

**LEGISLATIVE COUNCIL**  
**Question On Notice**

**Tuesday, 11 October 2016**

**4470. Hon Robin Chappie to the Parliamentary Secretary representing the Minister for Transport**

I refer to the process of all vessels releasing ballast water whilst entering Port Hedland Harbour, and ask:

- (a) have there been any changes to Ballast water regulations in the past year;
- (b) if yes to (a), why were these regulatory changes made;
- (c) if yes to (a), do these changes now allow such vessels to load ballast water from any source whatsoever, regardless of cleanliness or lack thereof;
- (d) are international vessels required to load ballast water at sea from a depth of not less than 200 metres, to ensure some degree of cleanliness;
- (e) on approaching Port Hedland Harbour, are international vessels required to discharge ballast water before they enter the channel or harbour;
- (f) if no to (e) why not;
- (g) what regime is in place to ensure ballast water from outside Australian waters doesn't find its way into Port Hedland harbour;
- (h) who or what agency is responsible for ensuring ballast water from overseas isn't discharged in Port Hedland harbour.;
- (i) is the process of inspecting incoming vessel ballast water discharge recorded;
- (j) if yes to (i), will the Minister table a report of all incoming vessel ballast water inspections in Port Hedland over the past 12 months;
- (k) are bio-security inspections undertaken to maintain the integrity of Port Hedland's marine environment in and approaching the harbour;
- (l) if yes to (i), what are these inspections;
- (m) if yes to (i), how often are such physical inspections undertaken;
- (n) If no to (i), why not;
- (o) in the event of an outbreak in or near the harbour of any unwanted organism, is there some form of cleanup plan;

- (p) if yes to (m), what plans are in place;
- (q) if yes to (m), which organisation or agency is responsible for such action;
- (r) if yes to (m), which entity would be responsible for the costs of such a clean-up;
- (s) are there any threatened species found in and around the Port Hedland Harbour Area;
- (t) if yes to (q), who is responsible for the monitoring of this species; and
- (u) if yes to (q), what measures are in place to protect this threatened species from contaminated Ballast water?

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**Answer**

The Pilbara Ports Authority does not regulate or have any specific policy around ballast water management. Ballast water management (discharge/uptake and exchange) is governed by international laws/conventions as set out under the International Maritime Organisation protocols. In Australia, these are enforced through the *Commonwealth Biosecurity Act 2015*.

- (a) Yes. The International Convention for the Control and Management of Ships' Ballast Water and Sediments was ratified and will be enforced in 2017.
- (b) To improve and make consistent international ballast water regulations.
- (c) No changes have been made to regulations on ballast water loading.
- (d) Yes
- (e) No
- (f) Current practice is for vessels to exchange ballast water at sea to ensure only clean oceanic water is discharged at port. Vessels are not required to discharge this clean oceanic water before entering a port. Vessels are required to keep clean ballast water on board to meet port arrival requirements as identified under the *Commonwealth Biosecurity Act 2015*.
- (g) Adherence to this process is managed and monitored by the Australian Government under the *Commonwealth Biosecurity Act 2015*, through the Department of Agriculture and Water Resources. It involves a risk based compliance approach that requires vessels to submit required documentation in advance of their arrival in Australian waters for review. The quality of ballast water being discharged by international vessels arriving at Australian ports is controlled by the requirement for vessels to exchange ballast water when on route to Australia in offshore, deep water locations.
- (h) The Commonwealth Department of Agriculture and Water Resources.
- (i) All international trading vessels are required to keep extensive records in the form of

a ballast water management plan and record book.

- (j) This question is best asked of the responsible Commonwealth Government Minister.
- (k) The requirements under the *Commonwealth Biosecurity Act 2015* are applicable to all vessels and all ports in Australia
- (l)-(n) This question is best asked of the responsible Commonwealth Government Minister.
- (o) Yes
- (p) Commonwealth Government Emergency Marine Pest Plan.
- (q) The Department of Agriculture and Water Resources, driven by the Consultative Committee on Introduced Marine Pest Emergencies (CCIMPE).
- (r) Cost allocation would be determined by CCIMPE.
- (s) Yes, as defined under the *Environmental Protection and Biodiversity Conservation Act 1999*
- (t) The Commonwealth Department of the Environment and Energy.
- (u) Only clean oceanic ballast water is permitted to be discharged at all Australian ports. The discharge of clean oceanic waters (from ballast water systems) into the Port Hedland Inner Harbour is unlikely to adversely impact the ecosystem. Further information can be found on the Department of Agriculture and Water Resources website: <http://www.agriculture.gov.au/biosecurity/avm/vessels/biosecurity-concerns/ballast/australian-ballast-water-management-requirements-version6>

