



Australian Government

Great Barrier Reef
Marine Park Authority

POLICY ON MOORINGS

IN THE GREAT BARRIER REEF MARINE PARK

May 2002
Amended December 2005

Version 2 27 October 2005



our great barrier reef
let's keep it great



Contents

POLICY	3
BACKGROUND	9
ATTACHMENT A	
Justification for Policy on Moorings in the Great Barrier Reef Marine Park	16

POLICY

Summary: To provide a framework for the consistent and effective use and management of moorings in the Great Barrier Reef Marine Park.

DISCLAIMERS

- 1. This Policy does not cover multi-point mooring systems (other than a fore and aft mooring system) or moorings that are used as a structural component of a pontoon or other marine structure.*
- 2. In granting a mooring permit, the Authority does not pass on any property right or entitlement to any part of the Great Barrier Reef Marine Park within (or upon which) the mooring is to be installed.*
- 3. This Policy should be read in conjunction with, and subject to, the Great Barrier Reef Marine Park Act 1975 and, to the extent relevant, all instruments made thereunder.*

1. Moorings – general

- 1.1. The Authority supports the use of moorings in the Great Barrier Reef Marine Park (the Marine Park) to improve access opportunities that are ecologically sustainable, equitable and efficient.
- 1.2. The Authority may permit a public mooring to be installed in the Marine Park where there is a demonstrated need to prevent damage caused by anchors while continuing to provide for equitable public access.
- 1.3. The Authority may permit a privately owned mooring to be installed in the Marine Park under any one of the following circumstances:
 - Where there is a demonstrated need for regular or guaranteed access to a particular location by a particular user or group of users, primarily for reef appreciation and presentation purposes (for example, at a preferred dive site)
 - Where there is a demonstrated need for a secure berthing facility for a vessel or other craft in a harbour or resort area
 - Where the mooring is to be used by an ancillary craft of a permitted beach hire operation or a permitted pontoon operation (for example, glass-bottomed boat)
 - Where the mooring is to be used in conjunction with an existing privately owned mooring, as part of a fore and aft mooring system.
- 1.4. The Authority will assess whether a public mooring is appropriate before permitting a privately owned mooring to be installed in the Marine Park.
- 1.5. The Authority may develop a “one-stop-shop” for moorings in the Marine Park with other relevant agencies.

2. *Site planning*

- 2.1. The Authority will consider whether a site plan is required for a particular part of the Marine Park before permitting a mooring to be installed there.
- 2.1.1 A site plan will be required under the following circumstances:
 - The installation of the mooring at the proposed mooring site poses a threat or imminent threat to the conservation of natural, cultural or scientific values
 - The installation of the mooring at the proposed mooring site compromises reasonable public access, or displaces or adversely affects other existing users.
- 2.2. Where a site plan has been developed for a particular part of the Marine Park, the Authority will ensure that:
 - Moorings are permitted in accordance with that site plan
 - Existing moorings deemed to be inconsistent with that site plan are relocated within (or removed from) the Marine Park.
- 2.3. As a result of site planning, the Authority may prohibit anchoring within a 50-metres radius of an existing mooring, if it considers this appropriate for resource management or conflict resolution purposes.

3. *Use of public moorings*

- 3.1. The Authority requires that public moorings installed in the Marine Park be used in accordance with the following parameters:
 - Public moorings are available on a “first come first served” basis, unless otherwise stated
 - Public moorings must be used in accordance with any limits or conditions stated on the mooring buoy, the mooring tag or in the Moorings Register
 - Public moorings must not be used by more than one craft at a time (ancillary craft exempted), unless otherwise stated.
- 3.2. The Authority may broaden public mooring arrangements to enable some public moorings to be dedicated to a particular user or group of users for part of the day (for example, through a lease, booking or other contractual arrangement).
- 3.3. The Authority may subcontract the installation, maintenance and management of public moorings in the Marine Park.

4. *Use of privately owned moorings*

- 4.1. The Authority requires that a privately owned mooring installed in the Marine Park be used within its structural capacity.
- 4.1.1 A fore and aft mooring system is considered to be one mooring for the purpose of this provision.

- 4.2. The Authority encourages mooring permit holders to share their moorings with other Marine Park users, within the structural capacity of those moorings.
- 4.2.1 Mooring permit holders are encouraged to state the conditions of use of their moorings on the mooring buoy.
- 4.3. The Authority discourages mooring permit holders from allowing craft to raft-up on their moorings (ancillary craft exempted).

5. *Moorings Register*

- 5.1. The Authority will produce and maintain a publicly available register of legally installed moorings in the Marine Park.
- 5.1.1 The Moorings Register will detail the following information:
- Mooring reference number for each mooring
 - Location of each mooring by reef or locality name and Differential Global Positioning System (DGPS) coordinates
 - Contact details of the mooring permit holders (where applicable)
 - Limits and conditions of use of public moorings (for example, maximum vessel length and wind strength)
 - Any other relevant information.
- 5.2. The Authority requires that the exact position (using DGPS) of each mooring installed in the Marine Park be lodged with the Authority, for inclusion in the Moorings Register.

6. *Standard mooring buoy*

- 6.1. The Authority requires that all moorings installed in the Marine Park incorporate a standard mooring buoy for identification purposes.
- 6.1.1 All mooring buoys will be of a standard design (i.e. shape, size and materials).
- 6.1.1.1 Buoys authorised by Maritime Safety Queensland, coloured, designed and numbered in accordance with requirements set by Maritime Safety Queensland, meet standard bouyage requirements under this Policy.
- 6.1.1.2 Buoys for ancillary moorings within 200-metre radius of pontoons may be exempted from the standard mooring buoy requirement.
- 6.1.2 All mooring buoys will be coloured-coded according to the type of mooring.
- 6.1.2.1 Buoys for public moorings will be coloured blue.
- 6.1.2.2 Buoys for privately owned moorings will be coloured white.
- 6.1.3 Each mooring buoy will display a mooring reference number, which will be recorded in the Moorings Register.

- 6.1.4 Other relevant information may also be displayed on the mooring buoy (for example, type of mooring, conditions of use).

7. *Uninstalled moorings*

- 7.1. The Authority requires that moorings be installed in the Marine Park within six months of the date of grant of the mooring permit.
- 7.2. The Authority may consider a written request for an extension of the six-month timeframe on a case-by-case basis.
- 7.3. The Authority will revoke permits for moorings that are not installed in the Marine Park within the agreed timeframe.

8. *Under-utilised moorings*

- 8.1. The Authority requires that a reasonable level of use be made of a mooring installed in the Marine Park.
 - 8.1.1 Consideration of operational requirements will be taken into account when assessing reasonable use.
- 8.2. The Authority requires that, for a person completing an EMC logbook, the mooring reference number of any mooring used in the Marine Park be recorded in the appropriate EMC logbook.
 - 8.2.1 The mooring reference number of the mooring will be displayed on the mooring buoy.
 - 8.2.2 This provision will not apply until a system of standard mooring buoys is in place.

9. *Mooring design*

- 9.1. The Authority requires that either a schematic drawing or an approved drawing be lodged with the Authority for each mooring installed in the Marine Park.
 - 9.1.1 The schematic drawing or approved drawing must comply with any mooring design guidelines issued by the Authority.
 - 9.1.2 The schematic drawing or approved drawing must be lodged with the Authority prior to the installation of the mooring in the Marine Park or when required by the Authority.

