



To Councillor Robert Spencer  
Chairman  
Port Hacking Planning Advisory Panel  
Cc Mr John Rayner  
24/9/03

Dear Robert,

**Subject: Marinas, moorings and estuary management**

Of recent times there has been a number of discussions about moorings and marinas, triggered in part by development applications and in part by the actions of Waterways in placing additional moorings in bays, without taking into account other community interests and sensitivities. There seems to be something of an impasse in relation to these issues, and we would like to contribute to a possible solution to that impasse.

The Port Hacking Protection Society has no particular objection to, nor support for, either moorings or marinas. Our concern is to ensure that equitable and sustainable use of the Port. We are concerned that whatever uses are made of the Port they are carried out with minimal adverse impact.

Boating activities carry a number of potential adverse impacts which ought be minimised. These include:

- a. the risks of runoff from maintenance activities, particularly scraping of anti-fouling, and engine wastes;
- b. potential pollution from other boating activities, including effluent discharge including human wastes;
- c. the expenditure of scarce public resources to support private recreational activities, through provision of services (including policing, navigation support) and infrastructures (dredging, channel marking, boating access).

Marinas can provide a concentrated point of management which may be used to reduce some of these hazards. However they carry their own adverse potentials:

- a. if they are not best practice (in both facilities and management), they can compound many of these problems;
- b. the potential to alienate public or natural areas (foreshore, or within the waterway) to private benefit;
- c. adverse impacts on neighbours, including parking, usage problems like noise, and concentration of nuisances etc.
- d. shading of or other damage to seagrasses, and other foreshore habitat.

Moorings diffuse these problems, but attract some other problems:

- a. damage to seagrasses and other habitats;
- b. foreshore storage of dinghies etc.



- c. alienation of bays (which are public assets) and interference with navigation.

### ***Principles and actions***

The question is “what management practice would give the least impact outcome in the management of these issues?” The following principles and approaches are put forward for consideration by the Panel.

- a. The EPA has put forward an Environmental Guideline “Best Management Practice for Marinas and Slipways”. If this is followed then the community can be reasonably assured that marinas in operation have a reasonable probability of reducing rather than increasing the pollutant load from boating activities within the Port. In order to ensure that this is the case, no development application ought be considered unless accompanied by a certificate of compliance from the EPA. It is important that this standard apply to all marinas. If this is not the case, then those marinas which go to the expense of ensuring that they comply will be relatively disadvantaged compared to those that do not do so. Council and the EPA should conduct a regular audit of marinas to ensure that this compliance is ongoing, and should any marina fall below the required standard then it should be issued with a binding notice requiring compliance within a specified time.
- b. It is not possible for Council or the community to meaningfully consider any tradeoff between moorings and marina places unless there is a legally binding moorings plan for all of Port Hacking, which sets limits and locations for moorings. Such a plan should be realistic – trading off theoretical moorings when there is no physical space to place them on the waterway is not a realistic management approach. It should also be consulted with the community and formally agreed between Council and Waterways. If, within that framework, a decision is made to trade off a mooring place for a marina place, then that mooring should be formally removed from the plan. Only then the community can have confidence that this is a credible process.
- c. The long term cost of dredging and other facilities, and the potential for adverse impacts on other users, will be minimised if mooring and marina facilities are allocated with regard to the physical characteristics of the Port. It makes little sense to allocate places for deep keeled vessels that operate at the depth limits of the estuary, to the West of the dredged channel off Deeban Spit. To do so will simply constantly inconvenience the users of these vessels and increase pressures for deeper and more frequent dredging, at the cost to the community. Within the MOU on Navigation Dredging the principle of rational allocation of facilities was agreed. This principle should be honoured in the way in which both moorings and marina spaces are allocated and approved. A firm agreement between Waterways and Council to this effect would provide a sensible way forward on this issue.
- d. The recent Waterways paper “Sewage Pollution from Vessels” makes a number of suggestions about sewage management and marinas. These ought be adopted, within the context of continuing the designation of Port Hacking as Discharge Free.



- e. The waterways are public space. They are not unused parking areas for vessels. In this regard, waterways are analogous to public open space, and they should be managed as such. The decision to allow a marina or a mooring is an alienation of public open space. For land based public space, these principles are well established. Private convenience is not a justification for taking over a public park for private parking - the same principle should apply to the estuary, which is no less important.

We trust that these suggestions will assist in resolving the issues in a way that is both fair and principled.

Yours sincerely

John Atkins  
Per George Harrison  
Secretary