



**SMITHS LAKE
BOATING PLAN OF MANAGEMENT
2005 - 2010**

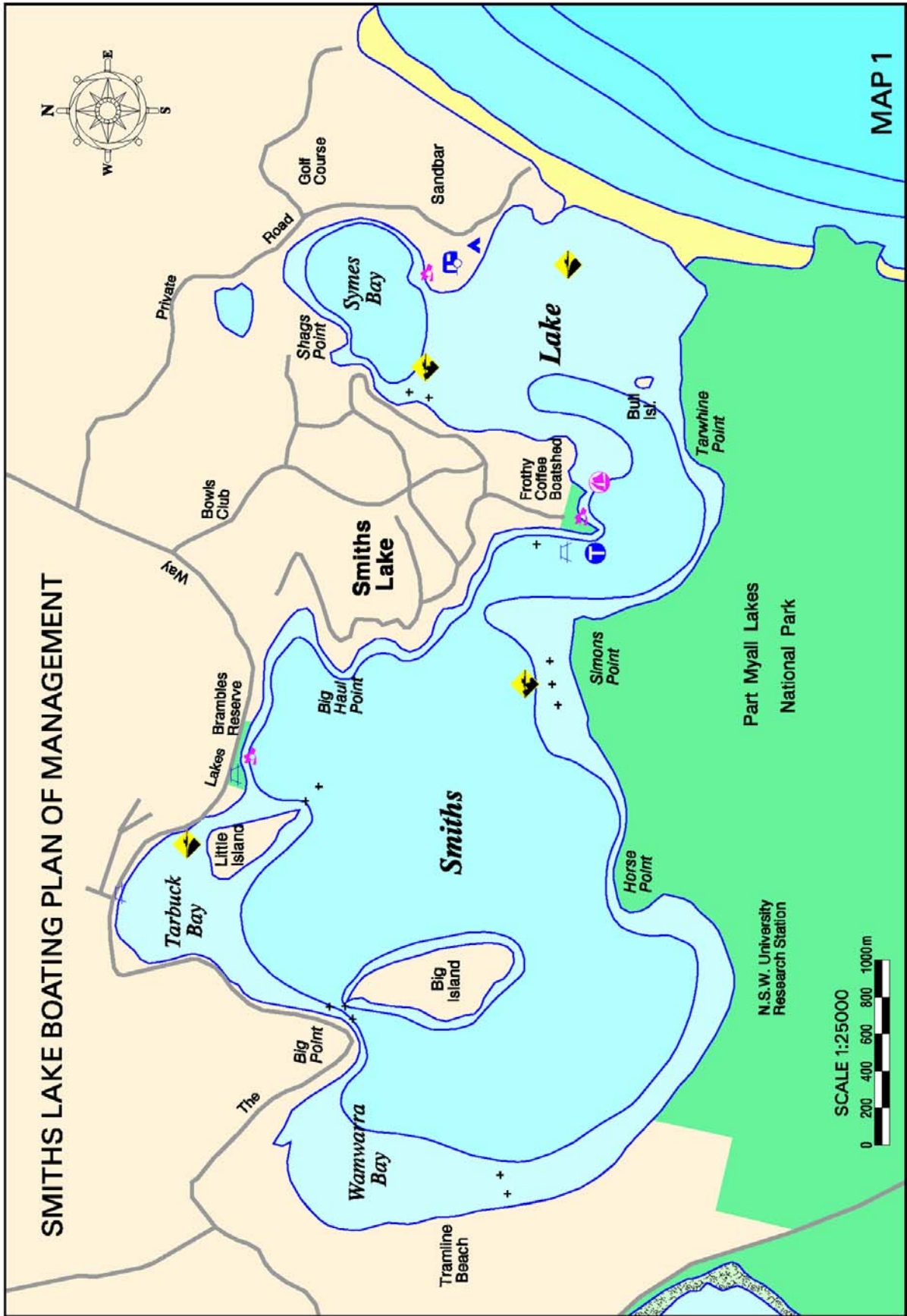


SMITHS LAKE BOATING PLAN OF MANAGEMENT

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1. OVERVIEW

1.1 Introduction

In line with the objectives of the Intergovernmental Agreement on the Environment (1992), the NSW Maritime Authority is committed to promoting the sustainable and equitable use of NSW waterways for all users. The Authority's emphasis in relation to sustainable environmental management is on inter-agency co-operation, sharing responsibilities and developing a consultative approach to sustainable waterway management.

The Intergovernmental Agreement is based on a broad set of principles for ecologically sustainable development including, inter alia:

- ◆ Inter-generational equity – the present generation should ensure that the health, diversity and productivity of the environment are maintained or enhanced for the benefit of future generations;
- ◆ Precautionary principle – Where there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation;
- ◆ Conservation of biological diversity and ecological integrity should be a fundamental consideration.

NSW maritime embraces these principles and adopts this partnership approach to environmental management by using a mix of regulation, enforcement and education as the primary tools to manage the environmental impact of vessels on the State's navigable waters. This approach to environmental management is implemented through:

- ◆ the development and implementation of boating management plans for individual waterways;
- ◆ educating the community about practices which can minimise boating impacts; and
- ◆ increased compliance powers under the Protection of the Environment Operations Act 1997.

Boating plans of management seek to ensure that boating procedures and practices maximise user safety, responsibility and enjoyment; identify and protect the recreational and environmental values of the waterway; and provide a consistent approach to existing and anticipated future issues.

The purpose of this boating management plan is to provide a framework for the management and administration of boating activities on Smiths Lake and to establish more effective controls for boating and related activities where required

1.2 Objectives

This Boating Plan of Management (BPOM) is a 5 year plan designed to:

- ◆ be responsive to changing priorities and conditions on the lake and to acknowledge boating and community expectations.
- ◆ ensure boating management practices maximise user safety and enjoyment while minimising adverse impacts on the environment.
- ◆ promote the provision of appropriate infrastructure.

Once developed, the plan is to provide a comprehensive body of information regarding boating and related activities on Smiths Lake, and the administrative structures within which these activities take place.

1.3 Guiding Principles

This plan is underpinned by the following principles, and as such will seek to:

- ◆ develop strategies that promote the safety of all waterway users.
- ◆ promote sustainable and equitable use of the waterway with the minimum of regulatory measures necessary to achieve this aim.
- ◆ manage boating activities to minimise detrimental environmental impacts and protect aquatic flora and fauna in accordance with the principles of Ecologically Sustainable Development as defined in the Environmental Planning and Assessment Act 1979.
- ◆ ensure best use of Government and community investment.
- ◆ contribute to sustainable resource management.

Strategies and actions identified in this Boating Plan of Management are to be consistent with those responsibilities for which NSW Maritime has jurisdiction. In accordance with the Ports Corporatisation and Waterways Management Act 1995, NSW Maritime has jurisdiction over navigable waters. The Act defines navigable waters as "... all waters that are from time to time capable of navigation and are open to or used by the public for navigation".

1.4 Governing Legislation

Activities on Smiths Lake are controlled by a range of statutory instruments which are administered by a number of agencies.

