Australian Government
Australian Maritime Safety Authority

WORKING BOATS

Summer 2014 Issue 4

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The new way to regulate

Welcome to the fourth edition of Working Boats – our last for 2014.

As the end of the year approaches we are also marking the first 18 months of National System operations.

The goal at the start of the journey was to have one national law for marine safety regulation and one national regulator.

Given that this meant bringing together 8 regulators and 50 pieces of legislation, while maintaining an acceptable level of service, I think the National System and those involved in delivering it deserve to be given a positive passing grade.

The feedback received from the very successful Maritime 2014 conference in Melbourne in November confirmed that for me.

The overwhelming message from industry was that, despite teething problems, they felt they were in a better position than they had been 18 months ago, and support remains strong that maritime safety rules should be consistent across Australia.

Looking ahead, I see 2015 as the year in which we will deliver on the National System's potential for meaningful regulatory reform in the domestic commercial vessel sector.

The work on streamlining that has been done with industry and our state delegates in recent months has set us up well for this (there is an update on page 3 on delivery of the streamlining reform proposals).

The streamlining process also showed that we need to spell out clearly what our approach to safety regulation will be–what we expect, and what industry can expect of us.

We have now done that in a Statement of Regulatory Approach that was approved by state and Commonwealth transport and infrastructure ministers in November.

Among other things, the document talks about the need to balance safety and industry viability; the need for better but not more regulation; and the need to take a 'trust and verify' approach in our dealings with industry. I'd encourage you to read the document to get a better idea of how AMSA will look to work with you in future - a copy is available at (www.amsa.gov.au/domestic/community-consultation/streamlining-information-sessions.asp).

In conclusion I want to thank all National Regulator staff and our regulatory partners for your work this year. I also want to thank industry members for their support, patience and constructive advice in what was the first full year of operation of the National System. I look forward to working with you again in 2015.

Mick Kinley

AMSA Chief Executive Officer

Mick Kinley

> *"Looking ahead, I see 2015 as the year in which we will deliver on the National System's potential for meaningful regulatory reform in the domestic commercial vessel sector."*

Streamlining proposals - update

National System reform has moved from the workshop to the water, with the first changes to flow from the June 2014 nationwide streamlining sessions now in place.

AMSA's Domestic Vessel General Manager, John Fladun said four changes are now in place, with more to follow.

"We took 13 streamlining proposals to the industry sessions mid-year," Mr Fladun said. "They were AMSA and state maritime agency ideas on ways to make a meaningful improvement to how the domestic commercial vessel sector is regulated.

- **Domestic commercial vessels less than 12m can now operate recreationally without having to apply for an exemption (which delivers streamlining proposal Number 12).**
- **Domestic commercial vessels can now operate immediately, once survey has been completed successfully, rather than having to apply for an exemption (one of the improvements under streamlining proposal number 5).**
- **Rigid Inflatables (RIBs) can now demonstrate compliance with the requirements of the National Standard for Commercial Vessels using ISO standards.**
- **Sailing vessels less than 24m can use ISO standards for the purposes of assessing stability and buoyancy (another improvement under streamlining proposal number 10).**

"Those sessions gave AMSA a clear idea of what industry saw as the reform priorities. We took that information, used it to help establish our priorities, and we're now working to roll them out."

"While welcome, some of these changes will be relevant to only some sectors of industry," Mr Fladun said. "Work is progressing on all of the reform proposals–some of them, like those already put in place, will be easier to achieve because they require less change than others.