10. *Mooring installation and maintenance*

- 10.1. The Authority requires that an authorised person be present to supervise the installation (and removal) of a mooring in the Marine Park.
 - 10.1.1 The authorised person will provide directions, as

necessary, to ensure that the mooring is installed in (or removed from) the Marine Park in an environmentally appropriate manner.

10.1.2 The authorised person will record the exact position (using DGPS) of the mooring at the time of installation.

10.2. The Authority requires that an approved compliance certificate be lodged with the Authority for each mooring installed in the Marine Park as soon as possible after installation.

10.2.1 The compliance certificate must verify that the mooring has been installed and maintained in accordance with the schematic drawing or approved drawing.

10.3 The Authority requires that Permittees undertake appropriate and ongoing maintenance of moorings installed in the Marine Park.

10.4 The Authority may, from time to time, require a compliance certificate or other proof of ongoing maintenance and appropriate operation of moorings installed in the Marine Park.

11. Mooring relocation and removal

11.1. The Authority may revoke permits for moorings that do not comply with the Authority's requirements.

11.2. The Authority will have illegally installed moorings removed from the Marine Park.

11.3. The Authority may provide for the temporary relocation and/or reinstallation of moorings within the Marine Park that are affected by a severe environmental incident.

12. Permit matters

12.1. The Authority will assess mooring permit applications on a "first come first served" basis, unless otherwise stated.

12.1.1 The Authority may grant relevant permissions for limited mooring opportunities by inviting expressions of interest.

12.1.2 The Authority will, if necessary, rank expressions of interest in accordance with advertised selection criteria.

12.2. The Authority will grant mooring permits for up to six years, unless otherwise stated.

12.2.1 The Authority may grant a 15-year permit for moorings operated in conjunction with appropriately certified tourist programmes.

12.3. The Authority requires mooring permit holders to enter into a deed of agreement for each mooring installed in the Marine Park.

12.4. The Authority may transfer a mooring permit.

12.4.1 A fore and aft mooring system will only be transferred as one unit.

12.4.2 A mooring for an ancillary craft of a permitted beach hire operation or a permitted pontoon operation will only be transferred with the parent operation.

13. Mooring related fees and charges

- 13.1. The Authority will recover reasonable costs associated with preparing site plans, with appropriate contributions from mooring owners.
- 13.2. Permit holders will pay reasonable costs associated with site survey and supervision of installation/removal of their privately owned moorings.
- 13.3. The public mooring programme may be managed on a user-pays basis.

BACKGROUND

TITLE

Moorings in the Great Barrier Reef Marine Park

PREFACE

Policy maker and empowerment

Great Barrier Reef Marine Park Authority (by board decision, MPA 185/6)

Timing

MPA 185 - 30 April 2002

Editor's note

This policy places all current policy regarding moorings into a reef wide context for the Marine Park. This policy also formalises current mooring permitting practice and includes new policy on standard mooring buoyage and progressing complementarity with Queensland Transport mooring processes.

Head notes

Moorings: Resource Management: Permit Matters: Tourism Operations: Queensland Parks and Wildlife Services: Queensland Transport: Day-to-day Management: Conservation: Whitsundays Planning Area: Cairns Planning Area: Impacts of Use: Enforcement: Codes of Practice: Cost Recovery.

PURPOSE

The purpose of this policy is to provide a publicly available document detailing the GBRMPA's framework for the consistent and effective use and management of moorings in the Marine Park.

- This policy is explicit about use of public and privately owned moorings.
- The transparency of this approach will assist those considering applying for permits to install and maintain a mooring in the Great Barrier Reef Marine Park.
- This policy will assist the delegates of the Authority with respect to considering applications for mooring permits in the Great Barrier Reef Marine Park.

The issues covered by the policy include availability of moorings, site planning requirements, standard mooring buoys, design, installation, maintenance, relocation and removal of moorings, moorings best practice and permit related matters.

Relevant statute law, other Authority policy, Ministerial directions

Great Barrier Reef Marine Park Act 1975

Section 3: contains interpretation, including that "this Act" includes the regulations.

Section 5: states the object of this Act, which is to make provision for and in relation to the establishment, control, care and development of a marine park in the Great Barrier Reef Region in accordance with the provisions of this Act.

- Section 7: states the functions of the Authority and provides that the Authority is responsible for the management of the Marine Park.
- Section 8: empowers the Authority to do all things necessary or convenient to be done for or in connexion with the performance of its functions.
- Section 38B: prohibits a person from using or entering a zone for a purpose requiring the Authority's permission unless authorised by such a permission.
- Section 38C: prohibits contravention of permission conditions.
- Section 61: empowers the Authority to delegate any of its powers under this Act, other than this power of delegation.

Great Barrier Reef Marine Park Regulations 1983

- Regulation 74(5): states what the Authority must consider in applications for permission to use or enter into a zone in the Great Barrier Reef Marine Park Section.
- Regulation 106: states when and how a permission may be transferred.
- Regulation 110: states that the Authority may suspend a permission if it appears to the Authority that the permission holder is failing to comply with a condition of that permission.
- Regulation 112: states that the Authority may revoke a permission if, 60 days after suspension of the permission, the permission holder continues to fail to comply with the condition.

MPA policy

Key components of MPA policy are below:

MPA 114/2– Decided:

- *to request an assessment of its legal liability in relation to moorings; and*
- *to include a mooring condition that when permitted use ceased then the mooring should be removed at the expense of the permittee.*

MPA 124/7 – Decided:

- *that public moorings paid for using day-to-day management funds will only be installed if they contribute to conservation of the reef (see MPA 151/3 below); and*
- *that it is preferable to engage contractors for the design, construction, installation and maintenance of public moorings.*

MPA 135/9 – Decided:

- *that for existing facilities operators will be given a year to provide marine engineer certification etc.*

MPA 139/4 – Decided:

- *to seek regulations for the Whitsundays to ensure moorings are used in accordance with directions.*

MPA 148/10 – Decided:

- *that Manta Ray Bay would be an SMA and directed the use of public moorings there.*

MPA 151/3 – Decided:

- *to request mooring and anchoring plans for the Marine Park;*
- *to be opposed to the concept of commercial operators using public moorings;*
- *to install public moorings for other than conservation reasons (amends 124/7); and*
- *to prepare a proposal for the charging of commercial users to use moorings installed by the government.*

MPA 151/4 – Decided:

- *the delegate, in making a decision on a mooring application, ensures that access by the public and other users is maintained.*

MPA 154/8 – Decided:

- *that Cod Hole would be an SMA and directed the use of public moorings there.*

MPA 155/5 – Decided:

- *to prepare the Cairns Area Plan of Management and not to grant permissions for more than 2 days access to a site in a seven-day period unless there was a mooring in place.*

MPA 159/7 – Decided:

- *that near Lizard Island would be an SMA and directed the use of public moorings there.*

MPA 161/4 – Decided:

- *while Whitsunday Plan of Management is being prepared that installation of moorings would be limited.*

MPA 170/9 – Decided:

- *to adopt the Cairns Area Plan of Management.*

MPA 170/11 – Decided:

- *to adopt the Whitsundays Plan of Management.*

MPA 173/9 – Decided:

- *the delegate decisions should be accompanied by advice that GBRMPA might implement change to the management regime.*