The following instruments, State Government policies and directives apply to NSW Maritime in its administration of on-water activities on the lake:

- ◆ Maritime Services Act 1935
- ◆ Commercial Vessels Act 1979

- ◆ Marine (Boating Safety – Alcohol and Drugs) Act 1991
- ◆ Marine Pilotage Licensing Act 1971
- ◆ Navigation Act 1901
- ◆ Ports Corporatisation and Waterways Management Act 1995
- ◆ Environmental Planning and Assessment Act 1979
- ◆ Marine Pollution Act 1987
- ◆ Protection of the Environment Operations Act 1997
- ◆ Protection of the Environment Administration Act 1991
- ◆ Rivers and Foreshores Improvement Act 1948
- ◆ Uniform Shipping Laws Code
- ◆ Coastal Protection Act 1979
- ◆ NSW Coastal Policy
- ◆ Threatened Species Conservation Act 1995
- ◆ NSW Biodiversity Policy
- ◆ Fisheries Management Act 1994
- ◆ Fish Habitat Protection Plans
- ◆ State Rivers and Estuaries Policy
- ◆ Environment Protection and Biodiversity Conservation Act 1999

1.5 Holistic Management Context

The NSW Government's Estuary Management Policy recognises the ecological, social and economic importance of the State's estuaries. The general goal of this policy is to achieve integrated, balanced, responsible and ecologically sustainable use of these estuaries.

NSW Maritime embraces these principles, and in-line with the objectives of the Intergovernmental Agreement on the Environment (1992), adopts a partnership approach to the management of Smiths Lake.

The NSW Maritime Authority shares the responsibility for protecting the environment in connection with the use of vessels on the State's waterways with other natural resource and environment management agencies. However, the Authority's direct responsibilities relate primarily to the management of commercial and recreational vessels on navigable waters. NSW Maritime carries out this responsibility with a view to achieving the highest possible standards of safety while protecting the marine and foreshore environment. In addition, NSW Maritime assists in providing essential boating infrastructure.

1.6 Values Based Approach

A “values based” approach to the preparation of the Smiths Lake Boating Plan of Management enables the consideration of the important features, or the uniqueness, of the lake and its immediate environment. This “values based” approach will ensure that, even though new issues may arise during the life of the plan, the plan itself will remain valid. This is based on the assumption that community values change relatively slowly (*Department of Land and Water Conservation, 1996*).

Submissions from the public consultation process provided NSW Maritime with a broad range of information relating to the characteristics which the community values about the lake and the associated issues which impinge upon those values.

The values and issues identified in the Smiths Lake Boating Plan of Management are those taken from the public consultation phase as well as those identified in the various plans, reports and documents produced by other government agencies, in particular the Smiths Lake Estuary Management Plan [SLEMP – Great Lakes Council (GLC), 2001].

All identified issues, together with desired outcomes and proposed strategies and actions, are addressed in the body of this plan.

In reviewing those features of Smiths Lake that are held to be of high value, three major categories become evident: Safety; Environment and Equity.

❖ **Safety - (eg. Speeding, bow riding, “distance-off” compliance, types & locations of navigational aids, channel hazards).**

Being a shallow, closed system the waterway provides a relatively safe environment that appeals to a variety of users. Boater compliance levels on the Lake are generally high, and accident/incident levels extremely low. Maintaining this standard of safety on Smiths Lake is considered of high value and is one of the major objectives of this plan.

❖ **Environment - (eg. Noise, wash, erosion, pollution, habitat).**

Smiths Lake is a relatively unspoilt waterway in terms of its water quality and surrounds. There are pristine aspects to the natural setting of the lake with its National Park boundary and SEPP 14 wetlands, encapsulating significant flora and fauna. Extensive seagrass beds have also been identified for protection. Maintaining the environmental integrity of Smiths Lake through sustainable use is of high importance in this planning document.

Retention of the ‘coastal village’ appeal of Smiths Lake township and surrounding urban areas was also put forward as a valuable consideration in future planning for the Smiths Lake intermittently closed or open lake or lagoon (ICOLL) (SLEMP, 2001). The bordering lands are largely undeveloped; tourism is low key and residential development minimal at this point in time. The waterway is also unique in that most

of the shoreline is zoned in such a way as to prevent the future clearing of vegetation from the banks.

❖ **Equity – (eg. User conflict, impacts of safety & environmental protection on commercial operators, infrastructure demands).**

The Coastal Lakes Final Report (Healthy Rivers Commission, 2002) asserts that compromise between recreational and commercial users of the State waterways is an important goal in planning. Currently there is a viable commercial fishing industry licensed to fish the waters of Smiths Lake. This commercial activity is somewhat intermittent and is subject to seasonal catch variations.

Further to this report, SLEMP (GLC, 2001) identifies the need to provide for passive users of the waterway. There is a long history of use by ski boats, and the area is equally important to visitors and to those that work or reside by the Lake. Given that the Lake extends over 11 km² there is ample area of waterway available for a range of recreational pursuits commensurate with current levels of visitation.

Maintaining equity in use while minimising conflict will be an ongoing challenge in the formulation of management strategies for the Lake.

2 SMITHS LAKE AND ENVIRONS

2.1 Site Description

Smiths Lake is approximately 25km south of Forster on the NSW Mid North Coast, between Wallis Lake and the Myall Lakes. The Smiths Lake catchment falls within the Great Lakes Council Local Government area. *"The catchment is small (33 square kms including the lake) and relatively undeveloped. Some three quarters of the catchment is forested or waterway. Over one quarter of the catchment is within the boundaries of Myall Lakes National Park or the Wallingat State Forest. The only significant developments within the catchment are around the lake foreshores, namely the village of Smiths Lake, part of Neranie, the settlement at Tarbuck Bay, and minor ribbon development along The Lakes Way."* (Smiths Lake Estuary Management Study and Draft Management Plan, September 1999, pg 1 - Webb, McKeown & Associates Pty.Ltd).

The lake is of a type known as an intermittently closed or open lake or lagoon (ICOLL), with 10km² of waterway consisting of three deeper basins. The average depth of the lake is around two metres and there is an extensive build up of sediment in the area adjacent to the ocean entrance.

The lake is mechanically opened at Sandbar Beach in accordance with an opening regime adopted by the Great Lakes Council. Opening occurs approximately every 18 months, or as dictated by the lake water height (reaching a maximum 1.7m before opening). Regular opening is designed to assist in flushing of the lake waters and in preventing the flooding of low lying properties. Once opened the lake may remain tidal for a few weeks or several months before the entrance closes off with the natural deposition of sand.

There is a 40 metre strip designated Crown Foreshore Reserve along the perimeter of the lake adjoining residential properties fronting the lake. This reserve helps buffer residents from summer vessel activity whilst allowing the general public access along the foreshore.

Three wetlands of SEPP 14 Coastal Wetlands classification adjoin the western and southern edges of the lake, and as many as sixteen vulnerable species of fauna have been identified in these habitat areas. The perimeter of the lake is vegetated in areas by saltmarsh communities, and up to 20% of the lake supports seagrass habitat.

