

**BOATING WESTERN AUSTRALIA
SUBMISSION September 2002**

**ROTTNEST ISLAND MANAGEMENT PLAN 2002-
2007
Managing Rottnest for Future Generations**



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Summary of BWA's Specific Recommendations

BWA is making a number of specific recommendations. These recommendations are:

1. that the Rottnest Island Boating Advisory Committee be required to report annually to the Board and that that report be made public as an attachment to the Rottnest Island Authority's Annual Report (see p.4);
2. that an Honorary Marine Ranger system be introduced to complement the current Ranger system (see p.5);
3. that the RIA withdraw the Proposed Marine Management Zoning system and institute a consultation process with the Fisheries Department, scientific experts and recreational fishing groups(see p.5);
4. that the Rottnest Island Sullage Policy be treated as strongly recommended guidelines rather than as regulations to be strictly enforced (see p.9).
5. that urine should not be considered to be black water under the Rottnest Island Sullage Policy (see p.9);
6. that uncontaminated bilge water not be considered black water under the Rottnest Island sullage Policy (see p.9);
7. that the Rottnest Island Authority embrace boaters as a legitimate part of their constituency under the Rottnest Island Act 1987, and take steps to educate their officers and other Rottnest visitors in this matter (see p.10);
8. that the proposed mooring fees and charges be withdrawn, new mooring fees and charges more aligned with increases in proposed charges for other services and facilities be introduced, and that the Admission fee (\$10.45 per adult) be increased at a similar rate. (see p.11);
9. that the existing Mooring Licensee and Authorised User systems (although with several extra conditions) be retained and that a new Casual User system be introduced immediately (see p.14);
10. That in the event of the above system being adopted the contribution by the mooring licensees in bearing all costs associated with the moorings be recognized by the RIA; in particular by way of a credit to the accounts of the mooring licensees (see p.14);
11. That the RIA maintains and restores the Hotel jetty (see p. 15).



Introducing Boating Western Australia

Boating Western Australia Inc. (BWA) is a community based association with a membership comprising recreational boaters and boat owners, many of whom are members of yachting and boating clubs. Membership of our association is open to people of all recreational boating interest, both sail and power, and does not commit the individual to the economic and social obligations of club membership.

Among other functions the role of BWA is to provide a platform of representation for all people with recreational boating interests, so that they have a collective voice with which to negotiate with government and other agencies.

BWA depends on individual membership and has no commercial, political or group affiliations. BWA is non aggressive in its aims and seeks better understanding through informed dialogue. We have a wish to be informative, influential and helpful in the furtherance of the interests of our members. We can positively assist government through community education and participation.

Most importantly, BWA is the only group with broad representation of the Rottnest Island boating community. The group of regular visitors with moorings provides a valuable base from which to continue the sharply rising awareness of environmental issues and social conscience among the recreational boat owners.

The mature, collective boating experience within BWA is of great value. We can safely say that this pool of experience is greater than that within any government department. It follows then that this experience, if properly used, can be of great benefit to government in achieving workable policy with easy social cooperation and at minimal cost.

As you are aware BWA is currently the only avenue available for mooring licensees to insure their public liability risks for moorings at a viable cost. Our basis of cover extends from Esperance to Geraldton and we have been using our best endeavours to persuade mooring licensees of the need to cover their exposure to these risks.

Through our Newsletter and extensive boating community contacts with clubs, and by personal contact, we will continue to build upon the improving conscientious attitude of experienced skippers to promote appropriate 'messages' to the boating community. Recent local experience has shown that peer pressure is a more valuable and effective commodity for changing attitudes and improving socially and environmentally acceptable behaviour. The boating community has traditionally maintained a respect for those with greater maritime experience.



BWA's responses to Recommendations contained in the draft Rottnest Island Management Plan

PREAMBLE

As we have read the draft Rottnest Island Management Plan we have found it useful to re-read from time to time the 15 strategies developed by the RIA to assist it achieve its management goals. Two strategies in particular we returned to a number of times:

- Base decision making process on customer needs and
- Develop Rottnest Island in consultation with the community and stakeholders.

