



Contents

Note 1	Changes to Legislation	74	Note 11	Number of Employees by Category and Comparison to the Previous 2 Years	82
Note 2	Freedom of Informaton	75	Note 12	Senior Executive Service	82
Note 3	Legal Information	78	Note 13	Chief Executive Performance Statement	83
Note 4	Publications	78	Note 14	Community Affairs - Ethnic Affairs Priority Statement	83
Note 5	Consultants	78	Note 15	Equal Employment Opportunity (EEO) Statistics	84
Note 6	Overseas Visits	78	Note 16	Land Register	85
Note 7	Significant Committees	79	Note 17	Property Disposals	85
Note 8	Grants and Non-Government Community Organisations	80	Note 18	Asset Acquisition	85
Note 9	Guarantee of Service	82	Note 19	Energy Management	86
Note 10	Privacy and Personal Information Protection Act 1998	82	Note 20	Heritage Assets	86
			Note 21	Waste Reduction and Purchasing Policy	87
			Note 22	Contract and Market Testing Policy	87
			Note 23	Account Payment Performance	87
			Note 24	Investment Performance	88
			Note 25	Debt Management Performance	88
			Note 26	Ministerials	88
			Note 27	MSB Residual Responsibilities	88
			Note 28	Glossary and Acronyms	88
			Note 29	Annual Report Availability and Costs	89

APPENDICES

1. Changes to Legislation

The following changes to Marine Legislation occurred during the year:

Date	Legislation	Action
8-Aug-03	<i>Water Traffic Regulations – NSW</i>	Minor amendment in relation to numbering
12-Sep-03	<i>Commercial Vessels (Certificates of Competency and Safety Manning) Regulations</i>	Amendment to fees
12-Sep-03	<i>Commercial Vessels (Load Lines) Regulations</i>	Amendment to fees
12-Sep-03	<i>Commercial Vessels (Permits) Regulations</i>	Amendment to fees
12-Sep-03	<i>Management of Waters and Waterside Lands Regulations</i>	Amendment to fees
12-Sep-03	<i>Water Traffic Regulations</i>	Amendment to fees
26-Sep-03	<i>Boating (Safety Equipment) Regulation</i>	Amended by the Boating (Safety Equipment) Amendment (Lifejackets) Regulation 2003 to require: <ul style="list-style-type: none"> • Persons on board certain recreational vessels to wear lifejackets when crossing specified coastal bars • The operator of such vessels to take reasonable steps to ensure compliance.
27-Nov-03	<i>Marine Pilotage Licensing Regulations</i>	Amendments made by the <i>Statute Law (Miscellaneous Provisions) Act No 2 2003</i> to replace the words “Government Health Officer” with “HealthQuest” for certification of physical fitness of pilots.
27-Nov-03	<i>Marine Pollution Regulation 2001</i>	Minor amendment made by the <i>Statute Law (Miscellaneous Provisions) Act No 2 2003</i> to renumber paragraphs in Schedule 5
1-Jan-04	<i>Marine Safety Act 1998</i>	Amendments made by <i>Transport Legislation Amendment (Safety and Reliability) Act 2003</i> : <ul style="list-style-type: none"> • Appointing the Independent Transport Safety and Reliability Regulator (ITSRR) as an authorised officer under the Act • Permitting the Minister to appoint the Chairman of ITSRR as investigator of a marine accident involving a public passenger service provided by a ferry

Date	Legislation	Action
1-Jan-04	<i>Marine Safety Act 1998</i>	<ul style="list-style-type: none"> • In relation to an incident involving a public passenger service provided by a ferry, requiring the Minister to inform the Director General of the Minister of Transport, the Chairman of ITSRR of the report and action taken • Vesting the Minister with powers: to inspect public ferry wharves; to issue improvement notices to wharf owners to ensure safety of persons using or operating public passenger services provided by ferries; to issue prohibition notices on controllers of public ferry wharves where there is an activity occurring or about to occur which will endanger the health or safety of persons using or operating public passenger services provided by ferries, prohibiting such activities until matters giving rise to the risk are remedied; to review such notices; to withdraw such notices • Permitting review of prohibition notices by the Administrative Decisions Tribunal.

Subordinate Legislation Act

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

2. Freedom of Information

All Freedom of Information (FOI) matters pertaining to the Authority are handled by:

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

Phone: (02) 9563 8648

The FOI 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 the Authority which are the subject of an FOI application.

Freedom of Information Statistics

The following statistics have been prepared in relation to Freedom of Information applications received by Waterways between 1 July 2003 and 30 June 2004. Statistics for the previous financial year appear in brackets.