The navigability of Smiths Lake is influenced by the conditions of its entrance, its state of opening, effects of rainfall, and evaporation. Whilst in its non-tidal condition almost the entire surface area of the lake is navigable. This area is greatly reduced immediately after opening and during filling, or following extended periods of low rainfall. The lake then becomes divided into two main basins accessible for use by power vessels. Extreme caution is required while navigating at these times. It should be noted that long periods of hot and dry weather can cause water levels on the closed Lake to fall below mean sea level.

The eastern basin in Symes Bay is set apart from the main western body of the lake by an extensive sand delta of less than 0.5 metre depth. Toward the centre of the lake a long shallow sand spit protrudes from Simons Point in a northerly direction. Of the three islands within the Lake (Big Island, Little Island and Bull Island) there are significant rock bars extending from both Big Island and Little Island.

2.2 Attractions

Smiths Lake has a high scenic quality, being bordered to the south by Myall Lakes National Park and wetlands. This is further enhanced by a minimum of cleared land to the west, which together with the islands, is zoned for conservation. In the northwest the land is mainly rural, with a 50 - 100m road reserve along the shoreline. To the northeast there is a combination of rural, village and conservation zoning, with a 40m open space public reserve providing a vegetated buffer to activities on water.

Although the average depth is two metres, much of the Lake consists of shallow waters negotiable only to small powerboats and non-motorised craft. The numerous sheltered bays and steep fringing hills adjoining the lake provide protection from prevailing weather conditions, a factor which for many years has made the area popular for aquaplaning and waterskiing. The majority of boaters tend to concentrate their activities in two locations, each in sheltered positions on the lake protected from the summer north-easterly winds. Sailing craft prefer the broader exposed sections of the Lake.

John De Bert Reserve, on the shores of Smiths Lake Village, is the most popular area for families and locals on day trips. Fishers and experienced skiers concentrate in the deeper sections of the lake on the western side.



The broad expanses of shallow foreshore and extensive shoals on the eastern side of the lake attract both tourists and residents, although associated developments are of a low-key nature. The eastern basin provides ideal environs for children to wade, for swimmers, and learner water skiers. The area is also popular with sailors, sailboarders and more recently, kite surfers. Access to Symes Bay in the east is via an informal launching ramp located at the Sandbar Caravan Park, or an informal ramp off Patsys Flat Road.

Vessels also travel across the lake in order to reach the unpatrolled ocean beach at Sandbar to swim and surf, the beach being located a short distance across the eastern sand dunes.

Recreational use of the waterway outside of weekends and school holidays is relatively infrequent, creating a predominantly natural and pristine environment with minimal recreational visitation for most of the year, particularly on the southern shores.

2.3 Facilities

Smiths Lake provides the services of a small shopping centre, bowling club, holiday accommodation, a caravan park, public toilets and recreational areas. The nearest major centre is Forster-Tuncurry to the north along the Lakes Way. A significant proportion of the residential development in Smiths Lake village consists of holiday homes, the owners of whom reside permanently in other major centres.

Smiths Lake has two recognised public boat launching facilities, Brambles Reserve and John De Bert Reserve, both situated in the western lake basin. A private informal launching facility is available to residents and visitors of the Sandbar Caravan Park on the eastern-most shore of the lake, and a fourth informal ramp is located at Patsys Flat near Sandpiper Lodges.



The John De Bert Reserve boat ramp is the significant point of origin around which Smiths Lake village developed, and is now the most popular location for boaters due to its central position. The ramp consists of a concrete pad construction making it easy for the conventional sedan to launch and retrieve. However, parking facilities are severely limited and many local boaters elect to return home to store their trailers for the day after launching. The public toilet amenities, children’s playground and picnic tables available at the reserve further contribute to the popularity of the area for daytime activities.

In contrast, Brambles Reserve ramp is under utilised due to its rocky foreshore and exposure to southerly wind conditions. Being of an informal arrangement with unstable shoreline material the ramp can at times require the use of four wheel drive vehicles for the launching and retrieving of vessels.



The Patsys Flat launching area could at best be described as primitive since it has no real designated ramp facility; rather it is merely an access point to the eastern basin providing an alternative to Sandbar Caravan Park. Patsys Flat Road allows additional access to Symes Bay when the lake level is low, and is generally used by a few residents and licensed fishing boats. There is no designated parking at this site.

All the Smiths Lake boat ramps are subject to difficult launching conditions during periods of low water or lake opening, and there are numerous informal access points available along the foreshores of the Lake.

There are no slipways, fuelling points, pump-outs, public wharves, jetties or marinas on Smiths Lake, and no oyster leases, dredges or work boats of any description, other than the small commercial fishing fleet.

There is at this time provision for the permanent mooring of one recreational vessel on the Lake by way of an 'occupation licence' issued by the NSW Maritime Authority in 1997. Traditionally a few licensed fishing vessels have also kept net boats moored around Smiths Lake Village and on the southern shore. In some instances the vessels are 'holding shot' at recognised fishing sites.

2.4 Navigational Restrictions

The Smiths Lake system is a small waterway with naturally occurring restrictions mostly arising during the tidal or open state when water levels fall. Vessel activities are further contained on the estuary by a number of legislated restrictions. These restrictions have been subject to recent change on a trial basis as a result of zoning recommendations made under the SLEMP (Great Lakes Council, 2001).

2.4.1 Naturally Occurring Limitations

The natural characteristics limiting vessel activity include the shallow waters around the opening point to the east of the lake, and the submerged hazards (rocks and tree snags) near the foreshores and islands. An east cardinal mark has been installed on the eastern extremity of the rock bar that extends about 150 metres from the foreshore of Little Island, and a north cardinal marker buoy has been installed near the southern shore at Neranie to identify the position of several submerged logs. These logs located off Tramline Beach are hazardous to navigation, particularly when the lake level falls.

The navigation dynamics of the lake are largely determined by its entrance opening regime adopted by the Great Lakes Council. Tidal flow through the narrow ocean entrance is extreme when the Lake is manually opened, and at these times is considered by NSW Maritime to present a potential danger for swimmers and small craft alike. There has been no signage to indicate this hazard on the estuary, however when notified, yellow floating markers have been installed by NSW Maritime at regular intervals around a 200m radius near the Lake entrance. The markers provide swimmers and vessels with an indication of the dangerous and changing conditions when approaching the ocean entrance.

Three small tributaries - Wamwarra Creek, Tarbuck Creek and an unnamed channel flowing into Symes Bay - are considered unsuitable for navigation by conventional power craft due to submerged snags. They are however suitable for exploration with human powered craft such as canoes and kayaks, although fallen trees may limit access to their extremities.

A long shallow sand spit has formed off Simons Point, and when water levels fall the channel between Simons Point and Smiths Lake Village allows approximately 80-100m of navigable water for vessels travelling between the ramp and the western basin. This area is subject to congestion during the peak boating season as ski boats utilise the corridor.

