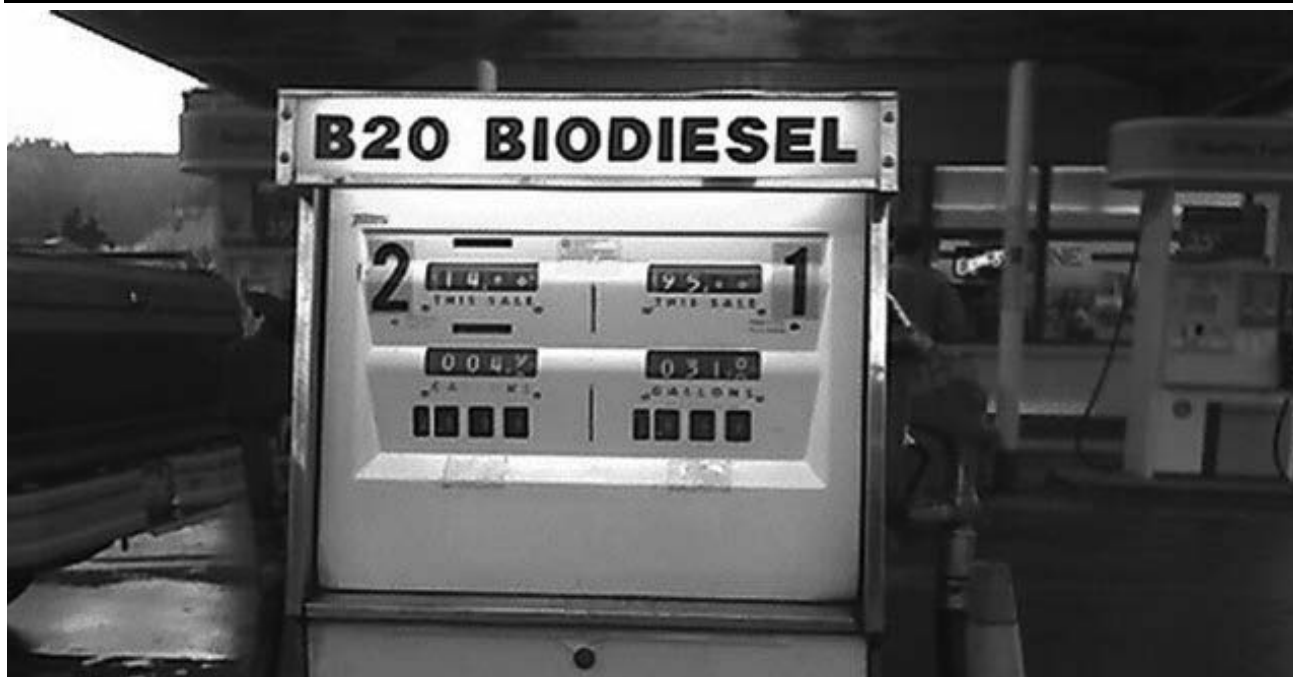




Newsletter

December 2008

Boat Owners' Association of NSW Inc.
– Representing All Boaters –



BIOFUELS – Issues For Boat Owners.

A number of articles have appeared in boating magazines over the last year or so that draw attention to problems that can be encountered when switching from pure petroleum fuels (petrol or diesel) to petroleum fuels blended with biofuels. Some of these problems have concerned catastrophic damage to engines, fuel tanks and fuel systems. In the United States it has even involved multi million dollar class action law suits against US oil companies on behalf of US boat owners. To put this into perspective, the following may be of interest.

Some Background: Petroleum fuels are those fuels derived solely from the processing of hydrocarbons (fossilised organic matter) extracted through drilling (liquid crude) or open cut mining (oil bearing sand or shale). Processing of the extracted oil produces a whole range of different fuels including petrol and diesel. From a greenhouse perspective, the processing and burning of hydrocarbons involves the release of previously locked up carbon into the

atmosphere – negatively impacting on the environment. Biofuels, on the other hand, are those fuels derived from the processing of renewable biological material sourced from the production of agrofuel crops such as sugar-cane, soybeans, corn, canola, palm oil, rapeseed oil and jatropha and also, in the case of biodiesel, recycled cooking oils and animal fat. And for the reason that the process of growing the biological material absorbs as much carbon as it produces during combustion, biofuels derived from this process are seen to be carbon neutral. Ethanol and biodiesel are biofuels that are, respectively, near substitutes for petrol and diesel. The initial use of biofuels was as an additive (ethanol added to petrol and biodiesel added to diesel) to replace some of the components of petrol and diesel that had to be significantly reduced or taken out altogether to meet tighter US and European environment standards – methyl tertiary butyl ether (MTBE) used in petrol to improve combustion and reduce air pollution which was found to contaminate ground water in the US and the sulphur in diesel which was found to significantly contribute to air pollution. But with the

recognition that the price of petroleum will, over the longer term, continue to rise and biofuels are carbon neutral, the use of blended fuels will become more widespread.

The addition of ethanol into petrol, as did the addition of MTBE until it was banned, serves as an oxygenate to improve fuel combustion and, as a consequence, reduce air pollution. But for the reason that ethanol contains about 34% less energy by volume than petrol, its blending with petrol reduces efficiency. An E10 (10% ethanol and 90% petrol) blend will, after taking into account the higher octane rating of ethanol, result in a net loss of efficiency of about 3%. The addition of biodiesel into diesel serves to restore to the diesel its vital lubrication qualities lost as a consequence of the removal of sulphur. Biodiesel contains about 8% less energy by volume than diesel and so a B10 (10% biodiesel and 90% diesel) blend will result in a net loss of efficiency of about 1%.

In what proportion the biofuels are added to petroleum fuels varies and in most instances is determined by a combination of economics and local legislation. To determine what the proportions are, fuels on sale are appropriately labelled using a common system. The letter E or B denotes, respectively, ethanol blended petrol or biodiesel blended diesel. The number following the letter denotes the percentage of the blend. E10, for example, is petrol containing 10% ethanol and B20 is diesel containing 20% biodiesel. In Australia right now, legislation provides that the ethanol content of petrol cannot exceed 10%. In most states, ethanol blended petrol is sold as E5 or E10. No legislation however exists for limiting the content of biodiesel in diesel. The most common biodiesel blended diesel however is sold as B20. Some fuel outlets, however, also sell 100% biodiesel marketed as B100.

