



Newsletter

October, 2008



Radio Room at RVCP Port Stephens

MARINE RADIO - Significant Changes

Over the past six years, Australian recreational vessel owners have witnessed a number of significant changes to marine radio communication services provided by both government and non government organizations – changes which may affect the suitability of communication equipment installed in vessels and sea safety communication procedures. The main changes that have occurred include:

1. The closure in July 2002 of Telstra's six medium and high frequency (MF/HF) (voice only) coast stations and their replacement by:
 - two geographically remote HF (digital selective calling (DSC) activated) stations at Wiluna and Charleville in QLD operated by the Australian Maritime Safety Authority (AMSA) and
 - nine coast radio (voice only) HF and VHF stations -one each in NSW, Victoria, Tasmania, SA and NT and two each in Queensland and WA operated by each of the states.
2. The termination of the privately funded Penta Marine Radio MF/HF voice service in September of 2006 and
3. The termination of Telstra's VHF Seaphone service in December 2006.

More recently, of course, we also became aware of a possible rationalisation (merger) of the three NSW Volunteer Marine Rescue organisations (VMRs) and some interesting directives from the NSW State Rescue Board regarding the tracking of vessels along the NSW coast. Why these changes have occurred involve specific issues relevant to each of the services. In the case of the replacement of the six Telstra MF/HF stations with the two geographically remote HF stations

Boat Owners' Association of NSW
P.O. Box 212
Spit Junction NSW 2088
Phone: 0408 164 361 Fax: 02 9973 4140
E-mail: info@boaters.org.au

stations with the two geographically remote HF stations in WA and QLD, this concerned the rationalisation of services required to meet Australia's international obligations to the Global Maritime Distress Safety System (GMDSS). And because Australia's obligations under a "Sea Area A3" protocol (a protocol that defines what radio services are available) does not require the monitoring or working of either MF or VHF, the need for coast based stations became redundant. Penta Marine Radio closed its voice service for two reasons – alternative services that have gradually eroded traffic volumes and a need for Derek and Jeanine (after thirty years of continuous service) to get a well earned rest – albeit that they are still serving cruising folk through their full time operation of 14 "Sailmail" (e-mail over HF radio) channels. The closure of Telstra's Seaphone service, on the other hand, may have had something to do with traffic volumes (introduction of mobile phones) but probably a lot more to do with new economic imperatives following privatisation!

The Communication Needs of Boat Owners: The communication needs of recreational vessel owners concern access to ship to shore telephone services and sea safety. The closure of Telstra's coast stations, providing operator connected radio telephone (radphone) services, and the termination of its radio telephone services through its VHF "Seaphone" facilities means that ship to shore telephone communication is now dependant upon the various mobile phone services. In any event, given the considerably enhanced characteristics of a mobile phone connection through either terrestrial or satellite facilities, this was not an unexpected outcome. But what boat owners need to be aware of is that, with the exception of an Inmarsat-C installation, which gives access to a satellite telex service employed within the GMDSS system but is price prohibitive for most boat owners, mobile phone services are not a substitute for VHF and HF sea safety services provided by AMSA, the state controlled coast radio stations and the VMRs.

Current Sea Safety Communication Arrangements: There are two sea safety communication systems operating in Australia – one, the responsibility of the Australian Maritime Safety Authority (AMSA) and, the other, the responsibility of each Australian state. AMSA's responsibilities are directly related to Australia's GMDSS commitments particularly as it concerns commercial vessels operating within Australia's geographic area of responsibility. AMSA conducts its operations through the Rescue Coordination Centre (RCC) in Canberra. Communication with RCC is either by way of HF digital selective calling (DSC), through HF stations located in Wiluna and Charleville, or by way of Inmarsat-C. State based operations,

on the other hand, are conducted through nine coast radio networks and the various marine voluntary organisations. In regard to NSW, this involves Coast Radio Sydney operating through stations located in Sydney, Newcastle and Port Kembla and the three VMRs (the Volunteer Rescue Association - Marine Branch, the Australian Volunteer Coastguard Association and the Royal Volunteer Coastal Patrol) operating through a number of stations located up and down the NSW coast.

Sea Safety Communication Requirements of Boat Owners: The sea safety communication needs of recreational vessels are very much the same as those of commercial vessels – to cover emergencies and, in order to minimise the time it might otherwise take to search for a vessel that gets into difficulty, to positively monitor a vessel's progress on offshore passages. But to ensure that a vessel is adequately equipped in this regard, consideration needs to be given to the sea safety services available.

For recreational vessels with VHF, Coast Radio Sydney and a number of VMRs provide a 24 hour listening watch on channel 16. Few of these stations presently monitor the DSC alert and calling channel (channel 70). Commercial ships at sea, on the other hand, are required to monitor channel 70 for DSC alerts but not channel 16 for voice alerts. If a vessel's VHF radio is DSC equipped, therefore, it makes good sense, particularly in the case of a distress situation, to first activate a DSC alert and then follow up with the appropriate distress call, by voice, on channel 16.

