



Transport
for NSW

Maritime Management Centre

Moorings Review

Issues Paper

March 2014



Prepared by the Maritime Management Centre,
Transport for NSW
18 Lee Street
Chippendale NSW 2008
Postal address: PO Box K659 Haymarket NSW 1240
Internet: www.transport.nsw.gov.au
Email: mmc@transport.nsw.gov.au

Further information:

For further information concerning vessel incident
statistics for New South Wales, write to the:
Maritime Management Centre
PO Box K659
Haymarket NSW 1240

ISBN Register: 978-1-922030-68-9

© COPYRIGHT STATE OF NSW THROUGH THE
DIRECTOR GENERAL OF TRANSPORT FOR NSW 2014

Extracts from this publication may be reproduced
provided the source is fully acknowledged.

Contents

1	Introduction	2
2	Background	3
	2.1 Categories of Moorings	3
3	Demand for Moorings	5
4	Capacity of Moorings	7
5	Regulatory & Policy Framework	9
	5.1 Regulations	9
	5.2 Policy	10
6	Potential Areas for Reform	11
	6.1 Mooring Minders	11
	6.2 Mooring Maintenance	12
	6.3 Making more efficient use of existing mooring capacity	13
	6.4 Environmental issues	16
	6.5 Alternative Delivery Models	17
7	Conclusion	18



1 Introduction

As part of the NSW Government's Maritime Policy Agenda, the Maritime Management Centre in Transport for NSW (TfNSW) is undertaking a review of the policy and regulatory framework governing the administration of moorings in NSW.

The objectives of the review are to:

- reduce the administrative burden on industry and the community
- improve consistency and transparency
- ensure the policy and regulatory framework is modern and flexible to respond to growing demand for boat storage.

The review is being conducted in two parts:

- public feedback on an Issues Paper to help scope the range of matters to be covered in the review
- more detailed examination of particular issues identified as priorities.

The purpose of this Issues Paper is to provide an explanation of the current arrangements and the challenges posed by increasing demand for boat storage across NSW. The Paper is designed to seek stakeholder and community feedback on a range of issues and potential reform options to help inform the design of an improved approach to mooring management.



2 Background

Moorings are primarily regulated under the *Management of Waters and Waterside Lands Regulations—NSW* (The Regulations) which defines a mooring as “a structure or an apparatus used to secure any floating object or apparatus in navigable waters whether or not that structure or apparatus is itself beyond the shores of the water, and whether or not that structure or apparatus is, or is proposed to be, used for any other purpose.”

Roads and Maritime Services (Roads and Maritime) has responsibility for the management of moorings in NSW excluding in marine parks and Lord Howe Island.

2.1 Categories of Moorings

There are four categories of moorings managed by Roads and Maritime: commercial, private, courtesy, and emergency. Table 1 provides the number of occupied and available sites for the different categories of moorings in NSW.

Mooring licences are issued for private and commercial sites. Conditions apply to private and commercial mooring licences to reflect how the mooring can be used. Private Mooring Licences (PMLs) are issued to individuals only, permitting the licensee to moor one vessel on the single mooring apparatus.

Commercial Mooring Licences (CMLs) can be issued to a business entity or a person approved by Roads and Maritime. The different commercial mooring licence classes establish conditions on the business activities for which the licensee may use their commercial moorings. For example, a different licence is required to operate a marine business versus a sailing club. Commercial mooring licences also impose more stringent conditions on the vessel. A single commercial mooring licence may also cover multiple mooring sites.

Roads and Maritime also installs and manages courtesy and emergency moorings in NSW. The use of these moorings is generally limited to 24 hours.

Table 1: Number of Moorings Sites in NSW

Moorings Regions	Commercial	Private	Courtesy	Emergency	Total
Sydney	4528	12,312	83	56	16,979
Northern	959	5636	45	11	6651
Southern	682	2329	0	5	3016
Total	6169	20,277	128	72	26,646

1 Background

Courtesy moorings are available for temporary use by the boating public for mooring recreational vessels free of charge, and under circumstances where an emergency mooring is required but not available. Courtesy moorings are generally located in environmentally sensitive or popular recreational areas as an alternative to anchoring. Courtesy moorings are installed where the local community derives benefits. A number of factors such as impacts to navigation, seagrass, aesthetics, and liability in the event of apparatus failure, are considered to determine if a courtesy mooring is appropriate in a particular area.

