

Marine Parks Mooring and Anchoring Policy

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AUTHORISED BY Deputy Director General DPI Fisheries

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Policy Statement

The Department provides public moorings primarily to protect environmental values in marine parks, as well as to provide ongoing access to key locations within no anchoring areas or sanctuary zones. The Department may also provide moorings for specific uses to an individual, group, business, cooperative or consortium through a leasing arrangement. Moorings are also located in marine parks for other reasons, such as safety and navigation; however, these moorings are the responsibility of NSW Maritime and are not subject to this Policy.

The Department and NSW Maritime work collaboratively under an agreement to ensure that the placement of moorings and ongoing use of these moorings is consistent with the purposes of marine parks under the Marine Estate Management Act 2014 and marine park zoning or management plans.

This Policy applies to Department owned and managed moorings only.

Scope

The placement of moorings in a marine park requires the consent of the relevant Ministers or their delegates, unless otherwise authorised by NSW Maritime. Moorings are required in marine parks for the security and convenience of boats visiting or residing in the area and the protection of marine habitats by reducing the need for anchoring.

In providing moorings in marine parks, the Department considers first and foremost the environmental protection benefits at each location and secondly, opportunities for ongoing use or appreciation of an area and equity of access for all marine park users. In addition, the establishment of designated anchoring areas, or the prohibition of anchoring in certain areas, may provide a simple and more cost effective approach to management.

Requirements

1. General

1.1 The Department may install public moorings in a marine park where there is a need to prevent damage caused by anchors while continuing to provide for equitable public access and enjoyment.

1.2 The Department will not install or maintain a public mooring for use by an individual or single user group.

1.3 Where an individual or single user group demand exists and there is a continuing need to prevent environmental harm from the effects of anchoring an application for a mooring permit should be made to NSW Maritime.

1.4 Where the situation detailed in 1.3 above exists and Department mooring hardware is already in situ, the Department may lease-out a mooring/s on at least a cost recovery basis (refer 6.6 and 6.7).

1.5 The Department will not generally support the installation of public moorings in offshore areas where on-going vessel anchoring is environmentally acceptable.

1.6 Where the Department installs public moorings, consideration will be given toward excluding anchoring in the surrounding area. If the exclusion of all vessel anchoring is undesirable, consideration will then be given toward the exclusion of anchoring by certain size classes of vessels. These determinations will be made on a park by park and individual site assessment basis.

1.7 Where anchoring is to be excluded in accordance with 1.6 above, the prescribed area will be gazetted as a Marine Park Notification under the relevant section of the Marine Estate Management Act 2014. These areas may also be incorporated management plans from time to time.

2. Planning

2.1 The Department, in consultation with NSW Maritime may develop an Anchoring and Mooring Plan for each marine park. This Plan will relate to Department owned moorings and marine park anchoring arrangements and will aim to convey information relating to:

- boundaries of mooring areas (including a map of mooring locations);
- the capacity / number of moorings at each mooring site;
- mooring design and conditions of use (including time restrictions);
- no anchoring and restricted anchoring areas;
- any applicable fees or charges.

Note that anchoring arrangements are normally defined by the Zoning Plan or Management Plan, however this plan aims to give comprehensive information regarding anchoring restrictions in the marine park as well as Departmental mooring locations and associated rules that apply for Department mooring access. Any new anchoring arrangements determined in this Plan will be gazetted by Marine Park Notification and consideration will be given to including in a future Management Plan.

3. Assessment of environmental factors and approvals for Department public moorings

3.1 A Review of Environmental Factors will be conducted for all moorings installed by the Department. This may be undertaken collectively as part of the Anchoring and Public Mooring Plan or by each marine park.

3.2 Moorings installed and operated by the Department will require a mooring licence issued by NSW Maritime (or the Lord Howe Island Board in respect to Lord Howe Island Marine Park moorings).

3.3 Any proposal for additional moorings (not included in the Anchoring and Public Mooring Plan) will be agreed between NSW Maritime and the Department before any further action.

4. Standards for Department public moorings

4.1 Where practicable Department moorings:

- will be a standard shape, size, colour and material as determined by NSW Maritime;
 - public moorings buoys are PINK
 - commercial mooring buoys are RED
 - mooring buoys for exclusive Department vessel use are BLUE
- will have standard classes of structural capacity (consistent with National guidelines once finalised); and
- will have standard conditions of use unless otherwise stated.

5. Installation and maintenance

5.1 Public moorings are to be designed and certified by a suitably qualified engineer or naval architect in accordance with Australian Standards or other accepted interim design parameters.