MPA 174/7 – Decided:

- *to provide maximum use of the limited number of new moorings when progressing the management approach for the new moorings in Cairns.*

MPA 176/8 – Decided:

- *that unallocated moorings should be privately installed and operated, as were other moorings in the area.*

MPA 176A/3 – Decided:

- *to adopt the Cairns Area Plan of Management Amendment No 1.*

MPA 176A/4 – Decided:

- *to adopt the Whitsundays Plan of Management Amendment No 1.*

MPA 180/2 – Decided:

- *to adopt the Cairns mooring allocation process.*

MPA 185/5 – Decided:

- *to adopt the Policy for Moorings in the Great Barrier Reef Marine Park (May 2005)*

MPA 192/13 – Agreed:

- *that moorings operated in conjunction with appropriately certified tourist programmes may be granted a 15-year permit on a similar basis as the tourist programmes.*

MPA 194A/1 – Agreed:

- *Amendment to the Cairns Area Plan of Management*

Location of justification for policy

The justification for this policy on moorings in the Great Barrier Reef Marine Park is at Attachment A.

DEFINITIONS

Unless otherwise stated, the following definitions apply throughout this policy.

<i>Ancillary craft</i>	<i>means a smaller tender that:</i> <ul style="list-style-type: none">• <i>is not the primary craft; and</i>• <i>provides services to the passengers of the primary craft; and</i>• <i>is only operated within 3 nautical miles of the primary craft.</i>
<i>Ancillary mooring</i>	<i>means a mooring that:</i> <ul style="list-style-type: none"><i>(a) is associated with, and supports, the operation of a resort or tourist facility, the operation of which is authorised by a relevant permission; and</i><i>(b) is not intended to be used by a primary vessel and associated with the operation; and</i><i>(c) is primarily associated with the use of small vessels such as dive tenders, glass bottom boats and hire craft.</i>
<i>Approved compliance certificate</i>	<i>means a certificate of compliance for a mooring system, approved by an appropriately qualified person, which confirms that the mooring has been installed and maintained in accordance with the approved drawing.</i>
<i>Approved drawing</i>	<i>means a technical drawing of a mooring system, that has been certified by a marine engineer or naval architect as adequate for the intended purpose, and that complies with any mooring design guidelines.</i>
<i>Authorised person</i>	<i>means a member of the Managing Agency or another person appointed by the Managing Agency and advised in writing to the Permittee.</i>
<i>Fore and aft mooring system</i>	<i>means two moorings that are installed in close proximity to each other so as to provide a fore mooring and an aft mooring for a single craft.</i>
<i>Illegally installed mooring</i>	<i>means a mooring installed without the permission of the Authority or its delegate.</i>
<i>Managing Agency</i>	<i>means the Great Barrier Reef Marine Park Authority.</i>
<i>Mooring buoy</i>	<i>means a surface float used to identify a mooring.</i>
<i>Mooring tag</i>	<i>means a small tag attached to the pick-up line of a mooring.</i>

<i>Moorings Register</i>	<i>means a register of public and privately owned moorings installed in the Marine Park.</i>
<i>Pontoon site</i>	<i>means the area within the line every point of which is 200 metres from the nearest point of a pontoon.</i>
<i>Privately owned mooring</i>	<i>means a mooring (other than a public mooring) installed and operated by or on behalf of the permit holder for that mooring.</i>
<i>Public mooring</i>	<i>means a mooring installed and operated by or on behalf of the Authority or the State of Queensland, predominantly for use by the public.</i>
<i>Schematic drawing</i>	<i>means a technical drawing of the mooring system. The drawing must show the main elements of a mooring or mooring system and should illustrate the block/pin/anchor, shackles, riser line and tackle, subsurface buoyage, surface buoyage, and the materials from which each of these components will be made.</i>
<i>Severe environmental incident</i>	<i>means a natural or human-induced incident that occurs suddenly and has a detrimental effect on the environment.</i>

CONSULTATION

Consultation has occurred with Tourism and Recreation Reef Advisory Committee (TRRAC), other Reef Advisory Committees, Local Marine Advisory Committees (LMACs), representatives of the Marine Tourism Industry and mooring permittees.

Consultation with QPWS and Queensland Transport has occurred throughout the development of this policy. However, development of the policy identified the need for the GBRMPA to work closely with these agencies towards aligning mooring processes.

SUBSEQUENT DEVELOPMENTS

Since 2002, implementation of the Moorings Policy has occurred in a staged process. Key achievements include:

- a voluntary standard buoyage programme
- regulatory compulsory mooring reference numbering on mooring buoys, mirroring and expanding on requirements under Queensland legislation
- a publicly available, on-line searchable register of permitted moorings (the Moorings Register)
- Multi-agency developed site management arrangements to address unpermitted moorings
- an allocation process for limited mooring opportunities using an expression of interest process and ranking against selection criteria.

Additionally, in implementing the Moorings Policy, the GBRMPA has decided to:

- recognise Maritime Safety Queensland requirements as meeting standard buoyage under the Moorings Policy

- exempt ancillary moorings within a pontoon site from standard buoyage requirements
- provide for ‘authorised person’ other than an ‘authorised officer’ to undertake supervision for installation and removal of moorings
- recognise maintenance requirements for moorings in the Moorings Policy as per permit conditions
- clarify drawing requirements for moorings.

Amendments to the *Great Barrier Reef Marine Park Regulations 1983* to support the Zoning Plan in 2004 also affected the numbering and references to the Regulations made in the Moorings Policy. These references and other changes outlined above have been incorporated into this amended Policy, as at December 2005.

PROVISION FOR REVIEW

It is intended that the policy be reviewed as required.

REFERENCES

Great Barrier Reef Marine Park Act 1975

Great Barrier Reef Marine Park Regulations 1983

Cairns Area Plan of Management 1998 (as amended November 2005), GBRMPA, Townsville

Whitsundays Plan of Management 1998 (as amended November 2005), GBRMPA, Townsville

Guidelines for Allocating Permitted Moorings in the Cairns Planning Area, June 2000, GBRMPA, Townsville

Tourism Review Steering Committee (1997) “Review of the Marine Tourism Industry in the Great Barrier Reef World Heritage Area”, A report to the Great Barrier Reef Ministerial Council

Meany F. (1999) “Options for Management of New Mooring Sites in the Cairns Area of the Great Barrier Reef Marine Park Authority”, A report to the Great Barrier Reef Marine Park Authority

ATTACHMENT A

Justification for Policy on Moorings in the Great Barrier Reef Marine Park

1. Moorings - general

The construction or conduct of a mooring facility in the Great Barrier Reef Marine Park (the Marine Park) requires the written permission of the Great Barrier Reef Marine Park Authority (the Authority) or its delegate, as prescribed in the zoning plans. Also, in considering an application for a mooring permit, the Authority must have regard to assessment criteria set out in the Regulations¹.

Moorings are desirable in the Marine Park for two main reasons, they provide extra security and convenience for craft visiting the Marine Park and they improve protection of the environment by eliminating the need to anchor. Consequently, there are benefits to both mooring users and the Authority from the use of moorings in the Marine Park.