APPENDICES

SECTION A

FOI Requests	Personal	Other	Total
A1. New (including transferred in)	5 (6)	52 (40)	57 (46)
A2. Brought forward	0 (0)	5 (4)	5 (4)
A3. Total to be processed	5 (6)	57 (44)	62 (50)
A4. Completed	5 (6)	44 (38)	49 (44)
A5. Transferred out	0 (0)	1 (0)	1 (0)
A6. Withdrawn	0 (0)	5 (4)	5 (4)
A7. Total processed	5 (6)	44 (42)	49 (48)
A8. Unfinished (carried forward)	0 (0)	7 (2)	7 (2)

SECTION B

Result Of FOI Requests	Personal	Other	Total
B1. Granted in full	0 (1)	14 (15)	14 (16)
B2. Granted in part	5 (3)	26 (25)	31 (28)
B3. Refused	0 (2)	4 (2)	4 (4)
B4. Deferred	0 (0)	0 (0)	0 (0)
B5. Completed	5 (6)	44 (42)	49 (48)

SECTION C

	Personal	Other	Total
C1. Ministerial Certificates issued	0	0	0

SECTION D

	Personal	Other	Total
D1. Requests requiring formal consultation	0	5	5

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

F1. Number of requests for notation	0	0	0
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SECTION G

Basis for Disallowing or Restricting Access	Personal	Other
G1. Section 19 (Application incomplete, wrongly directed)	0 (0)	1 (1)
G2. Section 22 (3) (Deposit not paid)	0 (0)	2 (3)
G3. Section 22 (1) (Unreasonable diversion of resources)	0 (0)	1 (1)
G4. Section 25 (1) (a) (Exempt)	0 (4)	21 (22)
G5. Section 25 (1) (b) (c) (d) (Otherwise available)	0 (0)	0 (0)
G6. Section 28 (1) (Documents not held)	0 (1)	1 (0)
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	0 (5)	26 (27)

SECTION H

	Fees Received	Assessed Costs	Costs Received
H1. All completed requests	\$1,673.00	\$6,237.00	\$3,417.00

SECTION I

Discounts Allowed		Personal	Other
I1.	Public interest	0 (0)	0 (0)
I2.	Financial Hardship (Pen/Cld)	0 (0)	1 (1)
I3.	Financial Hardship – Non Profit Org	0 (0)	1 (2)
I4.	Totals	0 (0)	2 (3)
I5.	Significant correction of personal records	0 (0)	0 (0)

SECTION J

Days to process		Personal	Other
J1.	0 – 21 days	3 (4)	28 (32)
J2.	22 – 35 days	1 (2)	14 (9)
J3.	Over 35 days	1 (0)	2 (1)
J4.	Totals	5 (6)	44 (42)

SECTION K

Processing Time		Personal	Other
K1.	0 – 10 hours	4 (6)	30 (39)
K2.	11 – 20 hours	1 (0)	14 (1)
K3.	21 – 40 hours	0 (0)	0 (2)
K4.	Over 40 hours	0 (0)	0 (0)
K5.	Totals	5 (6)	44 (42)

SECTION L

Reviews and Appeals		Personal	Other
L1.	Number of internal reviews finalised	NA	6
L2.	Number of Ombudsman's reviews finalised	NA	3
L3.	Number of District Court appeals finalised	NA	0

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

APPENDICES

3. Legal Information

Prosecutions Conducted

During 2003–2004, the Authority dealt with 68 breaches of the marine legislation by way of summons or court attendance notices.

4. Publications

More than 100 boating maps, pamphlets, booklets and information publications were published to assist the boating public and regional port users, to facilitate aquatic events and to progress foreshore development applications. All publications are available free of charge unless noted otherwise and many are available on the internet.

Customer and stakeholder newsletter

- Maritimes – published as a printed newsletter. An electronic version is sent via the Internet.

Boating safety and education information

- Boating Handbook
- Safety and educational pamphlets entitled:
 - Alcohol and Water Don't Mix!
 - Boatcode. Built-in Security for your Boat
 - Boatcode Agents
 - Boats 'n' Bars a Safety Guide
 - Determining the Length of your Vessel
 - Don't Make Waves
 - Hypothermia
 - Keep Your Boat Afloat
 - Proof of Identity
 - Take Charge of your Discharge!
- Stickers entitled:
 - Bar Crossing
 - Bow Riding
 - Cold Water Kills – Prevent Hypothermia from a capsize or swamping
 - Drowning is Uncool
 - Kids in Boats
 - Ride Smart – PWC Behaviour
 - Safe Boating – Buoyage System
 - Safe Boating – Navigation Marks
 - Safe Boating – Navigation Rules
 - Safety Check In-Shore
 - Safety Check Off-Shore
 - Water Ski Hand Signals

Information publications and maps

- Waterways Authority 2002–2003 Annual Report (also available on compact disc)
- Waterways Authority Corporate Plan 2003–2006
- Sydney Harbour Aquatic Events
- NSW Tide Tables 2003–2004
- Waterways Asset Development and Management Program
- 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
- Statement and Summary of Affairs

DVDs

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

5. Consultants

Consultancies less than \$30,000

During the year 9 consultancies were engaged in the following areas:

Engineering	17,371.99
Environmental	19,312.59
Landscape architecture	3,060.00
Planning	21,470.00
Statistics	11,100.00

Total consultancies less than \$30,000 each	72,314.58
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There were no consultancies equal to or more than \$30,000.