In light of these statements the apparent lack of consultation with stakeholders, other relevant government bodies and scientific experts is of great concern to the recreational boating and fishing communities, as was evidenced by the extraordinary attendance by nearly 500 people at the recent Rottnest Forum at the Fremantle Sailing Club. As we understand the matter the Department of Planning and Infrastructure is responsible for boating regulations, moorings etc.; the Department of Health is responsible for monitoring health standards on the island; the Department of Environment, Water and Catchment Protection controls marine and terrestrial pollution; the Department of Fisheries manages WA's Fish and Marine resources and in particular regulates recreational and commercial fishing activities within the Rottnest Island Marine Reserve. It is our understanding that these departments were not consulted about the proposed changes contained in this management plan. Neither were fishing bodies such as Recfishwest, which represents 600,000 odd recreational fishers across the state, or boating groups such as BWA or BIA, who represent large numbers of Rottnest boating visitors.

BWA is of the view that too many of the 'concerns' expressed in this draft are vague and not based on observable fact. There is an admitted lack of knowledge and research about a number of issues. For example it is said that moorings MAY have some level of impact on the environment and that the impact of fishing on fish stocks and marine communities is UNKNOWN. Where did these concerns arise from? No evidence is put forward to support these statements. We see no evidence to warrant the imposition of the scope of change proposed. Indeed there is no reason that implementation of change cannot occur during the life of the plan, where it may be premature to do so at the commencement of it.

Rottnest Island Boating Advisory Committee (RIBAC)

BWA commends the Rottnest Island Authority for instigating the formation of the RIBAC. This committee has the opportunity to contribute ongoing practical advice to the Board garnered from members who have a real knowledge and understanding of the boating and marine environments. However we are concerned that the public has the opportunity to evaluate the work of this committee so we make the following recommendation.

BWA Recommendation 1: that the Rottnest Island Boating Advisory Committee be required to report annually to the Board and that that report be made public as an attachment to the Rottnest Island Authority's Annual Report.

Honorary Marine Rangers

BWA recommends that a system of honorary marine rangers be established to cover all the bays of Rottnest. At present some 80 honorary rangers have been appointed to assist the Authority manage people on land. Honorary rangers attend a comprehensive induction course and are then finally selected by the Authority. These Honorary Marine Rangers would then be able to assist boaters find suitable moorings –under a casual user system – advise them of mooring etiquette and any infringement of regulations and educate them but not instruct them. Situations and incidents could then be reported direct to the RIA Rangers. BWA would be able to assist in presenting a list of prospective names.

BWA Recommendation 2: *that an Honorary Marine Ranger system be introduced to complement the current Ranger system.*

BWA's comments are focused on the draft Rottnest Island Management Plan's recommendations associated with marine issues as set out below:

2.3.3 Marine Zones

BWA believes that such changes to the Marine Zoning system at Rottnest should have been the subject of consultation with the Fisheries Department, scientific experts, and recreational fishing groups in order to identify threatened species and define objectives. As this has not happened we believe that the proposed Marine Management zones should be withdrawn and a consultation process should be instituted.

BWA Recommendation 3: *That the RIA withdraw the Proposed Marine Management Zoning system and institute a consultation process with the Fisheries Department, scientific experts and recreational fishing groups.*

Marine Recreation Zones, p.24.

BWA objects to the simplistic discrimination that exists with the banning of all 'Personal Water Craft' (PWC's) from the Rottnest Marine Reserve. PWC'S are registered vessels and must conform to all navigational requirements and directives.

There is no difference in the dangers of a power yacht or sailing boat being mishandled in a mooring are, compared to a PWC. These boats must comply with all marine and Rottnest speed limits the same as any other vessel. Non-compliance should have the same result. Persistent disregard for the regulations should result in the offender being ordered out of the Reserve.

PWC's are criticized for noise generation, but the reality is that PWC's are well silenced at the time of delivery. Should a PWC owner remove or have a non-original silencing system that is a matter for the noise abatement laws which apply across the state – and infringements of these regulations can be dealt with in the same manner as any other regulation infringement.

Whether an anti-social character is aboard a yacht, a dinghy with an outboard or any other type of vessel the inshore rules of the Island can still be broken. If any

vessel is creating a serious nuisance within the reserve the Rangers have the authority to act.

