

New Maritime Advisory Council for NSW

FROM MEDIA RELEASE 4 AUGUST, 2011

As part of the Government's commitment to restore accountability and give boaters a real say, a new Ministerial level Maritime Advisory Council will be established under legislation by Minister for Roads and Ports, Duncan Gay.

Mr Gay said the Council would have the responsibility of being another source of expert and independent advice to the Minister on boating safety, as well as monitoring boating crash statistics and trends, and advising on expenditure priorities.

The Council will be independently chaired, and will have expertise based representation from the major recreational boating and commercial vessel sectors.

"Sitting under the new integrated transport agency, Transport for NSW, this new advisory council will set new standards for transparency and accountability," he said.

"Those sought out to give advice to the Minister will be people who live and breathe the industry."

"One of the first priorities for

the Council will be to help develop a policy agenda for safety reforms, access to waterways, and boat storage.

"These three challenges have been squarely laid at our door and I'm looking to the Council, key boating groups, and everyone who enjoys boating of any kind to help solve these problems," Mr Gay said.

Full details of the council are expected to be announced before the start of the new boating season in October, with members selected after a public expression of interest process.

The BOA applauds the decision to dredge the Swansea Channel

FRANK DOWNING

The good news for those who use the Swansea Channel into Lake Macquarie is that the Channel will be dredged before the summer boating season. The Minister for Primary Industries, the Hon Katrina Hodgkinson MP, announced this on 24 August 2011.

This decision is a first but most welcome step in correcting the years of neglect, uncertainty and stop-start efforts that occurred under previous Labor governments.

The decision was due, in no small part, to the support and efforts of the Member for Swansea, Garry Edwards. The BOA's Hunter Region Committee met with him in May to state its case and was

invited to meet with the Minister during the June Community Cabinet Meeting in Newcastle.

The Minister also invited the BOA to take part in work to develop a strategy that outlines a sustainable long-term approach to the issue of dredging in the area. The BOAHR is looking forward to working with the government on this objective.

In doing so, the BOAHR will also pursue its goal of gaining commitments from the government to maintain safe and reliable boating access to small ports along the NSW coast. A workable program for the Swansea Channel might well stand as a model for

elsewhere and for avoiding the perennial arguments with governments that have been necessary in the past to keep small ports open and safe.

Tenders for the immediate dredging of the Swansea Channel closed on 14 September. The Department of Lands hopes that work will start later in the month to dredge the northern part of the Channel to a depth of at least 3 metres and to clear the channel into moorings in Black Ned's Bay.

Frank Downing
Chairman
Hunter Region Committee

Call for dredging tenders at Swansea Channel

FROM MEDIA RELEASE 24 AUGUST, 2011

Minister for Primary Industries, Katrina Hodgkinson and Member for Swansea, Garry Edwards, have today announced that the NSW Government is upholding another election commitment by calling for tenders for two separate dredging projects at the Swansea Channel.

Katrina Hodgkinson said the proposed works aim to enhance boating access between Lake Macquarie and the Pacific Ocean by removing shoaling at both the entrance to Black Ned's Bay and the upper end of the Swansea Channel.

"These works will be welcome news for the local community and boating enthusiasts using the Channel," Katrina Hodgkinson said.

"This is in stark contrast to the former Labor Government, which touted its purchase of a \$1.6 million dredge but failed to mention that it did not have a budget, a business case or approval to do so.

"The NSW Liberals & Nationals Government is not in the habit of making empty promises and

this call for tenders demonstrates our commitment to providing real services for the local community."

Garry Edwards said the issue of boating safety in the Channel is one of great importance to his electorate.

"It is clear that the waterway will require ongoing attention to ensure there is continuity of access for commercial and recreational vessels.

"These dredging works are of importance not only to local and visiting boating communities but they are vital to the region's economy. It's essential we get this right," Mr Edwards said.

Ms Hodgkinson said the Crown Lands Division of the NSW Department of Primary Industries is working to develop a strategy that outlines a sustainable long-term approach to the issue of dredging in the area.

"This strategy will involve consultation and assistance from Local and State Government as well as key stakeholders such as the Boat Owners Association of NSW."

At the Sydney International Boat Show

DAVID MILES, ANTON LE RUTTE

It has been many years since the Boat Owners Association has participated at the Sydney International Boat Show. The Sydney Boat Show is the biggest annual recreational boating event in the southern hemisphere. This year, our new committee responded to a most interesting and lateral proposal from Domenic Genua from the BIA, inviting us to participate. It was an opportunity too good to miss. For the BOA committee, this was the time to reconnect with existing members and to talk to show-goers about the benefits of BOA membership.