Issues Concerning Ethanol Blended Petrol:

Although ethanol may solve a number of environmental issues, two of its characteristics can cause problems for boat owners – it is an excellent solvent and it is hygroscopic.

Because ethanol is a solvent it has the ability to do an excellent job of cleaning out the entire fuel system. For older engines, it cleans out all the muck in the bottom of the tank and any residue stuck in fuel lines and fuel filters. The problem is that

ultimately this soup finds its way into the carburettor or fuel injectors – at which point the engine stops. But in addition to it giving the fuel system a good clean out, ethanol can also cause damage to various components – permeation of rubber fuel lines, destruction of plastic and certain metal components and, particularly as it might concern older vessels, the destruction of fibreglass fuel tanks.

Its hygroscopic characteristics mean that ethanol has a very high affinity for water. Put simply, it absorbs moisture. This is not a problem in the sealed fuel system of a motor car but, for the reason that most boats have their fuel tanks open to the humid air, ethanol sucks water into the tank. In time, that water will separate from the fuel as a non-combustible layer of liquid in the bottom of the tank which will stop most engines. The intermittent use of boats (as apposed to motor cars) obviously exacerbates this feature because it gives greater time for these non-combustible liquids to form.

In April this year, an article in *Powerboat-World* drew attention to the reality of these concerns – recorded incidents in the United States. In the Long Island Sound area there were a number of instances where engines were badly damaged when fibreglass tanks that had been filled with ethanol blended fuel started to fail. Some of the tanks had begun leaking. Similar reports came from California and the Great Lakes area. Tests, conducted on the problems with fibreglass tanks exposed to the blended fuel, indicated that some tanks lost as much as 40% of their structural strength. One boater in California, a 50 year old attorney, discovered that the use of ethanol blended fuel in his boat had caused damage to his fibreglass tanks costing US\$35,000 to repair. He has now filed a law suit in the Federal court against a number of oil companies, including Chevron and Exxon Mobile, and a number of distributors.

In April of last year (2007), Boats.Com, an online marine industry advertiser, also wrote a sobering article on the use of ethanol blended fuels. Amongst a number of issues raised, was the very common complaint about gummed up fuel systems – fuel systems that had only been sitting idle for as little as 10 days. Engine dealers in a number of locations contacted by Boats.Com were recommending to their clients that each time they finished with their boat (and expected to be away for more than a week or two) they should drain the carburettor floats of

any fuel. Good advice but perhaps it should also extend to draining the tank!

Issues Concerning Biodiesel Blended Diesel: As for ethanol, there are two characteristics that biodiesel exhibit that boat owners should take into account – it is more of a solvent (albeit much less so than ethanol) and it is hydroscopic. Methanol used as a catalyst in the production of biodiesel, will loosen accumulated sediment in tanks and fuel lines and push them through to the primary filters. This in itself won't destroy anything but it will require that filters be checked and/or changed at regular intervals until the fuel system has been cleaned out. Failure to do so can cause fuel starvation and engine shut down. And although the fuel is not likely to inflict the same kind of damage to older fibreglass tanks as in the case of ethanol, there are a number of components in an engine that might suffer from its use. Particularly in the case of blends higher than E20, biodiesel can cause problems with natural rubber – seals and hoses in the fuel system in particular will be vulnerable to damage and should therefore be changed. Biodiesel is also not compatible with some metals such as brass, bronze, copper, lead tin, and zinc. Some engine manufacturers also caution users about potential problems concerning engine lubricating oil. If biodiesel is mixed with the lubricating oil it will react with the oil to produce a sludge in the sump that could block oil passages and damage the engine itself. The more frequent changing of oil and oil filters may offset this as an issue.

Because biodiesel is hydroscopic, it will absorb water. In that regard it is more susceptible to water contamination than straight diesel. Water in diesel can promote the corrosion of the fuel system and the growth of microorganisms that can block the fuel system. But management of this feature is within reason and not too much different from how the fuel would already be managed. In any event there are products available that can be used to dry fuel and clean up biological contaminants.

Unlike the use of ethanol, catastrophic damage from the use of biodiesel seems to have fewer colourful examples to write about right now. But particularly where it is used in engines manufactured prior to 1997, it will be prudent to conduct a compatibility audit on all components in the system – rubber components including hoses, gaskets and seals and the cleanliness and appropriateness of the fuel tank.

Summary: For the reason that biofuels make a positive contribution to the mitigation of a number of issues concerning the burning of petroleum fuels, it follows that its availability will not only become more widespread but its sale on a blended basis may become mandatory – underpinned by legislation designed to respond to both political and scientific imperatives. This is already occurring in Europe, the US and Asia. As it concerns motor vehicles, this is not such an issue. Most vehicles built after 1986 use components that are compatible with the new fuels. And issues concerning water absorption are irrelevant because the contents of the tanks are regularly cycled. But for boats, the use of biofuels can be more problematic – as described above. To that end, the best near term strategy might be to avoid using biofuels altogether but, at the same time, seek technical guidance on what needs to be modified or replaced in the engine and its fuel system should the day come when that is all there is available.

CHANGES TO DISTRESS BEACONS (EPIRBs)

From 1 February 2009 your old EPIRB will be as useful as a punctured life raft – providing only a false sense of safety. Why? Because the search and rescue satellite system, which picks up the 121.5MHz analogue EPIRB signals, will be switched off.

Existing 121.5MHz analogue signals will be replaced by digital 406MHz signals.

Do I need an EPIRB? The NSW Boating Safety regulations require all vessels, 8m and over that travel 3 nautical miles or more offshore, to carry an effective EPIRB. From 1 February 2009, vessel masters going offshore may be asked to demonstrate that they carry appropriate safety equipment. In circumstances where a new EPIRB should be carried, and cannot be produced, penalty notices will take the place of current warnings.