2.4.2 Legislated Restrictions

There has traditionally been a concentration of interaction between swimmers, passive craft and power craft in the waters near the reserve at Smiths Lake Village. The first speed restriction dates back to a 1987 gazettal that applied only to waters in the vicinity of John De Bert Reserve ramp and Pelican Point, and came about to address the issue of congestion. In December 2001 the NSW Waterways Authority made an amendment to the 4 knot area by way of Government Gazette to allow the waterway zoning recommendations of SLEMP (Great Lakes Council, 2001) to be effectively trialed. The area was expanded to include Ski Cove, and applied to the body of water bordered by a line extending 750m in a southerly direction from Eagle Nest Parade, to 900m east-north-east, to 900m in a northerly direction, to a limit approximately 100m off the bank near Sandpiper Lodge. Signs and floating markers indicating the 4 knot limit were also installed over the trial period.

In December 2002 the 'zoning plan' underwent review by the Great Lakes Estuary Management Committee and a number of problem areas were identified. As a result signs

were relocated to apply the speed restriction across the Lake to the opposite shore, extending from Simons Point to Bull Island. The existing speed gazettal was not altered as it was determined that any further changes would be implemented on finalisation of the Smiths Lake Boating Plan of Management.

The interaction between powerboats, swimmers and non-motorised craft is managed by the application of existing legislation controlling boating activities. In the absence of a designated speed or skiing restriction, the master of a vessel is not exonerated from the requirement to maintain a 'proper lookout', always travel at a 'safe speed' with regard to prevailing conditions and to comply with the 'distance off' regulations. It is also an offence to cause annoyance, nuisance or danger with the use of a vessel. Generally these regulations together with collision prevention regulations are sufficient to manage interaction where it does occur, and vessels adhering to these requirements are capable of manoeuvring with safety near swimmers.

Personal Watercraft (PWC – commonly known as jet skis) are not specifically prohibited from operating on Smiths Lake. However, their speed and activity is managed under maritime legislation by gazetted speed limits, additional 'distance off' regulations, the requirement to hold a specific PWC licence, and the offence of 'irregular driving' whilst in the vicinity of residential areas. The towing of skiers and use of PWCs outside of daylight hours is prohibited under maritime legislation.

3 LAKE MANAGEMENT

Smiths Lake is at present subject to several specific planning documents:

The 'Smiths Lake Estuary Management Plan', Great Lakes Council Estuary Management Committee, SLEMP, (May 2001)

The '*Coastal Lakes Final Report*', Healthy Rivers Commission (April, 2002)

The '*NSW Coastal Policy*', Coastal Council (1997)

'NSW Fisheries Habitat Protection Plan', NSW Fisheries (1997)

'Great Lakes Local Tourism Plan', Great Lakes Council (1993)

Under the NSW Coastal Policy (1997), the NSW Estuary Management Program provides funding assistance to Local Government Authorities for the production of Estuary Management Plans. The Smiths Lake Estuary Management Committee (EMC), a body consisting of community, government and commercial representatives, was formed at the initial stages of that planning process. EMC member input was therefore considered integral to the consultation process when formulating the Smiths Lake Boating Plan of Management. The Boating Plan also adopts the values and issues identified in the Smiths Lake Estuary Management Plan (SLEMP, 2001).

The Coastal Lakes Final Report (2002) provides a system of classification for coastal lakes and identifies Smiths Lake under the management orientation classification of 'Significant Protection'. This classification prescribes a management orientation which has been taken into consideration when formulating this boating plan.

Aboriginal issues and concerns together with heritage issues have also been identified in the planning process in order to determine any impacts with regard to vessel use on the waterway.

Finally, consideration has also been given to the nature of the waterway, usage patterns and general levels of activity. An estuary that encounters low level use would not warrant an overly detailed plan or legislative regime. Management strategies in the Smiths Lake Boating Plan of Management reflect current usage, and the Boating Plan is subject to periodic review, producing a living document that can be adapted to changing conditions over time. The standard review timeframe is 5 years.

3.1 Management Roles

As stated in the Smiths Lake Estuary Management Plan, there are a large number of government authorities involved in the management of the Smiths Lake catchment. The roles of these government authorities are as follows:

- ❖ **NSW Maritime Authority** for commercial and recreational boating regulation and management, navigation and boating safety considerations, promoting the sustainable use of the State's waterways by vessels, and the investigation of marine incidents.
- ❖ **Great Lakes Council** is the major management and control authority within the catchment. Council's responsibilities arise under the *Local Government Act (1993)* and under the provisions of the *Environmental Planning and Assessment Act (1979)*.
- ❖ **Department of Infrastructure, Planning and Natural Resources**, which has a general overview role under the planning provisions of the *Environmental Planning and Assessment (EPA) Act 1977*.
- ❖ **Department of Lands** for management of the bed and banks of rivers, lakes and other waterways under the *Rivers and Foreshores Act (1984)*, for Crown Lands under the *Crown Lands Act (1989)*, for the coastal zone generally under the *Coastal Protection Act (1979)*, and for catchment management and soil conservation and erosion under the *Catchment Management Act (1989)* and *Soil Conservation Act (1938)*.
- ❖ **NSW Fisheries (Department of Primary Industries)** for management of the fishery, commercial and recreational fishing conditions under the *Fisheries Management Act (1994)*. Fisheries are also an important approval authority under the *EPA Act*, as well as having a major role in the preservation and maintenance of coastal wetlands, seagrasses and mangroves.
- ❖ **National Parks and Wildlife Service (Department of Environment and Conservation)** through their responsibilities for heritage matters, threatened species conservation, migratory bird management, and ownership and management of National Parks.
- ❖ **Environment Protection Authority (Department of Environment and Conservation)** for water quality and the prevention of environmental damage.

3.2 Management Responsibilities

3.2.1 Navigation

The interaction between powerboats, swimmers and other passive craft is managed by the NSW Maritime Authority, and by the application of maritime legislation, through licensing, registration and the 'rules of the road'. Compliance is monitored by two Boating Service Officers (BSOs) stationed at Forster and covering an area from Seal Rocks to Crowdy Head. Additional BSOs, as required, are transferred into the area during the peak boating periods (Easter Long Weekend, October – February) to help with boater compliance.

3.2.2 Environment

Environmental impacts of activities on and around the estuary are the responsibility of several State and local government authorities, all of whom have been consulted during the development of this Boating Plan of Management. The values, goals and objectives of these authorities have been incorporated in this final plan.

- **Dredging:** Where dredging is proposed for the purpose of maintaining a navigable channel, approvals are required from the following relevant authorities: Department of Lands; Great Lakes Council; and NSW Fisheries.
- **Management of snags and fallen trees:** NSW Fisheries is the lead agency in relation to the management of snags and fallen trees. Submerged vegetation is considered to be an important fish habitat and removal is considered as a last resort, only after all other options have been reviewed. The *Fisheries Management Act 1994*, through the *Fish Habitat Protection Plan 1* underpins all strategies in relation to snags and fallen trees.
- **Pollution from vessels:** Under the *Protection of the Environment Operations Act 1997 (POEO)*, the discharge of raw sewage and other wastes from vessels into the waters of NSW is prohibited. The NSW Maritime Authority recognises that pollution from vessels is a relatively small contribution to water quality problems in Smiths Lake. However, in line with other State Government agencies, NSW Maritime maintains a commitment to conserving and enhancing the environmental qualities of NSW waters.