The monitoring of a recreational vessel's passage up or down the NSW coast is a service carried out by the VMRs. Once logged on at the port of departure, an agreed reporting schedule is set up involving the vessel reporting its position to VMRs en route. It is a positive reporting system which means that a failure to report, on the basis agreed, puts into action search and rescue procedure. However a new operating procedure promulgated by the NSW State Rescue Board in May of this year has restricted en route reporting to VMRs to a report that confirms arrival only – clearly a nonsensical directive. For a yacht on a six day trip up the coast this could mean that the earliest date upon which that vessel could be categorized as overdue would be six days after departure.

For recreational vessels with HF, Coast Radio Sydney and a number of VMRs provide a 24 hour listening watch on the voice safety channels 4125, 6215 and 8291. None of these stations are required to (or are

likely to) monitor the associated DSC alert and calling channels (4207.5, 6312 and 8414.5). But significantly, those that do monitor the DSC channels (only switching over to the corresponding voice safety channel after a DSC alert or call has been received) not only include commercial ships at sea but also AMSA – at RCC in Canberra through its two geographically remote stations at Wiluna and Charleville. So once again, if the HF set has a DSC capability, it makes good sense, particularly when urgent assistance is required, to precede the voice safety message with the transmission of a DSC alert. It will wake up a lot more stations capable of rendering assistance – particularly RCC in Canberra who, right now at least, is probably the best equipped to coordinate a maritime search and rescue (SAR) operation. Another argument in favour of DSC distress calling concerns the adequacy of Coast Radio Sydney and the VMRs to monitor the three HF distress voice channels. A number of issues have been raised in this regard including the current practice of both Coast Radio Sydney and the VMRs of covering the three designated voice distress channels by way of scanning (as apposed to monitoring each channel separately) which, because of the way scanning works, compromises monitoring effectiveness and, as it concerns Coast Radio Sydney, the very unsatisfactory (minimalist) HF antenna system it has deployed to meet its more recent HF monitoring obligations.

The monitoring of a recreational vessel's passage up or down the NSW coast by the VMRs through the use of HF involves exactly the same procedure as for VHF. But for a recreational vessel setting out on a passage exceeding 200 nautical miles which is anticipated to take more than 24 hours to complete, subject to the vessel being equipped with (a) an HF DSC radio for primary communication and (b) a 406 MHz EPIRB, that vessel may, as an alternative, log onto the AUSREP, a ship position reporting system for which AMSA is responsible. This involves reporting directly through to RCC in Canberra on a no less than once every 24 hours basis. Again, this is a positive reporting system which requires the vessel to report at or around a pre determined time. Failure to report will trigger search and rescue procedure.

Weaknesses in the System: The closure of the six Telstra coast stations, the termination of the seamless Telstra VHF network and the cessation of Penta Marine Radio's voice service, all over a relatively short period, has had a negative impact on the quality of the marine radio services available to recreational vessel owners. Of the three services that no longer exist, only the coast stations operated by Telstra have been replaced – not as a single network under federal control (unfortunately) but seven networks under the re-

spective control of the six states and the Northern Territory. Predictably, this has resulted in a wide variety of commitment and delivery resulting in a wide variety of outcomes. So far, the efforts of NSW in this regard have been mixed. Its commitment to a merger of the three VMRs is a sensible one clearing the way for the establishment of one voluntary marine rescue entity with the associated benefits of rationalisation leading to a more efficient service. But its commitment to its own obligations, concerning the establishment of a coast radio service, is disappointing.

As one of the state controlled coast stations, Coast Radio Sydney's obligation is to simultaneously monitor, 24 hours a day seven days a week, three of the HF voice safety channels (4125, 6215 and 8291) and one of the voice safety VHF channels (channel 16). But for a coast station to adequately carry out this obligation it must (a) have four separate receivers so that each of these channels can be monitored continuously and (b) have an antenna system that is appropriately located. Right now (it is understood), Coast Radio Sydney monitors the three HF safety channels using only one receiver scanning all three frequencies. There are two major problems with this. The first of these involves the inability of the receiver to differentiate between voice and interference. This means that every time the receiver picks up any interference it will stop scanning until that interference stops. In the meantime, a safety call could be coming in on one of the other channels. The second problem concerns the location of the HF receiving antennas. Both antennas, one next to the radar site at South Head and the other near to the Darling Harbour control tower, are located in electrically noisy city environments – environments that significantly compromise HF reception.

Another issue, which should be addressed, concerns Coast Radio Sydney choosing to omit from its HF frequency schedule a list of companion working channels. Once contact has been made with a coast station (by voice) it is standard protocol to "go up" to a working channel – to clear the safety channel for further safety traffic. Interestingly, other state coast stations list such frequencies. It really does help in an emergency out at sea to have all of the relevant calling and working channels already figured out!

Recommendations:

1. The BOA should actively support the consolidation/merger of the three VMRs – for all the reasons set out in the report prepared by John C Price dated July 2008.

2. The BOA should strongly recommend to the Minister for Emergency Services that a review be implemented as to the adequacy of the services provided by Coast Radio Sydney highlighting the shortcoming referred to here.
3. The latest amendment to the operating procedures concerning the monitoring by VMRs of recreational vessels, as discussed above, is a complete nonsense. It may be that the NSW State Rescue Board has already got the message on this and, from recent enquiries, it looks as though that may be the case - VMRs will continue to track vessels in accordance with procedures that were in place prior to the latest directive. If this not the case, the BOA should make appropriate noises!

