- State Human Influenza Pandemic Taskforce – Tony Middleton, Shayne Wilde
- Transport Chief Executive Officer's Cluster Group – Chris Oxenbould/Brett Moore
- Transport Chief Executive Officer's Security Committee – Chris Oxenbould/Brett Moore
- Transport Regulators Executive Committee – Chris Oxenbould/Brett Moore, Tony Middleton
- Transport Services Functional Area Committee – Brett Moore

Internal:

- Audit Committee – Brian Stanwell (Chair), Chris Oxenbould, Brett Moore, Tony Middleton, John Dikkenberg, Steve Montgomery, Sue Ohanian, Lay Ying Chu
- Equity and Diversity Committee – Brian Stanwell (Chair), Sue Ohanian, Bahram Abedi, Robyn Scott-Smith, Jill Saffron, Tracey Lambert, Eileen Bell, Debra Ashley, Nola Dyball, Anna Sedlak, Carly Barton, Graham Forsaith, Chona Davidson, Ken D'Cruz, Steve Harop
- Executive Management Committee – Chris Oxenbould, Brett Moore, Tony Middleton, Stephen

Montgomery, John Dikkenberg, Brian Stanwell

- MIP Assessment Committee – John Dikkenberg (Chair), Lisa Robinson (Secretary) Brett Moore, Terry Young and Peter Maunder
- Risk Management Committee – Brian Stanwell (Chair), Debbie Andreatta, Lisa Robinson, Madeleine Strachov, Vic Brunetti, Warren Wilson, Suzanne Harris, Craig Purdon, Fran Rein, Wayne Chandler (GIO).

Committees Established

The Fishing Industry Advisory Group (FIAG) was established in 2005–2006 in response to the accident rate among commercial fishers.

8. NSW MARITIME COUNCIL

The Council provides NSW Maritime with a strategic perspective 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, boating safety and the inaugural NSW Maritime medal.

Chris Oxenbould/ Brett Moore
Chair

John Barboutis
Commodore, Royal Motor Yacht Club

Marcus Blackmore
Recreational boater

Allan Blake
Managing Director, Blake's Marine

David Cribb
Chief Executive, NSW Commercial Vessel Association

Kay Cottee
Managing Director, Sailaus

Vanessa Dudley
Editor, Australian Sailing magazine

Jeff d'Albora
Director, Dalcop Pty Ltd

Bruce Schumacher
Chairman, Advisory Council on Recreational Fishing

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9. GRANTS TO NON-GOVERNMENT COMMUNITY ORGANISATIONS

A total grant of \$1,240,300 was made to the Volunteer Marine Rescue Council of NSW in 2005–2006 for distribution during the year. This funding, together with \$52,015 redistributed from 2004–2005, was allocated to volunteer rescue agencies who submitted they would spend the money on:

ASSOCIATION		GRANT
Total funding available:		\$1,292,315
Volunteer Rescue Association		\$107,615
Replacement of Cat 2 vessel at Hawkesbury River	\$68,978	
SARcc communication upgrade at Point Danger	\$2,877	
Base level funding for 10 units @ \$2,874 per unit: Brunswick, Camden Haven, Nambucca, Narooma, Port Macquarie, Shoalhaven, Tuross, Tweed Coast, Woolli & Woolgoolga	\$28,740	
Contingency	\$7,020	
Australian Volunteer Coast Guard		\$155,192
Replacement Cat 2 vessel at Norah Head	\$61,938	
Replacement Cat 2 vessel at Terrigal	\$61,938	
SARcc communication upgrade Bermagui	\$7,883	
SARcc communication upgrade Kingscliff	\$7,883	
MRB communication upgrade Port Jackson	\$4,504	
MRB communication upgrade Evans Head	\$4,504	
MRB communications upgrade Ku-ring-gai	\$4,504	
Repeaters	\$2,038	
Royal Volunteer Coastal Patrol		\$211,060
Replacement Cat 3 vessel at Broken Bay	\$60,000	
Upgraded vessel at Newcastle	\$30,000	
New engines for vessels at Batemans Bay and Narooma	\$30,000	
Facilities upgrade Tuggerah Lakes	\$15,000	
Facilities upgrade in Sydney	\$9,060	
Communication upgrade at 5 units @ \$5,000 per unit	\$25,000	
Base level funding for 14 units @ \$3,000 per unit:	\$42,000	
Operational support funds provided by the State Government:		\$318,448
Royal Volunteer Coastal Patrol	\$141,836	
Australian Volunteer Coast Guard	\$104,292	
Volunteer Rescue Association (Marine)	\$72,320	
Competency based training funds		\$500,000
		\$1,292,315