Emergency moorings are generally located near the entrance to a bay in which other moorings are located, or near other moorings. Emergency moorings may be used by the boating public when a mooring apparatus is broken or damaged, when a vessel suffers a mechanical or structural fault, or in adverse weather conditions. Emergency moorings may also be used by authorised officers for a variety of short term purposes. The master of the vessel must notify Roads and Maritime as soon as practicable after securing the vessel to an emergency mooring.

Facts and Figures

- Swing moorings are by far the most common type of mooring system in NSW making up 86% of all PMLs
- Sydney Harbour is home to the largest number of moorings of all waterways in NSW, with approximately 25% of all private moorings and 30% of all commercial moorings sites
- The majority of PMLs are for vessels between 5 and 10 metres, with vessels between 7.0m and 8.0m making up the largest percentage (21.7%).

Picture 1: Example of private swing moorings placed across a bay





3 Demand for Moorings

The 2010 Report *NSW Boat Ownership and Storage: Growth Forecasts to 2026* estimated that boat ownership in NSW is expected to increase on average at approximately 2.9% per year creating a significant challenge in accommodating demand for both on-water and off-water boat storage facilities.¹

The Report also highlighted that the total number of vessels over 6 metres has been growing at a faster rate than vessels under 6 metres, pointing to higher growth for water-based storage options as vessels under 6 metres can generally be stored on a trailer.

The Government has recently released a Sydney Harbour Boat Storage Strategy, which shows that for Sydney Harbour, these growth figures are likely to require an additional 300 new mooring spaces to be created by 2021. Similar analysis will shortly be undertaken in other NSW waterways as part of a State-wide audit of boating safety, infrastructure and access needs.

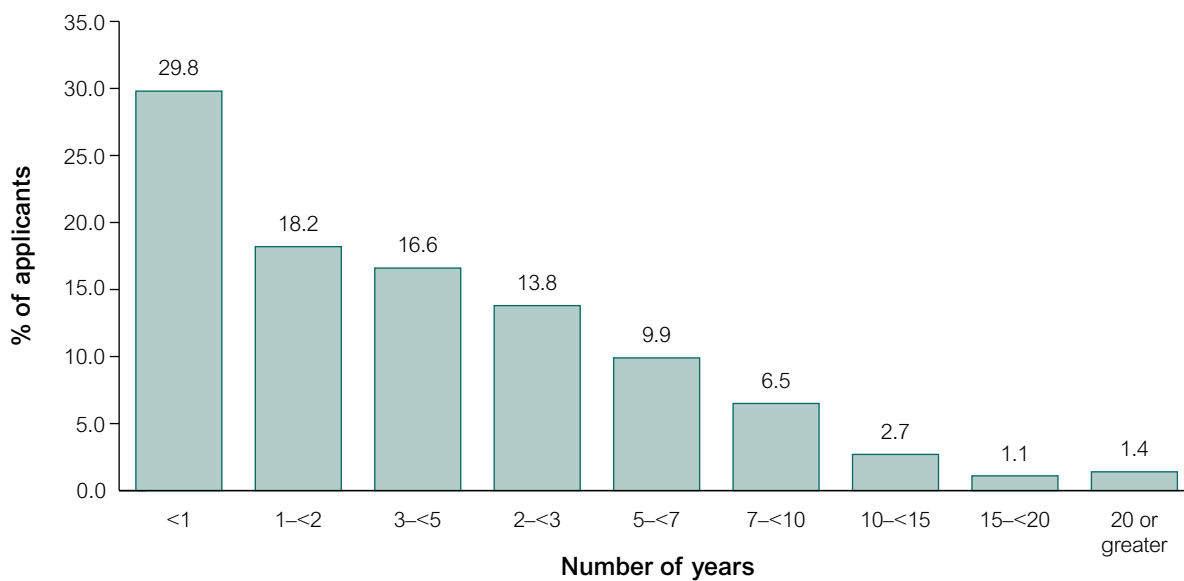
Demand for moorings can also be seen in the Private Mooring Waiting Lists (PWLs) that exist in a number of areas. There are currently 1,885 applicants on the PWL. These numbers are only indicative of actual demand. On the one hand they may be somewhat inflated given that applicants are allowed to register their interest on multiple lists. On the other hand, demand may be underestimated in areas where it is known that there is a long waiting list.

As can be seen from Figure 1, while the largest proportion of applicants (29.8%) have been waiting for less than 1 year, 21.6% have been waiting for 5 years or more for a mooring.