If I am going offshore and my boat is less than 8m long, should I carry an EPIRB if the law says I don't have to? Yes, because accident statistics reveal that small boats are more likely to succumb to problems requiring rescue than larger boats. Examples include swamping from waves, engine malfunction and wet electrics. So really it's the small boats that should carry EPIRBs.

What is the cost of a new 406 EPIRB? The cheapest is around \$429.

With marine parks dotted along our coast, boaters are having to travel further to reach fishing grounds with the result that the time and distance, over which small boats are exposed to danger, is generally greater. This is a very good reason to make the purchase of an EPIRB a priority.

When a new 406 is purchased, to be effective, it must be registered with AMSA. Registration is free. See www.amsa.gov.au/beacons or ring 1800 406 406 (which should not be hard to remember)

How do I dispose of my old 121.5 EPIRB when I purchase a new 406? Take them to a Battery World store and place in a collection bin – free of charge.

DISPOSAL OF FLARES – One Boat Owners Adventure.

Frank Talbot of the BOA was cleaning out a boat he had just purchased when he came across some out-of-date flares. Not only were the flares out-of-date but, for the reason that they had been incorrectly stored, they were also wet. Wanting “to do the right thing” Frank thought it appropriate to update himself on the correct disposal procedure. Here is his account of searching for the right answer.

Phone Call 1. To NSW Maritime: “I hear that you are fining people who are carrying out-of-date flares even if they are also carrying in-date ones. This seems a bit hard. I need to get rid of some – do you take them?” Answer to the question after Frank had to hang on while the phone operator conferred with his superior: “You should go to your local council to get rid of them. However we do not mind if you keep out-of-date flares as back-ups and you won’t be fined.”

Phone Call 2. To Lane Cove Council: Answer to query: “Sorry, we do not accept flares. Please see WSN Environmental Solutions Ltd.”

Phone Call 3. To WSN Environmental Solutions Ltd: Answer to query: “Unfortunately we cannot accept flares as they are classed as explosives and we do not have a licence. Try the Department of Environment and Climate Change (DECC).”

Phone Call 4. To DECC: Answer to query: “Unfortunately we cannot accept explosives. We

understand your problem and can tell you that some police stations will accept them”.

Phone Call 5. To Police NSW: Answer to query from a very helpful lady: “Yes we do accept flares at some major police stations.” Frank, responding politely but with a slight chuckle because he was beginning to enjoy the chase “Then I shall take them to the Chatswood Police Station and I thank you for your kind assistance. I wonder why NSW Maritime could not provide me this advice. This is the third government department as well as my local council and an environment company that I have contacted.” The very helpful lady from Police NSW “I understand your frustration. This has been an ongoing difficulty and currently there are consultations taking place on the subject. Let me check if Chatswood Police Station is one of those stations that accepts flares.” Goes off to check. “I have now found that all police stations will accept flares so there should be no problem.”

Happy Ending. Armed with the advice from the very helpful lady at Police NSW, Frank proceeded to the Chatswood Police Station to deliver his flares. “Of course we accept them” said a friendly lady at the desk “certainly more preferable to a bomb which was brought in recently.”

Frank makes the very pertinent point that it might be useful if someone tells NSW Maritime what to do with out-of-date flares – just in case someone else asks.

MINI BUDGET HAS LITTLE IMPACT ON BOATERS BUT TRADING HITS DEALERS HARD.

The only change impacting NSW boaters in the November Mini Budget appears to hit holders of private mooring licences with a site east of the Sydney Harbour Bridge. This premium location will experience increases in the rates per metre of length but other areas in NSW will be restricted to annual CPI adjustments to licence fees.

An average size moored vessel east of the Bridge will see an increase in the private mooring licence fee from \$550 per annum to \$690 per annum – an increase of about \$2.70 per week. Minister Tripodi announced that all increased revenue generated by the change would go to improving infrastructure – not into NSW Treasury.

The wait list for moorings east of the Bridge is extremely long in many areas whereas in some locations west of the Bridge there are sites available without having to wait. The new pricing differential reflects differences in demand and continues a pricing policy introduced by the NSW Government in the early 1990s.

The recreational boating industry is going through very tough times . Most leisure industries are being hit hard. Some boat dealers have gone into voluntary liquidation and others are laying off staff. Boat bargains abound in both the new and second hand market.

FIRST AID KITS

First Aid Kits are not compulsory equipment for recreational vessels travelling inshore (defined as “protected waters”) or offshore (defined as “open waters”). But a First Aid Kit is recommended equipment - as is a tool kit. Most experienced boaters carry a tool kit including a spark plug spanner and spark plugs (petrol engine), pliers, spanners, slot and Phillips screw drivers, electrical tape and a spray can of water repellent.

Isn't your well being and those of your guests as important as your engine?

Why not include a First Aid Kit? You can purchase one from most hardware stores for around \$25. It really is a wise precaution to have a First Aid Kit on board at all times!

If you are going offshore you cannot just simply “ring for an ambulance” and for at least 30 minutes you will need to be self sufficient until shore based support is available. In any event, there are a lot of minor injuries that can occur – cuts and abrasions for example – where access to a First Aid Kit is all that is needed. You can look pretty silly if you don't have one.

PANCAKES FOR THE CREW ON WET AND COLD NIGHT WATCH - A SURE WAY TO MAKE THE CREW APPRECIATE THE ONBOARD COOK.

(Makes about 8 – 10 Pancakes)

Ingredients

1 Cup self-raising flour (125gms)
1 egg
½ Pint milk (300ml)
Pinch salt
Slurp of soda water

Equipment

Beater
Bowl
Ice cube tray
Ice cream container
Frying pan or metho stove baking dish

Method

At home

Place milk in the bowl and add flour, egg, soda water and salt.

Mix to creamy smooth.

Ladle mix into ice cube tray and freeze.

Pack pancake mix cubes into ice cream container(s) and place in freezer or icebox at home and then onboard the boat.

On board

When required place two cubes into greased preheated pan – the cubes will melt to about a saucer size.

Turn when bubbles appear or top is slightly set.

Serve with butter and jam or butter sugar and rum.

A sure winner for the crew on deck on the cold and wet night watches. Who said the cook was a!

ENJOY!

