

## Sensational sunsets

Julian Rocks – what a wonderful place to renew one's awe for this planet. One of the delights of living here is paddling my sea kayak out to the Julian's. The snorkelling is great out there. On a sunny calm day I often take a friend and happily share the underwater world with the two or three commercial dive boat loads of clients.

A big thrill is paddling out to the rocks as the sun sets. You might have witnessed one of those amazing 'post-card' sunsets from the shore of the Bay – from a kayak out at the Julian's it's sensational. At sunset the dive boats are long gone and one can sit in solitude and reverence.

Well not if Dave and Ron have their way. With their 80-ton floating hotel, namely *First Light*, they want to entertain up to 150 clients out at the Rocks and in the Bay. Unfortunately *First Light* is just too big for the Bay. What's more, it is an exceptionally ugly vessel, with the lines of a block of flats and the elegance of a brick shit-house. Another 150 people snorkelling and diving will totally change the experience for existing users. There just isn't that much dive and snorkel water out there.

Sunset is happy hour on most boats, and this party will be 150 people strong. You will hear the noise from the shores of the Bay. Night dives and parties at sunset will destroy the beauty of the Bay for all of us with noise and the silhouette of the

ugliest boat I have ever seen.

There is some room for commercial operation but there has to be a limit. An environmentally sensitive operator with a 40 foot yacht and a party of 10 would be a totally different scenario, as are the current daytime dive boats. There is presently no authority to regulate the number of commercial operators out at the Rocks. Ron and Dave think they have got it in the bag. To make their venture work though they would like the exclusive use of some bloody big moorings which they haven't as yet got approval for.

Like many others I urge all concerned with this venture to write to Tim Rabbidge, DLWC PO Box 664, Alstonville 2477 by Friday, August 16.

**Garry Scott**  
Myocum



15/5/02

# 'Pass' risk shock

A death every 12 years — that's the chance surfers and swimmers take by mixing with boats at The Pass.

This is the finding of a risk assessment analysis prepared by consultants, URS, for the NSW Department of Public Works and Services on behalf of the National Parks and Wildlife Service.

In its report, URS says the risk to surfers and swimmers is equivalent to eight deaths every 100

years. It says this may occur as one single accident, or as several accidents.

The deaths need not necessarily be evenly distributed over the 100 years and may be more or less than predicted.

URS says the risk associated with boating activities at The Pass "exceeds the limit of tolerability and therefore risk reduction is warranted".

It points out the risk to surfers and swimmers at The

Pass is greater than the risk motorists face on the Alpine Way in the Kosciusko National Park, or from tree fall in the Myall Lakes National Park.

In both those cases, the report says, the NPWS has taken action to reduce the risks involved.

Based on information from the Waterways Authority, Cape Byron Trust and NPWS, there have been several incidents involving boats and

swimmers or surfers, the report says.

Over the past 14 years there have been five reported accidents in the water, including a dive boat capsizing, a fishing boat almost ran over a board rider and a child fell from a boat with his shirt becoming entangled in the propeller.

URS says one of the difficult management issues at The Pass is that vessels do not keep the required 30 metre distance from swimmers and surfers when travelling faster than 10 knots.

It says this is due to a combination of a significant number of users in the water and the need for the boat to accelerate to re-enter the beach area and avoid a wave.

The Cape Byron Trust has sought comment on the URS report from all Pass user groups, with submissions due to be handed in by tomorrow.

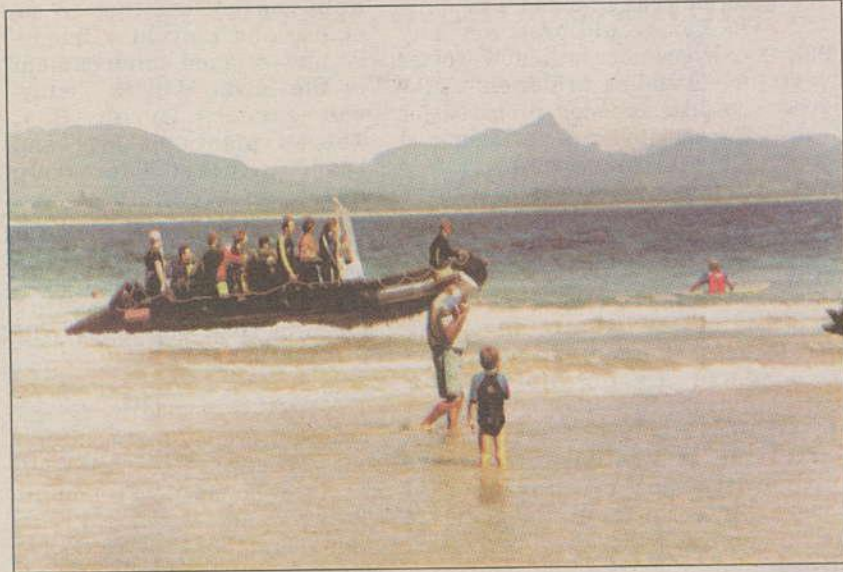
As well, the trust has asked the groups to include any recommendations that may improve safety at The Pass.

