



- 4 DEC 2002

**THE CABINET OFFICE
NEW SOUTH WALES**

The Hon M R Egan MLC
Treasurer
Minister for State Development
Level 33
Governor Macquarie Tower
1 Farrer Place
SYDNEY NSW 2000

TCO/05962

Dear Mr Egan

I refer to the final report of the General Purpose Standing Committee No. 5 – Report on Inquiry into Oil Spills in Sydney.

In accordance with the resolution of the Legislative Council in June 2002, the Government has carefully considered the report of the Standing Committee. A detailed response to the recommendations of the Inquiry Report is attached.

Yours sincerely

A handwritten signature in black ink, consisting of a large, stylized 'R' and 'W' followed by a long horizontal stroke.

Roger B Wilkins
Director-General

**GOVERNMENT RESPONSE TO THE GENERAL PURPOSE STANDING COMMITTEE
NO. 5 – REPORT ON INQUIRY INTO OIL SPILLS IN SYDNEY HARBOUR**

1. It is recommended:

- (a) that the Government compile and evaluate existing ecological information regarding Sydney Harbour; and**
- (b) following the evaluation, the Government commission independent ecological research to complete an inventory of biodiversity in Sydney Harbour.**

The Government has a number of sources of ecological information relating to Sydney Harbour. These include the *Coastal Resource Atlas for Oil Spills in Port Jackson* and the *Water Quality and River Flow interim Environmental Objectives – Guidelines for Water Quality Management: Sydney Harbour and Parramatta River Catchment*. The Government will continue to evaluate and update these documents as considered necessary.

2. It is recommended that the area surrounding the little penguin colony near Manly be upgraded from *high* to *extreme* sensitivity and treated accordingly in the event of an oil spill.

An updated Coastal Resource Atlas for Oil Spills in Port Jackson was published in August 2002 and the area has been upgraded as recommended.

3. It is recommended that the NSW Department of Transport undertake a formal review of the classification of areas within Sydney Harbour to determine whether or not they are appropriately classified or if they should be considered for upgrade.

The classification of areas of risk in Sydney Harbour is reviewed by the Department of Transport on an annual basis in conjunction with relevant stakeholders.

4. It is recommended that the EPA continue to promote the use of its boat cleaning protocol to boat owners and boat users.

The Waterways Authority, EPA & Charter Vessels Association in July 2002 produced a publication aimed at boat owners called "Wash your boat". Copies are available from these organisations. This supplements EPA guidelines on best practice environmental management for marinas and boat repairers, and Department of Transport publications on Coastal Oil Spill Response.

5. It is recommended that the Government undertake research into the effectiveness of modifying gross pollutant traps to pick up oil in addition to other pollutants.

The EPA has commissioned a range of studies to evaluate the effectiveness of modifying Gross Pollutant Traps to capture oil and other pollutants. The results of these studies will be available in March 2003.

6. **It is recommended that the NSW Government publish results of the evaluation of the Stormwater Trust Fund's program.**

A comprehensive evaluation of the Storm Water Trust Program was published in December 2000.

7. **It is recommended that subject to satisfactory evaluation of projects already funded by the Stormwater Trust Fund, that the Fund's program be extended.**

This proposal is currently being considered by Government.

8. **It is recommended that Sydney Ports Corporation give consideration to the deployment of booms during major bunkering operations on Sydney Harbour.**

Booms are used in all ship/shore transfers of oil at Gore Cove in Sydney Harbour and booms are used at Garden Island as necessary. Sydney Ports deemed it impractical and unnecessary from a risk management perspective for booms to be used in all bunkering operations.

9. **It is recommended that:**
 - (a) **Sydney Ports Corporation/Waterways Authority in their 2000/2001 annual reports to Parliament include a list of each of the recommendations made in the investigation reports by:**
 - i) **the State Marine Oil Pollution Response Committee;**
 - ii) **the Inspector of Marine Accidents, Australian Transport Safety Bureau;**
and
 - iii) **the Australian Maritime Safety Authority concerning the *Laura D'Amato* oil spill and details of the specific steps taken to implement these recommendations or detailed reasons for any decision not to implement any recommendation; and**
 - (b) **in determining cleaning methods to be used in future oil spills, the best scientific evidence must be taken into consideration.**

Whilst this recommendation was not implemented for the 2000-01 Annual Reports of the Waterways Authority and Sydney Ports Corporation, both agencies have been asked to consider the appropriateness of providing a report on progress either as part of their 2002-03 Annual Report or another suitable means.

The EPA's approach to environmental clean-up is to always use the best available scientific information when identifying appropriate clean-up methods.