DISPOSAL OF OUT-OF-DATE FLARES

Further to many inquiries from our members and the boating public on this growing question, the latest news (November 2008) from NSW Maritime is that “NSW Maritime has held talks with the Department of Environment and Climate Change and the Department of Fair Trading. However, the matter requires ongoing discussion on secure methods for the disposal of out-of-date flares.”

BOA representatives on various committees are actively pursuing this problem with NSW Maritime but there was a bit of light at the end of the tunnel when one of our members, after five phone calls, was advised “some major Police Stations will accept old flares.” But on checking with the Police Assistance Line and one of the heads of the Water Police, their advice was that the Police do not accept flares.

Whatever the situation is, at least the above mentioned BOA member has at last had some luck with Chatswood Police accepting his bundle of flares. So all your committee can advise right now is that confusion reigns within the circles of the NSW Government.

On top of the confusion on disposal is the rumour that boaters can or will be fined if they carry out-of-date flares.

NSW Maritime has clearly stated that fines will only apply if the flares are out of date and no current flares are on the vessel.

In other words, if you have current flares and some out-of-date flares (just in case) on board, you have no worries.

However, keep in mind that as this note goes to print there may have been changes and on top of that who can guess what bureaucrats can achieve or change at a moments notice.

NSW Maritime User Groups and BOA Representation

The President and Committee and on behalf of all boaters would like to thank those BOA members who have dedicated some of their time in attending the regional NSW Maritime User Group Meetings over the last year.

At present BOA has fair to good representation throughout the State especially in the popular boating areas such as Sydney Harbour, Pittwater, the Hunter and parts of the South and North Coast.

Without the knowledge and impute of these BOA representatives local control of recreational boating could be restricted or enjoyment curtailed without the general boating public even being aware of such changes.

Improvements to boat launching facilities, clearing of navigational channels, signage, safety measures are just a few of the items covered and implemented in the User Group Meetings.

Hopefully with a new year just around the corner all our current representatives will sign up again and even more so some of our other members may care to take up the challenge of being a BOA representative on these very important local User Group Committees.

A phone call to David Lyall on 9918 2335 could be the start of an interesting role not only for any member for an interest but also for the benefit of BOA and boating in your own area.

DO YOU HAVE A DOMESTIC WATERFRONT LICENCE?

The Department of Lands has issued a factsheet with the above heading setting out important information guidelines for licence holders of Crown Land. The BOA understands that the Department of Lands may be targeting inappropriate use of crown land under a licence agreement. Licence holders, who are classified as offenders, may be penalised or, at worst, put their licence agreement at risk. The BOA strongly recommends that all licencees be aware of licence conditions to avoid unnecessary action. Reference to the Department of Lands website is recommended – www.lands.nsw.gov.au and [DWF_fact_sheet_May08.pdf](#) for direct access to the factsheet.

BOILED FRUIT CAKE: AN OLD RECIPE DATING BACK TO AT LEAST THE SECOND WORLD WAR WHEN IT WAS A FAVOURITE GIFT TO SEND TO THE TROOPS OVERSEAS.

Note – This is not a traditional rich Christmas cake but a really good standby to cook at home and have on board for the festive season both for the occasional snack and good ballast for the bilge.

Ingredients

1 lb	(450 gm)	Plain Flour
½ lb	(225 gm)	Butter
¾ lb	(338 gm)	Brown Sugar
1 lb	(450)gm	Sultanas
1 lb	(450 gm)	Raisins
¼ lb	(112 gm)	Lemon Peel
1 Teaspoon		Spice
2		Eggs
1 Teaspoon		Carb' Soda
1 Cup (hot)		Boiled Milk

Rum – Take out some of the hot boiled milk in the cup and replace with the rum.

Method

Sift flour and rub into butter. Add sugar, fruit and beaten eggs. Pour cup of hot milk and rum into a small saucepan. Stir carb soda into the boiling milk and rum, ensuring that it does not boil over. Mix into the remaining ingredients.

Place into lined cake tin.

Cook for 2 to 3 hours at 300F (150C)

ENJOY!

NEW OFFSHORE TRACKING PROCEDURES

On 1 December, the NSW State Rescue Board will introduce new Standard Operating Procedures for the tracking of recreational vessels on passage up or down the NSW coast. BOA welcomes this development because certain procedural changes promulgated by the State Rescue Board last May were causing considerable concern amongst offshore boaters (see the article on Marine Radio in

last months BOA newsletter). It is expected that the new procedures will address these concerns.

SEAGRASS FRIENDLY MOORINGS

[An update on the studies and trials of alternative mooring systems.](#)

In the March 2008 issue of our newsletter, this matter was brought to the attention of the members under the title of “Swing Moorings and Seagrass.” Since then, further studies and trials have been carried out by various organisations and mooring contractors in an endeavour to protect the seagrass and fish habitat from the effects of the scraping ground chain of the traditional block and tackle swing mooring.

It is understood that consideration, investigation and trials on alternative systems have been ongoing for at least ten years in areas such as Sydney Harbour, Pittwater and Lake Macquarie with various systems and varied success. Discussion and results are regularly presented to the NSW Maritime User Group meetings with mixed reception and comment.

In November (2008) BOA was invited to a “Mooring Demonstration Day” at Rowland Reserve Bayview in Pittwater sponsored by NSW Maritime, Hawkesbury-Nepean Catchment Management Authority, NSW Department of Primary Industries, Pittwater Council and the Australian Government. This demonstration day was both on land and at the adjacent boating pontoon with a practical installation. The mooring system demonstrated has been perfected by one firm – On Water Marine Services Pty Ltd and would appear to be the most effective system evolved to date. Details of their system and information can be viewed on www.seagrassmooring.com.au or On Water Marine Services Pty. Ltd. 336 Cabbage Tree Rd Williamstown NSW 2318 Ph: 0418232854.

Considerable work is being done under Government grant funding by various Catchment Management Authorities, Fisheries (DPI) and NSW Maritime all of which will eventually affect some boat owners and mooring license holders. To assess the practicability of the system, NSW Maritime are trialling approximately twenty moorings in the lower Pittwater area for possibly the next three years. These trial moorings are being installed free of charge to selected volunteer current mooring

holders with a three year free maintenance agreement.