¹ NSW Government, Maritime (2010) *The NSW Boat Ownership and Storage: Growth Forecasts to 2026*.



Figure 1: Priority Waiting List Wait



Source: Roads and Maritime

Some of the areas with the longest amount of time on the waiting lists include Winji Jimmi, Pittwater (27 years), Crystal Bay, Pittwater (26.9 years), Sandy Bay, Seaforth (24.5 years), Johnstons Bay, Pyrmont (22.1 years) and Kirribilli (22 years). Nearly 60% of applicants are on waiting lists for moorings in Sydney Harbour.

Where possible, Roads and Maritime works flexibly with customers to manage wait list demand by encouraging customers to apply for a mooring in an alternative bay while waiting for a mooring to become available in their preferred bay.



4 Capacity of Moorings

While the Regulations do not directly impose numerical limits on how many mooring licences or moored vessels can be located in a particular area, there are a number of legal, physical, and safety-related considerations that must be considered before new mooring sites can be added.

In many areas, ceilings have been placed on the number of moorings that can be placed in a particular bay. The ceilings were determined by Roads and Maritime on a bay-by-bay basis with consideration of factors such as water depth, navigational requirements and the location of seagrass beds. Consultation with the relevant local Councils is also generally undertaken in setting mooring ceilings to assess any landside impacts, including the demand for facilities such as car parking, rubbish bins and public toilets.

While having no statutory basis, it is generally difficult for Roads and Maritime to readily increase mooring ceilings in response to growing demand, particularly in high density metropolitan areas.

The *State Environmental Planning Policy (Infrastructure) 2007* allows Roads and Maritime to install moorings without development consent but consideration of the environmental impact is still required under the *Environmental Planning and Assessment Act 1979*. While in most cases, the addition of one or two new moorings to a bay may not warrant a detailed environmental assessment, any substantial increase is likely to be closely scrutinised by relevant Councils and local residents who will expect a thorough consultation process and due consideration of landside impacts.

Historically, Roads and Maritime has also set ratios on the percentage of commercial and private mooring sites in bays as a means of balancing commercial use and public access. As a general guide, the percentage of commercial licences in Sydney Harbour is set at approximately 25%. The percentage of commercial licences in northern region is approximately 15% and in southern region is approximately 25%.

Subject to planning requirements, it may be possible in some areas to increase mooring capacity by greater use of alternate moorings styles. Swing moorings take up a large area, allowing 360 degree swing of the length of the boat and the securing rope or chain. Fore and aft moorings restrict the movement of a moored vessel and therefore allow more vessels to be stored in a particular area, but are not suitable in all areas. They also allow for more organised mooring fields which help to “de-clutter” bays and open up more navigable waters. Another advantage is that if one end were to break free the vessel is still secured at the other end. However, they are more costly than the traditional swing mooring.

4 Capacity of Moorings

In 1988, an inquiry² was held into the proposal by the then Maritime Services Board to replace single swing moorings with fore and aft and two-point swing moorings. The inquiry found that while fore and aft moorings were not a desirable replacement for single swing moorings, some types of fore and aft may have application in some specific sheltered waters. Given that extensive research and development has occurred in the design of mooring products, there may be an opportunity to investigate the applicability of these types of moorings in some bays in NSW.

Other alternative mooring types that could potentially increase capacity in some areas include multipoint systems such as a pontoon or star mooring which provide a decked floating structure. See Picture 2.

Closer examination of issues such as cost and maintenance would also need to be undertaken before considering widespread use of such systems.

Have your say

1. Do you have any comment on mooring ceilings including suggestions on how to increase the number of the moorings in NSW while minimising broader environmental impacts?
2. Do you support increased use of mooring systems other than traditional swing moorings as a way to increase mooring capacity?

2 Committee of Inquiry into Concentrated Mooring Systems in NSW: Report of the Committee (1998).

Picture 2: Example of a pontoon mooring system





5 Regulatory & Policy Framework

Ensuring a modern and flexible regulatory and policy framework for the administration of moorings in NSW is a key objective of the Moorings Review. While a number of limitations are already known, the need for more fundamental reform will be assessed through the Review.

5.1 Regulations

The *Management of Waters and Waterside Lands Regulations* is made under the *Maritime Services Act 1935* and has never been subject to a fundamental review.

