

## Arrangements in Victoria – An Industry Perspective

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Aim of NATPLAN

To protect Australia's marine and foreshore zones from the adverse effects of oil and other noxious and hazardous substances.

Outlines combined stakeholder arrangements for a rapid and cooperative response.

Integrated Government and Industry organisational framework.

- Marine Pollution response in Australia occurs at four levels-the local, regional, State and Commonwealth level. These levels are based on the scale and complexity of the spill.
- For example, if a spill occurred, the local port would first try to manage it, if they exceeded their capacity to respond....etc.
- Each level of response is required to maintain a contingency plan that outlines their approach to combating an oil spill in their jurisdiction
- National Marine pollution response arrangements in Australia are outlined in the NATPLAN
- The NATPLAN is administered at the Commonwealth level by the Australian Maritime Safety Authority (AMSA)
- The administrative arrangements of NATPLAN are outlined in the Intergovernmental Agreement (IGA) that describes the responsibilities of the Commonwealth, jurisdictions and industry in responding to oil spills
- The State, Regional and local plans all complement the NATPLAN and contain the specific details of local arrangements and available resources
- Major oil companies also contribute to marine pollution response and preparedness through membership to the Australian Marine Oil Spill Centre (AMOSC), that I will talk about in more detail later in the presentation

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- As part of this role, our marine pollution team is responsible for:
  - » managing State obligations to the Intergovernmental Agreement and the NATPLAN
  - » reviewing and administering the State's contingency plan (VICPLAN)
  - » recovering incident costs from polluters
  - » building marine pollution response capability
  - » maintaining the State's response preparedness, and
  - » maintaining a stockpile of response equipment around the State

In Victoria, the State Marine Pollution Controller has the responsibility under the *Marine Act 1988* for ensuring an effective response to marine pollution incidents in Victorian State Waters.

Presently, this role rests (by delegation) with the Executive Director, Security and Emergency Management Division, DOT.

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- The Victorian Marine Pollution Contingency Plan (VICPLAN) is the guiding document for oil spill response in the State
- It was developed as a requirement of the NATPLAN and describes Victoria's requirements under the Intergovernmental Agreement
- The VICPLAN is prescribed by the Marine Act and is administered by SEMD
- VICPLAN describes the organisation, responsibilities and procedures for the preparation and response to marine pollution emergencies.
- It also provides the basis for the coordination of planning for marine pollution response at the regional and local level.
- Victoria's responsibility to respond to marine pollution incident applies to 3 nautical miles offshore.
- An incident beyond 3 nautical miles offshore becomes a Commonwealth responsibility and is attended to by AMSA,
- In the event that a major spill exceeds the capacity of the State to respond, the VICPLAN provides an interface with AMSA for the request and coordination of interstate and overseas assistance
- However, even in such circumstances, Victoria still remains the Control Agency for the incident

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- To help manage pollution incidents in the State, Victoria's coastline has been divided into 4 regions
- These regions are controlled by Regional Control Agencies, these being Port of Portland, Port of Melbourne Corporation, Patrick's Port Hastings and Gippsland Ports
- These RCAs conduct the initial response and assessment of marine pollution incidents on behalf of the State
- They are also responsible for managing the response to Tier One incidents.
- The RCA's administer and maintain their own Regional Contingency Plans which are established within the framework of VICPLAN.

### **Tier 1- small local spills, less than 10 tonnes**

Usually associated with ship transfer or bunkering operations

### **Tier 2-medium spills, 10 to 1000 tonnes**

Usually associated with shipping incidents in ports or harbours, could also be from pipelines and off-shore platforms

### **Tier 3- large spill-greater than 1000 tonnes**

Major incident involving oil tankers

For chemical spills it's a similar system

### **Level 1 , potential emergency condition**

### **Level 2, limited emergency condition**

### **Level 3, full emergency condition**

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- If the spill can't be managed by operator it will most likely be greater than Tier 1 or complex (wildlife, political overlay, resource activation (state and National). Could use Lady Cheryl as an example.
- A hierarchal, whole of government approach is applied to spill response
- Local arrangements – facilities, vessels, etc. are expected to maintain adequate means to

The State has the ability to make an assessment on response capability and can take over control via powers of the Marine Act (2010)

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- The key thing to note here is that State cannot give responsibility of State Control away. Good example is when AMSA in control in Commonwealth waters then State in control in State waters (as slide suggests for industry)