So the current situation for mooring holders is understood to be as follows:

- Seagrass friendly moorings are definitely on the agenda for some areas of the waterways of NSW.
- Trials will be continuous with various Catchment Management Authorities and NSW Maritime. (Hopefully our BOA User Group Representatives will keep a careful eye on progress).
- Mooring holders in seagrass areas will not (in the foreseeable future) be forced to change from their existing block and tackle.
- Seagrass Friendly Moorings will only be considered in seagrass areas keeping in mind seagrass does not grow in deep water.
- The On Water Marine Services system under trial is yet to be designed for rocky seabed or areas where rock is just below the surface of the sand or silt seabed.
- The installation cost is estimated to be just a little higher than conventional block and tackle.
- Yearly or ongoing maintenance costs should be similar to existing moorings.

BOA will continue to be involved in discussions on this project with NSW Maritime and endeavour to keep members up to date on the results of trials or any changes to designs or legislation.

NEWS FROM THE HUNTER

The BOA Hunter Region AGM was held on the 3rd of November, which included the election of the committee for 2008-09.

Chairman:	Mike Collins
Vice Chairman:	Phillip Kersterton
Secretary:	David Johnston
Committee:	Noel Eade
	Bruce Richardson
	Geoff Boaler
	Frank Downing
	Glen Pollard
	Kieth York
	Jack Garaty
	Ken Hoff
	Barry Kloos

Swansea Channel: The bed levelling remedial work conducted by the Lands Department's "Small Ports and Estuary Division" to achieve the trigger depth of 2.5m unfortunately was unsuccessful. The objective of this project was to re-establish the trigger depth to provide sufficient time to arrange dredging to re-establish a safe navigation depth of >3.5m.

Dredging now becomes a matter of urgency, as the shoaling will rapidly increase due to the decreased water velocity. The vital question is, will the Lands Department's "Small Ports and Estuary Division" obtain the funds to re-establish the channel and will the local state politicians assist them in this task? For those planning to visit the lake over the Christmas break, the latest Maritime channel depth survey is on their web site.

Mooring Management Plan: NSW Maritime Hunter Region has commenced the review of the current plan. The review is in the early stages and it is anticipated that stakeholder consultation will commence in the first quarter of 2009.

Congratulations to David Johnston, for his awarding of the Maritime Community Medal.

The awarding of this medal to David, the secretary of the BOA Hunter Region, on the 2nd of October, encompassed his personal effort in the logistical support during the upgrading of the Swansea Flats mooring area at Lake Macquarie.



David Johnston receives maritime community medal from Minister Joe Tripodi

Examining the events leading up to this mooring upgrade mirrors a model for achieving positive outcomes for organisations like ours, working with local and state regulatory authorities in a continuous non adversary environment. Organisations involved in this case were NSW Maritime, Lake Macquarie City Council, Aquatic Services, NSW Fisheries and Lake Macquarie Project Management Committee.

This process commenced in 2002 when NSW Maritime decided to close this mooring area due to its deterioration, including ooze build up under vessels and active prop dredging to maintain vessel floatation during periods of low water levels. NSW Fisheries supported the closure. But this decision would have resulted in the loss of 50 moorings, in the only mooring area for Swansea residents on the lake side of the Swansea Bridge.

After a series of meetings with appropriate local and state authorities, NSW Maritime rescinded their decision to close the mooring area, as it was finally jointly agreed to implement a major upgrade plan, incorporating the mooring area, foreshore stabilisation and parkland amenities. Each authority would fund their respective area of responsibility. An integrated implementation plan was developed which commenced early 2005 and was completed later that year. During that time David Johnston worked alongside NSW Maritime to solve logistic issues during dredging and berthing allocation. The final outcome realised significant improvements, including dredging of the mooring area, relocation of some berths, installation of new substantial mooring poles, removal of ooze, refurbishing the foreshore and the completing first stage of a parkland master plan.

Key points learned from this process included.

1. Establish two way face to face communication with local and regional authorities
2. Be involved, in a practical way, in the implementation of the project. (David's input)
3. Obtaining project funding requires clear plans and objectives and "time".
4. Beware of convenient surges in membership during negotiations and then a drop when the project has been completed.

BOA of NSW COMMITTEE DELIBERATIONS

A summary of items dealt with at the monthly meetings of your committee for the benefit of members and the boating public

October 2008

From the Chairman's (President's) Report:

- A successful outcome for boaters in regard access to Cabbage Tree Bay due to the hard work carried out by BOA with NSW Maritime.
- BOA has made representations concerning proposed new Marine Safety Regulations - for improvements that should avoid unfair outcomes unrelated to safety.
- BOA has issued press releases concerning 406 EPIRBS and lifejackets for children.

Treasurer's Report:

- The provisions Financial Report for August 2008 was tabled and accepted.

Secretary's Report:

- Membership – twenty seven (27) new members and six (6) members who had become unfinancial were accepted into the Association.
- A new style of membership card will be distributed – a smaller card about the size of a credit card.
- A number of members had elected to receive their newsletter by email, which would facilitate a reduction in the print run and reduce printing costs.

Newsletter/AFLOAT:

- David Miles spoke about progress in regard to the latest newsletter and that it was ready for printing.

Woodford Bay Slipway:

- Don France spoke about some issues concerning a particular member - unpaid membership fees and unpaid for use of the slipway.

BOA Website:

- David Miles negotiating with various parties on the funding and construction of a new website.

- Discussion on the contents of the website – confirmation of a list of items presented by David Miles.
- Michael Chapman spoke about BOA's various contributions to the boating community that should appear on the website.
- Frank Talbot spoke about the number of projects that BOA have been and still are involved with on behalf of boaters ranging from issues such as moorings, boating rules, anchoring, VMR amalgamation, offshore communications and tracking and boaters access to national parks.

Jervis Bay Boating Facilities:

- Michael Chapman thanked Stuart Burley for his excellent article in Afloat magazine.
- Stuart Burley spoke about strategies to involve local councillors.
- Michael Chapman spoke about how the BOA might assist in encouraging boaters to visit Jervis Bay.
- Stuart Burley and Michael Chapman attended a meeting with Minister Joe Tripodi and NSW Maritime CEO, Steve Dunn.