As part of the Maritime Policy Agenda released in 2012, the NSW Government is committed to streamlining the NSW Maritime Legislative Framework. In line with this commitment, work has commenced on a proposal to consolidate maritime legislation by repealing the *Maritime Services Act 1935* and the *Navigation Act 1901*. Large sections of these Acts have already been repealed and many of the remaining provisions no longer have relevance.

The Maritime Management Centre has been consulting with other NSW Government agencies to identify provisions within these two Acts that need to be retained and transferred to either of the two primary maritime acts – the *Ports and Maritime Administration Act 1995* and the *Marine Safety Act 1998*. The transfer of provisions that allow for the regulation of moorings will be a key consideration and also provides an ideal opportunity to review the Regulations.

Matters covered under the Regulations include the location of the moorings, mooring licences and their application, the classification of mooring licences, a variety of fees, application process, the granting of mooring licences, termination of licences, conditions

of the mooring licences, duration of licences, concessions, offences and other general provisions regarding moorings.

The Regulations provide for 11 classes of CMLs and 3 classes of PMLs. Of the 11 classes of CMLs, 6 are no longer issued because their conditions authorise floating objects, timber, or cargo to be moored which may represent a hazard to navigation, and because vessels are given priority access. There is an opportunity to consolidate the existing licence classes for PMLs and CMLs.

The Regulations also specify the duration of the mooring licence and include the annual fee for CMLs and PMLs, which are imbedded in the Regulations unlike most instruments where fees are contained in Schedules which are more easily updated.

The penalty provisions in the Regulations also need to be reviewed. The largest penalty currently available for a moorings offence is only \$40. This is hardly a deterrent and adds to the compliance challenge for Roads and Maritime.

Apart from the penalty provisions, the Regulations can also make it difficult to efficiently deal with cancellation of licences for matters such as failing to properly maintain a mooring apparatus, or failure to meet licence conditions such as maintaining the vessel in seaworthy condition. Only 15 PMLs were cancelled in 2012/13 across NSW for non-compliance.

5 Regulatory & Policy Framework

5.2 Policy

Roads and Maritime provides general information on its website on the categories of mooring licences, length of licences, who can apply for a licence, type of mooring apparatus to be used, how to identify licences, fee structure, increasing mooring ceilings, criteria for establishing mooring sites, criteria for cancelling a licence, how long the vessel can be absent from a mooring, conditions that apply to a mooring licence, temporary visitor use of moorings, courtesy and emergency moorings, priority waiting list, and concessions.

The information provided is a combination of the regulatory requirements and policy and procedures for interpreting and applying the Regulations. Much of the information is also available in the PML and CML conditions which are provided to every licence holder. Roads and Maritime has a number of internal policies and procedures that provide guidance to staff on how to apply relevant provisions of the Regulations. These policies and procedures are not currently published on the Roads and Maritime website.

Have your say

3. Do you have any suggestions for improving the existing Regulations governing moorings in NSW?
4. What type of issues do you think should be included in any new Moorings Policy?





6 Potential Areas for Reform

Picture 3: Example of a Mooring Minder

Feedback provided from customers and key stakeholder groups, such as the Maritime Advisory Council³, has highlighted a number of issues that need to be considered in developing a new policy and regulatory framework. Some issues may be able to be addressed through relative minor adjustments to current arrangements, while others may warrant the consideration of more fundamental reform options.

6.1 Mooring Minders

The issue of “Mooring Minders” is one that has been raised by various stakeholders. A Mooring Minder is the term colloquially given to relatively inexpensive boats purchased by a mooring licence holder specifically for the purpose of reserving the mooring space. Concerns have been raised that these vessels are often in very poor condition and are left unattended for long periods of time.

Used boats specifically advertised as Mooring Minders are readily available on online auction and trading sites with prices starting from as little as a few hundred dollars.

Aside from the visual impact of neglected vessels, these can also result in safety concerns and damage to other vessels and property if they sink or break free from their moorings, which are also often poorly maintained. This in turn creates costs for Roads and Maritime through salvaging, storage and disposal of unseaworthy vessels and additional administration.

Current Roads and Maritime policy requires that as a condition of a mooring licence a vessel must be visually suitable for the bay and be maintained in a seaworthy condition which means being capable of undertaking a voyage.

The following criteria are used to assess a vessel’s visual suitability for a mooring:

- The vessel must be of a style considered to be consistent with the general style of vessels moored in the bay
- Vessels constructed of materials other than fibreglass, must be painted in colours appropriate to the general amenity of the bay. Bright or iridescent colours are not acceptable without written approval of Roads and Maritime. Timber vessels may be varnished (or similar) provided that the varnished timbers are kept in good condition. An exception is made for teak, which should be appropriately maintained (eg, oiled).