6. Overseas Visits

11–13 September 2003

Officer – Zenon Michniewicz – GM MPAD

Destination – Montreal, Canada

Reason – Present paper at Waterfront Center's 21st Annual International Conference

22–25 June 2004

Officer – Ravi Pendharkar – Ship Surveyor

Destination – Kaohsiung, Taiwan

Reason – Initial survey inspection of 22m vessel under construction

The cost of Mr Michniewicz's visit was \$12,888.70.

The cost of Mr Pendharkar's visit will be recouped from the client.

7. Significant Committees

External

- Association of Australian Ports and Marine Authorities Inc – *John Sturday*
- Australia and New Zealand Safe Boating Education Group – *Neil Patchett*
- Australian Maritime Group – *Matthew Taylor, Chris Oxenbould, John Hickey*
- Commercial Vessels Advisory Group – *Keith Caldwell, Brett Moore, Tony Pengilly, Jill Saffron, Trevor Williams*
- Department of Infrastructure, Planning & Natural Resources – Sydney Harbour Executive – *Zenon Michniewicz*
- Department of Infrastructure, Planning and Natural Resources – Interagency Transport Planning Committee – *Zenon Michniewicz*
- Foreshores & Waterways Planning and Development Advisory Committee – *Persephone Rougellis (Chair), Geoff Smith (Secretary)*
- Maritime Security Working Group – *Matthew Taylor*
- Ministry of Transport – Safety Coordination Committee – *Matthew Taylor (Chair)*
- National Marine Safety Committee – *Matthew Taylor, John Hickey*
- NPWS - Towra Point Steering Committee – *Graeme Dunlavy, Suzanne Harris*
- NSW National Plan Executive Committee – *Matthew Taylor (Chair)*
- NSW Water Safety Taskforce – *John Hickey*
- Port of Newcastle South Arm Dredging Steering Committee – *Paul Robinson (Chair), Bill Thomson*
- Recreational Vessels Advisory Group – *John Hickey, Brett Moore, Christina Newman, Jill Saffron*
- Sharing Sydney Harbour Access Program – Grants Committee – *Zenon Michniewicz*
– Independent Assessment Panel – *Terry Young*
- Sydney Harbour Maritime Forum – *Paul Robinson, Fergus McPherson,*
- The Industry and Environmental Land Development Taskforce – *Chris Oxenbould, Paul Robinson*

- East Darling Harbour Taskforce – *Chris Oxenbould*
- Transport Services Functional Area Committee – *Brett Moore*
- Twofold Bay and Hinterlands Steering Committee – *John Sturday, Max Saunders*
- Waterways Authority Council – *Matthew Taylor, Chris Oxenbould (Chair), Jill Saffron*

Internal

- Executive Management Committee – *Chris Oxenbould (Chair), John Hickey, Zenon Michniewicz, Brett Moore, Paul Robinson, Brian Stanwell*
- Audit Committee – *Paul Robinson (Chair), John Hickey, Brett Moore, Ken Bywater, Graeme Dunlavy, Zenon Michniewicz, Brian Stanwell*
- Education Committee – *Neil Patchett (Chair), Kim O'Meara, Rob Everett, Mitch Holland, Phil Howe, Catherine Russell, Mike Traynor, Gary Wells*
- Occupational Health & Safety Workplace Committees:
 - Environmental Services – *David Downey (Chair), Leslie Brix-Nielsen, Wayne Cartner, Steve Madeley (employer representatives on a rotating basis), Fred Eckford, David Hales, Alan Lang*
 - Maritime Property and Assets Division – *Michael Freeland (employer representative), Suzanne Harris*
 - Operations Division – *Jacqueline Argles (Chair), Leslie Brix-Nielsen (employer representative), Carl Cormack, Jodie Clark, Ken D'Cruz, Deborah Gibb, Lainie Hobby, Scott Kidd, Jake Sietsma, John Thompson, Margaret Wyborn*
 - Rozelle Bay – *Ken D'Cruz (Chair), Dennis Buttigieg (employer representative), Jacqueline Argles, Pat Luafalealo, Callum McMahon, Susan Norbom, David Power*
 - *Vic Brunetti* – *ex-officio member of all OH&S committees*
- Product Management Committee – *Ed Kwanten (Chair), John Hickey, Fran Rein, Neil Patchett, Trevor Williams, Steve Black, Ann Waddington, Tony Pengilly, Mike Traynor*
- Risk Management Committee – *Paul Robinson (Chair), Vic Brunetti, Ken Bywater, Graeme Dunlavy, Ed Kwanten, Peter Maunder, Brett Moore, John Sturday, Craig Whitmore*

APPENDICES

- Signage Committee – *Steve Harop (Chair), Paul Lowbridge, Andy Robertson, Paul Scurry*
- WADAMP Assessment Committee – *Paul Robinson (Chair), Terry Young (Secretary), Peter Maunder, Brett Moore, a Boating Industry Association representative, a Local Government Association representative*
- Waterways Authority Consultative Committee – *Paul Robinson (Chair), Brett Moore, Sue Ohanian, Peter Woolfenden, Nola Dyball, Roly Webb, Bob Murphy. External union officials – Anne Milson, Mike Fleming, Sean Chaffer and Phil Marchionni*