A total of 79 applications were received for Maritime Infrastructure Program (MIP, formally WADAMP) and Sharing Sydney Harbour Access Plan (SSHAP) funding. Grants totalling \$1,753,604 were approved for 43 projects to government and non-government organisations (NGO) and an additional \$240,000 was allocated for a planned facility at Ballast Point. Grants to NGO included the following:

APPLICANT	PROJECT NAME	ESTIMATED COST	MIP GRANT
Myall Lakes Aquatic Club	Engle's Wharf rebuild	\$20,565	\$10,485
Belmont 16ft Sailing Club	Disabled access for Lake Macquarie	\$330,270	\$50,000
Cooks River Motor Boat Club	Cooks River Boat Jetty	\$110,000	\$55,000

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10. GUARANTEE OF SERVICE

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

11. PRIVACY AND PERSONAL INFORMATION PROTECTION ACT 1998

In accordance with the requirements of the *Privacy and Personal Information Protection Act 1998* (the Privacy Act), NSW Maritime has prepared and implemented a Privacy Management Plan.

In 2005–2006 NSW Maritime finalised a review under Part 5 of the Privacy Act as a complainant alleged that NSW Maritime had contravened the Privacy Act. Following the review, it was found that there had been no breaches of the Privacy Act. A report of the review findings was submitted to Privacy NSW and that agency

decided to accept the findings and not make any submissions in respect of those findings.

It is noted that NSW Maritime views its responsibilities under the Privacy Act seriously and makes every effort to clearly disclose the following:

- 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 THREE YEARS

Number of employees by category and comparison to the previous three years

	JUNE 2003	JUNE 2004	JUNE 2005	JUNE 2006
SES	5	4	7	7
Senior Officer	0	2	1	1
Recreational Boating	187	185.4	145.5	145.6
Corporate Services	63	40.4	41.5	42.8
Policy & Business Improvement	16	16	N/A	N/A
Commercial Vessels & Asset Management	N/A	N/A	31.93	35.49
Maritime Property	31	53.2	45.7	49.8
Shipping, Security & Environment	N/A	N/A	28.7	27.7
Office of the Chief Executive/Ministerial & Executive Unit/Public Affairs	N/A	4	8.6	14*
	302	309	310	323.4

* Figures includes both filled positions and an additional 3 staff replacing those on leave or secondment.

Note: A restructure of the organisation in September 2004 resulted in changes to the composition of some Divisions and consequently some comparative figures are not available.

13. SENIOR EXECUTIVE SERVICE

CHIEF AND SENIOR EXECUTIVE SERVICE POSITIONS AT EACH LEVEL	JUNE 2004	JUNE 2005	JUNE 2006
Level 8	0	0	0
Level 7	0	0	0
Level 6	0	1	1
Level 5	0	0	0
Level 4	1	0	0
Level 3	2	3	3
Level 2	3	3	3
Level 1	0	0	0
NUMBER OF SES POSITIONS FILLED BY WOMEN:	JUNE 2004	JUNE 2005	JUNE 2006
	0	0	0

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14. CHIEF EXECUTIVE'S PERFORMANCE STATEMENT

Name: Chris Oxenbould
Position: Chief Executive
Position Level: SES 6
Period in the Position: 1 July 2005 to 20 February 2006
Remuneration Package (including allowances): \$335,200 per annum

Mr Oxenbould was appointed Chief Executive for five years from 1 October 2004. On 20 February 2006 Mr Oxenbould was seconded to Sydney Ferries Corporation for a 6 month period as Acting Chief Executive.

Mr Oxenbould's main achievements have included further implementation of the 2004 'Review of the Functions of the (then) Waterways Authority' outcomes, particularly establishing NSW Maritime's role in port matters. He has overseen all of NSW Maritime's other achievements. His performance was reviewed by the Minister for Ports and Waterways and assessed as satisfactory.