³ The Maritime Advisory Council is the peak stakeholder group established under the *Ports and Maritime Administration Act 1995* to provide advice to the Minister for Roads and Ports on maritime issues.

6 Potential Areas for Reform

Under the current policy, vessels must be kept in good condition including, but not limited to the following:

- The vessel must not show temporary repairs that are visually obvious (that is patched up) without written approval from Maritime
- The vessel must be kept clean and tidy
- The vessel must be kept free of bird droppings, vermin and insects
- The vessel must not be used as a repository for refuse, garbage, or “junk”
- Painted substances must not be peeling, flaking, crazed or otherwise deteriorated
- Metal surfaces must be kept free from rust and any other forms of oxidisation
- Marine growth on the vessel's hull must be kept to a standard acceptable to Roads and Maritime.

A vessel will only be deemed to be in a seaworthy condition if it is capable of undertaking a voyage.

Some vessels that appear to be in poor condition are in fact subject to active repair and/or restoration by the vessel owner. Roads and Maritime policy allows for the above conditions to not be enforced if a vessel is subject to a formal agreement for repair commencing within 30 days of it first occupying the mooring.

Increasing the penalty levels in the Regulations and streamlining the licence termination process will likely assist Roads and Maritime in being able to reduce the incidence of Mooring Minders. However, broader reforms have also been suggested by various stakeholders including the introduction of a scheme similar to the Compulsory Third Party Insurance scheme that applies to registered motor vehicles in NSW.

Have your say

5. Do you think Mooring Minders are a problem on your local waterway?
6. What measures should the Government consider to reduce the incidence of Mooring Minders?

6.2 Mooring Maintenance

A poorly maintained apparatus can result in a mooring failure and set the vessel adrift with expensive consequences to the vessel owner as well as owners of other vessels. The rate of wear and tear of mooring apparatus differs in different locations.

The Regulations require that a mooring apparatus must be secured, kept in good condition and repaired, and Roads and Maritime requires that a mooring apparatus must be serviced at least once a year. Under current policy, provision of a service report is not a condition of licence renewal but proof of mooring service must be provided if requested by Roads and Maritime.

A number of maritime stakeholders have suggested the need for policy or other controls to ensure that provision of a service report from a moorings contractor should be a compulsory condition of mooring licence renewal, similar to a “Pink Slip” required to renew registration of older motor vehicles. Similar schemes exist in other jurisdictions, including Victoria and Western Australia (Rottneest Island Authority).

Such a change could be implemented by a policy change however regulatory amendments may also be needed to provide for the authorisation of certified moorings contractors in NSW. As with Mooring Minders, penalties greater than \$40 would also help provide a deterrent.

Have your say

7. What measures should be considered to help ensure mooring apparatuses are properly maintained by mooring licence holders?

Picture 4: Example of a worn mooring chain



6.3 Making more efficient use of existing mooring capacity

While options for increasing mooring capacity have been canvassed, consideration also needs to be given to policy and regulatory solutions that make better use of existing mooring sites.

6.3.1 Waiting Lists

In general, stakeholders have not raised any major concerns with the current Priority Waiting List (PWL) system. However, the fact that more than 21% of applicants have been waiting longer than five years, and some more than 20 years for a mooring, suggests that refinements to the system may be required.

In some areas waiting list numbers may be inflated by the fact that people register on multiple lists to increase their prospects of securing a mooring. Closer analysis of the lists also shows evidence of applications under the same name with multiple addresses and the same address with different names.

However, it is also likely that the inflated numbers may also be discouraging some vessel owners from registering on a list in the first place as they feel it is unlikely they will ever get a mooring in their preferred area.

There is also a question of whether a PWL system is practical in areas where a new licence has not been issued for over 20 years. The 1992 report by the Independent Commission Against Corruption (ICAC) into the allocation of moorings suggested that alternative approaches should be considered including:

- Creating a separate Relocation List to encourage boat owners to accept moorings in alternative locations
- Auctioning mooring sites in high demand areas.

Alternatively, by reviewing and modernising the process, an electronic system may be considered and explored whereby applicants have the flexibility of viewing priority waiting list availabilities online and are able to personally manage their wait times. This gives the customer the option of flexibility while waiting for their preferred bay to become available and transparency in the allocation of moorings and waiting times.