Committees Established

- Bank Street Master Plan Steering Committee comprising representatives of landowners whose purpose is to advise on and review the preparation of the Bank Street Pyrmont Master Plan being prepared on the landowners' behalf by a consultant
- The Industry and Environmental Land Development Taskforce is the committee which reviews the development of the Newcastle port and industrial region. The Authority has only recently joined this committee

Committees Abolished

- Botany Bay Strategy Advisory Committee
- Botany Bay Studies Unit Interim Steering Committee

- Coastal Council of NSW
- Department of Infrastructure, Planning and Natural Resources – Sydney Harbour Catchment Management Board

WATERWAYS AUTHORITY COUNCIL MEMBERS

Chris Oxenbould AO
Chair

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

Allan Blake
Managing Director, Blake's Marine

David Cribb
NSW Chief Executive, Charter Vessel Association

Ian Kiernan AO
Chair, Clean Up Australia

Ian McAndrew
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)

Bruce Schumacher
Chair, Advisory Council on Recreational Fishing

Hugh Shanks
Director, Clontarf Marina

8. Grants to Non-Government Community Organisations

Excluding GST, the following grants were made to the Volunteer Marine Rescue Council of NSW for distribution during 2003–2004:

Association	Grant
Total funding made available:	\$622,000
NSW Volunteer Rescue Association (Marine)	\$84,472
Replacement of Cat 2 Vessel at Wooli	\$57,923
SARcc communication upgrade at Shoalhaven	\$2,416
Base level funding for 10 units	\$24,133
Australian Volunteer Coast Guard	\$121,834
Replacement Cat 2 Vessel at Port Stephens	\$54,000

Association	Grant
Replacement Cat 2 Vessel at Botany Bay	\$54,000
SARcc Communication upgrade at Port Kembla	\$3,000
SARcc Communication upgrade at Swansea	\$1,074
SARcc Communication upgrade at Bermagui	\$1,074
SARcc Communication upgrade at Kingscliff	\$1,074
MRB Communication upgrade at Port Jackson	\$4,612
MRB Communication upgrade at Evans Head	\$3,000
Royal Volunteer Coastal Patrol	\$165,694
Replacement Cat 3 Vessel at Jervis Bay	\$60,000
Replacement Cat 3 Vessel at Broken Bay	\$15,000
Replacement Cat 2 Vessel at Merimbula	\$45,000
New Cat 1 Vessel in Sydney	\$21,694
Replacement Motors for Hawkesbury	\$10,000
SARcc Communication upgrade at Ulladulla	\$3,000
SARcc Communication upgrade at Narooma	\$3,000
SARcc Communication upgrade at Botany Bay	\$3,000
Base level funding for 3 units	\$5,000
Operational Support Funds provided by the State Government:	\$250,000
Royal Volunteer Coastal Patrol	\$111,353
Australian Volunteer Coast Guard	\$81,878
Volunteer Rescue Association	\$56,769

In addition, the Authority effectively contributed \$93,000 to surf lifesaving clubs, schools and other community activities by issuing gratis boat registrations, licences, moorings and aquatic licences.

A total of 80 applications for funding were received under the Waterways Asset Development and Management Program (WADAMP). Grants totalling \$1,607,146 were approved for 47 projects. Grants to non-government community organisations included the following:

Applicant	Project Name	Estimated Cost	WADAMP Grant
Royal Motor Yacht Club Toronto	Boat launching ramp - Upgrade	\$76,672	\$38,336
Cudgegong River Park Trust	Construct boat ramp - Burrendong Dam	\$8,900	\$4,450
Lake Keepit State Park - Trustees	Boat ramp improvements Lake Keepit	\$42,073	\$21,000
Willoughby City Council - Rotary Club of Chatswood	Rotary Centennial Project field - New roadway/ jetty athletic - Lane Cove River	\$39,250	\$78,500
Manly Yacht Club	Deck and rigging area for disabled and junior sailing	\$126,300	\$44,000
Terrigal Sea Rescue Inc.	Refuge mooring - Terrigal Haven	\$8,569	\$4,300

APPENDICES

9. Guarantee of Service

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

To date the Authority has not received any complaints in relation to privacy or personal information issues, or allegations that it has contravened the Privacy Act. Consequently, there have not been any reviews conducted pursuant to Part 5 of the Privacy Act.

The Authority discloses the following information to its customers:

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

10. Privacy and Personal Information Protection Act 1998

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

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

	June 2004	June 2003	June 2002
SES	4.00	5.00	5.00
Senior Officer	2.00	0	0
Operations	185.39	187.00	178.00
Corporate Services	40.42	63.00	68.00
Policy & Business Improvement	16.00	16.00	14.00
Maritime Property & Assets	53.19	31.00	23.00
NMSC	0	3.00	4.00
Shipping & Safety Unit	4.00	n/a	n/a
Ministerial & Executive	4.00	0	0
	309.00	305.00	292.00

Note: A restructure of the Authority in the second half of 2003 resulted in changes to the constitution of some Divisions eg the former Policy and Research Division. Some comparative figures are therefore not available. This table lists positions filled as at June 2004.