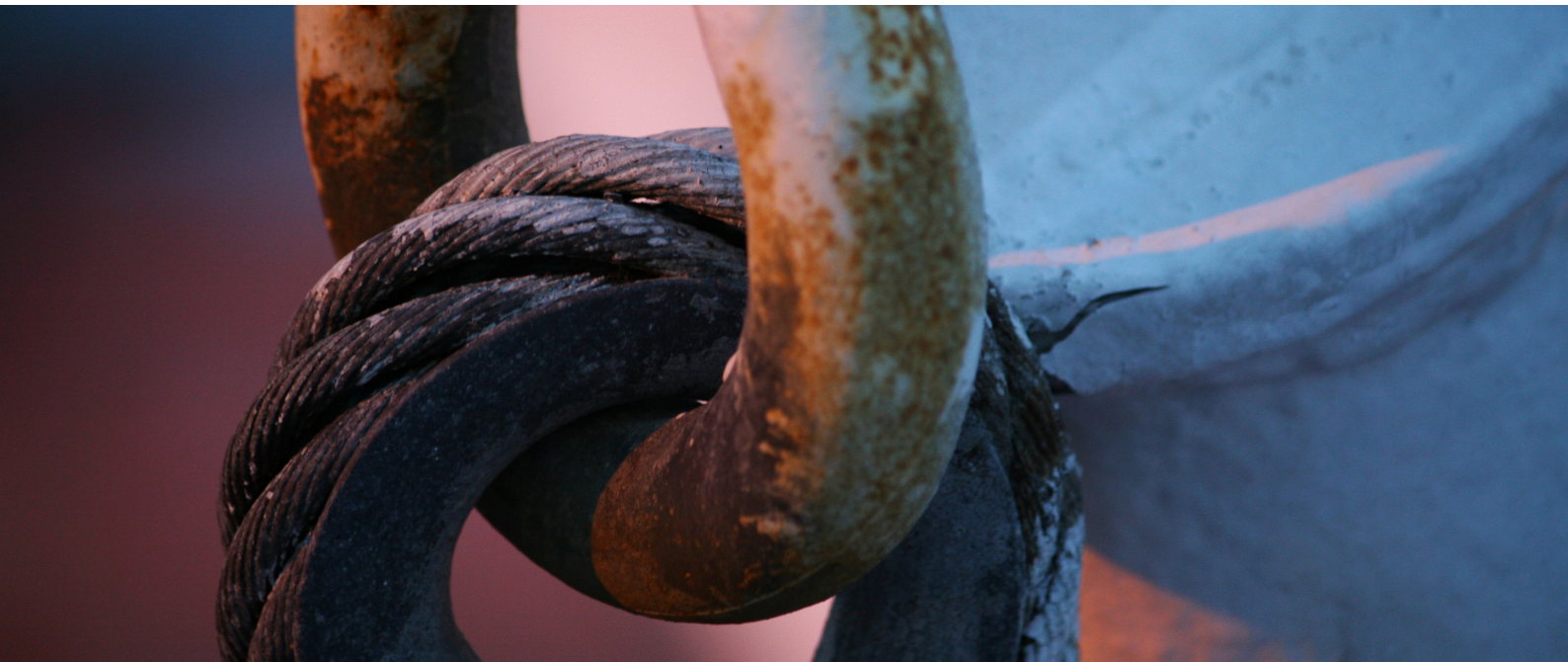
"However, AMSA wants to see the individual improvements from all 13 proposals either in place or on track for completion by 30 June 2015.

"I want to thank industry members for the advice they gave during the workshops–it helped to clarify which reforms would be of most benefit to them. I also want to thank our state maritime agency partners for giving priority to the technical and policy discussions that will deliver these changes faster."

Other proposals close to delivery include changes to the compass adjustment requirements for vessels in sheltered waters, and to the lifejacket light requirements for passenger vessels operating in C Class waters.

The changes are part of the National Regulator's intention to make operating a domestic commercial vessel as simple and flexible as possible while maintaining safety.

More detail on the 13 streamlining proposals can be found in the last edition of Working Boats available at (www.amsa.gov.au/domestic/community-consultation/working-boats/).



Working Boats news and events

Navigational Marine Safety Information

Navigational MSI will broadcast 30 minutes earlier on HF radio from 1 December 2014. Due to more detailed reporting from the Bureau of Meteorology, it has become necessary to change the broadcast times.

1. The broadcast time of Navigational MSI will be shifted 30 minutes earlier, from 57 past the hour to 25 past the hour.
2. The allocated time for Navigational MSI will be expanded from 3 minutes to 5 minutes.
3. Dual broadcasts (25 and 57 past the hour) will occur from 1 December 2014 until 1 January 2015. From 1 January 2015, the new arrangements (25 past the hour) will take effect.

Marine Safety Inspectors Forum

The first Marine Safety Inspector (MSI) Forum, since the beginning of the National System, was held on 13 November 2014 at Crown Melbourne.

The aim of the forum was to facilitate further improvements in coordination and consistency of compliance and enforcement activities across the National System.

