

## **POLICY STATEMENT No. 59**

### **MOORING POLICY**

#### **INTERPRETATION**

In this policy, unless the contrary intention appears:

“mooring” and “mooring apparatus” means a mooring, or structure or an apparatus used to secure any floating object;

“private mooring” means a mooring installed and maintained by any non-Government entity;

“public mooring” means a mooring installed and maintained by Government; and

“the Department” means the Department of Conservation and Land Management.

#### **1. OBJECTIVES**

This policy will aim to:

- 1.1 Maintain the ecological and social values of marine conservation reserves by minimising the detrimental impacts of uncontrolled mooring and anchoring activities;
- 1.2 Enhance user safety, access and equity in relation to moorings in marine conservation reserves; and
- 1.3 Provide a framework to accommodate present and future mooring usage patterns in marine conservation reserves.

#### **2. BACKGROUND**

The Department of Conservation and Land Management currently manages 1,145,940 ha of Western Australian marine and estuarine waters, of which 132,000 ha are marine nature reserve managed for the purpose of conservation of indigenous flora and fauna and their habitats. The remaining 1,013,940 ha are marine parks managed for the purpose of conservation and for compatible commercial and recreational use. Most are located in high use areas such as the Swan Estuary, Shoalwater Islands, Marmion, Shark Bay and Ningaloo marine parks.

As the numbers of visitors to marine conservation reserves continues to increase, Departmental managers will require guidance on how to best manage day to day issues associated with minimising possible anchor damage and moorings.

Moorings play an important role in protecting areas with high conservation value (e.g. coral reef and seagrass) as moorings minimise the need for anchoring, thereby reducing anchor damage. Moorings also facilitate better access to locations of interest (e.g. dive sites) and provide an improved level of security and safety for vessels. Biophysical characteristics and use patterns vary significantly from reserve to reserve, and, as such, the moorings policy provides a range of options to assist managers in applying appropriate management responses to mooring related issues.

### 3. LEGISLATIVE BASE

- 3.1 *Conservation and Land Management Act 1984* section 13(B)(1) and section 33(1)(a)  
 3.2 *Shipping and Pilotage Act 1967* subsection 10(2)(a) and subsection 10(2)(ba), and the *Shipping and Pilotage (Mooring Control Areas) Regulations 1983*

### 4. POLICY

- 4.1 The Department will seek the designation of all marine conservation reserves as “Mooring Control Areas” under the *Shipping and Pilotage Act 1967*.
- 4.2 The Department will seek appointment as the "controlling authority", in accordance with the *Shipping and Pilotage (Mooring Control Areas) Regulations 1983*, to facilitate the management and control of mooring control areas in marine conservation reserves.
- 4.3 Administrative Instructions and procedural guidelines will be developed to provide an operational framework to manage moorings in marine conservation reserves.
- 4.4 A mooring plan for every marine conservation reserves will be developed with appropriate consultation (as endorsed by the Marine Parks and Reserves Authority (MPRA)). These plans will:
- identify areas where moorings will not be permitted;
  - identify areas where moorings (both existing and potential moorings) are acceptable and/or necessary from environmental, safety and equity perspectives; and
  - establish mooring capacities, where appropriate. Capacities will be determined by the Department in collaboration with the Department of Planning and Infrastructure.
- 4.5 The determination of whether moorings should be public or private moorings will be made on a case by case basis, however:
- where acceptable from environmental and equity perspectives, private moorings will be preferred to public moorings to minimise the Department’s financial and legal liability;
  - where possible, co-operative arrangements with regard to the installation/use of moorings are preferred to individually installed/used moorings; and
  - reasonable provision will be made for public moorings where necessary and where no other alternatives exist.
- 4.6 Access to privately licensed mooring sites in approved mooring areas will be provided in accordance with the following guidelines:
- where private and public supply exceeds demand (for sites), a first come first permitted basis, until the capacity is reached;
  - where demand exceeds supply, allocation (of sites) will be through an open competitive process (expression of interest, ballot, rotating or sharing, waiting lists etc); and
  - reasonable provision will be made for commercial and recreational users.
- 4.7 Moorings will only be permitted where they are environmentally acceptable. To facilitate this:
- environmental criteria for moorings will be consistent with the management targets specified for each marine conservation reserve;
  - all existing moorings that are not environmentally acceptable will be upgraded or removed within an appropriate period.
- 4.8 The costs for administering and managing (i.e. establishing and maintaining) public moorings will be met from rental/lease fees.

- 4.9 All private moorings will require a Departmental licence/permit and licence/permit fees will be applied (unless specified otherwise) to offset the costs for administering private moorings.
- 4.10 Licence/permits will be issued for a period of one year (unless specified otherwise) to provide the flexibility to redress environmental damage, safety and/or equity issues.
- 4.11 The effectiveness of the *Shipping and Pilotage Act (Mooring Control Areas) Regulations 1983*, as a legislative instrument to implement this policy, will be reviewed after a 3-year period.

## **5. POLICY IMPLEMENTATION REQUIREMENTS**

- 5.1 Liaise with Department of Planning and Infrastructure to designate marine conservation reserves as “mooring control areas” and to have the Department of Conservation and Land Management gazetted as the “controlling authority”.
- 5.2 The Department’s Marine Conservation Branch (MCB) and Parks Policy and Tourism Branch (PPTB) to co-ordinate the development of administrative instructions and procedures manuals/guidelines to manage moorings, comprising environmentally acceptable mooring specifications (criteria), a licensing/rental system, a fee structure, an application and assessment process and a system to ensure equitable use of public mooring sites.
- 5.3 Regions and Districts, in collaboration with MCB, PPTB and in consultation with the public (e.g. advisory committees), to develop mooring plans for mooring and anchoring areas in their respective marine conservation reserves.
- 5.4 PPTB to develop data management systems (e.g. database) for storing and recording mooring information.
- 5.5 Districts to provide due notice to owners of moorings, to ensure all users upgrade or remove current moorings that are not consistent with the mooring plans and/or environmental criteria. Where appropriate, those moorings that do not comply with the mooring plan and/or environmental criteria will be removed.
- 5.6 The Department will consult with community user groups in the implementation of the mooring policy in order to ensure a smooth implementation process.

## **6. ASSOCIATED POLICIES / STRATEGIES**

“New Horizons – the way ahead in marine conservation and management”, Government of Western Australia, 1998;  
 Policy Statement 15 – Public Participation (Community Involvement and Volunteers);  
 Policy Statement 18 – Recreation, Tourism and Visitor Services,

## **7. CUSTODIAN**

Director of Nature Conservation and Director of Parks and Visitor Services  
 Marine Parks and Reserves Authority

**8. APPROVAL**

Approved on .....

by Keiran McNamara  
A/EXECUTIVE DIRECTOR  
DEPARTMENT OF CONSERVATION AND LAND MANAGEMENT

Approved on .....

By Dr Barry Wilson .....

CHAIR,  
MARINE PARKS AND RESERVES AUTHORITY