12. Senior Executive Service

Chief and Senior Executive Service Positions at each Level	30 June 2001	30 June 2002	30 June 2003	30 June 2004
8	0	0	0	0
7	0	0	0	0
6	0	0	0	0
5	1	1	1	0
4	0	0	0	1
3	1	1	1	2
2	2	2	2	3
1	2	2	2	0

Number of SES positions filled by women:	30 June 2001	30 June 2002	30 June 2003	30 June 2004
	1	1	0	0

13. Chief Executive Performance Statement

Name: Matthew Taylor
Position: Chief Executive
Position Level: SES 5
Period in the position: 1 July 2003 to 18 January 2004
Remuneration Package (including allowances): \$235,370 pa

Mr Taylor retired as Chief Executive of the Waterways Authority on 31 January 2004. Until that time he ensured the Authority continued to successfully manage customer and stakeholder expectations in achieving Government commitments.

Name: Chris Oxenbould
Position: Acting Chief Executive
Position Level: Under acting arrangements
Period in the position: 19 January 2004 to 30 June 2004
Remuneration Package (including allowances): \$310,000 pa

Mr Oxenbould was appointed Acting Chief Executive upon the retirement of Matthew Taylor. He was tasked with undertaking a review of the Waterways Authority to ensure the Authority had an appropriate structure to meet the additional responsibilities assumed over the past two years.

In addition to the review, Mr Oxenbould has managed the day to day activities of the Waterways Authority and contributed to the following key projects:

- Development of a plan to implement the recommendations flowing from the review of the Waterways Authority
- Coordination within the NSW Transport portfolio of the measures necessary to implement the Commonwealth's Marine Transport Security Act 2003
- Negotiations with the Cabinet Office and Department of Lands on the proposed transfer of the Waterways Authority's land functions to the Department of Lands.

14. Community Affairs – Ethnic Affairs Priority Statement

ACHIEVEMENTS FOR 2003/2004

Action	Responsible Authority Officer	Implementation Date	Performance Indicator
Key safety messages from the Boating Handbook translated into Chinese, Arabic and Vietnamese for placement on the Authority's website	Manager Public Affairs	April 2004	Safety messages translated and placed online
Licence test books translated into Vietnamese	Operations Manager Botany Bay/ Port Hacking	June 2004	Licence test books translated
Rock fishing brochure translated into Cantonese, Vietnamese and Korean	Policy Manager in conjunction with Water Safety Task Force	June 2004	Rock fishing brochure translated

APPENDICES

INITIATIVES FOR 2004–2005

Action	Responsible Authority Officer	Implementation Date	Performance Indicator
Consult the Arabic community on the need for Arabic language boat licence test books and safe boating seminars	Operations Manager Botany Bay/ Port Hacking	June 2005	Assessment conducted and recommendation made
Development of CD ROM training modules with multi cultural diversity topics as part of a self-learning and self-assessment program	Human Resources	March 2005	Modules developed
Analyse issues associated with personal watercraft use and use the Community Relations Commission and relevant community groups, to develop strategies to address them	Regional Manager Sydney	June 2005	Analysis of issues completed and appropriate strategies developed
Review usage levels of Chinese, Arabic and Vietnamese safety messages on the Authority's website and assess the feasibility of extending the program	Manager Public Affairs	April 2005	Interest analysed and recommendations made

15. Equal Employment Opportunity (EEO) Statistics

A. TRENDS IN THE REPRESENTATION OF EEO GROUPS

EEO Group	Benchmark or Target	% of Total Staff			
		2001	2002	2003	2004
Women	50%	34%	36%	38%	39%
Aboriginal people and Torres Strait Islanders	2%	0.0%	0.0%	0.0%	1.7%
People whose first language was not English	20%	13%	11%	12%	11%
People with a disability	12%	10%	9%	9%	9%
People with a disability requiring work-related adjustment	7%	5.5%	4.2%	4.0%	4.3%

B. TRENDS IN THE DISTRIBUTION OF EEO GROUPS

EEO Group	Benchmark or Target	Distribution Index			
		2001	2002	2003	2004
Women	100	83	84	83	77
Aboriginal people and Torres Strait Islanders	100	0	0	0	n/a
People whose first language was not English	100	108	111	107	109
People with a disability	100	95	100	95	98
People with a disability requiring work-related adjustment	100	n/a	n/a	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 software provided by ODEOPE.
4. The Distribution Index is not calculated where EEO group or non-EEO group numbers are less than 20.

16. Land Register

The Authority provided details of land vested in, owned, occupied or controlled by them for inclusion in a central database into the Government Property Register (GPR), as the single source of whole-of-government property data in accordance with Section 17 of the *Annual Reports (Statutory Bodies) Act 1984*.

A project to update the Waterways Authority property register is nearing completion.

17. Property Disposals

During the year, three properties were sold or divested for a total of \$375,000. These comprised sales of wetlands at Homebush Bay and Newcastle to other government agencies and the sale of an easement.