4.4 WATER QUALITY

BWA is concerned about unsupported statements made on Page 58 of the draft RIMP in relation to the impact of waste from vessels on water quality and we comment here on those statements:

“Rottnest Island is more susceptible to liquid waste impacts than most metropolitan marine areas as boats occupy the bays of Rottnest Island for extended periods on overnight stays”. There is probably nowhere in the metropolitan marine areas as little susceptible as the bays of Rottnest, as very few of those areas are subject to as much flushing as the bays of Rottnest. Indeed most other areas are at the very least semi-enclosed waters, and not subject to the forces of the mighty Indian Ocean.

“Monitoring data has revealed that there have been several incidences where ANZECC guidelines for primary contact have been exceeded. These usually occur in the times of high boat concentration and low flushing”. The Authority has chosen not to make the data that support this statement public. It is thus treated with a great deal of scepticism by Rottnest boaters, many of whom are long-term Rottnest visitors who report drastic improvement in boater behaviour in the matter of marine waste disposal and observable water quality) in recent years.

“Nutrient rich sludge input is known to have increased epiphyte densities enough to restrict light levels reaching seagrass meadows near Adelaide beaches and in Cockburn Sound, leading to a population decline”. Rottnest Island, surrounded as it is by the Indian Ocean, cannot be compared to Adelaide beaches that are situated well up the Gulf of St Vincent, along the shores of which are industrial and port areas and a city. Neither can it be compared to Cockburn Sound – which is the recipient of industrial waste on a huge scale and is semi-enclosed.

The Rottnest Island Sullage Policy remains a matter of concern – not because boaters do not wish to comply, rather because it may be on occasion very difficult to comply with a ‘No Discharge’ ban. It is apparent that it will be a very long time before there are many pump out stations in the metropolitan area or on Rottnest for portable toilets or holding tanks. Many boaters are wrestling with the potential problems associated with the Policy. Prevailing wind and sea conditions may at times make it impossible, not to say dangerous, for a vessel to leave a Bay with the express intention of pumping out a holding tank clear of the Marine Reserve before returning to the mooring. This is also true for those who would pump out on the journey back to the mainland. Experienced sailors with reasonable sized boats say that they would have difficulty doing this in a typical southwesterly wind. It seems to us that whilst the portable pump-out vessels may be suitable in sheltered waters, and are essentially a good idea, there may well be

considerable difficulty (not to say dangerous) in attempting pump-out in typical Rottneest conditions of wind and sea. Some of the difficulties boaters experience in determining their responses to the requirements of the Sullage Policy are as follows:

SULLAGE

Holding Tanks supported by sullage facilities

A leading expert on marine sewage disposal in the U.S. warns against fitting collapsible bladders into confined spaces where they are difficult to get at and because of the action of vessels in heavy seas causing damage to the bladder. There are many articles on some of the problems associated with holding tanks and pump-out stations, especially as they get older. The drawbacks include dangerous gases that can be explosive and life threatening such as methane and hydrogen sulphide. Most holding tanks without a Marine Sanitation Device produce some odors that are offensive, especially in summertime.

There are also problems of insufficient onshore pump-out stations, cost to the boater, operating hours, the level of maintenance and standardisation of fittings. If sullage tanks are to be made mandatory it is incumbent on the authority to provide pump-out facilities, otherwise the regulation is unenforceable. Some older vessels by design or size are simply incapable of having holding tanks fitted.

Chemical toilets (self-contained portable toilets)

Under Section 98 of the Health Act, 1911 boaters are breaking the law if they discharge between Rottneest and Perth. Portable toilets contain chemicals. This will also add undesirable chemicals to the environment. The RIA by its policy has a duty to provide the facilities to discharge sewage via a portable toilet dump station and through the Bay toilet blocks.

Onboard treatment plants

It is currently not possible for onboard treatment plants to reduce nitrogen or phosphorus to the required levels for Western Australia. Such systems do treat bacteria to levels acceptable by regulators in a number of countries. Standards proposed under Transport's 1999 draft discussion paper Discharge of Sewage from Vessels into the Marine Environment were set so high as to provoke active discouragement for the use of these systems. We believe that this is unreasonable. Western Australian standards should be uniform with world standards. Several Marine Sanitation Devices (MSDs) are accepted and used in Canada and the United States of America. The Health Department of Western Australia is responsible for compiling a list of approved MSDs. What are they? Why aren't devices accepted in other parts of the world accepted here? Research has shown minimum cause for concern on bacteria levels in the Rottneest Island Marine Reserve and we understand that the highest reading was taken in the month of May when "boatie" presence in the Bay concerned would have been minimal. Even readings that may have breached the ANZECC standards, as far as we can tell, appear to have been very minimal. Assuming that this was caused by waste from a vessel in the Bay

concerned, it could reasonably be assumed that if this had been discharged through an MSD it probably would not have breached the standard.