NSW Maritime's environmental initiatives have been enhanced by its designation as an Appropriate Regulatory Authority (ARA) under the POEO Act. This ARA status gives the Authority power to regulate environmental impacts of vessels. In cases where the legislative requirements are not met the Smiths Lake Boating Service Officer may issue a verbal or formal warning, an infringement notice, or a summons for court attendance, depending on the severity of the offence. The Authority can also take preventative action by issuing an Environment Protection Notice under the POEO Act.

3.2.3 Provision of Boating Infrastructure

As part of the integrated management of the State's waterways, the Authority's Boating Facilities Programme enables NSW Maritime, by assisting councils and other agencies to fund waterway infrastructure, to greatly improve amenities for the boating public and marine sector on New South Wales waterways.

During 2002 – 2003, program expenditure totalled \$1,001,248 on projects valued at over \$4 million. Contributions from vessel registration fees fund approximately half of the

program. Grants are usually allocated on a 50:50 basis with local councils and other groups.

Boating and community organisations, industry, local and state government authorities are invited to submit applications for projects that contribute to the objective of the program. Eligible projects funded could include: boat ramps; public wharves/jetties/pontoons; installation of public moorings and pump out facilities.

In addition, funding for boating and waterway related infrastructure can also be sourced through Department of Lands and NSW Fisheries funding programs.

4 USAGE PATTERNS AND BOATING SAFETY

The NSW Maritime Authority's Management Information System records specific boating related information in the form of incident and complaint reports, records of compliance activity, data on registered vessels and licences issued, as well as limited recording of observations made during routine patrol duties. The data contained within the Management Information System is utilised for the purpose of monitoring estuary usage patterns and in the ongoing review of boating management strategies.

4.1 Recreational Use

Smiths Lake lends itself to the pursuit of a variety of activities including swimming, waterskiing, canoeing, kayaking, kite surfing, fishing and the occasional PWC operations. With the majority of these activities there tends to be a preferred set of conditions or locations in which each is undertaken.

Peak use occurs in the warmer months and during holiday periods, generally from December through to January and again during Easter and school holidays. For the remainder of the year it is generally local residents utilising the waterway with a concentration of activity on weekends. This pattern culminates in very little to no activity through the winter months.

There is a direct correlation between vessel use, swimmers and holiday visitors, although peak activity is dictated by the state of the lake opening, with highest use during closed periods. At these times water depths usually enable access to all areas of the lake. A maximum of up to 40 vessels has been noted at any one time during the height of the boating season. Again, such peaks are limited in their total number of days and occur in ideal conditions during the main holiday periods. High level activity quickly declines for the remainder of the year.

The area south of John De Bert Reserve to the opposite shore, that is, from Ski Cove extending east to Bull Island, remains the most intensively utilised section of the Lake, as has been the case for many years. All manner of craft: windsurfers; sail craft; canoes; catamarans; powerboats, and to a lesser extent PWCs, operate through this section.

Most high-powered boats on the Lake are used for the purpose of water skiing, generally family groups towing aquaplaners in Symes Bay and around Simons Point in the stretch referred to as Ski Cove.

4.2 Commercial Use

- ❖ **Fishing:** The waters of the lake are fished year round by commercial fishermen. During high production periods up to 20 fishermen derive an income from catches taken from the Lake at any one time. Powered Licensed Fishing Boats (LFB) are commercially registered and may be found at anchor in order to reserve access to specific fishing sites ('holding shot'). This practice is in accordance with the *Fisheries Management Act 1994*. There is a long history of these LFBs being left at anchor adjacent to Smiths Lake Village, as well as other locations around the lake. The average number of moored fishing vessels determined from observations is around twelve. The level of commercial fishing activity is closely linked to the lake opening as well as seasonal fluctuations.

Commercial fishing on the Lake includes fish meshing, hauling and prawning, with the 2003 year proving to be one of the most productive for prawns in some time. Fishermen from other locations are attracted to the Lake when the yields are high. Such peaks are traditionally followed by long periods of minimal productivity.



- ❖ **Hire and Drive:** A commercial hire and drive operation at the boatshed east of the John De Bert Reserve boat ramp provides an opportunity for the public to hire catamarans, small powerboats, canoes and paddle-craft for use on the lake. A second kayak hire and drive operator occasionally visits Smiths Lake under its area of operation.

Overall there has been a decline in the level of commercial activity on the Lake in the last 10 years with the loss of two pre-existing hire and drive operations. These types of operations however are subject to the level of tourism and demand. The development of guided kayak tours and eco-tourism on the Lake has the potential to increase in the future.

A 2003 audit of vessels stored on the shoreline above high water revealed some 95 non-powered dinghies, 35 sailing craft and 20 canoes or kayaks, mostly kept near each village. The number increases during holiday periods and some craft have been left temporarily moored along the Lake's foreshores, near the caravan park and adjacent properties around the lake. No more than ten recreational craft have been observed moored in the water at any one time, and Council, NSW Maritime and the community have tolerated the practice to date.



Currently there is only one licensed permanent private mooring site issued in Smiths Lake. This site is allocated to a timber motor cruiser, 6 meters in length, on a swing mooring, and was first issued in 1997. Three additional mooring sites have been made available over past years, one of which is allocated for issue as a commercial mooring site. There is no mooring management plan in place for Smiths Lake that defines capacity or location of sites considered suitable for the permanent mooring of vessels on the Lake.

To the present day boating activity in the lake has been relatively low key and maintained at a sustainable level, however, with increased tourism and population growth there is the potential for the lake to become the focus of organised events such as canoe, kayak or sailboard regattas. (Refer sections 4.3 & 6.7).

4.3 Aquatic Events

Under the Water Traffic Regulations–NSW, the NSW Maritime Authority may, upon application, grant an aquatic licence, either conditionally or unconditionally, permitting specific use of a section of waterway for a designated period of time. An aquatic licence is essential in order to conduct a race, display, regatta or an exhibition of waterskiing or similar activities, or where the use of a vessel restricts navigation.

In some cases the aquatic licence may authorise the holder to have exclusive use of the waterway and/or operate contrary to the regulations for that section of estuary. The approval process includes notification to NSW National Parks and Wildlife Service, the local council, NSW Fisheries and any associated landholder from where the activity takes place, prior to such activities being promoted. This notification allows for the interests of those bodies to be addressed. NSW Maritime will also conduct an environmental assessment of the activity under Part V of the Environmental Planning and Assessment Act 1979 as part of the approval process.

4.4 Boating Safety

Smiths Lake falls within the Forster operational area. The NSW Maritime Authority has two permanent full-time Boating Service Officers (BSOs) and two permanent part-time and one casual Customer Service Officers (CSOs) located in this operational area. The Customer Service Centre now operates on a full-time basis having recently been upgraded to 5 day, year-round status. The Forster Operational Centre also provides an outreach program by providing customer service in Taree on one Saturday morning each month.