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. 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.

18. Asset Acquisition

Program 1:

Expenditure totalled \$4.78 million on minor capital works acquisitions comprising:

- New, upgraded and replacement of navigation aids (19 new lights, 23 light upgrades, 5 new beacons, 28 beacon upgrades, 76 new buoys and 46 buoy upgrades)
- 16 patrol vessels and personal watercraft
- Refurbishment of seven patrol vessels
- 58 outboard engines
- Purchase and implementation of an electronic document management system
- Continued implementation of new signage that conforms to international standards as part of ongoing replacement program
- Upgrading network hardware and desktop computers
- Continued motor vehicle replacements
- Annual provision replacements.

Program 2:

Asset acquisition expenditure for the year totalled \$4.89 million. Total expenditure was below the 2003-2004 budget of \$9.71 million mainly due to the later than envisaged commencement of the Rozelle Bay maritime precinct and restoration of Dawes Point seawall projects and because the Manly Wharf refurbishment project has not yet entered the construction phase.

COMPLETED WORKS – MAJOR PROJECTS

Project	Description	2003-2004 cost	Total project cost	Completion date
Lady Robinsons Beach – restoration	Funding provided for the construction of groynes and sand replenishment for the project	\$0.17M	\$0.17M	April 2004 (date of provision of funds)

WORK-IN-PROGRESS – MAJOR PROJECTS

Project	Description	2003-2004 cost	Estimated total cost	Estimated date of completion
Walsh Bay redevelopment	Reconstruction of substructure, roof and walls for Pier 2/3, and project management	\$3.00M	\$24.10M	Jun 06
Manly Wharf upgrading	Refurbishment and enhancement of Manly Wharf to improve functionality	\$0.31M	\$7.0M	Dec 05

APPENDICES

WORK-IN-PROGRESS – MAJOR PROJECTS – continued

Project	Description	2003–2004 cost	Estimated total cost	Estimated date of completion
Rozelle Bay infrastructure development	Legal and traffic study fees relating to the provision of maritime infrastructure by the Authority and the private sector	\$0.31M	\$5.40M	Dec 05
Dawes Point seawall	Restoration of Dawes Point seawall and heritage handrail	\$0.30M	\$2.49M	Dec 04
Eden multi-purpose wharf	Contribution to new wharf and design of storage area	\$0.25M	\$6.00M	Mar 05
Hunter River south arm dredging	Environmental Impact Statement and Development Application	\$0.08M	\$0.58M	Dec 04

Major maintenance expenses for the year included:

- Maintenance of Sydney Harbour and Newcastle wharves and jetties owned by the Authority – \$1.0 million
- Maintenance dredging, Port of Yamba – \$0.32 million
- Towra Beach restoration – \$0.29 million
- Work associated with the proposed remediation of Homebush Bay – \$0.29 million
- Completion of wharf maintenance at Goodwood Island, Port of Yamba – \$0.26 million.

19. Energy Management

The Waterways Authority is committed to sustainable energy management principles. The Authority's Rozelle Bay facility purchases electricity on the contestable market and six per cent of its electricity from renewable sources. One tenancy in the Griffith Government Office Block also consumed six per cent green power in 2003–2004. The purchase of electricity on the contestable market has lowered costs and achieved a reduction of greenhouse gas emissions with the purchasing of a percentage of green power.

The Authority continued to maintain 1062 lights and beacons throughout the State, 96 per cent of which are solar powered. During the year, Point Danger Lighthouse was converted to solar power.

An Energy Management Plan identifying energy consumption reduction targets and the strategies to obtain the GEMP energy reduction goals was completed in April 2000.

During 2003–2004, a range of energy efficiency upgrades were investigated and those that were found to be economically viable were commenced in June 2004 and are due for completion in August 2004.

Electricity consumption at Rozelle Bay was reduced by 1.4 per cent compared to the 2002–2003 financial year.

20. Heritage Assets

The Waterways Authority has a Heritage and Conservation Register for the Sydney Region, which has been 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 the Authority 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 2004, all heritage properties managed by the Authority were tenanted.

During the year the staged maintenance program for the South Head Signal Station continued with work comprising the removal of lead paint and subsequent repainting of the tower, replacement of the tower balcony and refurbishment of the kitchens in the cottages.

Work commenced in June 2004 on the restoration of the sandstone seawall and heritage railing at Dawes Point underneath the Sydney Harbour Bridge.

The Authority also assisted DIPNR in compiling the list of 151 heritage items listed in the *Regional Environmental Plan for the Sydney Harbour Catchment*.

21. Waste Reduction and Purchasing Policy

Further revisions were carried out to the Authority's Waste Reduction and Purchasing Plan. The Authority's offices continue to recycle waste paper and cardboard where 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 more than 19 tonnes of waste paper and cardboard were collected from Rozelle Bay.

The recycling system was upgraded to increase the amount of glass and recyclable plastic bottles collected from the Rozelle Bay offices and the Superyacht Marina.