Attractive and willing volunteers

The facts speak for themselves, being the biggest boat show in the southern hemisphere, the five day show averages around 70,000 visitors who directly spend a staggering \$400 to \$500 MILLION both at the show and in the weeks following. While some people were interstate and a few from overseas, the vast majority were New South Wales residents and it is all these fun loving boaters who the BOA represent to protect and enhance boating activities across the state.

The offer from the BIA was for the BOA to provide information and



help to the public by providing roaming volunteers during the course of the boat show. The professionalism and experience of the BIA in this major event was evident from the start. An educational training session was provided for our volunteers. This session acquainted people with event management processes and procedures and a tour of the site and marina which was interesting and fun.

BOA members would have seen the emails to enlist volunteers. The response was excellent and the BOA, through members and sometimes friends of members were able to fill 83 shifts each of 3.5 hours over the 50 hours of the boat show. This meant that the BOA was represented throughout the entire show with as many as 7 people per shift.



Anton le Rutte and Bruce

This was a wonderful effort from members and a positive statement from the BOA. In all about 1,500 BOA brochures were distributed at the boat show with each brochure only being distributed to people with whom we spoke about the BOA and its importance to recreational boating in NSW.



The BOA committee is very pleased with the results of the boat show having gained 20 new memberships and a wealth of experience for the next boat show.

An added benefit, and of equal importance, has been the chance to meet and get to know BOA members whose effort, comments and feedback have made the whole experience a lot of fun and very worthwhile.

Currarong boat ramp... “be bloody great when it is finished”

Officially opened in May of this year, the Currarong boat ramp is almost everything the local fishermen of the small south coast seaside town of Currarong have ever wished for. Costing over \$1.2 million to build, the ramp is a great example of what can be achieved by a very determined local community.

But notwithstanding the community’s delight in celebrating the ramp’s opening, it is somewhat disappointing that those that use it are being frustrated by an apparent lack of political will to deal with a number of outstanding issues – issues required to be addressed if



this is to be repaired and, if not attended to, will compromise the ramp’s utility at low tide. It will also prevent the installation of surge poles very much needed at the bottom of the ramp to secure

arriving and departing boats.

Also required is the construction of a wave barrier on the south west side of the ramp. Not only will this assist in containing boats on the ramp but also provide boat crews,

launching or retrieving boats (on that side of the ramp), with a catwalk.

The daily routine of fishermen dictates that a boat ramp should also be accessible during the hours of sunset and sunrise. For this reason, it is important that appropriate navigation marks are installed to assist boaters returning to the ramp in reduced visibility. This is even more applicable in

cases where boats returning to a ramp are returning from the open sea, as is the case at Currarong. But right now, no such navigation marks exist which is a rather odd omission for a ramp that cost \$1.2 million to construct and is there primarily as a facility to launch and retrieve fishing boats that fish in the open sea.

According to NSW Maritime, who are responsible for the installation of navigation marks, the ramp is unsafe. And because it is unsafe, they have no intention of erecting navigation marks. NSW Maritime justifies this decision on a “navigation risk assessment” report prepared by a firm of consultants for the Shoalhaven City Council. But what is difficult to reconcile here is how a reading of that report supports such a negative conclusion. Albeit that the report draws attention to various hazards associated with the ramp’s operation in different sea conditions (consistent with all ramps facing the open sea), it also



the ramp is to be properly completed and its full potential realised.

A number of these issues concern the actual ramp itself. During construction, the toe of the ramp (that part of the ramp that enters the water) was washed away during the pouring of the concrete – something that would appear to be the responsibility of the construction company. So far, however, there is no clear indication when

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CURRARONG BOAT RAMP

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makes a number of recommendations that would serve to minimise those risks. It recommends the following:

- Permanent marks on Peel's Reef
- Leads to establish the line of approach from seaward.
- Marks to establish the channel providing access to and from the ramp to the east of Peel's Reef and to the west of the adjacent shore and
- Marks to establish the sides of the ramp.

Any boat ramp open to the sea is going to be subject to conditions varying from benign to exceptionally dangerous. Clearly the use of such ramps is best left to those that are suitably experienced. But to the extent that the Currarong boat ramp has been built and is being used by fisherman during conditions of reduced visibility, why wouldn't NSW Maritime assist in minimising navigation risk by doing what the risk assessment document, that it refers to, recommends?