YOU'RE THE SKIPPER - You're responsible - and don't forget the little ones.

Recently there was a report of a child drowning in a boating incident having slipped through an adult size life jacket or personal floatation device (PFD).

Commercial airlines have strict training procedures for flying personnel. Every year they must complete a day long written and physical exam requiring 100% pass.

Part of the wet drill training involves fitting child jackets to dolls and dummies and how to tie adult jackets to children if smaller jackets are unavailable which takes a lot of time. Fortunately commercial aircraft do not sink too quickly.

But today's ultra light yachts and petrol driven boats may only provide seconds for evacuation.

If we don't want laws compelling child size life jackets to be on all boats we need to be proactive. If you and your children are invited out with a friend for pleasant days cruising you should take appropriate size child's life jackets if the skipper has none on board.

However the final decision rests with the Skipper and if there are no appropriate size life jackets the children shouldn't be allowed on board because -

"You're the Skipper – You're Responsible"

Imagine tying a screaming squirming child into an adult life jacket while standing on 100's of litres of blazing fuel.

The latest issue of the NSW maritime Boating Handbook 2007 – 2008 generally covers the need for Life-jackets and – "recommends that each child aged 12 or under wears a lifejacket at all times..." but does

not go into any more detail.

There are an unbelievable number of shapes, sizes and styles of toddler and children's life jackets available from Marine stores as shown in their catalogues – there are even life jackets for pets!

So please don't risk your children – if they go boating, make sure they are properly kitted out for their safety, your peace of mind and the Skippers Responsibility.

MASTHEAD TRI-COLOUR NAV LIGHTS

A sailing vessel, less than 20 meters in length and under way, provided it is not under power, is entitled to display a masthead tri-colour light – in lieu of it displaying sidelights and a stern light at deck level. Don France of the BOA points out, however, that the use of such lights in enclosed waters can be dangerous.

One January evening, during a passage to Hobart some time ago, Don France, the ships navigating officer, found himself scanning the horizon to visually confirm a small radar contact. The visual scan revealed a single bright navigation light. Following an alteration to course to find out what it was, Don observed that it was a Sydney to Hobart yacht race competitor on its return trip to Sydney. The bright navigation light it was displaying was a masthead tri-colour light. Having fitted one of these to his own yacht some time earlier (to compliment his normal navigation lights), Don was pleased to note the superior effectiveness of such a light out at sea - its visible range being well beyond those specified by Col Regs.

But for the very reason that such a light is effective at sea, its use in closed waters is dangerous. Because the light is on top of a mast, it is very high. And because it is very high, from the perspective of another vessel in the same vicinity, it can very easily be missed – because it is not being displayed at the visual level navigation lights in close proximity are expected to be seen and, particularly in places such as Sydney Harbour, where it can simply get lost in the background of all the other city lights.

Don highlights this point by recounting that on another evening, this time in Sydney Harbour, he nearly ran into a large yacht – a black hulled racing yacht with black sails displaying only a masthead tri-colour light. At close quarters, against the backdrop of the city lights, it was almost impossible to notice that it was there!

As a BOA representative on User Group meetings

with NSW Maritime, Don has tried for years to get a local rule banning the use of such lights in at least Sydney Harbour where the dangers are most apparent. The response to date however has been negative with NSW Maritime sighting Col Regs as the reason they are prevented from acting.

Don argues that this is a nonsense because NSW Maritime already imposes rules specific to the operation of ships in Sydney Harbour so why is it not possible to impose rules specific to the operation of sailing vessels. Do we need a major catastrophe for NSW Maritime to look at this more seriously?

THE FIGHT CONTINUES OVER “MUD & WATER” RENTALS

ALL JETTY & BOAT SHED OWNERS – THIS CONCERNS YOU!

History

The Waterfront Action Group (WAG), a sub-committee of the Boat Owners Association (BOA), after more than 2 years of fighting NSW Maritime (Maritime) and Department of Lands (Lands), over exorbitant and inequitable rentals, charged for “mud & water” under jetties, boat sheds, mooring pens etc. had a small victory earlier this year, when Maritime reduced the number of precincts in Sydney Harbour, from 120 to 6, and in so doing, reduced the huge variation in per square metre (sqm) rents charged, from 120 different rates, varying from \$6.38 to \$141.05 in 2007, to 6 different rates in 2008, varying from \$29.87 to \$88.52. That has greatly reduced the inequity of the flawed IPART formula, which favours precincts comprised of large properties, and discriminates against precincts comprised of small properties. Lands has yet to follow the lead of Maritime, in this regard, so that (for example) in Pittwater some lessees pay about 11 times per sqm what others pay, and in Brisbane Water some lessees pay 19 times per sqm what others pay.