The Forster operational area comprises the waterways of the Manning River, Crowdy Head, the Wallis Lake estuary and river system, and Smiths Lake. The Boating Service Officers have responsibilities across all operational aspects of boating in these many and varied waterways.

Regular on-water patrols are one of the primary functions of the BSO. These involve the BSO undertaking patrols and inspections of recreational and commercial vessels to ensure continuing compliance with the requirements of licensing, registration, speed limits, aquatic events, noise and other forms of pollution. In cases where the legislative requirements are not met the BSO may issue a verbal or formal warning, an infringement notice, or a summons for court attendance, depending on the severity of the offence.

The officer also provides community education by way of education programs covering the broad spectrum of recreational boating matters, with particular emphasis on boating safety, pollution control and management of waterways to improve the standard of boating safety awareness and waterways amenities in the general community.

The Boating Service Officer is also responsible for recommending the placement and maintenance of navigation aids and systems to assist safe navigation; completing boating

incident and accident reports, undertaking investigations; mooring placement and management; and undertaking environmental assessments for wetland lease applications.

4.5 Compliance History

4.5.1 Complaints and Compliance

The levels of complaints in relation to vessel activity on the Lake have remained relatively consistent over the past three years, with the majority of these resulting from conflict between waterway users and residents. A notable increase in complaints was recorded over the 2001 - 2002 boating season (October 2001 to Easter 2002), and related to new waterway zoning restrictions being trialed in accordance with recommendations of the SLEMP (GLC, 2001).

The majority of complaints resulting from the 'zoning' trial related to skiing, the 3pm to 8am curfew on the towing of skiers, and the extension of the existing 4 knot speed restriction. The community's complaints in response to the trial highlighted the importance and popularity of waterskiing to residents and visitors alike. The extension of the 4 knot speed restriction meant the loss of the shallow sandy beach area at Ski Cove that has traditionally been used for water ski tuition.

The unrestricted channel, allowing craft to pass between the east and west basin at high speed has also been a cause for concern. The narrowing of this channel at low water is perceived by stakeholders to present a potential risk for collision.

Other complaints from local residents highlight their concern over ski activities on the Lake, in particular around John De Bert Reserve, Patsys Flat Road and Symes Bay. In the majority of cases the complaints are non-specific in terms of identifying vessels or offenders, limiting NSW Maritime's capacity to respond on a case by case basis. These reports tend to relate to speed, distance off swimmers and vessel noise emissions, each of which could be managed under existing regulations where the offending craft is identified.

It is worthy of note that complaints do not appear to emanate from the interaction between fishing, sailing, paddle craft, ski boats or PWCs on the water. This may be due to the fact that in most cases fishing and sailing vessels tend to seek areas away from the recognised family day use areas and participate at times outside of those favoured by social skiers. Also, PWC use on the Lake is relatively rare and rowers have a preference for the more scenic, natural shoreline. In these cases congestion does not appear to be a source of conflict for on-water users, either motorised or non-motorised.

In contrast, the recognised family day use areas are frequented by both swimmers and skiers, and complaints in relation to the mooring of fishing vessels at the John De Bert Reserve ramp has been ongoing. Council Reserves tend to be situated in central locations near urban zones and as such receive high level visitation.

There have been unconfirmed reports of vessels skiing well after sunset and into the night. Perpetrators of acts such as this are dealt with in terms relative to the dangers they pose to others and themselves.

Every season it is commonplace for swimmers to express a general concern in regard to vessel speed around John De Bert Reserve. Speeding is a targeted compliance issue on the estuary and enforcement action has ensued wherever offences have been detected.

4.5.2 Accidents and Incidents

Smiths Lake, with its combination of passive and active recreational pursuits, has an impressively low record of reported incidents. The most serious have involved swimmers and small underpowered vessels being caught in the strong run out tide at the Lake opening. It is not uncommon for swimmers to underestimate the force of the runout and be dragged into the surf zone.

Smiths Lake has no record of reported collisions. The general rules of navigation in relation to right of way, steering to starboard, 'proper lookout', 'safe speed', and 'distance off' appear sufficient to manage vessel interactions where they do occur.

4.5.3 Infringements and Formal Warnings

Analysis of formal warnings and fixed penalties issued over the last three years reveal that most offences relate to the registration of craft. Analysis of safety related offences reveals a relatively even distribution of infringements. Failure to carry the required lifejackets being the most significant offence, with infringements also issued for speed, bow riding, vessels exceeding capacity and failure to carry an observer while towing.

While all these matters are considered by NSW Maritime to be of a serious nature, overall compliance is high. Such issues are managed on a case by case basis via routine patrol, inspection and ongoing education campaigns.

5 COMMUNITY CONSULTATION

NSW Maritime is acutely aware that this Boating Plan of Management must reflect community values, address community issues and have broad community endorsement. As a result, January 2003 saw the commencement of a community consultation program inviting interested stakeholders to be involved in the planning process. Key government agencies were also consulted and invited to make written submissions outlining values and issues peculiar to their area of expertise.

The community consultation phase involved:

- ❖ A media release and Public Notice in 2003 aimed at advising the community of the planning process and identifying interested parties and stakeholders for inclusion on a mailing list.
- ❖ The presentation of a Discussion Paper to members of the Smiths Lake Estuary Management Committee seeking input on values and issues via written submissions.
- ❖ The release of a Draft Smiths Lake Boating Plan of Management distributed to stakeholders and displayed for public comment. The closing date for submissions on the draft plan was 31st August 2003.

As a result of the consultation process, 18 submissions were received from the public, one from a key government agency, and 137 form letters (58 with comments) were received from the Smiths Lake community in relation to the boat ramp at John DeBerts Reserve.

The key values and issues arising from the submissions included:

- ❖ Ability to pursue activities on the lake in a fair and equitable manner
- ❖ Adequacy of boating infrastructure
- ❖ Safety
- ❖ Amenity of foreshore residents
- ❖ Zoning

6 MANAGEMENT PLAN STRUCTURE

The management plan structure adopted in this Smiths Lake Boating Plan of Management aligns itself to the physical features of the lake itself and reflects the values and issues identified through the public consultation phase.

The ten square kilometres of the Smiths Lake waterway consists of three adjoining basins-eastern, middle and western basin. The boating activity in each basin is largely governed by its physical characteristics.

The Smiths Lake Boating Plan of Management will align itself to these three basins, with all values, issues and resultant management strategies and actions, being addressed within each basin.

6.1 Management Sections

- ❖ **Eastern Basin:** The eastern basin is a 2km² body of water running from Symes Bay in the north to the Myall Lakes National Park 2.25km to the south. Its widest point runs from the sandbar that separates the lake from the Pacific Ocean to the western shore 1.3km away.
- ❖ **Middle Basin:** This section of the lake comprises the stretch of water that connects the eastern and western basins. It extends from Simons Point in the west to Bull Island 1.3km to the east, and from John De Berts Reserve and Frothy Coffee Boatshed in the north to the Myall Lakes National Park approximately 700 metres to the south.
- ❖ **Western Basin:** The Western basin is a 7.5 km² body of water running from Tarbuck Bay in the north to the Myall Lakes National Park 3 km to the south. Its widest point runs from Simons Point and Smiths Lake Village in the east to Wamwarra Bay on the western shore 3.5 km away. The basin has two small islands, Big Island and Little Island, with a total area of around 0.4 km².