5.2 A standard maintenance protocol for Department public moorings will be prepared.

5.3 The above protocol will address the following:

- standard record keeping of all mooring inspections and maintenance;

- obligatory minimum visual inspections of surface mooring tackle at 3 monthly intervals, and clean surface tackle /tag.
- minimum 6 monthly underwater clean and inspections of all mooring components;
- maintenance checks to be undertaken including checking the permissible degree of wear for each component,
- mandatory replacement of specified components
- WH&S considerations, including training and occupational diving and snorkelling requirements, will be required where maintenance is undertaken by Department staff.

5.4 Each marine park will maintain a Public Moorings Maintenance Register, detailing:

- a detailed description of each public mooring, including design and location,
- generic maintenance requirements taken from the 'protocol' in 5.3 above,
- any additional maintenance requirements of a specific mooring(s),
- inspection regime
- inspection log
- maintenance log

6. Use of Department public moorings

6.1 Department public moorings are available on a first come, first served basis unless otherwise stated.

6.2 Department public moorings can only be used in accordance with the limits or conditions stated on individual mooring buoys (or mooring tag) and in accordance with marine estate legislation.

6.3 Conditions of use will also be documented on the Department's web site, in marine park recreational user guides, the Anchoring and Mooring Plan and in Maritime Notices.

6.4 The Department may determine to enable some public moorings (for a given period of time or event) to be dedicated to a particular user or group of users (e.g. through a leasing arrangement).

6.5 Where the above arrangements (6.4) are in place for dedicated use of Department public moorings, details will be posted at local marine park offices and notified on the Department web site.

6.6 If a Department mooring is granted or leased to a particular user group, business, or organisation (6.4) for any period in excess of 7 days the mooring buoy will be changed to reflect commercial (red) usage.

6.7 If a Department public mooring is granted or leased to a particular user group, business, or organisation (6.4) for any period in excess of 12 months consideration must be given to permanent disposal of the asset. This in turn would require the new owner to apply for a mooring permit to NSW Maritime. The Department would generally only consider retaining the mooring if it was required for usage by multiple user groups or individuals.

7. Use fees for Department public moorings

7.1 The Marine Estate Management Act 2014 allows for the prescribing of fees payable in respect of the use of a marine park, or carrying out of any activity within a marine park.

7.2 The Department may therefore determine to recover costs (in part or fully) associated with the installation, maintenance and management of Department public moorings through permit fees, lease fees or other charges.

7.3 The Department may, as deemed appropriate, also encourage voluntary user donations, in kind agreements, or sponsorship arrangements.

8. Moorings register

8.1 The Department will maintain a central public register of Department public moorings, including their location (DGPS points) in marine parks. The register will be made available to the Australian Hydrographic Office for chart updating.

9. Mooring relocation and removal

9.1 Department public moorings will, from time to time be removed for maintenance purposes.

9.2 Department moorings may be installed in some areas only during peak use periods, and removed for the remainder of the year.

9.3 The Department may remove (or relocate) a Department public mooring if it is determined to be causing inadvertent and negative impacts on species or habitats, or likely to create an environmental hazard impacting on use and enjoyment of the marine park, or during development or review of a mooring site plan.

9.4 Where the Department removes or relocates a Department public mooring this information will be updated on the Department web site and on the Department Moorings register.

Roles and responsibilities

- Roads and Maritime Services: The Department and Roads and Maritime Services work collaboratively, under an agreement, to ensure that the placement of moorings and ongoing use of these moorings is consistent with the objects of the Marine Estate Management Act 2014.

Definitions

- Mooring: any post, stake, pile float, pontoon or any other object (other than a vessel's anchor that is retrieved by the vessel when not in use) secured by any direct or indirect means to the waters' bed for the purpose of attaching a vessel to the bed.
- Public mooring: means a mooring installed, operated and maintained by or on behalf of the Department for public use.
- Leased mooring: means a mooring that is installed by the Department but has been leased to an individual, group, business, cooperative or consortium with specific conditions of use (potentially exclusive use) on a cost recovery basis

Legislation

- Marine Estate Management Act 2014 and subordinate regulations.

Related policies

- Nil

Other related documents

- Nil

Superseded documents

This policy replaces:

- Marine Parks Authority Mooring and Anchoring Policy

Revision history

Version	Date issued	Notes	By
1	20/05/2015	Minor amendments	Manager Port Stephens - Great Lakes

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01/07/2016

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