Rate of return

Reducing the number of precincts in Sydney Harbour has not addressed the fact, that the IPART (Independent Pricing and Regulatory Tribunal) formula produces “meaningless figures” (to quote the NSW Valuer General), and grossly overcharges all lessees. One of the flaws in the IPART formula, is in connection with the net Rate of rental Return (RoR), which IPART initially set at 3.05%, and which has remained at that level since 2004, despite 2 warnings within the IPART report, that it “will need to be reviewed regularly”. The IPART report set out to

“develop a market formula for rental returns to reflect market value at each rental review”, but failed dismally, partly because it assumed that the entire state of NSW (from Eden to Tweed Heads and west to Broken Hill) was one market. The 3.05% was an average RoR for the whole state over a 10 year period, with its mid point in 1998. It is completely irrelevant (for example) to a group of waterfront properties in Sydney’s Eastern Suburbs, and which last year had an average Statutory Land Value (SLV) of \$7,748,000, as assessed by the Valuer General, and a RoR of less than 0.4%. WAG has received expert advice, that property values and RoRs tend to move in opposite directions, because rents tend to move up gradually, while property values are subject to greater swings (both up and down). So when the Valuer General dramatically increased Sydney waterfront SLVs in recent years, RoRs went down to compensate. WAG, with the help of donations, has been able to recently purchase data, from the NSW Government, and which shows that the RoRs in the suburbs, surrounding Sydney Harbour are all less than 1%. There are considerable differences between the RoRs for the 6 Sydney Harbour precincts (up to 2.4 times), suggesting that each precinct is a separate market. WAG’s figures demonstrate that “mud & water” lease holders have been substantially overcharged by up to \$77 per sqm.

The way forward

WAG and the BOA have been recently advised, that both Maritime and Lands will shortly conduct reviews of the RoR, used to calculate “mud & water” rentals. WAG will make submissions to these reviews, and will be pushing for annual reviews of RoR on a precinct basis. But while WAG has some members with considerable skills in this area, there is a real danger that the Government will ignore its advice, and rather go back to IPART, for more advice of the same poor quality, that was provided in 2004. To ensure that its submission is treated seriously, WAG intends to commission several experts, to thoroughly check its RoR calculations, and issue written reports (one from a Sydney university, and one from a leading firm of valuers), and for that purpose is currently raising funds, to pay those experts.

Lessees of “mud & water” stand to benefit substantially, from a successful outcome of these reviews, and WAG therefore 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, to ensure that WAG has the funds required, to employ the best experts available, and thereby continue to work towards a successful long term outcome.

Please refer to www.waterfrontactiongroup.com.au

MARINE COMMUNICATION & EDUCATION STRATEGY

1. Background

NSW Maritime's safe boating strategy

In past years it has been tailored around budgets. Typically they were campaign driven and seasonal (coldwater alerts for fishers in tinnies) and directed to regional challenges (inland dams, coastal weather and water changes), navigation lights at onset of winter etc).

Most advertising and brochures have been linear – directed at boat owners, boat drivers and mooring holders – not targeted at peers or families/partners of boat owners or guests on boats.

There has been little overlap into mainstream to target people who go aboard boats, or to educate them on their expectations for safety.

2. What has worked well?

Campaigns linked with regulatory/law changes and in situ practical guidance – examples

(a) media, leaflets and onwater patrols in commuter areas for proper navigation lighting

(b) media, leaflets, increased fines, categorisation of bar river entrances and compulsory wearing of life jackets, CCTV of sea conditions at bar entrance

(c) education on wearing life jackets (PFDs) in dangerous situation or bad weather

3. Which groups are at risk who must be targeted for particular attention?

9% of boaters are recalcitrant.

Most or an unusually high proportion of the 9% are recidivists.

Recidivists get the message but the challenge is to get them to alter their behaviour. Because many of the 9% regard breaking regulations and getting away with it, as a game or smart behaviour, an attitude change is required.

4. What is the most effective method to make target groups alter their attitude, their behaviour and their habits?

Peer pressure – with young men, peer pressure from young women

- with mature boaters who think it's macho, pressure from family and partners.

- with commercial mariners who know better, education and culture

But the challenge is to educate the peers and prompt peers into taking action

5. What groups have no coverage at all by NSW Maritime?

Rowers and kayakers and other paddle craft users. People in small dinghies with outboard power less than 10HP, sailors in off beach craft less than 6m.

The latter group are generally members of sailing clubs which self regulate on boating safety as a condition of entry.

6. What lessons can be learned from RTA accident prevention campaigns? Can NSW Maritime tag onto their research and findings?

Particular emphasis and focus should be attached to the current campaign illustrating a young woman saying "I don't think more of you for speeding"

This approach should be applied to groups in (3) above

7. Do particular groups because of the activity require extra care and attention?

Yes --

- Personal Water Craft riders

- Mature age fishermen and Old Salts who know better

- Commercial masters who assert their rights

- Commercial masters who are on the water as a job and may take situations for granted

These groups are behaviour sensitive. They need attention through peer pressure and, in the case of professional mariners, education by their employer.

8. The most meaningful message from NSW Maritime in a decade has been

You're the Skipper you're Responsible

But it begs the question – and we are left hanging waiting for the answer--

Responsible for What ?

Maritime must now fill in the blanks

But what goes in the blanks?

Perhaps they are – *the 3 most important Skipper Responsibilities in preventing accidents – what are they?*

9. To answer this, let us examine the 5 most recent serious boating accidents causing death

Pre-Superboat Grand Prix capsize

Georges River collision

Bradleys Head – 2 commercial vessels collide

Pam Burrige Rivercat ran down cruiser Merinda

Dawn Fraser Rivercat ran down anchored dinghy

What were 3 key issues?