Have your say

8. Do you think the Priority Waiting List (PWL) system is working and do you have any suggestions on how it could be improved?
9. Should alternative approaches to mooring allocations be considered in some areas?

6.3.2 Sharing moorings

The Regulations do not allow for a mooring licensee to share their mooring with a vessel registered to another person. However, there is an understanding among some boaters that they can use vacant moorings providing it is vacated immediately when the licensee returns.

This practice allows a vacant mooring to be used by another person if the vessel size is similar to the licensee's vessel and it is vacated immediately when the licensee returns. While it is not formally endorsed, Roads and Maritime does not actively prosecute this practice unless a mooring licensee makes a complaint.

Approximately 130 courtesy moorings are provided in popular locations across the State allowing short term use by any registered vessel. Current Roads and Maritime policy also provides for an exemption from the Regulations that allows visiting vessels to temporarily moor a vessel to another licensee's mooring under the Temporary Visitor Use of Private Mooring Scheme, if approved by Roads and Maritime. Licensees must comply with conditions associated with participating in the Scheme.

Picture 5: Example of new courtesy mooring near the Quarantine Station in North Harbour



6 Potential Areas for Reform

The Maritime Advisory Council has suggested consideration should be given to a more formalised arrangement for sharing moorings, similar to the system that applies in Rottneest Island.

The Rottneest Island Authority (RIA) allows Licensees and Authorised Users of the Rottneest Shared Mooring System (SMS) to use other moorings within the SMS on a casual basis. Coloured coded discs attached to the mooring buoys indicate the appropriate vessel size for that mooring. Mooring licensees must formally nominate another owner of suitably sized vessels to use their mooring. Applicants may also apply to RIA directly to become an Authorised User. Penalties apply for unauthorised use of licensed moorings within this system. A booking must be made with Rottneest Visitor Centre for the mooring. The operator must remain on board the vessel and move the vessel immediately should the Licensee or any nominated Authorised User arrive to use the mooring site. Authorised Users are allowed to leave the vessel if they are contactable at all times and leave within 15 minutes of being asked to do so. Licensees have priority over the use of their own mooring sites at all times.

If such a system were to be introduced in NSW, mobile phone and data technologies could be used to enable more rapid real time management and sharing of access to moorings.

Have your say

10. Should the Regulations be amended to allow sharing of moorings?
11. Do you think a formal Shared Mooring System would work in NSW?
12. Could mobile phone based technologies be useful to facilitate real time information on the availability of moorings, and enable bookings?

6.3.3 Minimum Vessel Length Requirements

Vessel length restrictions are a policy matter as the regulations do not currently specify length restrictions in relation to mooring licences. Roads and Maritime current policy is that a vessel must be at least 5.2 metres in length for a mooring licence in NSW. Vessel length restrictions are in place to ensure mooring licences are generally allocated to vessels that could not otherwise be conveniently stored on a trailer.

Roads and Maritime will consider written applications for mooring a vessel less than 5.2 metres on a case-by-case basis in accordance with existing policy. Examples where an exemption may be granted include:

- Where the vessel is “clinker built” – meaning the vessel hull design relies on remaining in water to stay watertight

- The vessel owner supplies a medical certificate indicating they are unable to handle their boat on and off a trailer
- There is no wait list for a mooring licence, and there are vacancies in the bay where the exemption is sought.

Currently 4% (n=554) of all vessels on private moorings in NSW are less than 5.2 metres.

A further 32% (n=4,731) of vessels are between 5.21 and 7.5 metres. Vessels less than 7.5m can generally be stored on a trailer kept on private property or parked on suburban streets. Smaller vessels are also more easily stored in dry-stack storage facilities, although these facilities are still under development in most parts of NSW.

One option for making better use of the existing facilities could be to increase the minimum length requirement or give preference to non-trailerable vessels. This approach is adopted in certain high demand mooring areas in Queensland.

While introducing stricter requirements on vessel length would help free up mooring sites in NSW, it would also likely lead to an increase in on-street boat trailer parking. The NSW Government, through the Maritime Management Centre, has been working with metropolitan councils to identify options to address the growing concerns about boat trailer parking raised by residents in waterside suburbs. Consideration of any changes to current minimum length requirements therefore needs to be mindful of the impact on local residents.

Have your say

13. Should an increase in current minimum length requirements be considered as a way to free up mooring capacity for vessels that have fewer storage alternatives?