Cape Byron Trust ranger, Sean Court, said the analysis was a mathematical probability, rather than an accurate reflection of what was going on at The Pass.

Mr Court said there had never been a death at The Pass.

He said boat users had to be licensed to use The Pass and all had to be assessed as to their experience in launching and landing at the beach.

Gary Chigwidden



A boat being launched at The Pass . . . consultants say risk reduction is warranted.



Closes 16<sup>th</sup> Aug

## More time on mooring plan

The Department of Land and Water Conservation, the Waterways Authority, NSW Fisheries and National Parks and Wildlife Service have announced an extension of time for the close for submissions on an Interim Mooring/Boating Management Plan for Cape Byron embayment.

'The last day for submissions is now the 16th of August,' said DLWC North Coast Regional Director Des Schroder. 'This date is in response to a commitment the agencies made at the public meeting held on June 11.'

'It was agreed the deadline for submissions would be extended for one month past the date of a public meeting to be held by Byron Marine Charter Services to explain the *First Light* proposal.'

'Since this meeting is not proceeding, the agencies have decided to honour the commitment by extending the deadline for submissions.'

'This date should allow for an opportunity for the community to provide considered input into the issues surrounding this plan of management,' Mr Schroder added.

'Once a draft plan of management has been compiled by the agencies, further consultation will take place with the local community to ensure all relevant issues are considered and debated.'

Submissions can be sent to Tim Rabbidge, DLWC, PO Box 664, Alstonville NSW 2477. For further information contact Mr Rabbidge on 6627 0115.

10-1-91 36

1<sup>st</sup> high

"Death by 1000 cuts" "

Paul Everingham

\* "CANOE" 66-807-238

ex Jan B.

49 v 14 Pacific Vista Dr

8-2-02

Problem  
Criteria for determination of the area  
relevant to the preparation of  
Learning/Boating Plan.

- Other areas having items in common.
- What ~~other~~ <sup>do other</sup> areas have in common with the CBE?
- Have in common (e.g. interdependence)
- Those other areas that have something in common with the CBE.
- Those areas having a psychological affinity with the CBE.
- (marine & terrestrial) flora & fauna affinity with the CBE.
- Those areas having a social-behavioural affinity with the CBE.

PTD  
What is the most appropriate area of the  
human body?

If a human person is sick do you  
treat the system or do you  
(treat a part of the) to deal with  
with the whole person & prepare him for  
for the symptom in the context of the whole  
person.

- Those areas which the First Task Force saw, and still see, to have an affinity with each other. The CBE
- Those NSW & CofA govt agencies which have a stated interest or legislative ~~interest~~ <sup>cause</sup> commitment to in the management of the CBE, in delivering a whole-of-government approach the ~~particular~~ <sup>is in the</sup> management & prep of a POM for the CBE.



- Fulfillment of <sup>the legislative requirement of</sup> s 6(2)(a) of the POE Act

veg

Quote/cite s 6(1) & (2) in its entirety.

To implement the <sup>following</sup> objectives & intention of Pres  
Bob Carr

## Issues

- Access to & from landing platform for helicopter, flying fox between tethered balloons.
- Air space / Transport ship to shore & central  
Powered large gliders, ultra light aircraft  
(wind surfers, kite surfers)
- Noise issue: flight zones / ht. / permissible  
hours of day / night / noise DBA levels
- Council LEP in spirit, Skyline Dev. & 31 LEP, LEP 2015
- New Coastal Corridor. < 3n/mi.
- No off shore hard mining 'Echo'
- REP & Natural Tourism areas, CL76
- World Heritage Listing
- Carr Quote - Election March 2003
- "Marine & Coastal Community Network"  
Salakine Is.