1. **Keep a proper lookout** – present in all, with possible exception of Superboat which apparently flipped on hitting a wave
2. **Keep to right of channel** – present in most
3. **Avoid other boats** – present in 4 out of 5

Clearly these are (the) 3 key responsibilities of a Skipper in prevention of accidents.

10. Do these 3 responsibilities apply singularly to recreational vessels?

No, because of the 9 vessels involved, 5 vessels were recreational and 4 vessels were commercial.

11. Do commercial vessel operators need to be addressed in the communication strategy for prevention or reduction of serious accidents?

On the basis of the above facts, clearly, Yes

12. How should NSW Maritime promote Skipper Responsibilities?

ie, by filing in the blanks

Keep a proper lookout

Keep to right of channel

Avoid other boats

13. Why is *Keep to right of channel* so important?

Because it is the opposite of what we naturally do in daily life – we keep to the LEFT when we drive on the road and walk on the footpath.

Therefore a constant reminder is needed.

Even commercial mariners drift across to the left of channel, at times.

It is particularly important for all skippers on river bends and blind corners, as well as navigation corridors such as Sydney Harbour bridge vicinity, Parramatta River, Hawkesbury River narrows, entrance to Georges River from Botany Bay etc

14. What is the next step – linked to PEER PRESSURE?

Raise expectations of people when they get on board.

The need to ask themselves questions.

The need to raise their expectations for their own safety, or *What are my expectations when I step onboard?*

15. What are 3 key expectations which if met, will reduce accidents, death, drowning, serious injury?

1. *Is the skipper fit to drive, is the skipper focused on the job and our safety?*
2. *How many people are allowed on this boat and where are the PFDs*
3. *If we are out at night, do the navigation lights work*

and are they on?

Conclusions

1. *Identify at risk groups*
2. *Target them through appropriate strategies, with particular emphasis on commercial mariners, noting sensitivity and possible union defensiveness (consult with the union first and involve it)*
3. *Fill in the blanks – You're responsible for WHAT?*
4. *Educate people going onboard on what they should expect – this is a totally different target audience*

JERVIS BAY – THE ONGOING NEED FOR BOATING FACILITIES

I can understand Ron Dunbar's frustration (Afloat September 08 "Callala Bay Jetty and Ramp") at the local Council's lack of progress in considering the extension of Callala Bay Wharf.

This proposal together with a protected ramp at Vincentia and a replacement of the original Wool Wharf is an interim measure for safer boating in Jervis Bay. The original Wool Wharf was built in 1842 and was the then only means of transporting wool and passengers to Sydney until roads were built in the 1850's

These projects have the preliminary acceptance of the Marine Park Authority, are environmentally friendly and sanctuary zone free. NSW Maritime supports the infrastructure improvements because two wharves will cater for all alternative weather protection.

The wharves will be able to service yachts and large boats with fuel, water and pump-out facilities. Passenger evacuation and emergencies will be catered for as well as access for persons with a physical disability - a Local Government responsibility that many Councils forget.

At present many tourists (whale watch etc) are rowed out to vessels and fuel is rolled down the street in 44 gal drums. Is this prudent environmental risk management? There is not even a slipway or facility for a disabled vessel in the best harbour between Sydney and Eden.

Since Greg Troy's article in Afloat (April 2006) the BOA has had two meetings with Shoalhaven City Council's Mayor and Officers, a meeting with the Marine Park Manager, local residents, boat owners, considerable research and arranging support.

The meetings with Council were negative even though Government Maritime Funding could pay for most of the possible infrastructure improvements thus encouraging more employment, revenue, boat building and tourism

Council rejected the wharves idea but apparently continued with an eventual 500 berth marina proposal with assumed surrounding high rise units. So far, Council has spent a lot of time and money even though two large reefs would have to be demolished in a designated sanctuary zone, Is this prudent environmental management?

The Boat Owners Association being a voluntary non profit, non political organisation has in its ranks such knowledge as the ex CEO of NSW Waterways, a Professor of Marine Science, ex Manager of Pittwater Council's waterfront infrastructure, a qualified Sea Captain, ex Councillor, notable yachtsmen, marine conservationists. All these people are prepared to devote time and advice to assist the boating public.

Our successes have been well appreciated by the boaters – mooring changes, Swansea channel clearing, Crowdy Head Boat Ramp, Sydney Harbour boat ramps and infrastructure, dinghy storage, no compulsory life jackets and “You're the Skipper You're Responsible” awareness program.

So Ron as we have tried to locate you, but you seem non existent, could you please give the local BOA representative Greg Troy at the Jervis Bay Cruising Yacht Club your support and a copy of the original plans of Callala Bay Wharf that you mentioned so that we can hopefully approach a newly elected and hope-fully enlightened Council with these public benefit proposals for the third time.