Name: Brett Moore
Position: Acting Chief Executive
Position Level: SES Level 6
Period in the Position: 20 February 2006 to 30 June 2006

Remuneration Package (including allowances): \$189,100 per annum

Mr Moore was appointed Acting Chief Executive of NSW Maritime on 20 February 2006 for the period of Chris Oxenbould's secondment.

Mr Moore's main achievements included working to implement the NSW Government decision to transfer all Sydney Harbour commuter wharves to NSW Maritime's ownership. Mr Moore has been responsible for NSW Maritime's performance during the Chief Executive's secondment to Sydney Ferries Corporation.

15. COMMUNITY AFFAIRS – ETHNIC AFFAIRS PRIORITIES STATEMENT

INITIATIVES FOR 2006/2007

ACTION	RESPONSIBLE OFFICER	IMPLEMENTATION DATE	PERFORMANCE INDICATOR
Review of the need for additional language support initiatives to accompany the new compulsory Boat Safety Course arrangements	General Manager Recreational Boating	December 2006	Review undertaken and recommendation made
Assessment of feasibility of multi-tiered Cross Cultural Training delivered across the organisation	Manager Employee Relations	December 2006	Assessment undertaken and recommendation made
Review of website employment information for accessibility for all employment groups	Manager Employee Relations	March 2007	Website review undertaken and recommended changes implemented

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16. EQUAL EMPLOYMENT OPPORTUNITY (EEO) STATISTICS

A. TRENDS IN THE REPRESENTATION OF EEO GROUPS

EEO GROUP	BENCHMARK OR TARGET	% OF TOTAL STAFF			
		2003	2004	2005	2006
Women	50%	38%	39%	41%	43%
Aboriginal people and Torres Strait Islanders	2%		1.7%	1.5%	0.7%
People whose first language was not English	20%	12%	11%	12%	11%
People with a disability	12%	9%	9%	6%	8%
People with a disability requiring work-related adjustment	7%	4%	4.3%	3.3%	4%

B. TRENDS IN THE DISTRIBUTION OF EEO GROUPS

EEO GROUP	BENCHMARK OR TARGET	DISTRIBUTION INDEX			
		2003	2004	2005	2006
Women	100	83	77	77	80
Aboriginal people and Torres Strait Islanders	100		n/a	n/a	n/a
People whose first language was not English	100	107	109	110	105
People with a disability	100	95	98	108	98
People with a disability requiring work-related adjustment	100			n/a	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, as the single source of whole-of-government property data in accordance with Section 17 of the *Annual Reports (Statutory Bodies) Act 1984*.

18. PROPERTY DISPOSAL

During the year, two properties were divested or sold at a total net book value loss of \$3,312,177.14.

The 150 metre length of sandstone seawall, located between the Park Hyatt Hotel and the former Horse Ferry Wharf along Hickson Rd, Dawes Point was divested to the Sydney Harbour Foreshore Authority in October 2005. NSW Maritime had spent \$2.9 million in restoring the seawall prior to its divestment.

A 5.28 hectare site at 2 Bumborah Point Road, Port Botany, formerly leased by Alcatel and presently leased by Patrick Port Services, was sold to the Sydney Ports Corporation in June 2006 for \$10.2 million.

The Chief Executive approved both transfers. 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. Access to documents relating to the property disposals may be made under the *Freedom of Information Act 1989* and any such applications will be assessed in accordance with the provisions of that Act.

Appendices

19. ASSET ACQUISITION

Expenditure in the Recreational Boating, Commercial Vessels and Asset Management, Shipping Safety and Environment, and Corporate Services Divisions totalled \$4.4 million on minor capital works acquisitions comprising:

- New signage that conforms to international standards as part of an ongoing replacement program
- Upgrade of 136 lights with LED technology and 56 buoys using plastic designs
- Upgrade, and replacement, of existing navigation aids and 88 new placements
- Replacement of eight patrol vessels and five personal watercraft
- Refurbishment of nine patrol vessels
- Purchase of 35 outboard engines
- Upgrade of network hardware and desktop computers
- Improvement to mooring facilities for patrol boats at Port Stephens
- Refurbishment of regional operations centres at Coffs Harbour, Port Stephens, Hornsby, Gosford and Narooma
- Continued motor vehicle replacements.