7/6/02

## Julian Rocks issues

Powered hang gliders, Ultra light aircraft,  
Wind surfing, Kite surfing

Noise factor

Council place Covenement KEP - nodes on skyline  
viz from nominated positions within each  
"place" - in this case the beach - viz  
Julian Rocks is on the skyline. Hence  
in breach of cl 31, KEP (4 DEP C3.15)  
(called "ridge line" but = "skyline.")

While may be argued is not under Council control it  
DOES fall within the Coastal Council 3n.m  
ambit.

NB World Heritage factor.

Make hard out check list to incl in their Submission  
to Tim request.

NB. Zeplin moorings/transport &  
"flying fox" transport - boat moorings to  
shore.

NB Notify M & Coastal Soc. to have a presence!!  
Notify Galapagos Ills lobby group to  
have a presence & share experience

## Have Your Say

What area should the Mooring/ Boating Management Plan cover?

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Comment on any issue identified to date (please attach more paper if required)

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Have we missed an issue? (please attach more paper if required)

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Want to be added to the mailing list? (Please print)

Name 

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Address 

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Tel: 

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Email: 

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Please send submissions to:

Mr Tim Rabbidge

DLWC

PO Box 664

ALSTONVILLE NSW 2477

By 12 July 2002



## Have Your Say

What area should the Mooring/ Boating Management Plan cover?

The Cape Byron Embayment in the context of the  
area marine & terrestrial area described in the Attachment "A".

Comment on any issue identified to date (please attach more paper if required)

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Have we missed an issue? (please attach more paper if required)

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By 12 July 2002

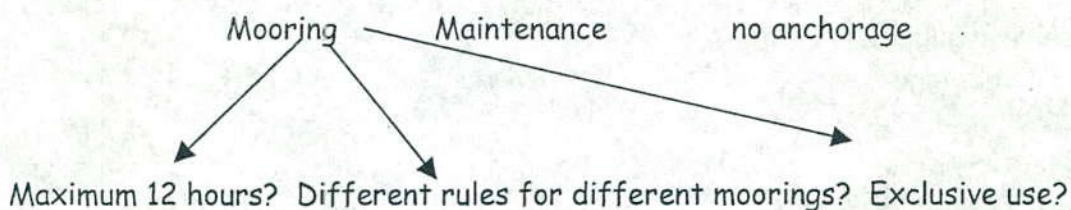
# INFORMATION SHEET

## INTERIM MOORING/BOATING MANAGEMENT PLAN

An Interim Mooring/Boating Management Plan is going to be developed for the Cape Byron Embayment.