Historically, the Authority has encouraged regular reef users, predominantly site-dedicated tourism operations, to install privately owned moorings at their preferred sites. This is clearly evident in offshore Cairns, where more than 300 privately owned moorings have been installed. In the Whitsundays, however, demand for privately owned moorings has been minimal and public moorings are more prevalent. The contrasting nature of mooring approaches used in the offshore Cairns and the Whitsundays reflects the differences in geography, tourism product and visitor profile between the two areas.

Although the benefits of moorings for a wide-range of Marine Park users are well recognised, the spatial distribution of moorings throughout the Marine Park is uneven, with concentrations near major population and tourism centres, such as offshore Cairns and in the Whitsundays.

In providing mooring opportunities in the Marine Park, the Authority must consider equity of access for all Marine Park users. The Authority is particularly concerned that privately owned moorings in multiple use areas can create exclusive use and displacement of other existing users.

Public moorings can provide a means of ensuring equity of access in multiple use areas, however, there is limited demand for them in remote parts of the Marine Park or in areas of minimal public use, and the cost of maintaining and managing such moorings is considered to be prohibitive.

For many commercial tourism operations, the need for regular or guaranteed access to particular sites in the Marine Park is an essential component of their businesses. Privately owned moorings offer business certainty, currently not available with public moorings, and can help to minimise damage caused by anchors as well as promote a sense of “stewardship” at mooring sites.

¹ *Great Barrier Reef Marine Park Regulations 1983*

The need for specialist moorings has also developed as vessel security and operational efficiency become more and more important. Privately owned mooring in harbours and resort areas can greatly assist individuals and adjacent landowners by providing longer-term accommodation for vessels. Likewise, moorings for ancillary craft, such as glass bottomed boats and dinghies, provide an attractive alternative to using anchors or removing vessels from the Marine Park each day.

Since the Cairns Area and Whitsundays Plans of Management came into force on 22 June 1998, and earlier in the case of moratoria on certain permissions, there have been limits set on the number of privately owned moorings at most locations in the Cairns Area and Whitsundays. The numbers of public moorings, however, were not limited by these plans. Also, the numbers of privately owned moorings available outside these two principal tourism destinations have generally not been limited.

Although most moorings installed in the Marine Park are single point moorings, there is growing interest in the use of fore and aft mooring systems, which offer improved security, stability and convenience for mooring user. A fore and aft mooring system is in fact two separate moorings used simultaneously, allowing a craft to occupy less physical space than when using a single point mooring. This is particularly important at those locations where there is limited space available, as a fore and aft mooring system could help to reduce displacement of other Marine Park users.

The Queensland Parks and Wildlife Service and Queensland Transport also manage moorings in Queensland Marine Parks and State waters respectively. Users/operators would benefit considerably if complementary mooring arrangements were drawn up with the Authority.

Policies

- 1.1. The Authority supports the use of moorings in the Marine Park to improve access opportunities that are ecologically sustainable, equitable and efficient.
- 1.2. The Authority may permit a public mooring to be installed in the Marine Park where there is a demonstrated need to prevent damage caused by anchors while continuing to provide for equitable public access.
- 1.3. The Authority may permit a privately owned mooring to be installed in the Marine Park under any one of the following circumstances:
 - Where there is a demonstrated need for regular or guaranteed access to a particular location by a particular user or group of users, primarily for reef appreciation and presentation purposes (for example, at a preferred dive site)
 - Where there is a demonstrated need for a secure berthing facility for a vessel or other craft in a harbour or resort area
 - Where the mooring is to be used by an ancillary craft of a permitted beach hire operation or a permitted pontoon operation (for example, glass-bottomed boat)
 - Where the mooring is to be used in conjunction with an existing privately owned mooring, as part of a fore and aft mooring system.

- 1.4. The Authority will assess whether a public mooring is appropriate before permitting a privately owned mooring to be installed in the Marine Park.
- 1.5. The Authority may develop a “one-stop-shop” for moorings in the Marine Park with other relevant agencies.

2. *Site planning*

The primary objectives of site plans are to:

- Recognise and protect cultural and natural conservation values and minimise damage to coral, benthic communities and other marine habitat and animals
- Provide for a balance of private and public access
- Provide for a range of use opportunities
- Separate conflicting uses
- Establish appropriate areas for tourist facilities, including moorings.

The Tourism Review Steering Committee (Sturges, 1997) recommended “when the Authority does intervene in amenity issues, it should do so at the planning stage and only after consultation with community and industry as a whole. It is not appropriate for the Authority to make ad hoc interventions in individual licensing approvals in order to manage amenity”.

The Authority has developed a number of site plans for parts of the Marine Park, particularly in the Cairns Area and Whitsundays where tourism use is high. These site plans have proved highly effective at minimising localised use conflicts and protecting local conservation values. Also, site plans have been developed in consultation with local stakeholders and, as a result, have generated a level of ownership not commonplace in other parts of the Marine Park.

The geophysical nature of some locations can physically limit access to that location and inappropriate siting of moorings can further exacerbate this situation. If an application is lodged for a privately owned mooring at such a location, then in granting and siting the mooring, the Authority’s foremost concern is the protection of the environment.

Currently, mooring permits are assessed on an individual basis making it difficult to justify refusing a permit on the grounds of cumulative impact or effect on the local area. Inappropriate siting of a number of individual moorings can create conflict of use or become an amenity issue. Site planning provides a framework upon which a delegate can consider an individual mooring application within the bigger picture.

In the development of site plans for specific locations in the Cairns Planning Area, for example, issues such as reef anchorages, fish spawning aggregation sites and establishing an appropriate number of moorings at each location were also specifically addressed. These issues should be considered in all site-planning exercises.

Providing protection around mooring sites is clearly an incentive for mooring permit holders to take responsibility for managing use of their mooring site. Meany (1999) noted that restricting anchoring near mooring sites “created an environment for stewardship and certainty for site specific operators”.

The need to protect mooring sites was notably raised during development of the Cairns Area Plan of Management and resulted in regulated 50-metre no-anchoring areas ('mooring sites') around most privately owned moorings in the Cairns Planning Area. Additionally, pontoon sites consisting of a 200-metre radius around permitted pontoons was also established. The number of relevant permissions for moorings within mooring and pontoon sites is not intended to be limited by the Cairns Area Plan of Management.

In the Whitsunday Planning Area, there are few privately owned moorings and, consequently, the 50-metre no-anchoring areas were not introduced through the Whitsundays Plan of Management. However, at a number of popular destinations in the Whitsundays, public moorings and designated no-anchoring areas have been introduced to protect the local environment and maintain public access. In other parts of the Marine Park, there is little formal protection around mooring sites.

In some cases, moorings have been installed in the Marine Park so as to inadvertently compromise conservation of natural, cultural or scientific values; restrict public access; or displace or adversely affect other existing users. Through site planning, such moorings can be identified and earmarked for relocation within (or removal from) the Marine Park.

Also, a number of the moorings are located in areas that are not currently protected under the zoning plans from extractive activities, such as fishing and collecting (i.e. blue or yellow zones). Mooring applicants would have been aware of this situation when first applying to install their moorings, however, this has not prevented a direct conflict of use issue emerging at some mooring sites in the Marine Park. In the past, this situation has been remedied either through site planning or use agreements between the two conflicting parties.