Maritime Property:

Asset acquisition expenditure for the year totalled \$9.18 million. This was below the 2005–2006 budget of \$10.36 million mainly as a result of a longer than anticipated period prior to the calling of tenders for the realignment of James Craig Rd at Rozelle Bay. The contract for this project was to be awarded at the beginning of 2006–2007.

Maintenance of Sydney Harbour and Newcastle wharves and jetties owned by NSW Maritime, the Ministry of Transport and Sydney Harbour Foreshore Authority together with work carried out on council-owned wharves totalled \$1.2 million.

COMPLETED WORKS – MAJOR PROJECTS

PROJECT	DESCRIPTION	2005–2006 COST (\$MILLION)	TOTAL PROJECT COST (\$MILLION)	COMPLETION DATE
Cargo storage area, Port of Eden	Construction of an 8 hectare storage area for timber and other cargo exported through the multi-purpose berth	4.2	4.2	April 2006

WORK-IN-PROGRESS – MAJOR PROJECTS

PROJECT	DESCRIPTION	2005–2006 COST (\$MILLION)	ESTIMATED TOTAL COST (\$MILLION)	ESTIMATED DATE OF COMPLETION
Manly Wharf upgrading	Refurbishment and enhancement of Manly Wharf to improve functionality for commuters	3.1	15.7 including maintenance works	April 2007
Walsh Bay redevelopment	Reconstruction of the public use precinct and project management	0.5	24.5*	June 2007
Ferry arrestors, Circular Quay		0.3	0.3	September 2006
Rozelle Bay infrastructure development	Re-alignment of James Craig Road and fees relating to the provision of maritime infrastructure by NSW Maritime and the private sector	0.2	5.6	December 2006
Skirting panels, Circular Quay	Installation of 12 replacement skirting panels along the sea-face of Circular Quay western promenade	0.2	0.4	December 2006
Circular Quay Wharf 1	Replacement pontoon wharf and access at East Circular Quay	0.1	3.5	July 2007

*total NSW Maritime contribution to Walsh Bay redevelopment

Appendices

20. ENERGY MANAGEMENT

Corporate commitment

NSW Maritime is committed to achieving savings in energy usage and sustained energy management principles. NSW Maritime has one large site at Rozelle Bay purchasing electricity on the contestable market and 6 per cent of its electricity comes from renewable sources. The purchase of electricity on the contestable market has lowered costs and achieved a reduction of greenhouse gas emissions by purchasing a percentage of green power.

NSW Maritime continued to maintain solar powered navigational aids with over 1000 solar powered lights and beacons statewide.

Planning and Implementation

The installation of power factor correction equipment at the Rozelle Bay head office was investigated and approved for installation. It is due for commissioning in the second half of 2006.

Performance

Energy consumption at the Rozelle Bay offices and workshops increased by 0.8 per cent over the past year, while energy use for the common area of 207 Kent Street decreased by just over 3 per cent.

21. HERITAGE ASSETS

NSW Maritime has a Heritage and Conservation Register for the Sydney Region, which was prepared in 1998. In January 2006, a Heritage Asset Management Strategy was prepared indicating the main priorities were to update the register to include items outside the Sydney Region and record expenditure within a separate heritage account. The Strategy was accepted by the NSW Heritage Office in April 2006.

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

they are tenanted. At 30 June 2006, all heritage properties managed by NSW Maritime were tenanted.

22. WASTE REDUCTION AND PURCHASING PLAN/RECYCLING

Further revisions were carried out to the NSW Maritime Waste Reduction and Purchasing Plan. All NSW Maritime operation centres recycle waste paper, cardboard and printer ink cartridges wherever a recycling system is available.

The waste management system at Rozelle Bay continued to provide a high percentage of office paper and cardboard waste sent for recycling. During the year, 10.2 tonnes of white paper, 6.7 tonnes mixed paper and 4.5 tonnes of cardboard were collected from Rozelle Bay and 0.6 tonnes of comingles.

Approximately 13.8 per cent of total waste produced at the Maritime Trade Towers at 207 Kent Street, Sydney, was recycled. This compares with 13.2 per cent for the previous year. In total, NSW Maritime recycled approximately 22 cubic metres of paper and 17.5 cubic metres of cardboard over the 12 months.