6.2 Timeframe

From the values and issues obtained during the consultation phase of the development of this plan of management, a series of desired outcomes for Smiths Lake were developed. The strategies and actions presented in the following sections of this plan have been developed in order to achieve these desired outcomes.

The implementation of these strategies and actions will be staged over the five year life of the plan in accordance with the following timeframes:

- **Short Term:** The initiative is anticipated to be implemented within one year of the adoption of this plan.
- **Medium Term:** The initiative is anticipated to be implemented within three years of the adoption of this plan.
- **Long Term:** The initiative is anticipated to be implemented within the first five-year cycle of this plan.
- **Ongoing:** This relates to projects which will be implemented on a recurring and/or "as required" basis.

6.3 Review Period

The strategies and actions adopted in this Smiths Lake Boating Plan of Management are designed to be responsive to changing priorities and conditions on the estuary, and as such will be subject to ongoing review during the five year life of the plan.

The subsequent five year planning cycle will commence with NSW Maritime undertaking a formal review of all strategies and actions adopted in this plan.

7 LAKE-WIDE CONCEPTS AND STRATEGIES

Unless well managed, increased boating may result in increased pollution of the waterway, significant impacts on marine and riparian flora and fauna, impacts on existing fish stocks, and heightened safety and equity issues.

The community's concern in relation to these potential impacts was clearly reflected in the public submissions received by NSW Maritime.

NSW Maritime appreciates this concern, and through its management plan, seeks to ensure that boating procedures and practices maximise user safety, protect environmental values and provide a consistent approach to existing and anticipated future issues.

The following values and issues were identified through the public consultation phase and are common to the entire lake. These identified values and issues, and the resultant management strategies and actions are addressed in this section of the plan and, where applicable, detailed in the location-specific management sections.

7.1 Lake Health:

All stakeholder groups value Smiths Lake as one of the Great Lakes Local Government areas greatest assets. They view the health of this asset as being vital to its ability to support the environmental, economic and social values of the community.

❖ Issue:

Without appropriate management strategies, increased boating on the lake has the potential to result in increased pollution of the waterway. Community concerns relate primarily to potential increases in the discharge of sewage, and general litter, both in the water and around foreshore areas.

While there is no current use of vessels suitable for overnight stay on the Lake, sewage and other waste from vessels does have the potential to become an issue as no provision for pump-out currently exists, and such facilities are unlikely to become available. The shore based public toilet facilities around the Lake are also limited to two sites, John De Bert Reserve and Brambles Reserve.

❖ Management Strategies:

The management strategies adopted in this boating plan are aimed, inter alia, at eliminating effluent discharges from vessels and encouraging the provision of appropriate infrastructure such as a pump out facility when deemed necessary.

➤ **No Discharge Zone**

Smiths Lake has been classified by the NSW Maritime Authority as a 'No Discharge Zone' for both treated and untreated sewage. 'No Discharge Zones' are classified on the basis of the recreational attributes of the waterway, and in the case of Smiths Lake, the environmental concerns associated with it being an ICOLL. The discharge of either treated or untreated sewage into Smiths Lake is an offence under the POEO legislation.

➤ **Compliance Program**

NSW Maritime's environmental initiatives have been enhanced by its designation as an Appropriate Regulatory Authority (ARA) under the Protection of the Environment Operation Act 1997 (POEO Act). This ARA status gives the Authority power to regulate environmental impacts of vessels.

In cases where the legislative requirements are not met the Boating Service Officer may issue a verbal or formal warning, an infringement notice, or a summons for court attendance, depending on the severity of the offence.

➤ **"Sewage Pollution from Vessels" Strategy**

Although it is recognised that the greatest contributors to poor water quality are the stormwater, septic and sewerage systems, discharge of sewage and other pollutants from vessels may contribute to poor water quality. Water quality degradation due to the impacts of boating is being addressed through NSW Maritime's "Sewage Pollution from Vessels" strategy.

The Marine Pollution Regulation 2001 has been recently amended to improve the management of sewage pollution from vessels. These new statutory requirements came into effect on 1 July 2003 and are the culmination of an extensive public consultation process arising from NSW Maritime's Sewage Pollution from Vessels Discussion Paper.

The key initiatives include:

- a recognition of the fact that, under the Protection of the Environment (Operations) Act 1997, the discharge of untreated sewage into NSW waters is prohibited;
- a requirement under the Marine Pollution Regulation 2001 that passenger-carrying commercial vessels and houseboats install toilets and holding tanks to prevent the discharge of sewage in all NSW waterways;
- prevention of the discharge of treated sewage into certain environmentally sensitive waters (so-called 'no discharge zones'). (This includes Smiths Lake.)

- the designation, under the Marine Pollution Regulation 2001, of a 500 metre buffer from environmentally sensitive areas for the discharge of treated sewage; and
- an education campaign to inform the boating community of its responsibilities in managing sewage pollution from vessels.

NSW Maritime has implemented the holding tank requirements and is working with vessel operators and other stakeholders to ensure compliance and world's best practice.

➤ **Moorings**

All mooring applications are subjected to a rigorous environmental assessment process to promote the environmentally responsible management of sewage wastes.

No vessels on Smiths Lake with toilet or shower facilities fitted will be issued a mooring licence in the absence of wastewater and sewage holding tanks on board, and an approved plan for disposal (eg, by road tanker).

Overnight stays on the lake will also be discouraged unless an approved sewage and garbage management plan is in place.

➤ **Education**

As the majority of boating related pollution results from carelessness, a greater public awareness and understanding would reduce potential water quality problems significantly. NSW Maritime's education campaign is one of its primary strategies in relation to protection of the marine environment. The education program is designed to highlight to the boating and wider community the potential impacts that boating can have on the aquatic environment and what can be done to minimise those impacts. NSW Maritime provides environmental information through the Internet, as well as through brochures (eg. Leave Only Water In Your Wake, and Take Charge of Your Discharge), the print media, radio and seminars. In 2003 it worked with the Environment Protection Authority to produce the "It's a Living Thing" television campaign designed to promote care and protection of the environment.

The NSW Maritime Authority has also provided material to schools through the Australian and New Zealand Safety Boating Education Group. This program, entitled Kids and Water, has introduced marine safety and environment education to over 270 NSW primary schools including schools in the Forster area.

7.2 Vessel Noise:

All stakeholder groups value the pleasant, village-like appeal and peaceful amenity of the Smiths Lake area.

❖ Issue:

Noise from power boats and activities concentrated in a restricted area such as around a picnic site are a source of annoyance to water users and residents around Smiths Lake village. The problem mainly occurs during the holiday periods, and on weekends.

NSW Maritime acknowledges that noise disturbances need to be controlled to provide a suitable balance between recreational boating activities and other users, without destroying the ambience of the lake.