The forum tabled 'lessons learnt' from AMSA's perspective, and the attending inspectors were invited to discuss their issues and pose questions for discussion. These discussions will bring about improvements in the consistency of understanding of what regulatory tools can and should be used in specific circumstances, and may include actions for consideration by the Maritime Agencies Forum (MAF).

Safety Management System workshops

AMSA, in partnership with Maritime Safety Queensland, recently delivered 19 risk/SMS workshops to owners and operators of domestic commercial vessels throughout Queensland. The workshops proved extremely popular with the large number of participants who believed their commercial operations had benefited from their involvement.

Further workshops scheduled for delivery during December will focus on owners/operators of small commercial fishing vessels. The Queensland workshops pave the way for development of a risk/SMS education and training resource package that will be published in 2015 to support implementation of NSCV Part E.

MARITIME 14
SHIP TO SHORE

AMSA's inaugural combined shipping and domestic commercial vessel conference Maritime 2014: Ship to Shore wound up on November 12 in Melbourne.

More than 400 delegates attended the conference, where International Maritime Organization (IMO) Secretary-General Koji Sekimizu delivered the keynote address, reflecting on the past achievements and future challenges of the IMO.

Deputy Prime Minister Warren Truss addressed the conference, announcing the appointment of Stuart Richey to the position of AMSA Board Chairman on 21 November.

Mr Truss said the Australian government was committed to working with maritime industries to foster strong and safe growth.

Eighteen exhibitors attended the conference, giving conference delegates the latest insight into maritime technology, products, services and training.

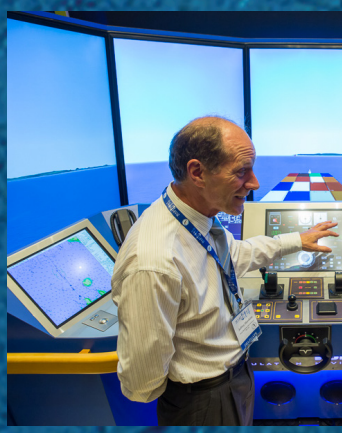
The Australian Maritime College was the platinum sponsor of Maritime 2014, with Australian Maritime Systems, Riverside Marine, Maritime Employees Training and Briar Maritime gold sponsors, and International Maritime Services, Ausmarine and the Oil Response Company of Australia Pty Ltd proudly supporting the conference.

Panel discussions provided a forum for honest and frank debate about issues for both the shipping industry and domestic commercial vessel operators.

The conference also witnessed the creation of a painting of a seafarer by multi-award winning artist Evert Ploeg as part of the Blue Angel project, which aims to highlight the importance of seafarer welfare to the broader Australian community.

It was also an opportunity to network with industry and regulators to share common concerns and issues.

> *"The Australian government is committed to working with maritime industries to foster strong and safe growth."*

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Safety Management Systems - Identifying risk

This is the second in a series of articles to assist owners with understanding the requirements of National Standards for Commercial Vessels (NSCV) – Part E Operations (NSCV Part E).

In the previous article AMSA explained some of the terms associated with risk assessments. In this article we will explore ways to identify and treat risks associated with the operation of Domestic Commercial Vessels (DCV's). The following steps are a useful process to follow in identifying risks and then effectively managing them as part of the vessels Safety Management System (SMS).

STEP 1
IDENTIFY HAZARDS AND RISKS

STEP 2
CONSIDER THE POTENTIAL IMPACT OF HAZARDS OR RISKS

STEP 3
IDENTIFY WAYS TO MANAGE THE RISKS

STEP 4
DEVELOP & IMPLEMENT THE RISK CONTROLS

STEP 1 – IDENTIFY HAZARDS & RISKS

Every DCV operation is different, so it's likely that some hazards and risks are unique to your particular operation. Typically there are hazards and risks associated with:

- The vessel's machinery, plant and equipment onboard
- The operations associated with the vessel
- The crew and any passengers carried
- The operating area and environment

To identify hazards and risks onboard it is recommended that owners get together with their crews and break the operation of the vessel into components that are more easily managed. For example:

- Vessel inspection & maintenance
- Vessel refuelling, loading stores, equipment, embarking passengers
- Vessel departure
- Vessel operations e.g. safe navigation, fishing, charter, diving operations etc.
- Berthing and securing vessel
- Unloading, passenger disembarkation

A discussion or analysis of each operational component should then identify any hazards or risks that may need to be managed.