Onboard Macerators

Macerators are a highly efficient system of rapid dispersal of effluent and should be permitted as a chemical free system that assists the rapid breakdown of faecal matter.

Black Water

Urine should not be subject to this regulation. It is immediately diluted and lost in the bays, and more urine is released by swimmers than by boat toilets. On average, humans urinate 5 – 6 times daily and defecate once daily. If urine is considered as black water, then holding tanks will have to be considerably larger (physically impossible in many boats) and pump-out times far more frequent.

Uncontaminated bilge water should not be considered black water. Many boats have automatic bilge pumps. It would be dangerous to turn them off, as many boats take water either through the hull (wooden boats) or shaft glands. Discharge of uncontaminated bilge water must be allowed. Illegal discharge of CONTAMINATED bilge water, which is easily visible as an oily streak on the water, must incur a heavy penalty.

With the possible exception of north Thompson Bay and Geordie Bay, Rottnest Island bays are self-flushing and cannot be described as closed waters. They cannot be compared with Cockburn Sound or with Adelaide waters, both of which ARE semi-closed waters. The whole island does not need to be sanitized as proposed because of a problem that may occur in only two bays.

Shore-based Toilet Blocks

The Authority must be commended on the development of the outer-bay toilet facilities and B.W.A. encourages the continued expansion of this programme. Where shore-based toilet blocks are installed in outer bays they are used extensively, and not only by those mooring users resident to that bay. BWA considers that continuing education and encouragement will further increase the use of shore facilities by boaters. The reported general improvement in the bays at Rottnest, and many discussions with our members and others, indicates that boaters are mostly choosing to act responsibly in the matter of marine waste disposal. That does not mean that there cannot be further improvement. However it is important that the Authority makes statements that can be supported by evidence if it wants support from boaters.

We acknowledge that the Authority amended its Policy in March 2002, allowing boaters to decide for themselves how they comply with the ban on discharge of black water into the Bays. In our view it would be better to treat the Sullage Policy as guidelines for boaters and encourage its use by education, rather than as regulation to be strictly enforced.



BWA Recommendation 4: *that the Rottnest Island Sullage Policy be treated as strongly recommended guidelines rather than as regulations to be strictly enforced.*

BWA Recommendation 5: *that urine should not be considered to be black water under the Rottnest Island Sullage Policy.*

BWA Recommendation 6: *that uncontaminated bilge water not be considered black water under the Rottnest Island sullage Policy*

4.5 VESSEL MOVEMENT

The issues and concerns mentioned in the Draft RIMP, while possibly applicable in busy closed waters, show a complete lack of practical sound local knowledge when applied to the Rottnest Island Marine Reserve. The flushing movement of water, the large open bays, the lack of excessive, heavy and large boat activity except for several weeks of the peak periods will ensure that the stirring up of bottom sediments will cause absolute minimum restriction of light penetration – and thus very little detrimental effect.

The stirring up of nutrients trapped in the sediment may even be desirable as they may then be flushed out into open waters.

The area around the ferry jetty is obviously affected by boat movements causing sediment to be stirred up; however this level of activity does not happen elsewhere in the reserve.

4.6 MOORING DAMAGE

The Authority's current environmentally friendly mooring criteria now used on all moorings has had a positive effect on the sea grass which is evident by the new growth on many mooring "sand circles". This system is working well, as long as major work is not carried out too frequently, as would be the case if 5-year leases were introduced, necessitating replacement of many mooring apparatus.

4.7 ANCHOR DAMAGE

Anchoring on reefs or coral areas needs to be prohibited. Damage in such areas is irreversible. Where Charter Dive boats regularly use particular areas to anchor, the Rottnest Island Authority should consider establishing charter rental moorings.