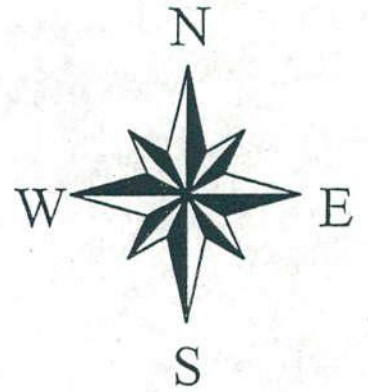
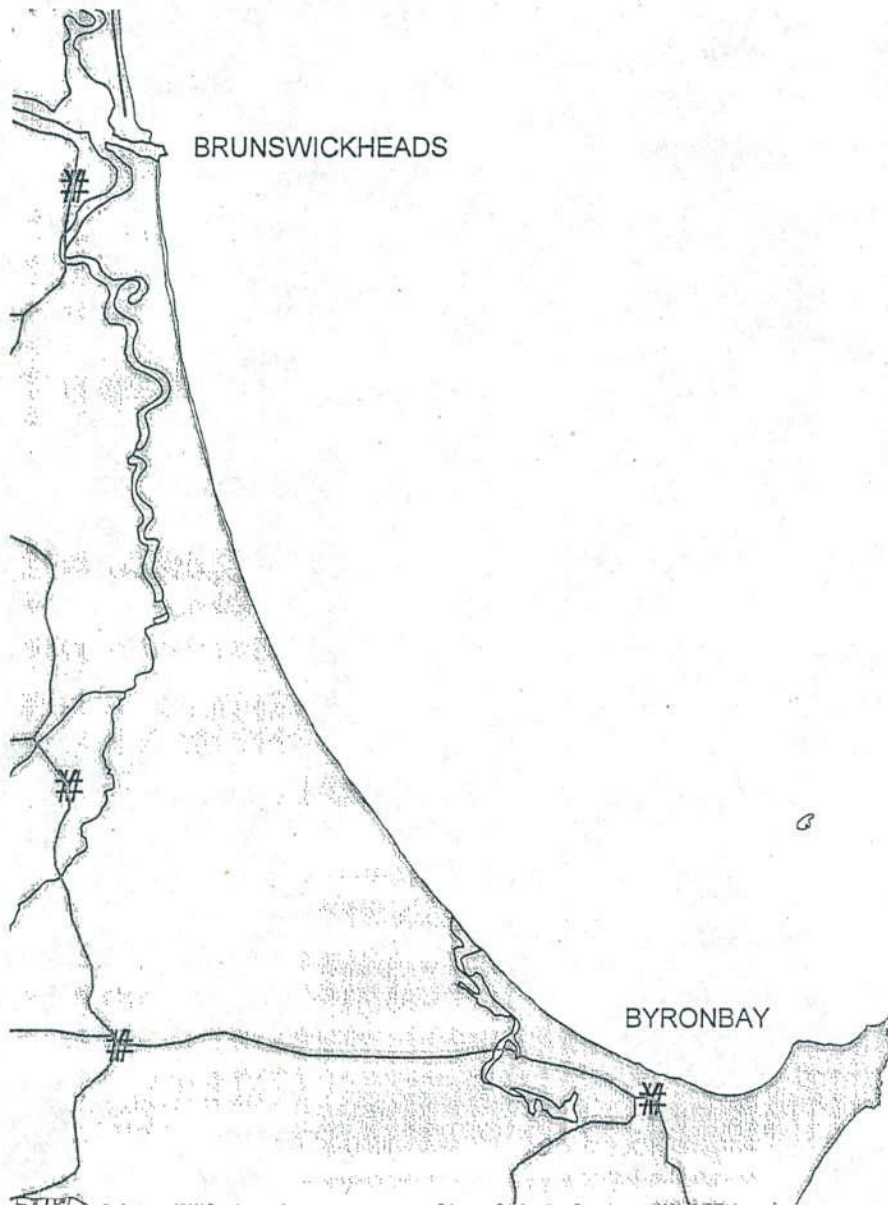
The following issues have been identified as needing to be addressed in the Plan:

- The boundary of the study area
- Status and management of existing 7 moorings
- safe anchorage (Admiralty Chart) status - travelling yachts
  - commercial trawlers etc
- current proposal (3 moorings by Cape Byron Marine Charter Services)
- general needs for wider diving/recreational use
- shore based access at Pass (Headland Reserve)
- visual and environmental impacts
- Mooring Management
  - How many and what type
  - Navigation management
  - status of use
    - private
    - public (courtesy)- how placed?
  - Licence conditions





# Cape Byron Embayment





The boundary of the study area

Having in mind <sup>that</sup> the "whole-of-Government" approach to these ~~Govt~~ <sup>not that</sup> departments' administration of sectional interest, ~~that is, it is submitted of the~~ a sectorial interest in the ~~Marine~~ Cape Byron Marine Park area, the Cape Byron Embayment, the Julian Rocks statutory reserve is, it is submitted inextricably linked to the concept of a "Whole-of-the-Environment" approach in the for the purpose of which translates in this case to the "boundary of the study area" being the terrestrial and aquatic <sup>eco. systems</sup> environments bordered ~~for by that~~ pertaining to adopted in the "NSW Coastal Coral Policy" 1997, and in this case being essentially "1000 metres on-shore plus estuaries, and three nautical miles seaward, all coastal rivers, lakes, lagoons, estuaries and islands and including land within one kilometre of coastal rivers, lakes, lagoons, estuaries and islands". (NSW Coastal Policy 1997, p10.) and extending from the Brunswick River to Seven Mile Beach.

NSW Coastal Council

? [ As stated at the Public Meeting I held that the "boundary of the study area

I support the ~~next~~ proposal for an "Interim Mooring/Boating Management Plan" & note that the "boundary of the study area" has been identified ~~played~~ as <sup>one</sup> issue to be addressed.

In terms of the concept of a 'whole-of-the-environment'



approach to the eventual POM. I consider it is appropriate to consider the whole of the eventual management area (with all its diversity) and from this basis address the "boundary of the study area" in respect to an "Inshore Fishing/Boating Management Plan" for the "Cape Byron Embayment" rather than vice-versa, viz taking a part of the environment and progressively adding ~~adding~~ annexing bits to this.