A commercial fishing vessel owner and crew identifies that the trawl winch associated with fishing operations is a hazard and has a number of risks associated with its operation.

The winch has been identified as a potential hazard onboard. The risks associated with the winch are:

- ***Crew could be injured during its operation by being drawn into the winch***
- ***Crew could be entangled in the net during setting and dragged overboard.***

The hazard and the associated risks has been recorded in the vessel's Risk Register.

“Every domestic commercial vessel operation is different, so it’s likely that some hazards and risks are unique to your particular operation.”

STEP 2 – CONSIDER THE POTENTIAL IMPACT OF THE HAZARDS OR RISKS

In order to prioritise the risks onboard it is important that owners consider how likely a risk is to occur and what would happen if it did occur.

In the example to the left the owner and crew identify that without adequate training and procedures for using the trawl winch there is a high likelihood of the risk occurring.

If it did occur, someone could be seriously injured or even killed. They assess the risk as extreme (unacceptable) and risk controls need to be put in place to manage the risk.

STEP 3 – IDENTIFY WAYS TO ADEQUATELY MANAGE THE RISKS

The National Law requires owners to manage risks to a level so far as is reasonably practicable. Many risks cannot be eliminated but all reasonable control measures should be implemented.

Some risks can be treated by eliminating the risks altogether, others will need to be adequately managed through developing effective procedures, by ensuring crew are adequately trained, having effective emergency response plans, having good personal protective equipment and ensuring the vessel and all machinery & equipment is regularly inspected and well maintained.

In discussions the owner and the crew identify the things that could cause a person to be injured when the trawl winch is used.

They identified: inexperienced crew, fatigue, adverse effect of alcohol or drugs, loose clothing, severe weather, tripping hazards on deck and mechanical failure.

They then considered the things that they could implement to prevent things from going wrong, these include:

- ***Only competent crew to operate the winch***
- ***Winch operators are appropriately trained***
- ***All crew are aware of the procedures for using the winch and net operations***
- ***Crew are fit for duty and wearing appropriate clothing***
- ***Crew are sufficiently rested at sea***
- ***Deck is floodlit for night operations***

STEP 4 – DEVELOP AND IMPLEMENT THE CONTROLS

Once suitable risk controls are identified, the controls then need to be developed and then integrated into day-to-day operations. The controls would be ineffective if they were never followed up on.

The vessel owner, master and crew decide the company's existing fitness for work procedure, fatigue management policy and planned maintenance program are sufficient.

However, they agree a standard operating procedure (SOP) needs to be established for operating the trawl winch and for net operations.

All crew are to receive refresher training and all new crew joining the vessel will be inducted into the new procedures and trained when they join the vessel.

In addition, all crew will wear inflatable life jackets and have other personal protection equipment (PPE) when on deck. The new SOP's form a part of the vessels SMS.

The risk and the control measures has also been entered into the risk register that is a part of the operations SMS.

Vessel Risk Register

Pre-Treatment			Post-Treatment		
Activity	Hazard / Risk	Risk Rating	Risk Treatment	Risk Rating	Person responsible for implementing
Fishing	Trawl Winch - Person caught in trawl winch or net	Extreme	• Standard operating procedures for using the winch and net operations • A training and induction plan • Available first aid • Inspection and maintenance program for winch • Non-skid deck • PPE for crew (lifejackets, strobe light and personal locator beacons)	Low	Owner and skipper

Marine Surveyor Accreditation Scheme

Marine surveyor accreditation is a mechanism by which AMSA, as the National Regulator, can ensure that persons are competent to conduct and provide survey reports for domestic commercial vessels under the Marine Safety (Domestic Commercial Vessel) National Law Act 2012 (National Law).

This scheme has been brought into being by a recent amendment to the regulations - Marine Safety (Domestic Commercial Vessel) National Law Amendment (Surveyor Accreditation) Regulation 2014, which is available from the ComLaw website.

The regulation amendment commences on 2 January 2015 and the ensuing Marine Accreditation Scheme will be administered by AMSA.

The creation of the regulation amendment is the product of extensive consultation with the various state and territory maritime agencies and representative bodies, including the Australasian Institute of Marine Surveyors (AIMS); International Institute of Marine Surveying (IIMS); The Royal Institution of Naval Architects (RINA); the Boating Industries Alliance Australia (BIAA); Class Societies; and the Australian Maritime College (AMC), to name a few.