At Rozelle Bay a worm farm was established to recycle food waste from the canteen and newspapers were regularly collected for distribution to the RSPCA animal shelter at Yagoona.

23. CONTRACTING AND MARKET TESTING POLICY

All contracts for the engagement of external contractors and/or consultants were undertaken in accordance with government guidelines that require:

- 1 written proposal for assignments costing less than \$30,000
- 3 written proposals for assignments greater than \$30,000 and less than \$150,000
- An open tender for assignments costing greater than \$150,000.

Appendices

24. ACCOUNT PAYMENT PERFORMANCE

Payment Performance Report 2005–2006

Reporting of Payment of Accounts

SCHEDULE OF ACCOUNTS PAYABLE	SEP-05	%	DEC-05	%	MAR-06	%	JUN-06	%	TOTAL	%
Current within due date (no)	4,237	87	3,409	85	3,522	81	3,621	83	14,789	84
<30 days overdue	502	10	459	12	701	16	587	14	2,249	13
31–60 days overdue	51	1	78	2	71	2	85	2	285	2
61–90 days overdue	19		13		23		42		97	
>90 days overdue	35		30		29		31		125	
Total payable	4,844		3,989		4,346		4,366		17,545	

ACCOUNTS PAID PER QUARTER	SEP-05	DEC-05	MAR-06	JUN-06	TOTAL
% of accounts paid on time	87	85	81	83	84
Total amount of accounts paid on time (\$)	23,747,077	33,929,200	36,838,468	35,919,550	130,434,295
Total amount of accounts paid (\$)	25,053,237	35,604,552	43,310,667	40,929,676	144,898,132
% of amounts paid on time	95	95	85	88	90

25. INVESTMENT PERFORMANCE

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:

- 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

	2005	2006
Cash Facility	5.6%	5.8%
Bond Market Facility	7.1%	4.0%
Medium Term Growth Facility	8.9%	8.4%

Appendices

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 2005–2006 principal payment of \$2.2 million was repaid in March 2006 and the outstanding balance is \$12.5 million.

27. MINISTERIALS

Ministerial communication is created through correspondence sent directly to the Minister for Ports and Waterways. There were 630 items of Ministerial correspondence for the year which included 98 items relating to major ports matters.

28. RESEARCH AND DEVELOPMENT

During 2005–2006 NSW Maritime commenced a two-year \$260,000 project that is being funded in conjunction with the Sydney Metropolitan Catchment Management Authority. This project mapped the location and extent of aquatic vegetation communities, including saltmarsh and seagrass, as well as native vegetation along the foreshores of Sydney Harbour and tributaries. This was complemented by the mapping of the historical distribution of seagrass using past aerial photographs.

The results of this project, which was carried out in conjunction with NSW Department of Primary Industries and the Botanic Gardens Trust, will assist all NSW agencies in the preparation of relevant regional and local environmental planning instruments, estuary management plans and other required documents.

29. MARITIME SERVICES BOARD RESIDUAL RESPONSIBILITIES

NSW Maritime is responsible for managing the Maritime Services Board (MSB) Workers Compensation Self Insurer's Scheme that operated from 1 July 1989 to 30 June 1995. This involves managing the residual component of current and future workers compensation liabilities.

For the period 2005–2006, the total weekly benefits paid to claimants and payments to service providers decreased to \$97,000, from \$118,000 for 2004–2005.

There are 19 active claims outstanding at 30 June 2006, one less than the previous period. Based on actuarial advice and allowing for future developments, the estimated cost of these claims is set at \$2.2 million. This provides for the management of uncertainties inherent in the estimation of liabilities for current and projected claims.

Since the repeal of the MSB self-insurer licence in 1995, a cost of \$9.1 million has been incurred to cover weekly benefits, lump sum payments, provider fees and legal costs.

Dust Diseases Liability

NSW Maritime is responsible for managing current and future dust diseases claims. Based on actuarial advice, \$2 million has been set aside to manage this liability. This provision has reduced from \$3.2 million in 2004–2005, due to a lower estimated number of future claims and a slightly reduced average claim size.