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

August 2008

- Chairman's report – Meetings attended – Minister Tripodi on better boat ramps, Maritime Ministerial Advisory Council, NSW Maritime Asset Infrastructure Council, CEO Maritime, GM BIA and Peter Loxton Chair of Maritime Inquiry into improving safety communication and education.
- Amalgamation of VMR's – At the boat show Minister Tripodi released the Price report recommending the amalgamation of the voluntary organisations as BOA and others have been striving for over the years. The NSW Government will allocate a one off \$3m grant for the first year.
- The Minister also announced the increase to 100% funding for better boat ramps for Sydney Harbour and possibly other areas.
- Boat share and timeshare – announced as a discussion paper and represents a win for the BOA.
- Maritime Domestic Leasing – a major item on the agenda for BOA now being handled by a BOA sub committee – “Waterfront Action Group” (WAG). The efforts of this sub committee is important to all BOA waterfront members to stop unreasonable rental increases.
- Swansea Channel – BOA has put pressure on Dept of Lands for the necessary dredging.
- Zoning Plans – Local Government Councils are required by 2011 to have new foreshore planning schemes. This gives Councils an opportunity to introduce green zones for environmental protection and could be detrimental to boating and boat maintenance facilities.
- NSW Maritime has invited BOA President to participate in review of NSW Maritime Communication & Education Program for recreational boating safety.
- BOA once again has been active in letters in the Afloat magazine.
- BOA has given written support to applications for grant funding by Pittwater Council.
- The meeting stressed the need for regular newsletters to members.
- Discussion also evolved around the need for upgrading the BOA website.
- Angel Rings or life buoys on rock shelves and fishing headlands were discussed and further investigation undertaken.
- NSW Maritime Recreational Vessel Advisory Group (RVAG) – minutes and relevant papers from previous meeting tabled and discussed.
- National Marine Safety Council (NMSC) – concern was expressed that despite efforts of BOA to participate and assist the response from NMSC was extremely poor.
- BOA attendance at the Sydney Boat Show – decided that all effort will be made to man a display at the next (2009) show.
- Boat trailer parking in the suburbs – discussion on Council's attitude and possible actions – agreed that if trailers were registered and not illegally parked then there was nothing the Councils could do at the present
- Pittwater Aquatic Club – a potential navigational hazard was alleviated in discussion and agreement between BOA, Maritime and local residents.
- Anchoring – the concerns of new style anchors and correct chain was discussed and further investigations are underway.

September 2008

- Chairman's report – Afloat Editorials – BA's impute into the regular editorials has been noted by the Government and is auguring well for the association and boating generally.
- Newsletter and website need action.
- Volunteer Marine Rescue Amalgamation – Editorial in Afloat by BOA – submissions to NSW Maritime by BOA and individual members.
- Boat Share and Timeshare in discussion with BIA and a further editorial in Afloat.
- Clubs and community group leases from NSW Lands Dept. - The President attended the Pittwater Area Group meeting and advised on strategy and lessons learnt and being learnt with the WAG sub committee.
- BOA and WAG – extensive discussions and meetings with numerous technical details resolved.
- Policy and Code of Practice for BOA sub committees drawn up and accepted.
- Membership application form approved for waterfront property owners to join BOA and participate in the Waterfront Action Group negotiations.
- NSW Maritime forum on Community & Education Strategy – The President attended a half day forum and submitted a paper on behalf of BOA.
- Membership cards – new cards will be the same size of a normal credit card and laminated.
- Swansea Channel/Bridge – following a request in January the Government has now advised that it lacks funds to act on the recommendations. Things thus look bad for the coming summer.
- Marmong Marine – residents oppose the development plan and BOA Hunter Region have proposed an alternate plan.
- The Hunter Region sub committee is in need of new blood for their committee.
- VMR Amalgamation has been considered by the Hunter group and approved.
- BOA Woodford Bay Slipway needs six lengths of railway line.
- Jervis Bay – following BOA letters to Afloat and a reply from a local resident further letters and action underway.
- NSW Maritime Recreational Vessel Advisory Group (RVAG) last meeting considered an item from BOA on masthead lighting in Sydney Harbour without any conclusion.
- WAG – a major discussion of the meeting resulting in a seven point resolution to assist the waterfront

owners and protect BOA. These procedures tied in with the Code of Practice and alternate application form.

- The Annual General Meeting was set for Sunday 9th November 2008.
- BOA Hunter stressed the overdevelopment of Trinity Point and the Swansea Bridge will be affected by an increase number of boat users.

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

BOA MEMBERSHIP CARD

If you have not received a BOA Membership Card with Due Date for Renewal, please give your details to the Membership Secretary – Joann McKay

Tel: 9960 1859 or Email: membership@boaters.org.au – and your Card will be sent out

NSW MARITIME USER GROUPS

Encouraging to see the response from members to last months article on the need for volunteers to sit on their local User Group Meetings. Welcome to David Smith who has taken up the roll of BOA representative on the Botany Bay / Georges River User Group.

This of course expands the roll of the BOA but we still have other areas crying out for representation

Any BOA member even remotely interested is invited to contact David Lyall on 9918 2335 for more information on this very important boating involvement.

POSITION VACANT

The management committee is calling for interest from any member with modest computer accounting skills to join the team in the position of honorary treasurer. This is an important role but not an onerous one with lots of help on hand. To obtain a job specification by email, contact membership@boaters.org.au or phone Joann on 99601859 to discuss the position.