It has been developed to cater for the needs and expectations of AMSA, its delegates, private operators and other external industry stakeholders.

The scheme includes some important features including:

- a cost-neutral approach, providing existing government and non-government surveyors a simple renewal processes to allow them to continue to work
- a direct route for new government surveyors into the accreditation scheme based on existing delegates' recruitment and employment practices
- a straightforward route for new non-government (private) surveyors to achieve accredited status; with a career path for surveyors who upskill
- robust and transparent governance mechanisms which include audit and a centralised coordination of the scheme, that will ensure a high quality of output in order to maintain the integrity of the National System.

AMSA will begin accepting applications for accreditation from 2 January 2015. To find out more about the scheme and making an application, information can be found in the Marine Surveyors Accreditation Guidance Manual 2014 that is available on the AMSA website.

Torres Strait Marine Safety Program

In November, the Australian Maritime College (AMC), in support of the Torres Strait Marine Safety Program (TSMSP), announced a significant appointment in the highly successful program.

The new member of the TSMSP team is Stanley Ansey, a Torres Strait Islander with over 20 years' experience in dive industries across Northern Australia including Cray Fishing, Pearl Diving and Commercial Salvage operations.

Stan's work is to directly support the students and assist AMC trainers and assessors to further develop their skills and knowledge in delivering this highly successful training to Aboriginal and Torres Strait Islanders.

Stan himself is a student of the TSMSP, having completed his Coxswain Grade One and Marine Engine Driver Grade Three courses with the program during the first training conducted by AMC in 2013.

Stan's position was well contested, with a number of community members indicating their interest in working within the TSMSP. Stan's success was due to a combination of extensive experience, contemporary studies, leadership skills and engaging nature.

Jarrod Weaving, Manager Vocational Education and Training at AMC chaired the process and was thrilled to make the announcement in front of Stan's peers who were with Stan as they were all attending a Certificate III in Seafood Operations at the Launceston Campus.

By coincidence, Stan's appointment was announced shortly after Aunty Phyllis Pitchford was recognised as the

Aboriginal and Torres Strait Island High Education Advisory Council Award for Elders and Leaders in Higher Education.

Aunty Phyllis is an ambassador and Elder in residence at University of Tasmania's Newnham Campus, where many of the AMC facilities are located.

She is a driving force behind the Riawunna Indigenous Centre and has been recognised among other things for inspiring Aboriginal and Torres Strait Island students who are considering or already engaged in tertiary studies.

Aunty Phyllis provided a very emotional 'Welcome to Country' for the TSMSP's first AMC students in 2014 and is responsible for the Torres Strait flag now being flown at the centre alongside the Aboriginal flag.

A flag raising ceremony on the arrival of current TSMSP students was a moment that had a very positive impact on the students and their families in the Far North.

During morning tea that followed the flag ceremony, it was pointed out that AMC is lucky enough to have the longest and shortest serving Aboriginal and Torres Strait training staff in any program of the country, an achievement of which the individuals and organisations are very proud.

The TSMSP is a partnership between the Australian Maritime Safety Authority, Maritime Safety Queensland, Torres Strait Regional Authority, Queensland Police Service, and the Government of Papua New Guinea.

The primary focus is improving and promoting boating safety in Torres Strait, reducing the number of search and rescue operations in the area, increasing the survivability of people lost at sea and supporting development of the near coastal maritime industry in the region.

Since 2006, there has been a 50% reduction in maritime incidents in the region and a 60% reduction in search and rescue operations.

Following the announcement, Stan and his team had another 10 days in Tasmania before returning to Cairns to complete the Wild Harvest Dive elements of the AMC training. Additional training courses with AMC are ongoing.

Q&A with a DCV operator

Captain Rob Buck, Managing Director - Port Phillip Sea Pilots (PPSP)

This series has been developed to showcase the vast range of DCV operators throughout Australia. If you would like to tell your story, please contact AMSA Engagement at engagement@amsa.gov.au.