22. Contracting and Market Testing Policy

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

23. Account Payment Performance

The Waterways Authority paid more than \$128.8 million to creditors during 2003-2004.

The Authority achieved a quarter-by-quarter improvement in paying its creditors on time. Delays in both receiving invoices from remote customer service centres and with contractors providing invoices yet adhering to original settlement terms, along with disputes continue as major management issues.

AGED ANALYSIS AT THE END OF EACH QUARTER

Quarter	Current (within due date) \$000	<30 days overdue \$000	31-60 days overdue \$000	61-90 days overdue \$000	>90 days overdue \$000
September	31,766	5,175	751	52	6
December	32,652	1,498	290	14	123
March	35,961	1,175	62	65	48
June	18,453	596	85	31	31

ACCOUNTS PAID ON TIME WITHIN EACH QUARTER

Quarter	Target %	Actual %	\$000	Total Amount \$000	% of amount paid on time
September	85	90	31,766	37,750	84.15%
December	85	89	32,652	34,576	94.44%
March	85	83	35,961	37,311	96.38%
June	85	90	18,453	19,196	96.13%

APPENDICES

24. Investment Performance

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

The Authority retains funds for the following purposes:

- Pay 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 Waterways Asset Development and Management 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:

	Treasury Corporation	Benchmark
Cash Facility	5.25%	5.30%
Bond Market Facility	3.31%	3.45%
Medium Term Growth Facility	8.59%	7.30%

25. Debt Management Performance

The Waterways Authority'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 2003-04 principal payment of \$2.469 million was repaid in March 2004 and the outstanding balance is \$17.088 million.

26. Ministerials

Ministerial communication is created through an inquiry or complaint directly to the Minister for Transport Services or through another Member of Parliament. There were 499 items of Ministerial correspondence for the year including input into 52 coordinated items directed to the Transport portfolio.

27. MSB Residual Responsibilities

The Authority continues to hold the legal responsibility for residual and future workers compensation claims lodged with the repealed Maritime Services Board (MSB) Workers Self Insurer's Scheme. The scheme existed from 1 July 1989 to 30 June 1995 when the MSB ceased to exist as a single entity.

The total of payments to service providers and weekly benefits paid to claimants decreased in 2003-2004 to \$0.135 million compared to \$0.220 million for the previous year.

The number of active claims as at 30 June 2004 increased from 21 to 23. The estimate of the potential costs of these claims, including allowance for any future developments has been set at \$1.78 million. Based on actuarial advice, a provision of \$2.14 million has been set aside to cover uncertainties inherent in the estimation of liabilities for current and future projected claims.

Since the repeal of the MSB self-insurer licence, 44 additional claims were lodged, with \$4.62 million paid in compensation, provider fees and legal costs while the provision increased from \$1.71 million to 2.14 million. The actuarial estimate for the ultimate cost of the scheme is \$11.48 million.

28. 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 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.

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
DIPNR	Department of Infrastructure, Planning and Natural Resources
EIS	Environmental Impact Statement
GIS	Geographic Information System
GPS	Global Positioning System
IGLS	Integrated Graphical Leasing System
IPART	Independent Pricing and Regulatory Tribunal
MMHC	Marine Ministerial Holding Corporation
MRB	Marine Radio Base
MSB	Maritime Services Board of NSW
NMSC	National Marine Safety Committee
NPWS	National Parks and Wildlife Service
PWC	Personal Watercraft
RIB	Rigid Inflatable Boat
SARcc	Search and Rescue coordination centre
SEDA	Sustainable Energy Development Authority
SHFA	Sydney Harbour Foreshore Authority
SHOC	Sydney Harbour Operations Centre
SREP	State Regional Environmental Plan
SSHAP	Sharing Sydney Harbour Access Program
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

29. 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 \$38,296.

CONTACT INFORMATION

Waterways Authority Offices and Customer Service Centres

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	36 Marina Drive Coffs Harbour Jetty 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 1719 Fx: (02) 6496 3024	Monday – Friday 8:30am – 4:00pm
Port of Yamba	Pilot Street Yamba NSW 2464	Ph: (02) 6646 2002 Fx: (02) 6646 1596	Monday – Friday 8:30am – 4:00pm