Concerns that Shoalhaven City Council and/or NSW Maritime might have as to their respective exposures to public liability can be dealt with by the

erection of signage that draws attention to the fact that use of the ramp at night or in adverse conditions can be dangerous and the safety of life and equipment can be compromised. Interestingly, there are many examples of entrances to rivers, ports and boat ramps along the coast where NSW Maritime erects and maintains navigational aids where, under adverse conditions, they too would be dangerous. The best example, particularly relevant to this discussion, is the boat ramp at the south coast town of Tathra. Also exposed to the sea, it too is described as requiring extreme care and under certain conditions deemed to be very dangerous. This is also highlighted on NSW Maritime's boating map of the area. But unlike at Currarong, the boaters departing and returning to the Tathra boat ramp are guided by a set of leads erected and maintained by NSW Maritime – clearly marked on the NSW Maritime boating map. What are we missing here?

Anton le Rutte
Boat Owners Association
of NSW

CENTRAL SYDNEY BOAT RAMP

Continued from page 5

During the early 1990s Rozelle Bay was cleared of sunken timber lighters, derelict wharves and rail lines were pulled up, and the foundations of the Anzac Bridge were being bored at each end. The Waterways' one-stop shop and head office were built on an area cleared of sheds.

Waterways (now NSW Maritime) developed a plan for a regional boat ramp near the new Anzac Bridge to serve trailer boats from all over Sydney. Because Parramatta River was being dredged for a Rivercat service from Circular Quay it was believed that fast ferries driven to a timetable would make recreational boating difficult from the many boat ramps on the river. Boaters, living in the western suburbs, wanting to spend a day on the harbour, or outside, needed a better boat ramp near a major

traffic route. Anzac Bridge was the logical location and the suggested site was between the western end of the shipping wharf and the northern embankment to the old Glebe Island bridge.

For 20 years endless problems defeated this common sense solution.

But every problem is an opportunity if new thinking is applied and politicians are open to new ideas.

Obstacles and solutions

The time has arrived to look again at obvious opportunities for recreational boaters in Western Sydney.

Problem 1 – RTA owned part of the land and

The tide has turned

GEORGE CITER

A letter to WAG members

Dear Member,

Thanks to a change of government and a new Minister, The Honourable Duncan Gay MLC, who is prepared to listen, analyse and act, there has been a remarkable change for the better in recent days.

NSW Maritime leases

On Friday 12 August at a meeting with senior NSW Maritime management, verbal assurances were provided that (except for special circumstances requiring a new lease) lease-holders will not be required to surrender their current leases and replace them with new leases, until after the Government has made a determination on the IPART recommendations, following the current review and until after the lease document has been reviewed by a “high level working group”, which is to include WAG representatives. We are currently awaiting written confirmation of that change of policy.

The Minister has provided an assurance that anyone who has already signed a new NSW Maritime lease will be offered an opportunity to amend the lease, so that any rent reductions that flow from the IPART review will be extended to such lessees. However,

no similar offer has so far been made in regard to other unacceptable clauses within the current new lease document.

The IPART review

The Minister has indicated that he is in discussions with IPART about a possible change to the Terms of Reference to include:

- 1 That IPART be required to change the focus to a “fair market rent”.
- 2 That IPART be required to take into account the views of the Valuer General and other highly respected property valuation experts.

No more rent increases

The Minister has referred our request for an urgent rent reduction to IPART, but in the meantime has instructed NSW Maritime that there are to be no further rent increases, until after the Government has considered the IPART recommendations.

Judicial review of NSW Maritime decisions

The Minister has not yet agreed to our request for a change to the Ports and Maritime Administration Act 1995, to allow for a judicial review of NSW Maritime decisions. However he has “left the door open” with the statement in his letter “I will however give further consideration to the proposal once the IPART recommendations have been considered”. WAG has included in its submission to IPART that there should be such a judicial

review and is hopeful that IPART will make such a recommendation.

Further consultation between WAG and the Minister

The Minister has stated “I look forward to reviewing the outcome of the IPART review and to an ongoing and constructive relationship with the Waterfront Action Group. Once I have had an opportunity to consider IPART’s findings, I will arrange a further meeting to ensure I fully understand any views that you may have about them”. That clearly indicates that we have established a working relationship with the Minister and that he is prepared to take our views into account, when making decisions. This is a very different situation to the period under the previous government, when our views were largely ignored by the relevant Ministers.