As many mooring sites are focal points for tourism operations (for example, diving, snorkelling and coral viewing operations), there is an imperative to protect these sites for presentation purposes. Damage caused by anchors and chains can have a detrimental effect on the aesthetic quality of a mooring site and, in some instances, can be permanent. Likewise, the discharge of untreated sewage at mooring sites is inappropriate, particularly where there are divers or snorkellers in the water. As well as being a potential occupational health and safety issue, sewage discharge can affect local water quality with possible environmental consequence.

To address this issue, sewage discharge within 1000 metres of a coastline, reef or island will be prohibited for most vessels from 1 January 2004, as set out in the *Great Barrier Reef Marine Park Regulations 1983*. As most moorings are situated within this 1000-metre limit, the need to prescribe exclusion areas around moorings is considered redundant.

Policies

- 2.1. The Authority will consider whether a site plan is required for a particular part of the Marine Park before permitting a mooring to be installed there.
- 2.1.1 A site plan will be required under the following circumstances:
 - The installation of the mooring at the proposed mooring site poses a threat or imminent threat to the conservation of natural, cultural or scientific values
 - The installation of the mooring at the proposed mooring site compromises reasonable public access, or displaces or adversely affects other existing users.
- 2.2. Where a site plan has been developed for a particular part of the Marine Park, the Authority will ensure that:
 - Moorings are permitted in accordance with that site plan
 - Existing moorings deemed to be inconsistent with that site plan are relocated within (or removed from) the Marine Park.
- 2.3. As a result of site planning, the Authority may prohibit anchoring within a 50-metres radius of an existing mooring, if it considers this appropriate for resource management or conflict resolution purposes.

3. *Use of public moorings*

Over 120 public moorings have been installed in the Marine Park, the majority of which are located in the Whitsundays. Each public mooring is marked with a standard, blue mooring buoy, upon which information is provided as to the limits and conditions of use of that mooring. This information is duplicated on a metal tag attached to the mooring pick-up line as an added convenience. Typical information provided on public mooring buoys includes the maximum vessel length and wind speed for that mooring.

Historically, access to public moorings has been based on “first come first served” and the Authority has generally not sought to introduce mandatory time limits on public moorings, with preference for voluntary limits. For example, the current voluntary limit is two hours between 7 a.m. and 5 p.m., with no time limit for overnight use (5 p.m. – 7 a.m.). The time limit ensures fair and equitable use of the public mooring and is particularly applicable in areas of high day use. At Manta Ray Bay in the Whitsundays, however, a Special Management Area was established in 1993, which specified a mandatory limit for each public mooring user of 2 hours in any 8-hour period.

The *Great Barrier Reef Marine Park Regulations 1983* (“the Regulations”) state that “a person must not remove, misuse or damage a mooring installed in the Marine Park by the Authority, except with reasonable excuse” (regulation 102). Therefore, using a public mooring contrary to the limits and conditions of use stated on the mooring buoy would be regarded as misuse of a public mooring and is therefore covered by the Regulations.

The public mooring programme, currently concentrated in the Whitsundays, has received widespread support from the local community. Through this policy, there is the opportunity to extend the Whitsundays model to other parts of the Marine Park where public moorings have already been installed or are appropriate. This would ensure a simpler and more effective system throughout the Marine Park.

In designing public moorings, the Authority has had to build in safety margins to ensure that moorings are secure for all types of craft. Consequently, current public moorings are suitable only for a single craft of up to a specific overall length. It is important, therefore, that the moorings specifications are not exceeded as this may cause the mooring to fail with possible consequences for the moored craft, the environment and other reef users.

Although Whitsundays-based tourism operators have tended not to require privately owned moorings, preferring a more roving style of operation with opportunistic use of public moorings, there is an increasing demand for the Authority to provide some form of guaranteed commercial use of public moorings in the Whitsundays. The Authority and Queensland Parks and Wildlife Service are developing a separate policy on this matter, which may include providing some dedicated access of public moorings through a commercial arrangement with the Authority.

As at August 2005, there were 128 public moorings installed in the Marine Park, much of the funding for which was provided as grants from the Commonwealth Government's National Heritage Trust (National Moorings Programme). The Authority has previously only subcontracted the installation of public moorings, and has retained ongoing maintenance and management responsibilities. As the number of public moorings installed in the Marine Park increases to meet management and public need, the Authority is required to commit additional resources for maintenance and management purposes. There may be benefits to the Authority if such activities were also subcontracted on an ongoing basis.

Policies

- 3.1. The Authority requires that public moorings installed in the Marine Park be used in accordance with the following parameters:
 - Public moorings are available on a "first come first served" basis, unless otherwise stated
 - Public moorings must be used in accordance with any limits or conditions stated on the mooring buoy, the mooring tag or in the Moorings Register
 - Public moorings must not be used by more than one craft at a time (ancillary craft exempted), unless otherwise stated.
- 3.2. The Authority may broaden public mooring arrangements to enable some public moorings to be dedicated to a particular user or group of users for part of the day (for example, through a lease, booking or other contractual arrangement).
- 3.3. The Authority may subcontract the installation, maintenance and management of public moorings in the Marine Park.

4. *Use of privately owned moorings*

Privately owned moorings have traditionally been designed to accommodate a particular craft and, as a result, each mooring has a unique load limit (capacity). These privately owned moorings are generally marked with a mooring buoy, which can vary in colour, shape and size depending on the preference of the mooring user. Information regarding the load limit or contact details for the permit holder is generally not provided on the mooring buoy.

Damage to coral and the substrate can occur if moorings are dragged from their original position or craft run aground because the mooring used does not have the capacity to safely restrain the craft. The Authority is therefore concerned that moorings are used within their specifications and structural capacity.

While each privately owned mooring is made for a specific craft, the Authority encourages permit holders to allow other users with similar vessels to access their privately owned moorings. This is especially an issue in the Cairns Planning Area and Whitsunday Planning Area, where limits have been placed on the total number of privately owned moorings. Stating the conditions of use on mooring buoys and in a Moorings Register will assist with appropriate usage.

Anecdotal evidence indicates that on occasion craft raft-up at a mooring in the Marine Park. This raises issues of safety and amenity, and is likely to be inconsistent with the mooring design. Discouraging permit holders from allowing craft to raft-up on their moorings will address these issues, with special provision for ancillary craft. If the mooring buoy and the moorings register state the specifications and structural capacity of each mooring installed in the Marine Park, this will hopefully address misuse of moorings on account of user ignorance.

The Authority has already developed a best practice guide to general use of a mooring. Where possible, a person should always try to use moorings instead of anchoring. When picking up a mooring:

- Motor into the wind toward the buoy
- Take care to avoid running over the pick-up line when approaching the mooring
- Use a boat hook to retrieve the pick-up line
- Attach the pick-up eye to a cleat or strong point on the vessel.

Meany (1999) recommended to the Authority “dialogue be encouraged between different user groups so as to develop appropriate codes of conduct designed to minimise friction between reef users”.

Policies

- 4.1. The Authority requires that a privately owned mooring installed in the Marine Park be used within its structural capacity.
 - 4.1.1 A fore and aft mooring system is considered to be one mooring for the purpose of this provision.
- 4.2. The Authority encourages mooring permit holders to share their moorings with other Marine Park users, within the structural capacity of those moorings.
 - 4.2.1 Mooring permit holders are encouraged to state the conditions of use of their moorings on the mooring buoy.

- 4.3. The Authority discourages mooring permit holders from allowing craft to raft-up on their moorings (ancillary craft exempted).

