

## SALVAGE AND THE NATIONAL PLAN

It is generally accepted that prompt salvage is the best protection against environmental pollution from casualties at sea. Thus the National Plan makes provision for professional Salvors to be alerted when a casualty has been notified or about to occur, to enable an emergency response to be mounted within the shortest possible **timeframe**. Such response can often prevent or minimise damage to the environment with the consequent saving not only of the environment but also the very considerable costs of the clean up operation and disturbance to tourist and other commercial activities. The cost of such response is always a fraction of the cost of rectification.

The National Plan also provides guidelines to ensure that there is the closest cooperation between the Salvors and the National Plan personnel during the course of any salvage operation. The Salvors, have responsibility for preventing or minimising the egress of polluting substances from the casualty, while the National Plan personnel have the job of cleaning up the consequences at sea and along the shoreline. Thus the degree of success of the Salvor, influences the magnitude of the clean-up task.

The National Plan also provides the Salvor with Responder Immunity to any legal action contemplated under Environmental Protection legislation.

## THE ROLE OF THE CASUALTY COORDINATOR

It became apparent during the "Iron Baron" operation that lines of communication between the Salvors and the shore authorities were confused. A number of organisations have a legitimate interest in monitoring the progress of the salvage operation being conducted on board the vessel, but it does not assist when such organisations only receive incomplete or even erroneous information often through informal sources. Misunderstandings occur, relationships deteriorate, and the progress of the operation can be impeded.

Thus one of the United Salvage recommendations to the "Iron Baron" Review Committee was the appointment of a single point of reference on board the casualty (to be titled "Casualty Co-ordinator") for the collection and transmission of information ashore to the Incident Commander.

The Casualty Co-ordinator would be present at all salvage planning meetings and briefings and would thus have full knowledge of the progress to date and the future planning. He would be in a **position** to allay concerns and to convey any reservations about the salvage plan to the Salvage Master for consideration.

This recommendation was accepted and included in the final document published in 1996. Unfortunately it was not until the "**Bunga Teratai Satu**" operation in 2001 that a Casualty Coordinator was appointed. The results were extremely satisfactory and appointments have been made to every casualty of consequence since. The Maritime Safety Authority of New Zealand has also adopted this format which proved invaluable during the "**Jody F Millenium**" operation.

Secretary: *J. L. L. L.*

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21 MAY 2004

HOUSE OF REPRESENTATIVES  
STANDING COMMITTEE  
TRANSPORT AND  
REGIONAL SERVICES

## Enquiry into Maritime **Salvage** in **Australian** waters

We refer to the paper, dated 6<sup>th</sup>. April, 2004, submitted by Shipping Australia Ltd. under the above heading.

Whilst we agree with much of the content of their paper there are some statements or opinions contained therein which, we believe, are not totally accurate and which, if left unchallenged, could confuse or mislead your Committee.

We would comment as **follows:**

### **Introduction**

At the top of page 2, the first conclusion quoted from the Dwyer report would indicate that Port Authorities adopt a cooperative approach to the release of tugs for emergency/salvage duties. Our experience is that permission to proceed is only given if there is no risk of interruption or delay in port operations. It is assumed that threat to life would prove to be an exception to this general rule.

### Emergency Response Capability

At the bottom of page 2, the Dwyer Report states that an agreement exists between BHP and United Salvage concerning the utilisation of the Hay Point tugs. This is not so. Informal discussions were held with BHP at the port level concerning response to an incident at or near **Hydrographer's** passage, which might require cooperation between us but nothing more.

We did request a tug from Hay Point for the "Doric Chariot" operation to be relieved by one of our Mackay based tugs. Initially this was agreed but foundered upon legal demands for unlimited indemnification should the BHP tug be damaged or **lost**.

In the first paragraph on page 3, the stated method of charging for emergency services within port limits is not correct. It is a matter between the Shipowner and the Tugowner and is negotiated at a rate appropriate to the circumstances of the casualty. We have stated in our submission the method we use to prevent any delay to the provision of such emergency services and to our knowledge there has been no such delay for at least 15 years.

With regard to the third paragraph on page three, we would make the comment that the "initial response" is often a salvage service as defined and it is not practical to differentiate this service from the ongoing work necessary to bring the casualty to a Place of Refuge (or safety).

### Salvage Capability

In the first paragraph, reference is made to the "highly remunerative" nature of major incidents. This can indeed be true dependant upon the value of and danger to the ship and its cargo amongst other criteria; however such incidents are few and far between, the incidents of casualties in Australian waters giving rise to a Lloyd's salvage contract (LOF) being about one per annum and not all these are lucrative.

In paragraph 3, mention is made of the Attachment B which basically consists of two tables of casualties. The first sourced from the Dwyer report is in fact a list of operations conducted by United Salvage. The second table does not emanate from Mr. (not Capt.) **Hoskison** and seems to be taken from ATSB **reports**: salvage/tug services may or may not be involved. The information on casualties post the publication of the Dwyer report was indeed provided to the Natship 2004 by Mr. Hoskison.

### Conclusion

In supporting the conclusion reached by the Productivity Commission in 2002, Shipping Australia is taking a historical perspective and is ignoring developments in the meantime as outlined in our submission. We believe the conclusion on the evidence today would be "that the provision of salvage services is being adversely affected by the efficient pricing and provision of harbour towage services". This view was also expressed by Mr. **Lachlan** Payne of the Australian Shipowner's Association at the recent Roundtable Discussion held in Melbourne on the 28<sup>th</sup> April.