There is no doubt – the tide has turned!

Best wishes.

George Citer

Chairman

On behalf of the WAG Team

WAG senses a tidal change

GEORGE CITER

The WAG Committee is currently quite optimistic for several reasons as follows:

WAG has been favoured with two meetings with Minister for Roads and Ports, the Honourable Duncan Gay MLC.

We discussed various matters including:

- 1 THE IPART REVIEW** – possibly amending the Terms of Reference or otherwise directing IPART to focus on ‘a fair market rent’, as per the Coalition’s stated policy and requiring IPART to take advice from property valuation experts.
- 2 SHORT TERM RENT RELIEF** – providing some immediate rent relief to long suffering wetland rent payers.
- 3 NEW LEASES** – waiting for the outcome of the IPART review before requiring lessees to enter into a new lease (or licence). Changing the document to make it fairer and less onerous.
- 4 CHANGE OF CULTURE** – bullying by NSW Maritime staff to stop and clients of NSW Maritime to be in future treated with the dignity and respect that they deserve.
- 5 LEGAL REVIEW** – the introduction of a legal review mechanism of NSW Maritime decisions, similar to that available to clients of the Crown Lands Division of the Department of Primary Industries.



The question has been: What is a fair market rent for one square metre of this land? Is it \$0.50 or \$133.89 (both as calculated by the current formula), or neither?

While the various matters are still unresolved, the Committee is satisfied with the progress made during these discussions.

IPART review of domestic wetland rent formula and other related matters

WAG has attached great importance to the current review by IPART and lodged a very substantial submission, backed by independent valuation and legal experts. WAG was the only body to provide a proposed new rental formula and which would quite simply calculate a fair market rent for all lessees and licensees throughout NSW. The IPART “roundtable” discussion on June 27 was very successful, with observers commenting that WAG was the most credible of all those presenting. Since then IPART has regularly contacted WAG and its expert advisors for more information and clarification on the WAG submission. IPART has now

extended the release of its draft report by about one month from early September to early October. WAG and other interested parties will have 6 weeks to respond to the draft report.

Appeal to the NSW Court of Appeal

The appeal was based on an appeal to the Land and Environment Court, heard on a test case basis and disputing the 2009 rental calculation of our member Shelley Farriss. We lost in the lower court and we lodged an appeal to the Court of Appeal. That appeal was heard on 30 June and we are awaiting the judgment of the Court.

George Citer
Chairman, WAG
09-08-2011

Lucky escape

Two men aboard a leisure craft in the North Sea (rather chilly that time of the year) had



an “extraordinarily lucky” escape after their boat sank within 45 seconds, reported Laura Nineham in YBW Magazine on June 28.

Only one of the men was wearing a life jacket.

Not only did another boat happen upon them but with just one life jacket between them they managed to stay afloat for 90 minutes.

Reminder: Life jacket rules will be enforced

NSW Maritime in November 2010 notified of new life jacket rules, applicable immediately, but with a one-year ‘prosecution amnesty’ for anyone found not to be in compliance.

From 1 November 2011, compliance will be enforced, with ‘Citation and Fine’.

The rules were extensively covered in BOA September 2010 newsletter and can also be found on the NSW Maritime website.



Photo Andrew Soesan

Glimpses from NSW Marine Rescue

‘Iluka Yamba 30’, the new offshore rescue vessel at Marine Rescue Iluka Yamba, had a baptism of fire when arriving at a burning trawler 4 nautical miles offshore at 1:45 am on 29 August.

The wooden trawler ‘Wave Rider’ was engulfed in thick smoke, with another trawler, the ‘L-Margo’, standing by after taking the stricken vessel’s crew to safety.

At around 11:30am ‘Wave Rider’ erupted in a huge explosion that sent flames high into the air. The fire burned to the waterline and the vessel sank.

Unit Commander Barry Storey commented: “This was a very serious emergency and it is very fortunate that no-one was injured. From our perspective, however, Iluka Yamba 30 performed beautifully. She is powerful, fast and a brilliant platform for our work.”

The vessel had only been commissioned 3 days earlier.

A \$680,000 Steber 38 offshore rescue vessel was commissioned for Shoalhaven Marine Rescue at Greenwell Point on the Illawarra coast on 27 August.

Marine Rescue NSW Commissioner Stacey Tannos, said at the ceremony: “This is one of four new vessels of its kind that will be purpose-built in 2011 by NSW boat builder, Steber International. Shoalhaven 30 will be a valuable addition to marine search and rescue capability on the South Coast, boosting safety for the local boating community.”