5. *Moorings Register*

Users of the Marine Park desire the ability to contact mooring permit holders to arrange access to privately owned moorings. In response, the Authority is preparing a register of moorings with all relevant details of mooring permit holders in the Marine Park. It will be publicly available and regularly updated. The Moorings Register is intended to facilitate a greater level of sharing of privately owned moorings within the Marine Park.

In accordance with regulations 114 and 115 of the Regulations, the Authority may keep a register of permissions and must show the register to any person who asks to see it at the Authority's office when the office is open.

Permit holders are required, through a condition of their permit, to provide the Authority within 14 days of being called upon to do so a map of the mooring site and readings from a Global Positioning System (GPS). The positions of most of the moorings installed in the Marine Park have been provided to the Authority on maps, aerial photographs or as GPS positions, but to varying degrees of accuracy. Differential GPS accuracy is required for the Moorings Register to enable individual moorings to be precisely located.

Collecting the exact position of each mooring installed in the Marine Park is an onerous task, despite records of all mooring permits issued by the Authority and a moorings database. The Authority is focusing on obtaining this detailed information for all new moorings and also updating records for existing moorings.

Information about the whereabouts and the limits and conditions of use of public moorings has been available in brochure form since 1995 and has proved highly effective as an education and trip planning tool. This information could also be incorporated into the moorings register to obtain even greater exposure.

Policies

- 5.1. The Authority will produce and maintain a publicly available register of legally installed moorings in the Marine Park.

- 5.1.1 The Moorings Register will detail the following information:

- Mooring reference number for each mooring
- Location of each mooring by reef name and Differential Global Positioning System (DGPS) coordinates
- Contact details of the mooring permit holders (where applicable)
- Limits and conditions of use of public moorings (for example, maximum vessel length and wind strength)
- Any other relevant information.

- 5.2. The Authority requires that the exact position (using DGPS) of each mooring installed in the Marine Park be lodged with the Authority, for inclusion in the Moorings Register.

6. *Standard mooring buoys*

Over 120 public moorings with standard mooring buoys (floats) have been installed in the Marine Park through the day-to-day management programme (a joint initiative between the Authority and the Queensland Parks and Wildlife Service). The majority of these public moorings are located in the Whitsunday Planning Area.

The public mooring buoy is of a standard shape, size and material and is always blue in colour. Each public mooring carries a colour-coded band on the upper half of the mooring buoy, which reflects the class of public mooring.

Public Mooring Classes (as at July 2001)

Colour-coded band	Class of mooring	Maximum wind strength	Maximum length (monohulls)	Maximum length (multihulls)
Brown	Tender	24 knots	6 metres	6 metres
Yellow	Class A	24 knots	10 metres	9 metres
Orange	Class B	34 knots	20 metres	18 metres
Blue	Class C	34 knots	25 metres	22 metres
Red	Class D	34 knots	35 metres	30 metres

Privately owned moorings have traditionally been designed to accommodate a particular craft and, as a result, each mooring has a unique load limit (capacity). These privately owned mooring are generally marked with a mooring buoy, which can vary in colour, shape and size depending on the preference of the mooring owner. Information regarding the load limit or contact details for the permit holder is generally not provided on the mooring buoy.

To date, the Authority has not required mooring permit holders to use a standard mooring buoy design and, as a consequence, there has been little standardisation. The Authority is concerned that this lack of standardisation is detracting from the amenity of the Marine Park and that the lack of information on privately owned mooring buoys has prevented other Marine Park users from identifying and contacting mooring permit holders and entering into mooring sharing arrangements.

It is expected that, through a process of mooring buoy standardisation, private and public moorings can be more clearly identified, such that appropriate action can be taken by the Authority to remove any illegally installed moorings in the Marine Park.

Throughout the Marine Park, a system of standard mooring buoys, each with a mooring reference number, will also greatly assist recognition of privately owned moorings by all users, allow the display of information on limits of use and increase the use of moorings in preference to anchoring.

The Authority may exempt ancillary moorings installed and operated in association with a permitted pontoon from the colour and size requirements of standard buoyage. Consideration will be given to the location, number and reasons for the request for

exemption. Where the ancillary mooring is within coastal waters of Queensland, consultation on the proposed exemption will occur with the authorising Maritime Safety Queensland office to ensure requirements under Queensland legislation are not compromised. Ancillary moorings will not be exempt from the requirement to display a mooring reference number.

There are some areas of the Marine Park where moorings have been installed in accordance with requirements under the *Queensland Marine Safety Act 1994* and *Regulations 2004*. The Authority and the administering agency for the Marine Safety Act, Maritime Safety Queensland, are working together to align State and Commonwealth policies on mooring installation, permitting and buoyage. The Authority recognises the system of buoyage provided for by the *Queensland Transport Operations (Marine Safety) Act 1994* and *Transport Operations (Marine Safety) Regulations 2004* as meeting the requirements of this Policy.

Policies

- 6.1. The Authority requires that all moorings installed in the Marine Park incorporate a standard mooring buoy for identification purposes.
 - 6.1.1 All mooring buoys will be of a standard design (i.e. shape, size and materials).
 - 6.1.1.1 Buoys authorised by Maritime Safety Queensland, coloured, designed and numbered in accordance with requirements set by Maritime Safety Queensland, meet standard buoyage requirements under this Policy.
 - 6.1.1.2 Buoys for ancillary moorings within 200-metre radius of pontoons may be exempted from the standard mooring buoy requirement.
 - 6.1.2 All mooring buoys will be coloured-coded according to the type of mooring.
 - 6.1.2.1 Buoys for public moorings will be coloured blue.
 - 6.1.2.2 Buoys for privately owned moorings will be coloured white.
 - 6.1.3 Each mooring buoy will display a mooring reference number, which will be recorded in the Moorings Register.
 - 6.1.4 Other relevant information may also be displayed on the mooring buoy (for example, type of mooring, conditions of use).

7. *Uninstalled moorings*

In accordance with regulation 112 (4) of the Regulations, “if the holder of a permission...does not begin to carry on the permitted activities within 120 days after the date on which the permission was granted or transferred...to the holder, the Authority may revoke the permission”. However, the Authority has not sought to use this provision to manage permits for uninstalled moorings in the Marine Park.

When allocating new moorings in the Cairns Planning Area, as set out in the Cairns Area Plan of Management, the Authority included a condition on mooring permits requiring that the moorings be installed within 120 days of the grant of the mooring permits. Except in the Cairns example, the Authority has not previously stipulated, as a condition of a permit, any timeframe within which a mooring must be installed. However, it is generally understood that the majority of privately owned mooring are installed within 6 months of the permit being issued.

The Authority has identified a number of instances where moorings have not been installed in the Marine Park, despite permits being issued for such mooring installations. While uninstalled moorings do not pose an environmental concern, they can inadvertently influence management arrangements at particular sites to the detriment of other Marine Park users.

While timely installation of moorings is desirable, there may be instances where additional time is required to install a mooring, perhaps due to weather constraints or logistical arrangements, which the Authority may wish to consider.

Policies

- 7.1. The Authority requires that moorings be installed in the Marine Park within 6 months of the date of grant of the mooring permit.
- 7.2. The Authority may consider a written request for an extension of the six-month timeframe on a case-by-case basis.
- 7.3. The Authority will revoke permits for moorings that are not installed in the Marine Park within the agreed timeframe.