National Parks:

- Ian Giles was waiting to engage the new Minister for National Parks.

Waterfront Action Group:

- WAG's financial report was distributed.

Topic of the Day:

The President welcomed Julian Todd to talk to the committee about the dangers of unprotected outboard propellers'. Julian's son was badly injured in an accident involving an outboard propeller and is encouraging all outboards to be fitted with propeller guards.

General Business:

- Wal Wardle to attend a meeting in March 2009 to develop a relationship with all sailing clubs.
- General discussion concerning the activities of the NMSC
- Recommended that the BOA website include useful information for members – such as the location of public moorings.

- Discussion on what BOA's involvement might be in regard to the VMR consolidation and the need for improvements to Coast Radio.

November 2008 (Meeting held on Tuesday 28th October in lieu of 4th November (Melbourne Cup Day))

From the Chairman's (President's) Report:

- Guards on outboard motor propellers near persons in water or in small craft. A safety issue for consideration by NSW Maritime under the title of "Prop Strike."
- National Marine Safety Council – concern that this body is ignoring letters and contact by the boating public.
- Waterfront Action Group (WAG) administrative procedures for the benefit of both BOA and WAG.
- BOA newsletter – a new Editor on board and help promised by all concerned.

Treasurer's Report:

- Our finances are still secure.

Secretary's Report:

- Membership – twenty (20) new members.

Hunter Report:

- Swansea Channel – concern on shoaling – a meeting to be held 6 November 2008 for a plan of action.
- Port Stephens Marine Park – concern on speed restrictions placed on commercial operators – thoughts that BOA should be represented on the Advisory Committee.
- BOA HR involved in advising and considering Marmong Marina and Trinity Point Marina proposals.
- Marks Point Marina in early stages of considering extension of existing marina.
- Lake Macquarie Mooring Management Plan – review due to commence at the end of July – consultation with stakeholders due in near future.
- Seagrass Friendly Moorings – 15 existing mooring holders (20 offered) have accepted trialling the offer of free SGFM in Shoal Bay Port Stephens. BOA HR will monitor results and effectiveness.

- Dave Johnston awarded a medal in recognition of his input into boating.
- First Aid Kits – discussion on the need to promote “Skippers Responsibility” to carry an adequate first aid kit when boating offshore...
- Disposal of out of date flares – becoming a concern for all boaters and the need for discussion with policy makers at NSW Maritime.

Newsletter/AFLOAT:

- Congratulations to Editor on last issue of newsletter and lead article. Also noted the regular coverage of BOA articles in Afloat.

Woodford Bay Slipway:

- Damage caused by a member using the slipway now requires rail straightening for safety reasons.

BOA Website:

- Timeframe to be organised for the upgrade of the BOA website.

Jervis Bay Boating Facilities:

- BOA has achieved extensive and positive publicity and efforts are ongoing with local Council and other authorities

National Parks:

- Concern raised on anomalies in fees and regulations – clarification to be sought from the Authority.

Waterfront Action Group (WAG):

- An executive of three appointed to assist WAG to review and style the separate WAG website.
- An appeal from residents at Tweed Heads re restrictions on private ramps was discussed but, without additional detail, it was considered a bit out of BOA’s field.

National Marine Safety Council (NMSC):

- Input required from committee members to assess the workings and value of NMSC with a view of suggesting cost savings and more user liaison.

Topic of the Day:

- The President welcomed Malcolm Poole President of the Recreational Fishing Association (RFA) who addressed the meeting on numerous topics of mutual interest.

General Business:

- Action on masthead lights still ongoing.
- Noted an excellent article in AFLOAT on The Sydney Institute of Marine Science.
- Noted that the VMR amalgamation is proceeding with the appointment of Diane Beamer as the Chairperson.
- Noted – the amount of informative pamphlets put out by NSW Maritime.

More details and information are available from the minutes of the meetings and members are reminded they are welcome to attend any Committee meeting, as an observer, if they wish to do so.

2008 BOA of NSW ANNUAL GENERAL MEETING - A summary of proceedings.

(1) At the Annual General Meeting held on 09 November, the Chairman was able to report on a very successful year for the Association in regard to a number of significant issues:

- BOA is working in harmony with Government – we can now be on the inside influencing policy, working together for safer boating
- We have achieved more coverage in boating media – Radio, SMH, AFLOAT
- Input into amalgamation of Volunteer Rescue Organisations into one body
- New, safe boating laws concerning lights
- Influencing the NSW Government not to follow two other States re compulsory wearing of life jackets
- Waterfront leasing – revolution in management of policies. Many members are waterfront owners or members of clubs which would have been out of business
- Regional Issues: Thanks to Stuart Burley for his efforts in Jervis Bay together with Professor Frank Talbot’s input.

- Most important: Adoption of education rather than regulation – especially the taking up of David Lyall’s policy “You’re the skipper, you’re responsible” by NSW Maritime Authority resulting in the launching of this policy at the 2008 Boat Show
- BOA Hunter Region – was the engine driver for new membership of trailer boaters. The Group is working to have the Swansea Channel dredged again.
- BOA’s profile has been raised significantly through making policy rather than just trying to influence it. For example, BOA wrote an editorial in AFLOAT and Aquatic Licences will be changed as a result of this plus several influential letters written by members on the subject.
- The next challenge for the Committee is an update of our website – and to assist with this, BIA has agreed to fund the management and establishment of a new website, with BOA doing the work with the content.

(2) The Management Committee granted Life Membership to the following members:

Jaap Rhemrev – Member 1026 -
 Joined 1990. Honorary Treasurer since 2002.

Jack Garaty - Member 2832 –
 Joined 2002. Founding Member BOA Hunter Region.

John Ward - Member 1004 - Joined 1990.