4.8 SNORKELLING DAMAGE

Observation of snorkeling activity on Pocillopora reef would indicate considerable damage is being done to the reef. People sitting or standing on the reef to adjust goggles or just to have a "breather", can break up parts of the reef, to

say nothing of people taking lumps of coral home for fish tanks or souvenirs. We totally agree, as a matter of urgency, that a campaign to educate divers how to snorkel using environmentally friendly diving techniques is required.

7.3 **BOATING**

7.3.1 **Boating Capacity**

The draft Plan points to a tension between the demand for better access by boaters to moorings in the Rottneest Marine Reserve, and the potential for environmental, social and aesthetic damage brought about by such an increase. This of course is no different to the tension caused by an ever-increasing number of visitors to the terrestrial environment and the potential for environmental, social and aesthetic impact brought about by that increase. The Authority acknowledges that the "...amount of boating capacity that the Reserve can sustain is closely linked to the behaviour of boaters"¹. This is obviously true, just as in the terrestrial environment the visitor capacity is closely linked with the behaviour of the visitors. Just as the Authority attempts to educate terrestrial visitors so that it can accept ever-increasing numbers so too it is possible to influence the behaviour of problem boaters through education and, as a last resort, removal of privileges. Most boat owners desire to do the right thing and it is important to have simple, practical, enforceable regulations in place and to have an effective means of removing privileges in the event of poor behaviour. Education and peer pressure are the most effective ways of improving behaviour and we are proposing an Honorary Ranger programme, which would assist in this process. Refer also to our comments under Preamble, P.4.

As acknowledged too, the Reserve is the major destination for many boaters in the Perth Metropolitan area and boating numbers are increasing. It appears that there are people in the community who object to having boats in the bays. However the Authority manages the island for "West Australian families and other visitors" – and a large percentage of these local families choose to visit in boats. Further, the purpose for which the island is managed under the Act is for "public recreation", which obviously includes boating. It is important that those members of the public who object to having boats in the bays be educated to understand that boaters are also part of the Authority's prime constituency.

Mooring numbers have remained stationary for many years and this draft proposes a moratorium on those moorings. We support this. However it is important in our view to increase access to the Reserve and we are, along with many others, proposing a new Casual User system. If adopted this would most likely mean an increased number of boats using the Reserve. It does not mean an increase in the maximum number of moorings in the Reserve. It is likely to mean an increase in the number of vessels on moorings at any one time. It is most likely that the busiest times will be in summer and, yes; just as for the terrestrial environment (and for most holiday destinations) that is when most pressure will be on the marine environment.

BWA Recommendation 7: *that the Rottneest Island Authority embrace boaters as a legitimate part of their constituency under the Rottneest Island Act 1987, and take steps to educate other Rottneest visitors in this matter.*

¹ P.104.

7.3.2 Boating Annual Admission Fee

Mooring Licensees and Authorised Users are outraged at the level of increases proposed for all fees associated with moorings. The Authority's statements that purport to support these increases are contradictory. The Authority claims that Mooring Licences make a half million dollar profit although overall the system apparently makes a half million dollar loss after attributing the cost of "facilities provided for recreational visiting boats, namely ablution blocks and showers, rubbish collections, barbecues, bus services as well as jetty and fuelling facilities".² Shore based visitors would use many of these facilities as much as boaters do. Boaters continue to strongly doubt the Authority's claims that it makes a loss on the mooring system. As the Authority is proposing no change for five years to the Admission Fee for other visitors but an extraordinary 76% increase to Mooring Licence Fees, large increases in Authorised User fees and increases in Annual Admission Fees for Mooring Licensees and Authorised Users, boaters have cause to doubt that the Authority truly considers them part of their constituency. This also fuels the perception by boaters that the Authority sees them all as wealthy. This perception is further exacerbated by the fact that it is planning a number of projects that appear to be targeted at day visitors (mostly from eastern states or overseas); it would seem to the boater that these projects may be funded by huge increases in boating fees. The Authority must act to correct these perceptions.

BWA Recommendation 8: *that the proposed mooring fees and charges be withdrawn, new mooring fees and charges more aligned with increases in proposed charges for other services and facilities be introduced, and that the Admission fee (\$10.45 per adult) be increased at a similar rate.*

7.3.2 Boating Speed Limits

BWA supports the proposed recommendation to expand the five-knot speed limit area to include all bays containing moorings and all waters within 100 metres of the shoreline.