At 30 June 2006, NSW Maritime is a respondent for two dust diseases claims. Currently, the estimated cost of both claims has been set at \$0.2 million excluding legal costs.

30. GLOSSARY AND ACRONYMS

Bar ('bar', 'river bar' and 'coastal bar') – 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 pattern, 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.

Appendices

Personal watercraft (PWC) – a power-driven vessel that has a fully enclosed hull, does not retain water 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 recreational 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 zero on 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
- MIP Maritime Infrastructure Program (formally WADAMP)
- 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
- SSHAP Sharing Sydney Harbour Access Program
- SREP State Regional Environmental Plan
- WADAMP Waterways Asset Development and Management Program
- WALROS Waterways Authority Licensing and Registration Online System

31. ANNUAL REPORT AVAILABILITY AND COSTS

The Annual Report is available in a printed format, on CD-Rom and online at www.maritime.nsw.gov.au. The total production cost was \$31,916, which is a saving on last year's costs.

Contact Information

CONTACT INFORMATION

OFFICE	ADDRESS	PHONE/FAX	OPENING TIMES
SYDNEY			
Rozelle Bay	Rozelle Bay James Craig Road Rozelle Bay NSW 2039 Locked Bag 5100 Camperdown NSW 1450	Ph: (02) 9563 8511 Fx: (02) 9563 8522	Monday – Friday 8.30am – 4.30pm
Sydney	Level 6 207 Kent Street Sydney NSW 2000 Locked Bag 5100 Camperdown NSW 1450	Ph: (02) 9241 6307 Fx: (02) 9241 3663	Monday – Friday 8.30am – 4.30pm
HAWKESBURY/BROKEN BAY			
Hornsby	4 Bridge Road Hornsby NSW 2077 PO Box 797 Hornsby NSW 1630	Ph: (02) 9477 6600 Fx: (02) 9477 3418	Monday – Friday 8.30am – 4.30pm
NORTH COAST			
Coffs Harbour	2/16 Isles Drive Isles Industrial Park Coffs Harbour South NSW 2450 PO Box J23 Coffs Harbour NSW 2450	Ph: (02) 6691 9555 Fx: (02) 6691 9599	Monday – Friday 8.30am – 4.30pm
HUNTER/INLAND			
Newcastle	8 Cowper Street South Carrington NSW 2294 PO Box 653 Newcastle NSW 2300	Ph: (02) 4962 8500 Fx: (02) 4962 8528 – service centre Fx: (02) 4962 8588 – regional office	Monday – Friday 8.30am – 4.30pm
SOUTH COAST REGION			
Wollongong	Unit 5 Cnr Kembla & Beach Streets Wollongong NSW 2500 PO Box 1441 Wollongong NSW 2500	Ph: (02) 4227 3644 Fx: (02) 4226 1452	Monday – Friday 8.30am – 4.30pm
MURRAY/INLAND REGION			
Albury	440 Swift Street Albury NSW 2640	Ph: (02) 6021 7188 Fx: (02) 6041 2668	Monday – Friday 8.30am – 4.30pm
REGIONAL PORTS			
Port of Eden	Main Jetty Snug Cove Eden NSW 2551	Ph: (02) 6496 1719 Fx: (02) 6496 3024	Monday – Friday 8:00am – 4:00pm
Port of Yamba	Pilot Street Yamba NSW 2464	Ph: (02) 6646 2002 Fx: (02) 6646 1596	Monday – Friday 8.30am – 4.30pm

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NSW Maritime continued to promote lifejacket awareness throughout the year, this included a multi-media advertising campaign, promotions at boat shows and community events, and during on-water safety checks.



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Acknowledgements

Printed on Nordset by Raleigh paper.

Nordset is an environmentally responsible paper manufactured using Elemental Chlorine Free (ECF) pulp sourced from sustainable, well managed forests.

The inks used in the printing of this report are vegetable-based inks, which use oils derived from flax, soya and sunflower crops. These are environmentally responsible, derived from renewable resources and do not involve the wasteful use of energy in their extraction and modification.

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🌐 Designed by doppiodesign.com

Photography

Mel Koutchavlis
NSW Maritime

ISSN 1834-0180 (Print)

ISSN 1834-0199 (Online)

ISSN 1834-0202 (CD-ROM)





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