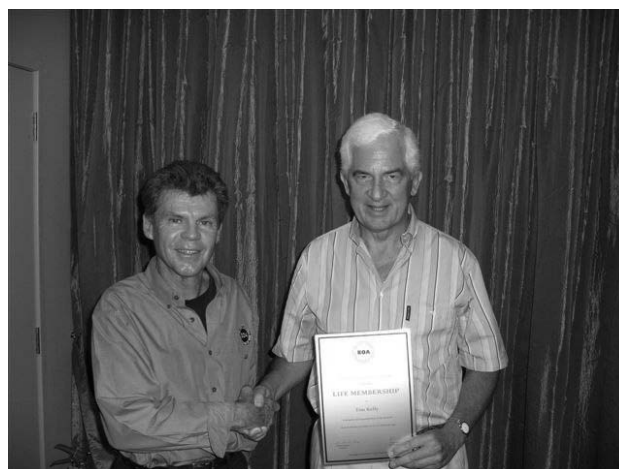
John Ward receives his award from BOA President Michael Chapman & Vic President David Lyall

Jeff Richards - Member 1236 -
 Joined 1991. Vice-President 2000 – 2007.



Jeff Richards receives his award from BOA President Michael Chapman

Tim Kelly - Member 2359 –
 Joined 1998. Honorary Auditor since May 2002.
 (Partner with WHK Horwath)



Tim Kelly receives his award from BOA President Michael Chapman

(3) The Financial Accounts of the Association, comprising the statement of income and expenditure for the year ended 30 June 2008, the balance sheet as at that date, the notes to and forming part of the accounts, the statement by officers and the Auditor's Report were tabled. Mr Tim Kelly of WHK Horwath agreed to be reappointed as Honorary Auditor. He recommended an amendment to the Rules of the Association to allow for simplification, and reduction in current costs, of preparation of

Financial Accounts and this will be pursued in the coming months.

(4) Management Committee for the year 2008/2009:

President: Michael Chapman
Vice-President: David Lyall
Treasurer: Jaap Rhemrev (Acting)
Secretary: Stuart Burley
and (8) ordinary Committee Members – Don France, David Miles, Frank Talbot, Ian Giles, John Ward, Wal Wardle, Glenn Mathias and Anton le Rutte;

Further to Rule 24, the following are also elected to the Management Committee: Dominique Beck – Association Secretary; Joann McKay – Membership Sub-Committee and Public Officer; Greg Troy – South Coast Committee Member; Noel Ferry – North Coast Committee Member; BOA Hunter Region – Jack Garaty, David Johnston, Phillip Kesterton and Mike Collins; BOA/WAG (Waterfront Action Group) – Brian Folbigg, Phillip Altman and George Citer.

(5) Future Action - Issues raised, discussed and agreed:

- Higher profile promotion of BOA and what it does – in 'AFLOAT' Magazine
- Courtesy Moorings: Raised last year, followed up with NSW MA Advisory Group without result – listed for further action this year
- Seagrass Friendly Moorings: Proposed new system to be trialled in selected shallow seagrass areas for a few years (Refer: www.seagrassmooring.com.au) It was noted that caulerpa taxifolia is more invasive and in need of attention.

IPART CREATES HUGE WORK-LOAD FOR WATERFRONT ACTION GROUP

In October 2003, the then Premier of NSW made a fundamental error, when he asked the Independent Pricing and Regulatory Tribunal (IPART) to review and report on the rents charged for Crown land below the mean high water mark (i.e. "mud & water"), and leased out for the purpose of jetties, boat sheds, mooring pens etc. IPART has expertise

in many areas, including the setting of bus, train fares, electricity and gas prices, but clearly has little expertise in how rents should be assessed for "mud & water". When in September 2006 one of the founding members of the Waterfront Action Group (WAG) raised with the author of the April 2004 IPART report, that the formula within the report had several fundamental problems, he was advised that the report was merely a recommendation, and that the Government was under no obligation to implement it. And the report's author further advised, that the best Government expert to help sort out the problems with the flawed formula was the NSW Valuer General, who had first advised that the formula was fundamentally flawed.

Terms of Reference: The IPART formula does not align "rental returns to reflect and maintain their market value", as per the requirements of the Terms of Reference. Nor does it satisfy the requirement "The Department of Lands and the Waterways Authority wish to develop a market formula for rental returns to reflect market value at each rental review".

Value of Occupancy: The report recommends that the "mud & water" can be valued by reference to the SLV (Statutory Land Value) of the "adjoining freehold land". But there is no such thing! The Valuer General has advised that he combines together the "mud & water" with the adjoining freehold (where there is one) and values the two (leasehold and freehold) as one freehold property. That in itself raises the question of whether the Valuer General is substantially over-valuing the "mud & water", which for numerous reasons is considerably less valuable than the adjoining freehold. Then there are numerous occupancies that do not adjoin freeholds, and IPART provides no guidance on how these should be valued.

Precinct SLV: IPART suggested the grouping of occupancies into precincts, but provided no guidance as to how many properties should be included in a precinct. NSW Maritime (Maritime) and the Department of Lands (Lands) made the precincts very small (with as few as 1 property), with the result that huge inequities appeared in the "meaningless figures" spat out by the flawed formula. When WAG brought this to the attention of Maritime and Minister Tripodi, they, in January 2008, reduced the number of precincts in Sydney Harbour from 120 to 6, which meant that a better averaging of "meaningless figures" was achieved, and lessees were therefore overcharged on a more

equitable basis. WAG has recently been pressuring Maritime and Minister Tripodi to further reduce the number of precincts to 4, to overcome price discrimination on the Parramatta River. Lands is also considering such a reduction in precincts, so that lease-holders are overcharged on a more equal basis than presently.

“Meaningless Figures”: Paragraph 6.1 of the report includes the words “The precinct SLV is an amount (expressed as dollars per square metre) that is calculated by dividing the total SLV of all **freehold** properties in the precinct ...by the sum of the total area of the freehold properties in the precinct plus the total area of occupancies in the precinct”. Beneath those words is a formula which repeats the above, but leaves out the word “freehold”, and which the author has confirmed was a typographical error. Maritime and Lands have been applying the formula without the word “freehold”, which was not the intention of the author. But in any case, the NSW Valuer General and the Chief Valuer of NSW have both stated that dividing their SLVs by the area of those SLVs produces “meaningless figures”, and favours the owners of larger properties and discriminates against the owners of small properties.