8. *Under-utilised moorings*

Moorings can influence the nature and scale of use of a particular area and, consequently, must be carefully considered during the permitting process. In areas of limited physical capacity, moorings can provide a guarantee of access not offered by anchoring, but if unused, can have the opposite effect by excluding others from accessing the area.

Once a mooring has been installed in the Marine Park, there is an expectation that it will be used to a reasonable level, particularly if the mooring is located at a popular destination. There does not appear to be a logical reason for having a mooring installed at a location if it is predominantly unused.

By requiring a reasonable level of use of moorings installed in the Marine Park, the Authority aims to provide equitable and efficient access to moorings. However, there are a number of circumstances where this requirement is problematic (for example, remote areas, exposed weather areas). Clearly, the main emphasis should be on high demand sites where moorings access is an issue. However, there would be an opportunity for the Authority to consider the merits of each case during the permit assessment process, and to determine an appropriate level of reasonable use.

The Association of Marine Park Tourism Operators (AMPTO) has proposed a “use it or lose it” approach to managing latency in “limited” tourism permits in the Marine Park. The Authority has indicated “in-principle” support for such an approach, but will need to work through the detail to ensure it can be applied in a practical, equitable and efficient manner.

Moorings can be effectively limited by environmental, physical and amenity displacement constraints. The numbers of moorings are already limited in the Cairns and Whitsunday Planning Areas (with some exceptions). Under these circumstances, the Authority would like to ensure that under-utilised moorings do not restrict reasonable use of the location by other reef users.

To date the Authority has not required operators to record use of their moorings. As part of the requirement to complete an Environmental Management Charge (EMC) logbook, tourism operators have to record the locations they visit each day, and not the specific moorings they visit at those locations. Consequently, the Authority has little documented information on the amount of current use of moorings installed in the Marine Park.

The Authority’s ability to collect information about use of moorings installed in the Marine Park is further hindered by the fact that few, if any, moorings are referenced or easily identified on the water. This issue should be alleviated once a standard mooring buoy system is in place and a moorings register is publicly available.

Policies

- 8.1. The Authority requires that a reasonable level of use be made of a mooring installed in the Marine Park.
 - 8.1.1 Consideration of operational requirements will be taken into account when assessing reasonable use.
- 8.2. The Authority requires that, for a person completing an EMC logbook, the mooring reference number of any mooring used in the Marine Park be recorded in the appropriate EMC logbook.
 - 8.2.1 The mooring reference number of the mooring will be displayed on the mooring buoy.
 - 8.2.2 This provision will not apply until a system of standard mooring buoys is in place.

9. Mooring design

Mooring design is an important factor in helping to minimise the risk of mooring failure and subsequent consequences for the mooring user, the environment and other Marine Park users. Mooring design has been improving over recent years through advances in technology and innovation, and the Authority may develop and maintain a set of guidelines that reflect best practice mooring design.

While most privately owned moorings are custom-designed for the particular mooring user, public moorings have been standardised into five classes ranging from tender

moorings through to D class moorings for vessels up to 35 metres long. Public moorings have been designed as single point moorings with screw-pin anchors, whereas most privately owned moorings are single point moorings with concrete block anchors. In some instances, individuals have installed multi-point mooring systems in the Marine Park.

Due to the customisation of privately owned moorings, there is a plethora of mooring designs on display throughout the Marine Park, most of which do not complement the standardised public mooring system.

To ensure moorings installed in the Marine Park are appropriate for use by the intended vessels, the Authority requires appropriately qualified persons to provide technical drawings of the mooring design. This requirement aims to minimise the risk of environmental damage through use of inappropriately designed moorings. In limited circumstances, the Authority may accept a schematic drawing of the mooring. A schematic drawing may be accepted where:

- The moorings are for the use of small vessels
- A regular inspection and maintenance programme is in place
- Vessels are not permanently moored on the facilities
- A response plan is in place for extreme weather conditions
- The location of the moorings and the level of risk to other users, the environment and surrounding infrastructure from mooring failure.

Policies

9. Mooring design

9.1. The Authority requires that either a schematic drawing or an approved drawing be lodged with the Authority for each mooring installed in the Marine Park.

9.1.1 The schematic drawing or approved drawing must comply with any mooring design guidelines issued by the Authority.

9.1.2 The schematic drawing or approved drawing must be lodged with the Authority prior to the installation of the mooring in the Marine Park or when required by the Authority.

10. Mooring installation and maintenance

The Authority requires permit holders to comply with various conditions relating to the installation and maintenance of moorings in the Marine Park, including:

- The mooring is to be installed in the presence of an officer of the Managing Agency
- The mooring is to be maintained in accordance with a maintenance schedule outlined by a naval architect
- A map of the mooring site, accompanied by a reading from a Global Positioning System, is to be provided to the Managing Agency within 14 days of being called upon to do so

- An assessment from a marine engineer or naval architect stating that the mooring is adequate for the intended vessel or structure must be provided for approval.

The presence of an authorised officer at the installation of a mooring in the Marine Park is necessary to ensure that the mooring is sited and installed in a manner that minimises environmental impact while meeting the operational requirements of the mooring user. It is also an opportune time for the officer to record the exact position of the installed mooring using Differential GPS equipment.

Historically, the Authority has accepted maps and GPS coordinates for moorings installed in the Marine Park as presented. During development of a moorings register for the Marine Park, it became evident that there were significant inaccuracies with some of the maps and GPS coordinates provided to the Authority. Consequently, the Authority requires new DGPS readings for each mooring installed in the Marine Park in order to produce an accurate and comprehensive moorings register for the Marine Park.

Moorings that are not kept in good working order present a higher risk to the mooring user, the environment and other Marine Park users. Therefore, appropriate and ongoing mooring maintenance is essential for moorings installed in the Marine Park.

The Authority requires permit holders, through a condition of the permit, to provide (for approval) an assessment from a marine engineer or naval architect stating that the mooring is adequate for the intended vessel or structure. Compliance certificates are provided for each public mooring installed in the Marine Park to confirm that the mooring has been installed to the required specifications.

Policies

- 10.1. The Authority requires that an authorised officer be present to supervise the installation (and removal) of a mooring in the Marine Park.
 - 10.1.1 The authorised officer will provide directions, as necessary, to ensure that the mooring is installed in (or removed from) the Marine Park in an environmentally appropriate manner.
 - 10.1.2 The authorised officer will record the exact position (using DGPS) of the mooring at the time of installation.
- 10.2. The Authority requires that a compliance certificate be lodged with the Authority for each mooring installed in the Marine Park as soon as possible after installation.
 - 10.2.1 The compliance certificate must verify that the mooring has been installed and maintained in accordance with the approved drawing.
- 10.3 The Authority requires that Permittees undertake appropriate and ongoing maintenance of moorings installed in the Marine Park.
- 10.4 The Authority may, from time to time, require a compliance certificate or other proof of ongoing maintenance and appropriate operation of moorings installed in the Marine Park.

11. Mooring relocation and removal

Permit holders are required to comply with a condition that installation, relocation or removal should be with the approval and in the presence of an officer of the Managing Agency. Furthermore, it is an offence under section 38B of the Act² to install a mooring in the Marine Park without the permission of the Authority or its delegate.