With this as my basis ~~for~~ in mind I propose that the "boundary of the subject study area" be part of ~~the~~ following overall area which includes

(4)

the Julian Rocks and <sup>Camp</sup> adjoining, the Cape Byron Embayment, the Cape Byron Headland, State Rec Area, the Arakwal National Park (incl the Tibum Warpil SEPP-14 Wetland (to be nominated as a RAMSAR-Wetland), the "Taylors Lake Aboriginal Place" and the Broken Head Nature Reserve.

It is proposed that this area collectively be <sup>nominated</sup> for "World Heritage Listing".



BN. 11/6/02

## Urgent call for beach use report

Byron Council staff are to prepare a report on the implications for the council of the landmark court decision which saw a bodysurfer, paralysed after diving into a Bondi Beach sandbar, awarded \$3.75 million.

Mayor, Cr Tom Wilson, said he would be looking to see the report presented to the next meeting of

the council.

Cr Wilson said he also would be looking for input on the issue from the Local Government and Shires Association and from the State Government "as to where we all go from here".

He said the issue was so important it had to be "elevated to the highest levels in the country".

Try fail/Baron Friday for Consider BN report.  
Meeting 11/28th

Sail. THM. 11/6/02

○ Sale of 45 House. re trees  
Replace with max tree at  
of 11/10/02  
of Kate and re process. Paul M. 22/4

○ email - Geneth/Simon  
Congrats  
1/2 Heart Politics - 1/2 Beach Sand play



### Section 3. Statements By Premier Bob Carr Regarding the Protection of the NSW Coastline Relevant to the Acquisition of the Datal Property

...the greatest coastal development...  
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## SUBMISSION

### Towards a Boating and Mooring Management Plan For Byron Bay

From TWEED-BYRON GREENS

P. O. Box 161 BYRON BAY 2481  
16<sup>th</sup> August 2002

The Tweed-Byron Greens submit the following comments on the issue of a Boating and Mooring Management Plan for Byron Bay.

1. In the light of the recent declaration of a Marine Park for Byron Bay and surrounding waters, there should be no Boating or Mooring Plan made until the Marine Reserve's Management Plan is in place. Any planning or increase in moorings done before this time would preempt management options for the Marine Reserve.
2. Any Interim Mooring Policy should state that new moorings are prohibited until the Byron Bay Marine Park Management and Zoning Plans are determined. An Interim Mooring Policy should protect the status quo by establishing an interim "No Anchoring Area" over the entire Byron Bay embayment for commercial passenger vessels. As well it needs to deal with any urgent issues arising from present unauthorised moorings at Julian Rocks.
3. No new moorings or assessments should be made before the Marine Park's zones are determined.
4. An application for any new mooring should be subject to an Environmental Impact Study assessment.
5. Julian Rocks is home to many marine species among them threatened species. A Threatened Species Impact Study needs to be done, and a Threatened Species Recovery Plan for those identified in place, before any applications for new moorings are considered.
6. Byron Bay, despite being shown as an anchorage on the Admiralty Charts, is not a safe all weather haven for boats. The anchorage is rocky and uncomfortable at the best of times. The area is subject to wild and severe storms that regularly change the shoreline and have destroyed all past 'permanent' structures (2 jetties) in Byron Bay. There should be no permanent moorings ever in Byron Bay.
7. The anchorage area shown on the Admiralty Charts is shown as being over good holding sand off main Beach and Belongil. This is for passing small vessels to lay at their own anchor and rest overnight or a day or so if the weather is suitable. This situation should continue. It needs to be made clear that no anchoring should be done in the vicinity of Julian Rocks and submarine reefs and areas of marine significance in the Marine Park area. These 'No Anchoring Areas' will be identified in the Byron Marine Park Management Plan.



8. There are seven existing unapproved moorings by Julian Rocks that the State Government is about to upgrade. This is too many and needs to be reduced to four (4). Two in the north-west area and two in the south-west area off Julian Rocks. This will allow the existing Dive Boat Operators to continue their businesses, while discouraging further development before the Management Plan is prepared.
9. Upgrading the existing unapproved moorings will legitimise their approval. What planning and environmental assessments were done prior to the decision to upgrade? Are they in the right places? Are they too many for such a small area?
10. These refurbished moorings should always be in public hands, managed by the State Government, and have a 2-hour limit of stay.
11. There should be no private moorings at all, ever, in Byron Bay.

Yours Faithfully,



Val Hodgson  
Tweed Byron Greens Boating and Marine Subcommittee



Pam Ditton



Paul Brecht