50% Discount Not Sufficient: IPART recognised that “mud & water” is considerably less valuable than freehold land, and arbitrarily recommended a discount of 50% be applied. But considering that the land is often (or always) submerged, is available for public access, any structures upon it must be demolished, at the end of the lease (if requested), and can be used for only limited purposes, a 50% discount is not sufficient. The market for tidal “mud & water” is quite limited, and one has to consider whether “mud & water” in shallow water is worth more than “mud & water” in deep water, and leased out as moorings. WAG has yet to address this issue, and may need to employ valuation experts, to report on the correct level of discount, and whether in fact, there should be a different method of valuing “mud & water”, not related to the adjoining freehold land.

Rate of Return: Having (incorrectly) arrived at a per square metre value for “mud & water” within a precinct, IPART then turned its attention to arriving at “aligning rental returns to reflect and maintain their market value”. They used a 10 year rolling average (for the whole state of NSW and ending in 2003) and recommended that a net rate of return (RoR) of 3.05% be applied to the precinct SLV, to arrive at a precinct wetland rate. They recommended that both precinct SLVs and the rate of return

applied to them should be “reviewed regularly”, but failed to clearly define the meaning of “regularly”. Maritime and Lands have interpreted “regularly” to mean annually in the case of SLVs, and not regularly in the case of RoR, which has created a valuation nightmare, according to all the valuation experts consulted by WAG. Because rents tend to rise gradually (usually in line with the CPI), but SLVs fluctuate quite substantially, RoR tends to move in the opposite direction to SLVs. The failure of Maritime and Lands to follow the recommendation of IPART to regularly review RoR has meant that rents have increased in line with the increase in SLVs and not in line with market rents, as was intended. In early 2008, the CEO of IPART conveniently responded to a letter from the Chief Executive of Maritime, and advised that “regularly” in relation to RoR meant once every 4 years. That was consistent with the fact that neither Maritime nor Lands had reviewed RoR since April 2004. But now as we move into 2009, even that flawed advice becomes meaningless. WAG has used donations to employ valuation experts, who are currently working on a report, that uses the Government’s own statistics to demonstrate that all of Maritime’s lease-holders have been substantially overcharged, because of Maritime’s failure to review the RoR, on the same basis as SLVs. RoR is both time and place specific, and it is a fundamental valuation principle that both are reviewed at the same time and for the same location. One cannot apply a 10 year rolling state-wide average RoR, with its mid-point in 1998 to SLVs for Sydney’s Eastern suburbs in 2008. But that is what Maritime has done. And Lands (which has competent valuation experts on its staff) has done no better.

Legality of the Current System: The current system of calculating rents was introduced in 2005 but existing leases or licences were not amended to allow for it. It would seem that both Maritime and Lands have a legal obligation to abide by the terms of their own leases/licences but are not doing so.

Supporting WAG: WAG has been able to raise funds from BOA members, to be able to employ the best experts available, to assist in some highly technical valuation matters. While we now almost have sufficient funds to pay for 2 expert reports on Rate of Return, there are other areas, such as how does one value “mud & water” (?), that will require further expert advice in 2009. It is worth pointing out, that if the Valuer General is over-valuing “mud & water”, then this not only affects rents charged on that “mud & water”, but also land tax and council

rates charged on that “mud & water”. WAG invites donations of up to \$500, made out to the Boat Owners Association of NSW and mailed to PO Box 212 Spit Junction NSW 2088.

MANAGEMENT COMMITTEE – for the year 2008/2009.

Michael Chapman	President
David Lyall	Vice President
Jaap Rhemrev	Acting Treasurer
Stuart Burley	Secretary

Don France	Ian Giles
Glenn Mathias	David Miles
Anton le Rutte	Frank Talbot
John Ward	Wal Wardle

Noel Ferry*	Greg Troy*
Jack Garaty**	Dave Hohnston**
Phillip Kesterton**	

* Regional Committee Members
 ** BOA Hunter Region Committee

Waterfront Action Group (WAG) sub committee

George Citer
 Phillip Altman
 Brian Folbigg

SPECIAL GENERAL MEETING

It should be noted by members that on Tuesday February 3, a Special General meeting will be held to consider a number of notices of motion. Details of the meeting and the specific notices of motion are set out in the attached notice.

BOA NEWSLETTER is the quarterly newsletter of the Boating Association of NSW.

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Printed by: Contact & Clarendon Printing
 Email: www.contactprint.com.au

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BOA New Members – April to November

Alan Rydge	John Winning
Albert Wilson	Joy Foulsham
Alex Ko	Ken Humphries
Allan Hare	Kenneth Howison
Andrew Brooks	Laurie Davis
Andrew Macoun	Malcolm Poole
Andrew Weber	Maree & Stuart Miller
Angus Grinham	Mark Dalglish
Arnold le Rutte	Mark Horton
Barry Clay	Michael Elliott
Barry Irving	Michael Ewings
Bruce Davey	Michael Hendler
Bruce Fink	Michelle Murphy
Bruce Nettleton	Nicholas Bernard
Carl Munoz-Ferrada	Nicholas Manettas
Charles Gonzalez	Nicholas Vass
Con Bousgas	Paul Lincoln Smith
Craig Beencke	Peter Gell
Darrol Norman	Peter Lee
David Dickson	Phil Brannigan
David Lee	Philip Bart
David Manchee	Phillip Titterton
David Ramsay	Rainer Ehrhardt
David Roberts	Ralph Pickering
David Williams	Rick Bruce
David Wright	Robert Fraser
Dennis Donald	Robert Grounds
Doug Allcock	Robert Smart
Enid Warburton	Ron Jaensch
Garth Nicholson	S R Morton
George Geatches	Sally Hordern
Glenn Moore	Sandra Hall
Graham Forster	Sharon Doyle
Greg Cesco	Stephen Thomas
Harry Triguboff	Susan Walter
Jean Wing	Syd Ramsay
Jeff Glen	Tony Staunton
Johhny Kahlbetzer	Vicki Emmett
John Baird	Victor Newman
John Eccleshall	Victoria Adams
John Hayward	Wal Wardle
John Taylor	William Gibson