There is anecdotal evidence that a number of moorings have been installed or relocated in the Marine Park without the Authority's permission. In some situations, these illegally installed moorings cause localised environmental impact and block access to particular sites to the detriment of other Marine Park users.

Mooring permit holders are required to comply with a number of conditions in relation to their moorings. In the interests of public safety and general amenity, the Authority will continue to monitor compliance with permits conditions. In accordance with regulations 110 (1) and 112 (1) of the Regulations, the Authority can suspend and then revoke a permission for non-compliance with a condition.

The Authority's current permitting process has been able to achieve a turnaround of 80 per cent of permit application in less than eight weeks, of which 28 days is required at law for Native Title Notification. While this is a relatively short period, a faster turnaround is essential in some extreme situations. For example, there are a number of tourism operations in the Cairns Area that rely on daily access to a specific site, many of which have also installed a mooring or pontoon to assist their operation. In the event that a severe environmental incident has a detrimental effect on their site and operation, it is imperative that their cases be given special and urgent consideration. The Authority is currently developing contingency arrangements for such situations, which could occur in the high tourism areas of the Marine Park, such as offshore Cairns and Port Douglas.

Policies

- 11.1. The Authority may revoke permits for moorings that do not comply with the Authority's requirements.
- 11.2. The Authority will have illegally installed moorings removed from the Marine Park.
- 11.3. The Authority may provide for the temporary relocation and/or reinstallation of moorings within the Marine Park that are affected by a severe environmental incident.

12. Permit matters

In accordance with regulation 74 (5) of the Regulations, the Authority in considering an application for a relevant permission must have regard to specified assessment criteria. The Cairns Area and Whitsundays Plans of Management also specify matters in relation to moorings, which the Authority must have regard to in the decision making process.

² *Great Barrier Reef Marine Park Act 1975*

The Authority when assessing permit applications considers a broad range of issues:

- Assessment criteria under the Regulations such as the objectives of the zone, the protection of cultural and heritage values and the conservation of natural resources
- the *Whitsundays Plan of Management* which limits privately owned moorings in the Whitsunday Planning Area except in Setting 1 and the Hardy Reef Location
- the *Cairns Area Plan of Management* which provides an allocation system which must be considered at the grant of permits for limited moorings available in the Cairns Planning Area.

In August 2003 the Authority approved the *Policy on Managing Tourism Permissions to Operate in the Great Barrier Reef Marine Park (including Allocation, Latency & Tenure)*. The Policy was amended on 29 July 2004 and is being implemented in stages. The Allocation and Tenure elements of the Policy allow for the allocation of new or spare special tourism permissions through expressions of interest process and the opportunity for 15-year permit terms for certified tourism operations.

In order to reflect the direction of the *Policy on Managing Tourism Permissions to Operate in the Great Barrier Reef Marine Park*, the Authority decided mooring permissions operated in conjunction with appropriately certified tourist programmes, may be granted a 15-year permit on a similar basis as the tourist programmes [MPA decision 192/13]. Additionally, for limited mooring opportunities in the Cairns Planning Area, the Authority decided to adopt an expression of interest process for allocating moorings [MPA194A/1]. Expressions of interest received may be ranked in accordance with advertised selection criteria.

In accordance with regulation 77 (2) of the Regulations, the Authority may grant a permission subject to conditions. Mooring permit holders are bound by a number of conditions such that installation, relocation or removal should be with the approval and in the presence of a Marine Parks officer and that a mooring maintenance schedule must be adhered to.

The Authority also has conditions requiring a deed of agreement where the permit holder agrees:

- To abide by the conditions of the permit
- To remove “works” (defined as a vessel, mooring, etc.) if requested by Authority; to indemnify the Authority for costs in relation to removal of works; and to indemnify the Authority and staff against all actions, claims, costs, etc. which may arise from, or in connection with, any activities of the permit holder
- To hold Protection and Indemnity Insurance.

In accordance with regulation 106, “chargeable permissions” can be transferred. Permits for the construction or conduct of a mooring facility are chargeable permissions and can be transferred, subject to the approval of the Authority.

Most of the privately owned moorings in the Marine Park are installed at reef locations where there is an emphasis on reef appreciation and presentation of World Heritage values. In some instances, however, privately owned moorings are used in a

fore and aft arrangement, or in an ancillary manner to complement an existing operation, such as a pontoon or beach hire operation. The purpose of a fore and aft mooring system, or a mooring for an ancillary craft of a permitted beach hire operation or a permitted pontoon operation, is quite distinct from other types of mooring and, consequently, the Authority will need to ensure that they are managed accordingly.

Policies

- 12.1. The Authority will assess mooring permit applications on a “first come first served” basis, unless otherwise stated.
 - 12.1.1 The Authority may grant relevant permissions for moorings by inviting expressions of interest.
 - 12.1.2 The Authority will, if necessary, rank expressions of interest received in accordance with advertised selection criteria.
- 12.2. The Authority will grant mooring permits for up to 6 years, unless otherwise stated.
 - 12.2.1 The Authority may grant moorings operated in conjunction with appropriately certified tourist programmes a 15-year permit on a similar basis as the tourist programmes.
- 12.3. The Authority requires mooring permit holders to enter into a deed of agreement for each mooring installed in the Marine Park.
- 12.4. The Authority may transfer a mooring permit.
 - 12.4.1 A fore and aft mooring system will only be transferred as one unit.
 - 12.4.2 A mooring for an ancillary craft of a permitted beach hire operation or a permitted pontoon operation will only be transferred with the parent operation.

13. *Mooring related fees and charges*

Site planning has traditionally required significant staff and resource commitment from the Authority and the Queensland Parks and Wildlife Service. The Authority facilitates public meetings and provides the assessments, monitoring and review of all current site plans. The Authority will consider the recovery of the costs of site planning, especially from the main beneficiaries of the site plan.

In accordance with regulation 68, there is a fee payable to the Authority for any application to carry out a commercial activity in the Marine Park (Permit Application Assessment Fee (PAAF)). The PAAF is not intended to cover the costs of site survey, public advertising and supervision of installation, nor does it take into consideration the costs of any ongoing assessment or relocation/removal of installed moorings. Any costs incurred by the Authority in these areas will be recovered in accordance with Commonwealth Government cost recovery policies.

In accordance with the Regulations, chargeable permissions, which include permissions to install and conduct a mooring, are liable for the Environmental

Management Charge (EMC). However, to date there has been no charge set in relation to moorings installed in the Marine Park.

Public moorings can provide a means of ensuring equity of access in multiple use areas, however, there is limited demand for them in remote parts of the Marine Park or in areas of minimal public use, and the cost of maintaining and managing such moorings is considered to be prohibitive.

As at August 2005, there are 128 public moorings installed in the Marine Park, much of the capital funding for which was provided as grants from the Commonwealth Government's National Moorings Programme. The Authority has previously only subcontracted the installation of public moorings, and has retained ongoing maintenance and management responsibilities. As the number of public moorings installed in the Marine Park increases to meet management and public need, the Authority is required to commit additional resources for maintenance and management purposes.

Policies

- 13.1. The Authority will recover reasonable costs associated with preparing site plans, with appropriate contribution from mooring owners.
- 13.2. Permit holders will pay reasonable costs associated with site survey and supervision of installation/removal of their privately owned moorings.
- 13.3. The public mooring programme may be managed on a user-pays basis.