7.4 MOORINGS

7.4.1. MOORING CAPACITY.

BWA agrees with the Draft RIMP recommendation

7.4.2. Rental Moorings

BWA is concerned that except for several weeks of the peak periods, rental moorings are under utilized, causing a loss of revenue for the Authority and a lot of ill feeling in the boating community. A casual user system would relieve the need for more rental moorings. It is estimated that each rental mooring needs to be rented for 40-60 days each year to cover costs – any short fall in this usage would incur a significant cost increase to the Authority. The revenue from leasing the moorings on an annual basis, under the present system, is guaranteed and the waiting list would be reduced more quickly, with less resumption of moorings for rental use.

7.4.3. Licensed Moorings

BWA acknowledges the imperative for government and the RIA to improve equity of access to moorings in the Rottnest Marine Reserve. Indeed this is a goal for BWA in this matter as it was established to represent the broad range of

² p.105.

recreational boaters, and its members include those who currently have mooring licences at Rottnest, and those who do not. In our view it is important that this be resolved in a manner that does not end with the unintended consequence of making Rottnest a destination that only wealthy boaters can afford.

BWA, after much consideration and discussion, believes that the changes proposed by the RIA will almost certainly lead to unforeseen consequences directly opposite to the intention underlying the proposed changes, particularly as they are associated with proposed increases in charges that are seen by the boating community as outrageous and unjustified. In particular the 5-year maximum lease option proposed in the Draft RIMP. Does not appear to benefit the Authority in any way because we believe:

- It will be costly to administer;
- It will be very time consuming administratively;
- It could possibly cause a loss of revenue;
- It will do little to increase accessibility to moorings;
- It may discourage people from applying for mooring licences in favour of cheaper access options (because of the high cost of installing, maintaining and leasing relative to the short period available)
- It may lead to the take-up of 5-year licences mostly by wealthier boat owners; and
- It will increase environmental damage caused by “an increased rate of removal and construction of moorings”³.

The reasons underlying this view are that:

- 864 moorings will have to be reallocated every 5 years;
- boat sizes must be matched to mooring sizes and 864 new lessees selected by some “equitable system” (the ballot process for unit accommodation on the Island costs \$20,000 per year);
- A new comprehensive database will need to be developed on the 864 new lessees and their boats every 5 years;
- There is a possibility that some moorings in less preferred bays, when the minimum annual mooring cost is \$1,300 to \$1,800 (for 15m vessels), may not be taken up with subsequent loss of lease revenue;
- Demand for mooring accessibility will NOT be satisfied by the 5 year lease option – it merely changes the names of the 864 licensees;
- If implemented, no increase in access will occur for at least 2 years and perhaps 5 years⁴; then 864 new licensees are selected. 641 would come from the waiting list, as they are obviously the most genuine and interested “claimants”, having registered their interest, paid their registration fee and waited up to 14 years - plus 223 “others”;
- That leaves the rest of the “16,000 private vessels that are registered and capable of traveling to Rottnest Island”⁵ who would like access and moorings, another 5 years to wait; and

³ Draft RIMP, p109.

⁴ Depending on the outcome of the RIA’s proposal to “investigate a casual use system after new system has been in place for 2 years”. (p.110, draft RIMP)

⁵ p.104 draft RIMP

- There is a risk that the mooring system will disintegrate unless either (a) there are sufficient boat owners willing to take on a mooring licence or (b) the Authority is willing (and able) to take over the moorings.

In our view A CASUAL USER CATEGORY⁶ will solve most of these problems. It will certainly open up access to moorings, enabling the existing licensee system to continue, and will guarantee maximum revenue return from moorings and at little extra cost or time to the Authority.