Boat-Share & Time-Share – A Rational Alternative

Overview: The outgoing costs of boat ownership are rising faster than inflation. This applies not only to discretionary costs on items such as fuel but also fixed costs which accrue regardless of whether a boat is used or not – berthing/mooring fees, slipping, maintenance, insurance and registration being the most obvious. But outgoing (cash) costs are only a part of the equation. The biggest expense associated with boat ownership is the opportunity cost – measured not in terms of cash outflow but in terms of the benefits that an alternative use of the capital (tied up in the boat) could otherwise generate. And so, for the reason that many boat owners only make use of their vessels on an infrequent basis, the pleasure derived from such infrequent usage comes at a very high price. Are there alternatives?

Boat-Share and Time-Share are alternative arrangements designed to facilitate access to a boat at a price that better matches actual usage. For the same amount of usage, a participant in such arrangements can access a boat for only a fraction of the cost of full ownership. When coupled with the less than certain economic outlook for the foreseeable future, it may well be that it is to one of these type of programs that existing and future boaters might gravitate. But although both concern contractual access to a boat on some defined basis, there are differences in the two arrangements that need to be considered.

Boat-Share: Boat-Share has been around for some time both in Australia and overseas. In Australia its origins are seen to stem from the 1960s – commensurate with the early beginnings of the production boat industry. Many families recognised that the cost of owning a brand new production boat was not within their reach but, by sharing such ownership with a number of others, it could be a very realisable proposition.

Boat-Share is an arrangement that involves a number of shareholders owning (having legal title to) an equal share of a particular boat – a share that, at any time, the owner is entitled to sell. Such share conveys upon the shareholder all of the risks, rewards and operating expense obligations associated with joint ownership – a proportion of all of the risks, rewards and expenses that apply to full ownership. The arrangement entitles the participant to usage of the boat, as an owner, for the number of days in a year that equates to their respective share of ownership. Boat-Share arrangements should be formalised by a legal agreement and, so as to avoid it being deemed a Time-Share arrangement, should be structured so as to ensure that the use of the relevant boat is limited to “**recreational purposes**” as defined by relevant NSW (maritime) legislation – to ensure that the boat’s use is not deemed to be for commercial purposes which requires that the boat be built to survey and be annually surveyed.

Boat-Share arrangements are now quite sophisticated and typically involve a manager who not only manages the program but also maintains the boat itself. From a legal perspective, it is important that the manager be appointed by the Boat-Share participants – any suggestion that the manager has a controlling interest in the program could disqualify its status under NSW maritime legislation.

Time-Share: Time Share is an arrangement whereby a participant purchases the use of a boat for a number of days a year for so many years. The boat or boats to which the participant buys access is/are owned by a party other than the participant. In these arrangements the participant has no equitable interest in the relevant boat or boats whatsoever and the only payments made are referable to usage – hire of the boat. If ownership, wholly or in part, is not a consideration, Time-Share arrangements provide the most efficient and economic means to access time on a boat. And to the extent that a number of program providers have fleets of boats in a number of locations around the world, participation, subject to certain conditions, means access to boats in a number of exotic locations.

As it concerns NSW (maritime) legislation, on what basis a boat is hired out under a Time-Share arrangement, is deemed to be for “**commercial purposes**”. And for a boat to be registered for commercial purposes, it must be “in survey”. For a boat to be in “in survey” the costs associated with its construction and ongoing inspection adds considerably to its initial build cost, build certification and ongoing survey inspection.

Outstanding Issues: With the cost of boat ownership rising faster than inflation, access to a boat by way of Boat-Share or Time-Share programs begins to make more and more sense. But so that these types of programs can grow further, it must be within a framework of legislative certainty and administrative enforcement – not subject to uncertain language that can be interpreted a number of different ways for the purposes of exploitation. This is particularly relevant as it concerns Time-Share operators who argue that some Boat-Share programs are not quite what they seem – gaining an unfair advantage by avoiding the higher costs associated with the need for the relevant boats to be in survey. Right now, the underlying pieces of legislation that define the necessary differences are unclear and it is encouraging in this regard that NSW Maritime has recently sought public comment on a discussion paper covering the particular subject. BOA encourages this development particularly to the extent that appropriate legislative changes will lead to clarity and transparency.

At Last - A Single Volunteer Marine Rescue Group In NSW

Minister Joe Tripodi appointed Mr John Price to inquire into the adequacy and viability of the existing three volunteer marine rescue groups. The review involved all major stakeholders including a meeting with the BOA and the Boating Industry Association (BIA). The BOA's written submission, endorsing amalgamation, was supported by the BIA and we are pleased to say a joint submission was lodged with Mr Price.

Recently, Mr Price's report was released for public comment. The job undertaken by the ex Deputy Speaker was very thorough. Its main recommendation was that the Australian Volunteer Coast Guard, the marine branch of the Volunteer Rescue Association, and the Royal Volunteer Coastal Patrol should be amalgamated into one entity. He found that three agencies could not be viable due to costs of membership, operation, training, and replacement of vessels and radio equipment. He also found operational stress in some organisations due to the duplication of bases, the overlap of radio services and the competition for funding.