2003 Sydney International Boat Show	28	Executive Director Maritime Asset Strategy	15
Achievement Highlights	16	Financial Outcomes	38
Appendices	74	Financial Statements	45
Applications for Consent	32	Financial Summary	2
Applications for Development Consent	10	Five Year Performance Indicators	5
Applications for Land Owner's Consent	10	Former Alcatel Site, Port Botany	36
Aquatic Weeds	26	Future Directions	16
Asset Management	17	Goals	16
Athens 2004 Olympic Torch Relay	27	High Speed Data Lines for Waterways Authority Service Centres	29
Ballast Point	35	Homebush Bay Sediment Remediation	34
Bank Street Master Plan	32	Hunter River South Arm Dredging Proposal	33
Bar Crossings	22	Hydrographic and Cadastral Surveys	36
Boating Incidents	20	Incident and Fatality Summary	21
Boating Safety Education	22	Initial Surveys Completed	9
Boating Weather Service	28	Initiatives	43
Boat Licences	8	Integrated Land and Water Access Plan	30
Boat Ramp Survey	36	IPART Review of Private Foreshore Rentals	36
Botany Bay Strategy	33	Job Evaluation Scheme	40
Certificates of Competency Issued	9	Key Performance Indicators	4
Chief Executive's Overview	6	King Street Wharf	33
Circular Quay Wharf 6 - Charter Vessel Usage	34	Lady Robinsons Beach Erosion Management	33
Code of Ethics and Standard of Conduct	13	Lake Conjola	25
Commercial Vessel Registrations	9	Lake Macquarie	25
Construction Application Approvals	10	Lake Mulwala	25
Corporate Directions	43	Land Owner's Policy Manual	32
Corporate Governace	12	Learning and Development	40
Corporate Structure	12	Management and Structure	14
Critical Capabilities	16	Manly Wharf	34
Customer Response	27	Marine Certification	9
Dawes Point Seawall	35	Marine Communications	22
Development of our Organisation	40	Marine Investigations	28
Disability Action Plan	42	Marine Pests	29
Draft Regional Environmental Plan for the Sydney Harbour Catchment	30	Maritime Property and Asset Management	30
East Circular Quay	34	Maritime Safety and Environment	20
Eden Port Development	37	Maritime Safety Training	23
Emergency Response Preparedness	29	Maritime Trade Towers	35
Environmental Education	24	Measures of Success	43
Environmental Protection	16	Medical Standards	23
Environmental Services	26	Moorings	8
Environmental Sustainability	24	Multi-Cultural Relations	42
Equal Employment Opportunity (EEO)	42	National Marine Safety Committee (NMSC)	23

Navigation Aids	24	Sydney Harbour Executive	31
New Framework Plans	32	Sydney Harbour Maritime Forum	31
Occupational Health and Safety	41	Sydney Harbour Week	33
OH&S Statistics	41	Ten Year Customer Trends	8
Other Events on Sydney Harbour	27	Tenure of Waterfront Operations	31
Our Performance	6	The Commercial Vessel Advisory Group (CVAG)	28
Overview	1	The Recreational Vessel Advisory Group (RVAG)	28
Parramatta River Shoreline Monitoring	26	Towra Beach Restoration	34
Performance and Risk Management	38	Trade Summary	37
Personnel Policies and Procedures	42	Trade through Regional Ports	10
Planning Committees	32	Tweed Estuary	25
Plans of Management	24	Vessel Enquiry System	29
Plant Maintenance	29	Vessel Registrations	8
Port Hacking	25	Vessel Waste Management	26
Port Security	28	Volunteer Marine Rescue Organisations	22
Port Security Plans	37	Walsh Bay	33
Prevention of Fraud and Corruption	13	Waterways Asset Development and Management Program (WADAMP)	22
Priorities	16	Waterways Authority Council	27
Private Moorings	8	Waterways Organisation and People	40
Property Management	19	Waterways Review	12
Qualification to the Financial Statements	38	Wetland Property Initiatives	36
Risk Management	38	Wetland Property Portfolio	35
Rozelle Bay Maritime Precinct	34	Wharf Booking System	29
Safety and Compliance Promotion	16	Williams River	24
Safety Management System	39	Women's Action Plan	41
Safety Management Systems	23	Working Harbour	30
Seagrass Friendly Mooring Trial – Brisbane Water	26	Yamba Port Upgrade	37
Seaplane Management	35	Your Boating Fees at Work	1
Signage	36		
Sites at Commercial Moorings	8		
Smiths Lake	25		
Stakeholder and Community Relations	18		
Statutory Framework	13		
Stormwater Management	26		
Strategic and Business Planning	13		
Strategies	43		
Sustainable Boating	27		
Swan Lake	25		
Sydney Harbour and Parramatta River Commuter Wharf Maintenance	35		
Sydney Harbour	25		



Acknowledgements

Annual Report Project Team

Neil Patchett, Penny Robins-Carbon,
Sandy Allan and John Hickey

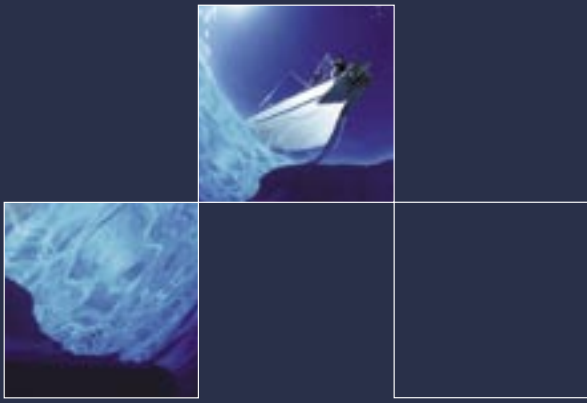
Design and Production

Impress Design

Photography

Penelope Clay

First Light Photography



Waterways

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24 hour phone payments within NSW 13 12 36
Boating information within NSW 13 12 56

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