‘Iluka Yamba’, newest addition to the Marine Rescue NSW



‘Shoalhaven 30’, the new Steber 38 offshore rescue vessel

NSW budget – improving maritime safety

FROM MEDIA RELEASE 6 SEPTEMBER 2011

The NSW Liberals & Nationals Government will invest \$24 million to improve maritime safety and infrastructure in NSW as part of the 2011-12 Budget.

NSW Ports Minister Duncan Gay said the NSW Maritime budget would include a \$13.4 million investment in upgrading commuter wharves in Sydney Harbour.

“NSW Maritime owns and maintains a network of more than 45 commuter wharves across the harbour and it is important this transport infrastructure meets appropriate standards of public safety and amenity,” Mr Gay said.

“The next commuter wharves in line for replacement are at Rose Bay and Neutral Bay.

“Funding includes \$2.5 million for new NSW Maritime patrol boats and engines which provide fundamental operational tools for Boating Safety Officers statewide to carry out on-water safety compliance and education.

“There is also \$1 million for new safe navigational markers, signage and public moorings. These navigation markers and signage are the traffic signs for our waterways and help keep the estimated 1.5 million

people who go boating each year, safe.”

Other NSW Maritime projects in the for 2011-12 Budget include:

- \$3.5 million to upgrade charter vessel wharves and redeveloping the Rozelle Bay Maritime precinct.

As part of the NSW Maritime operating Budget, which is additional to the capital program, other initiatives include:

- \$5 million for the Better Boating Program; and
- \$1.47 million to support the work of this non-government volunteer rescue group, Marine Rescue NSW.

The Better Boating Program is delivering new and improved boating facilities statewide through funding partnerships with councils and boating groups. Since 1998, more than \$30 million in grants has been provided under this grants program to support nearly 600 boating infrastructure projects across NSW.

Marine Rescue NSW is a volunteer based group that plays a vital role in boating safety and service to the boating community.

Do you like your hands?

FROM JUNE 2011 YACHTING MONTHLY (UK)
ANDREW BROOK

Lewmar investigates hand-severing incident

Winch Manufacturer Lewmar Ltd warns against using self-tailer for lifting persons. Lewmar has launched an investigation into the accident that left a woman without her hand after operating one of its winches.

As reported in the current May issue of YM, the Venezuelan woman was winching her husband up the mast of their Amel 54 in Jolly Harbour, Antigua, when a riding turn developed on the foot-operated self-tailing winch.

Trying to free the jam, one of the woman's hands was severed and the other was crushed and John Ahlgren, a 63-year-old Norwegian sailor, who rushed to help her, also lost seven fingers. One onlooker said the scene resembled 'an abattoir with body parts all over the cockpit'.

Lewmar's safety notice said: 'Under no circumstances should any self-tailing winch be used in self-tailing mode for any lifting operation. 'Suitable and adequate manual tailing should be arranged with proper means of manually cleating or stopping the hoist.

'Only persons who are completely familiar with the controls and those who have been fully made aware of the correct use of the winch should be allowed to use it.'

Dear BOA Member,

**If your EMAIL ADDRESS
has changed from the one you
provided on your Application
Form or most recent Renewal
Notice – it would be appreciated
if you would advise me at
boansw@iprimus.com.au**

**Joann McKay
Membership Secretary**

BOA current committee

Keith de Haan - President
Anton le Rutte - Vice-President
Edward van Oort-Pieck Treasurer
John Hunter - Secretary

Ordinary members

John Grist
Frank Downing
David Miles
David Johnston
Don France
Michael Chapman
Dennis Donald
Vacancy

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Boat Owners Association of NSW, Inc.
PO Box 212, Spit Junction NSW 2088
Tel 02 9960 1859 • Fax 02 9960 1859
Email info@boaters.org.au
Website www.boaters.org.au

Discounts to members

As at September 2011 the following
suppliers are on the accredited list.

LAKE MACQUARIE

Mr Moorings 0414 351 779
10% discount off all mooring servicing
and mooring parts

Alkira Mooring Services 0415 318 747
10% discount off all parts but only as
required during a mooring service
undertaken by Alkira

Lifestyle Marine (Toronto) **(02) 4959 1444**

10% discount off slipping fees and
chandlery items except those items
already on special

Coulin Marine Trim (Marks Point) **(02) 4945 3322**

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covers

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