Port Phillip Sea Pilots are a private company employing 37 pilots and 25 support staff. Their operation runs across three ports–Geelong, Hastings and Melbourne–and their culture is one of safety and efficiency. Ahead of the QE2 visit to Melbourne, their safety management plan began 2 years prior. Their pilots attended simulated training at the Australian Maritime College and every possible eventuation was reviewed before the ship arrived. The next phase for PPSP is taking part, in some form, in the new container port in Victoria.

Captain Robert Buck joined the Port Phillip Sea Pilots in 1997 as a Marine Pilot. In 2002 he was elected to the board and in 2005 he was appointed Managing Director. During his career he has taken a keen interest in the development of Safety Management Systems particularly focusing on those related to pilotage.

What was your view when you heard about the National System for Domestic Commercial Vessel Safety?

We looked at the National System and what we had developed already to comply with the International Safety Management code, fitted in very well.

We felt it was one that we had no issues working with because of our focus on the whole safety aspect of the operators of our boats.

What steps have you taken to develop the PPSP Safety Management System (SMS)?

We introduced a formal SMS into the organisation in 2006 and that has been improved on and developed over the years to what we have now. I'm happy to say it has been recognised as one of the better SMS' in the country.

Our entire operation is focused on safety. That's not just from the big ship side, but also in relation to the operation of our pilot boats and the work spaces that people work in. We run our own boat maintenance depot, so our SMS, with more focus on the working boats, encompasses our whole operation.

How did you develop your SMS?

It did take us a lot of time to get it up and running properly! As part of the process we brought in the Harbour Masters from Geelong, Hastings and Melbourne, legal advisors and other industry reps, and effectively had a round table discussion about what we needed.

There was no point in buying an off-the-shelf one because each port and operation is different. It needs to be developed for your operation. It's definitely not a one size fits all system.

We rolled out the Geelong Port SMS first. From there we looked at what we'd done and any changes that needed to be made and expanded it to Hastings and Melbourne Ports. In effect we started small and then expanded.

We developed a safety management committee along with hiring an employee to specifically work on safety management.

We implemented a proper reporting system to look at incidents around the world in an effort to apply the learnings to our local operation.

> *"The safety of the boat and ship, the people on board, the environment we work in and the other users of the waterway is our primary aim."*

> “The pilot’s expertise is the local knowledge of the port and ship handling. Ultimately, he’s there as a risk manager, to manage the risk of bringing ships into the port.”

Ongoing SMS Training

- A man overboard drill is conducted every week utilising the bespoke designed recovery platforms on the back of their pilot boats.
- Every time the crew steps onto the boat there is a checklist of things they must cover before leaving the dock.
- Pilots and crew are encouraged to discuss the specifics of the SMS. In cases of human error, all stakeholders know the processes that need to be taken.

> *“It’s like being in a washing machine. There are so many different forces of nature acting in the one spot. You need boats that are able to cope in those weather conditions.”*

What would you say to people looking to develop an SMS for their operation?

Appreciate the benefits that come from an SMS. Engage with every single stakeholder you have in your operation, we certainly try to.

In the early days we did meet some resistance, and I’m sure other organisations will meet resistance when they’re setting them up and complying with the National System. Even the smallest organisation can put something in place.

I see Part E as a relatively easy thing to comply with if you just sit down and think about it rationally. Unfortunately people seem to think that it’s an arduous task to comply with.

Although I have more resources than a lot of other organisations that may have to comply with Part E, if you’re a small operator you just need to describe what you do and how you do it and that will cover it and you’ll comply with the various requirements.

Can you tell us about the pilotage boats PPSP use?

Myself and another senior pilot undertook a whirlwind round-the-world trip looking at all the ports that had similar weather conditions to us. We went to 18 different ports in 28 days, from the French Atlantic Coast to the New Finland West Coast of Canada–anywhere with adverse weather conditions for pilotage operations.

We decided on a french-designed pilotage boat being used on the Atlantic coast, developed because of a safety incident off the coast of Bordeaux. It was a self-righting boat, that allows the vertical acceleration of the boats to be modified so that they’re not violent in their movement.

We are in the process of changing the entire PPSP fleet over to the ORC boats. We were fortunate that Mal Hart, from Harts Marine Australia was able to build them. It’s demonstrated itself again and again how much safer it is to use. Not only is it safer, it can handle more extreme weather conditions so has improved efficiency.

> “Everything we do is looked at from a risk perspective and what we need to do to bring it in safely. Everything is checked and double checked.”

Captain Rob Buck

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