As well as recommending a single NSW Volunteer Marine Rescue Service, the report also proposes an administrative committee of stakeholders chaired by NSW Water Police. The latter will soon commence a rationalisation review. BOA has offered to play a role on the committee representing boat owners – from the perspective of those likely to be requiring rescue.

BOA believes that the report's findings demonstrates a common sense approach and that its author should be applauded. Responding to the report, Minister Joe Tripodi announced annual funding of \$1.35m and an extra \$3million next financial year from NSW Maritime to be provided to the amalgamated entity. At the same time, the BIA pledged continued strong funding, but only to the amalgamated service. Both the BIA and the Boat Owners Association of NSW support John Price's recommendations and have written to Mr Price accordingly. Very simply, a single volunteer marine organisation will improve boating safety.

BOA's Call to Action: BOA asks what else should to be addressed as part of the exercise? We suggested and wrote to Mr Price that an offshore training system and standardisation of boats, spare parts and equipment is also needed. It's surprising how many rescue boats can be out of action due to lack of common parts. Once a single range of boats and engines are specified, acquisition costs will come down, through public tendering. And a van could be available to travel the coast with common parts and repairs. Sourcing should complement equipment from Water Police and perhaps NSW Maritime so that boats and gear can be passed on economically.

After consultation with some of the volunteer rescuers, BOA recommended that fuel management and sourcing might copy the Queensland model where fuel cost is reimbursed by government when a volunteer rescue vessel is tasked by Water Police.

Another important issue that needs to be addressed concerns the establishment of a standardised radio network with local patching and over-arching control by Water Police. To achieve this, new or improved radio transmitters are needed. The challenge is to maintain a balance between supporting local input and identity and allowing for Water Police control when required. Perhaps the underlying challenge which should be addressed and introduced as part of the new amalgamation package is an offshore tracking system capable of accepting single email or fax input from a boater detailing a vessels particulars, its intended sailing plan and which VMR stations it intends to call en route. The system should also be capable of accepting and processing SMS messages from boaters. Having regard to the background of many volunteers, we believe an easy computer course is needed for volunteers to master a new network, with a hands-on course at local bases. Otherwise there is a risk that experienced and knowledgeable volunteers may retire rather than face a key board. The loss of experienced volunteers, for such a simple reason, could not come at a worse time - when other changes are afoot and retention of local protocols and knowledge are critical.

What has been learned? When industry, consumers and government work together and agree on the outcome and how to achieve it, real progress is made. The risk is that some of the current heads of the volunteer agencies may prefer to walk and not be part of a single unified group. They should not forget that it's not about them but about improving boating safety for the community.

Latest News: In early October Minister Tripodi announced that something like 93% of comments on the Price Report support its recommendation – the amalgamation of the three VMRs. We have come so far in the 20 year battle for common sense and efficiency. Let us hope that there will be the resolve to push ahead and adopt the other suggestions to maximise opportunities. Perhaps all volunteers will come together in harmony, in the same way that industry, consumers and government have – for the common good.

BOA COMMITTEE MEMBERS

Michael Chapman - President
David Lyle - Boat Ramps/ Sea Grass
Frank Talbot - Environmental issues
Glenn Mathias - Legal and technical
Ian Giles - National Parks
John Ward - National Parks
Stuart Burley - Currarong
Don France - Lane Cove/Woodford Bay
David Miles - Hawkesbury area / Water access
Trevor Vanzell - Boat ramps
Jaap Rhemrev - Accounts and budgets
Anton Lerutte - Marine radio

Hunter Region (BOA HR) committee members

Jack Garaty
Mike Collins
Noel Eade
Dave Johnston
Phillip Kesterton

Waterfront Action Group (WAG)

www.waterfrontactiongroup.com.au

Sub-committee

George Citer
Phillip Altman
Brian Folbigg

As a member or potential member you are invited to contact the secretary by email or letter or any member of the committee on issues or matters of interest about boating

info@boaters.org.au or write to:

BOA, P.O. Box 212

Spit Junction

NSW 2088

ABOUT THE BOA

The Boat Owners Association (BOA) is a not-for-profit, non-aligned organisation of volunteers dedicated to the interests of recreational boaters.

As the peak body for recreational boating, the BOA is recognised by government through NSW Maritime, by industry through the Boating Industry Association (BIA) and by the boating public. The BOA brings expertise and a commonsense approach to the many issues around boating.

Examples of the many issues reviewed and under review by the BOA can be seen in the summary of committee deliberations provided in each issue of this newsletter

NOTICE TO ALL MEMBERS

“Consumer Action in Boating”

The backbone of the BOA is the membership. Your committee encourages all members to speak with other boaters to become members.

Please call Joann on 02 99601859 for memberships or contact details on the front page of this newsletter

As a member or potential member you are invited to contact the secretary by email or letter or any member of the committee on issues or matters of interest about boating

BOA CHRISTMAS PARTY

The president and committee extend a warm welcome to all members and their guests to attend the Annual General Meeting and Christmas function.

Venue - Mooney Club at Mooney Mooney

Time - 11:00 am

Date - Sunday 9th November

Please RSVP via email to **info@boaters.org.au** or telephone Joanne Mackay on 02 99601859.
