



**The Hon Anthony Albanese MP**

Minister for Infrastructure and Transport  
Leader of the House

Reference: 06220-2010

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Cr Geoff Lake  
President  
Australian Local Government Association  
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DEAKIN ACT 2600

<b>ALGA MAIL</b>	
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Dear Cr Lake

Thank you for your letter dated 1 October 2010 about a number of resolutions passed at the 2010 National General Assembly of Local Government.

In relation to the concerns raised by the Rockhampton Regional Council about the current risks to the environment of shipping on the Australian coastline, I can assure you that the Australian Government is committed to improving the efficiency and effectiveness of Australia's maritime regulatory arrangements.

Following the grounding of the *Shen Neng 1* in April 2010, I announced a package of measures to further strengthen marine environment protection in the Great Barrier Reef (GBR). The package includes extending the GBR and Torres Strait ship reporting system (REEFREP) and associated coastal vessel traffic service to the southern boundary of the Great Barrier Reef Marine Park and reviewing penalties under the *Protection of the Sea (Prevention of Pollution from Ships) Act 1983* and *Navigation Act 1912*.

A large proportion of the new REEFREP area is outside Australia's territorial waters. In order to mandate vessel reporting in the area it is necessary to obtain agreement from the International Maritime Organization (IMO). Australia submitted its proposal to the IMO in July 2010. Assuming final approval is granted by the IMO at its November/December 2010 meeting, the changes are expected to come into force on 1 July 2011.

In the meantime, the Government has begun rolling out the infrastructure required to support the new REEFREP area. The infrastructure will be operated by the Great Barrier Reef and Torres Strait Vessel Traffic Service (REEFVTS) located in Townsville. REEFVTS tracks 8,000 ship movements a year and is proving highly effective in reducing navigational and human error that can lead to major incidents in the area.

According to the Australian Transport Safety Bureau's preliminary report released on 15 April 2010, the *Shen Neng I* was navigating inside a designated shipping area when the grounding occurred. It is estimated that about one-third of the ships entering and exiting the GBR in the Gladstone area use this passage which lies north of the Capricorn Group of islands. Navigable waters in this passage are deep and wide and the boundaries of the Great Barrier Reef Marine Park and other restricted areas are clearly marked on navigational charts.

The Government is also undertaking a rewrite of the *Navigation Act 1912* as part of its maritime reform agenda. The new Act will better reflect Australia's regulatory policies, allow greater flexibility to respond to changes in national and international vessel safety standards and introduce a new penalty and enforcement regime. The Act is the primary piece of Commonwealth legislation responsible for regulating matters such as ship construction standards, safe navigation, the inspection and seaworthiness of vessels, the use of safety equipment, the handling of dangerous goods and crew qualifications.

On 10 June 2010, I released for comment, a discussion paper outlining options for modernising the *Navigation Act 1912*. Copies of the discussion paper can be downloaded at: <http://www.infrastructure.gov.au/maritime/paper/index.aspx>.

The Government has also initiated a review of the offences and penalty provisions under relevant maritime and environmental legislation with a view to toughening penalties for breaches. The aim is to further deter shipping companies and their crews from engaging in unsafe and irresponsible actions at sea, particularly near environmentally sensitive marine ecosystems such as the GBR. The outcomes of the review, to the extent that they deal with safe navigation, will be implemented as part of the rewrite of the *Navigation Act 1912*.

I have forwarded a copy of this letter to the Hon Simon Crean MP, Minister for Regional Australia, Regional Development and Local Government.

Thank you for raising this matter.

Yours sincerely



ANTHONY ALBANESE