6.3.4 Fee levels

Where access to scarce infrastructure is regulated by Government, pricing is generally used as a policy tool to achieve the most efficient outcome and enable the delivery of a service. All boating related fees are deposited in the Waterways Fund and can only be spent delivering maritime functions, including boating safety, access and infrastructure programs.

The annual fees for mooring licences are included in the Regulations. CPI adjustments are made annually to the fee structure. Around \$8.4 million was received in mooring fee related revenue during 2012-13, and Roads and Maritime estimates that the directly attributable costs of mooring administration, management and compliance was around \$6.25 million.

The PML fee is determined by two factors: the mooring location and vessel length. There is an establishment fee for an initial private mooring licence. Fees also apply for inspection, relocation, special attendance, changing vessels and transfers. Mooring fees increase with every additional metre starting from up to 7 metres to 40 metres. Additional fees apply for vessels over 40 metres. There is some element of demand-based pricing with fee levels set much higher in Sydney and in particular the eastern parts of Sydney Harbour.

CML fees are based on a formula established in 1991 which equated to the fee charged for a PML with an average length of 9 metres in Sydney Harbour, outside of the East Sydney Harbour area. Due to a price freeze on CMLs imposed in the early 1990s due to financial problems experienced by commercial operators at the time, the CML fees have failed to keep track with PML fees.

A fundamental review of mooring fees would provide an opportunity to establish clear pricing principles and provide flexibility to be able to respond to the growing demand for boat storage and other policy challenges. A review of fees would also need to identify and consider the efficient cost of administering and managing moorings, including the impact of potential service delivery innovations as well as an examination of how mooring fees relate to the broader boat storage market.

Any review of fees should also examine the current policy regarding concessions. Currently a 50% discount on mooring fees is provided to holders of a Pensioner Concession Card, and a Department of Veteran Affairs Gold Card. Internal Roads and Maritime audits have also identified the need to improve processes for ensuring that continuing eligibility of pensioners is checked annually through the relevant Federal Government agencies.

Have your say

14. Should the current approach to setting fee levels for PMLs and CMLs be reviewed?
15. What are the key issues with the current fee structure, and how could fees address some of the challenges identified.

Table 2: Examples of Some Annual Private Mooring Fees

Vessel Class	High Rate Area		Medium Rate Area	Low Rate Area
	East Sydney Harbour	Rest of Sydney Harbour & Pittwater		Rest of State
Up to 7m	\$473	\$303		\$203
13.01m - 14m	\$2054	\$1324		\$663
21.01m - 22m	\$4574	\$2948		\$1303
30.01m - 31m	\$7409	\$4775		\$2023
39.01m - 40m	\$10,244	\$6602		\$2743

Source: Private Mooring Fees 1 July 2013

Table 3: Annual Commercial Mooring Fees

Vessel Class	Sydney Harbour & Pittwater	Rest of the State
Class A	\$277	\$187
Class B - K	\$463	\$369
Class B - K	\$463	\$369

Source: Commercial Mooring Fees 1 July 2013

6 Potential Areas for Reform

6.4 Environmental issues

Any boating activity has the potential to affect the surrounding environment. The challenge is to meet the demand from the boating public for mooring sites, whilst managing the impacts that moorings have on the seabed. It is crucial that certain environmental issues are considered in relation to moorings, such as damage to seagrass beds.

While moorings themselves are not a major cause of seagrass loss within NSW, the traditional 'chain and block' (swing) moorings allow the chain to drag around the block and scour the seabed, causing significant damage to particular seagrass beds. At some locations, this damage can be exacerbated by waves and currents, resulting in progressively spreading 'erosion blowouts' and extensive seagrass fragmentation and loss.

Some estimates are that up to 50% of seagrass has been lost in NSW through a variety of causes. Losses of the seagrass *Posidonia australis* are of particular concern as this species is sensitive and slow to recover from damage.⁴ Preliminary data from Roads and Maritime mooring figures and NSW Fisheries *Posidonia* data show that about 6.6% of NSW moorings are in *Posidonia* meadows.

Seagrass is an important habitat for juvenile and adult fish and crustaceans. Many recreational and commercial fish species such as bream, luderick, snapper, leatherjackets and sea mullet live in seagrass habitats for all or part of their life cycle. Loss of seagrass equals loss of fisheries productivity. Seagrass beds are also important in stabilising sediments and improving water quality.