The draft RIMP has invited the presentation of alternative options. BWA therefore proposes the following option for recreational moorings:

BWA Option:

Mooring Site Licences

1. *Maintain existing mooring site licensees as per existing compliance requirements, conditions and regulations;*
2. *Maintain existing authorised users system;*
3. *Introduce new category of casual user; and*
4. *As moorings are relinquished they should be reallocated as per the current system.*

Additional Licensee conditions:

When the licensee renews, over and above present compliance requirements he/she agrees:

1. *To insure the mooring against third party risk;*
2. *That he agrees to the Authority allowing his mooring to be used by casual users;*
3. *That the Authority is free from any financial and legal obligation whatsoever related to his use of the mooring in waters in the Rottneest Island Reserve; and*
4. *To accept all responsibility for his on-board guests' actions and that no claims can ever be made against the Authority, or the executive or their employees*

Proposed conditions for a new Casual User Category are that:

1. *That a boat owner wishing to use a mooring at Rottneest may, after paying a daily fee⁷ to the RIA and receiving a receipt, may pick up any mooring subject to the conditions set out below;*
2. *Any boat owner with a boat meeting the criteria of a future licensee and wishing to use moorings at Rottneest may apply annually for a casual user's ticket and pay a fee to the RIA;*
3. *The annual fee will cover Admission Fee, mooring use and an administration fee;*
4. *Before approval is granted the casual user must complete and submit a Statutory Declaration (witnessed by a J.P. or C.D.) relieving the authority of any claim whatsoever against the Authority, the Board or any employee of the RIA;*

⁶ We note that the Rottneest Island Review 1995 proposed a system which allowed for "mooring licensee" and "mooring user" which is very similar to our proposal, except that the "authorised user" category was abandoned. *Attachment 1 (Reference – Chapter 12)*

⁷ Inclusive of Admission Fee and mooring use fee for a specified time, e.g. 3 days.

5. *Upon payment of the fee the casual user will receive a mooring use approved sticker (not transferable);*
6. *The casual user may without notice then go to Rottnest and pick up any suitable mooring without notice as long as a current sticker is displayed, and as long as a person capable of moving the boat remains on board at all times. The casual user must move on if an authorized person for that mooring arrives to use the mooring;*
7. *The casual user may arrange with a licensee to have use of a particular mooring for a particular period of time. Written approval from the licensee should be mandatory and kept on board. The casual user now has the same rights as the authorized user for the period of time stated and will be allowed to leave the boat unattended on the mooring. The Authority has no work on this arrangement unless by complaint;*
8. *The casual user is to be co-operative at all time, particularly in being able to move when requested. If it becomes necessary for the ranger to attend to any complaint then 3 scenarios could apply.*
 - *1st attendance.....warning*
 - *2nd attendance.....min \$100 fine*
 - *3rd attendance.....loss of casual users ticket; and*

In addition:

- (a) *Moorings should be colour coded for size of vessel and the Casual User sticker should also be colour coded to match the boat size to the mooring*
- (b) *RIA Rangers and Water Police should be empowered to tow away vessels, and a towing charge imposed; and*
- (c) *Rental moorings should be relinquished back into the Mooring Site Licence system (as they should not be necessary after Casual User system wrinkles are ironed out).*

Clearly, mooring licensees are assisting the Authority by agreeing to open up access to their moorings to casual users whilst carrying all costs associated with installation, inspection, maintenance and insurance. It is vital to institute a system that recognises this by way of an agreed credit to the accounts of mooring licensees.

BWA recommendation 9: *that the existing Mooring Licensee and Authorised User systems (although with several extra conditions) be retained and that a new Casual User system be introduced immediately.*

BWA Recommendation 10: *That in the event of this system being adopted the contribution by the mooring licensees in bearing all costs associated with the moorings be recognized by the RIA; in particular by way of a credit to the accounts of the mooring licensees.*



7.4.4 Rental Moorings

BWA agrees with the Draft RIMP. recommendation. However limiting time on a rental mooring during peak periods may not be required with the introduction of a casual user category.

In our view full mooring rent should be paid at time of booking.

No new system is going to be perfect so a review of this new category would be required within the 5 year management plan, possibly in 2 years.

7.4.5 Commercial Vessel Moorings

BWA agrees with the draft RIMP. recommendations

7.7 JETTY MANAGEMENT

BWA does not believe that it is in the interests of boaters to demolish the Hotel Jetty. Boaters need to be able to be able to take on board and disembark passengers, particularly those who may have difficulty getting into dinghies.

BWA Recommendation 11: *That the RIA maintain and restore the Hotel jetty.*