A number of alternative mooring designs are now on the market and aim to protect seagrass habitat without compromising safety or reliability. These designs are referred to as Environmentally Friendly Moorings (EFMs). The environmentally friendly swing moorings protect the seabed from the effects of chain scouring by keeping all mooring components off the sea bed at all times. More information can be found at <http://www.dpi.nsw.gov.au/fisheries/habitat/threats/traditional-boat-moorings-in-sensitive-habitats>

Trials of EFMs show that some EFMs are effective in protecting seagrass and promoting recovery. However, some issues such as costs, installation and maintenance, supply and the availability of qualified contractors still need to be addressed. There is also a lack of awareness about the damage done by the traditional "chain and block" moorings as well as the benefits of EFMs.

Roads and Maritime has approximately 130 courtesy moorings in NSW and some of these moorings which use the traditional "chain and block" moorings may be in seagrass beds.

Have your say

16. Do you support the increased use of environmentally friendly moorings in NSW?

4 Outerbridge, N (2013) An Evaluation of Recent Trials on "Environmentally-Friendly" Moorings (EFMs), To Inform The Development of Policy in New South Wales. Unpublished Third Year Undergraduate Report School of Environmental Science and Management, Southern Cross University, Lismore.

Picture 6: Example of scouring of seagrass beds by moorings in a NSW estuary
Photo: Tim Glasby



6.5 Alternative Delivery Models

The total estimated expenditure on mooring administration, management and compliance activities is around \$6.25 million per year, comprising the attributable costs of Boating Safety Officers (BSOs) and Product Service Officers (PSOs) who deliver on-water and office based delivery functions.

On average, across the State it is estimated that BSOs spend around a third of their time on mooring related management activities. These activities include: mooring checks, investigation of vessel incidents associated with moorings, and related customer liaison. Although, the actual time devoted to mooring related activities varies across individual waterways, it is significant in the metropolitan waterways.

Some stakeholders have suggested that BSOs' time could be better spent on core functions of safety compliance and education, with mooring management outsourced to a third party. Similar examples can be seen in other jurisdictions such as Queensland, where moorings in low risk areas in terms of marine safety and navigation control are managed by third parties with the Government maintaining control over fee levels and licence conditions.

Alternative delivery models for mooring related functions and technology based innovations could be further explored as part of the Review. Scoping and assessment of potential options, costs and benefits associated with delivery of mooring related functions would need to be undertaken to inform any consideration of change. It is anticipated that exploration of delivery options could have implications for mooring related fees, and that a single option or approach may not be suitable across all waterways.

Options to consider alongside the current arrangements, may include the Queensland approach, where the Government retains full control over fees and conditions but outsources some delivery functions to third parties, to a more progressive model where a third party provider is given some flexibility in setting fees to try and achieve certain strategic objectives set by Government – for example, de-cluttering bays by promoting more organised mooring methods, or ensuring the maintenance of safe mooring apparatus.

Have your say

17. Should the Moorings Review consider alternate delivery options such as the outsourcing of some mooring management functions to third parties?

5 Outerbridge, N (2013) An Evaluation of Recent Trials on "Environmentally-Friendly" Moorings (EFMs), To Inform The Development of Policy in New South Wales. Unpublished Third Year Undergraduate Report School of Environmental Science and Management, Southern Cross University, Lismore.





7 Conclusion

The Maritime Management Centre in Transport for NSW will be working with Roads and Maritime to develop a modern and streamlined regulatory and policy framework governing moorings in NSW. As identified in this Issues Paper, a number of the known issues and concerns that stakeholders have raised can be addressed with relatively minor changes to existing arrangements. Public comments are invited to identify whether there are other issues that need to be addressed.

The Issues Paper also notes that the Review provides an opportunity to pursue more fundamental reforms that may help in responding to the growing demand for boat storage in NSW in a more efficient and effective manner. Before committing to pursuing these broader reforms, the Government is interested in hearing customer and stakeholder views on the nature and extent of the issues that need to be addressed along with any other suggestions on reform options.

Submissions on the Issues Paper can be made to the Maritime Management Centre at mmc@transport.nsw.gov.au by 20 June 2014.

Advice on the submissions received will be provided for the consideration of the Maritime Advisory Council in making a recommendation to the Minister for Roads and Ports on the scope of the next stage of the Review.

Picture 7: Bayview, Southern Pittwater

© **Transport for New South Wales**

For further enquiries:
mmc@transport.nsw.gov.au

ISBN Register: 978-1-922030-68-9