❖ Management Strategies:

NSW Maritime will continue to use its legislative power to manage nuisance behaviour or unreasonably noisy vessels on the lake.

Noise complaints will be continually monitored with the view to reducing, if deemed necessary, the acceptable noise limits to lower than the generally recognised 85dB(A) restriction.

7.3 Vessel wash

The 'Coastal Lakes Final Report', (HRC, 2002) makes an overall recommendation to limit the effects of wash in all lake systems. Vessel wash is not a major issue on Smiths Lake due to the characteristics of the lake foreshore. The lake consists mainly of rock or shallow sand flats and is not greatly affected by vessel wash above and beyond wind generated wave action.

❖ Issue:

The Proprietors of the Frothy Coffee Boatshed have expressed concern in relation to vessel wash when the lake entrance is closed and nearing maximum capacity prior to opening. High water levels make the property most vulnerable to wash and wind generated waves.

❖ Management Strategies:

The management strategies peculiar to this location specific issue are addressed in the "Middle Basin" section of this report.

7.4 Personal watercraft

There are very few complaints or offences relating specifically to Personal Watercraft use on Smiths Lake, however, in the long term PWCs may be considered unsuitable.

❖ Issue:

With the general increase in boating activity, residents have expressed their concern in relation to the safety and environmental impacts of an increase in the number of personal watercraft users on the lake.

❖ Management Strategies:

Prohibition of these craft from the lake is viewed as unreasonable and unnecessary at this time since their impact is well managed under existing legislation.

Driving PWCs other than generally in a straight line, not including necessary turns or diversions, is known as 'irregular riding'. Irregular riding is not permitted within 200m of the shore in built up areas and operators are required to maintain an additional distance of 60m from all swimmers and non-motorised craft. Unlike other vessels, PWC riders are required to be licensed regardless of the speed at which they operate, and two significant sets of legislation change in the last five years has made a considerable impact on the general behaviour of these craft.

NSW Maritime will continue to monitor the number of PWC users and assess their impacts on the safety, equity and environmental values of the lake.

7.5 Permanent mooring sites

Stakeholders value the safe and equitable and uncluttered use of the entire lake.

❖ Issue

The NSW Maritime Authority has a record of four mooring licences being issued in the past; however, only one licensed private mooring site is currently active. Given the environmental sensitivities of the Smiths Lake ICOLL, allocation of permanent mooring sites for the future is an important issue.

Permanent mooring of commercial vessels, particularly fishing vessels near John DeBert Reserve, has long been an issue of conflict on the Lake, as the village of Smiths Lake and use of the reserve has grown.

❖ Management Strategies:

Currently there is only one authorised private mooring on Smiths Lake. Once relinquished, the existing mooring entitlement will be extinguished. Given the environmental values of the waterway, no further private moorings will be issued during the life of this plan.

The permanent mooring location for fishing vessels will be relocated in consultation with the commercial fisherman from the area near John De Berts Reserve to a suitable location adjacent to Brambles Reserve. At this stage twelve sites are considered ample to accommodate the licensed fishing boats normally left permanently on anchor around the Lake. It is accepted that demand for these moorings will vary in accordance with seasonal fluctuations in productivity.

No other commercial moorings will be considered in the Lake. Commercial vessels associated with the Frothy Coffee Boatshed are to be contained within the boatshed leasing arrangements.

7.6 Safe plying limits

To date there has been no safe plying limits gazetted for Hire and Drive craft on the lake. With increased activity on the lake and safety being of paramount importance to all stakeholders, a safe plying limit will be gazetted for all Hire and Drive craft on the lake.

❖ Issue:

When the lake is opened it is possible for small vessels to traverse the lake's entrance to open waters exposing the operator to great potential risk.

❖ Management Strategies:

A safe plying limit will be gazetted for all Hire and Drive vessels which will restrict all vessel activity to the western side of the normal entrance beach location.

When the lake is opened yellow aquamarks carrying "*No vessels beyond this point*" signage will be installed at appropriate locations to warn all vessels of the dangerous conditions experienced in the area.

7.7 Aquatic licences

Consideration must be given to the types of events, displays or regattas suitable for licensing on the waters of Smiths Lake.

❖ Issue:

High-powered events with a large number of participants, or events of long duration, may create an intolerable impact on the Lake environment.

❖ Management Strategies:

An aquatic licence will only be approved for events commensurate with the natural setting of the lake, with preference given to passive type activities. Issuing of aquatic licences for high-powered vessel activities will not be considered. NSW Maritime will

be guided by this principle when completing the environment assessment for all future aquatic licence applications on the lake.

7.8 Submerged hazards and snags

The boating community values the ability to transit the lake free of any obstructions to navigation.

❖ **Issue:**

Submerged hazards and snags impact on navigation.

❖ **Management Strategies:**

NSW Maritime has a responsibility to deal with submerged hazards by way of marking or removal.

NSW Fisheries highlights the importance of snags (fallen trees) in providing for fish habitat and recommend that where they occur, snags be left in situ. It is only on the small tributaries feeding the Lake that snags impact upon navigation. NSW Maritime considers these areas unsuitable to navigation by power craft and in the interest of preserving habitat, trees will not be considered for removal in the tributaries.

Current marking of prominent obstructions will be maintained, however, it is important to note that marking of hazards does not eliminate the vessel master's responsibility to maintain a 'proper lookout'. Vessel masters need to be mindful of the lake dynamics in respect to the vastly differing conditions experienced when the lake is open and water levels are low. Extra care must be exercised at these times, particularly in the eastern parts of the lake, and the 'low water' advisory signs are intended to contribute to safety.

7.9 Protection of Seagrasses

All stakeholder groups recognise the value of protecting habitat areas vital to a variety of aquatic, avian and terrestrial species.

Seagrass beds provide food and shelter for a wide variety of fish and invertebrates. Many popular angling species use seagrasses as their nursery, before moving to other habitats as they grow. Seagrasses also help bind the riverbed and improve water quality.

❖ **Issue:**

Increased boating, if not managed appropriately, can have damaging impacts on the lake's seagrasses and wetland vegetation.

❖ **Management Issues:**

To help preserve seagrasses NSW Maritime works closely with NSW Fisheries. Boaters are educated to comply with the NSW Fisheries 'Fish Habitat Protection Plan No.2: Seagrasses'. Of particular importance to boating and related activities are the following key provisions:

- vessel operators should avoid driving their boat across shallow, weedy areas, as boat propellers act like harvesters on seagrass;
- vessel operators should avoid anchoring on seagrass beds, as anchors can dislodge seagrass plants.

Moorings can also damage seagrass beds and, where damage is likely, a permit is required from NSW Fisheries. NSW Maritime will generally not approve any moorings over seagrass beds. During the life of this plan the Authority is working with NSW Fisheries to develop seagrass-friendly moorings.

NSW Maritime will continue to educate, monitor and review compliance concerning mooring, anchoring and power boating in seagrass sensitive areas.

Signage will be installed at vessel access points identifying sensitive wetland and seagrass areas.

NSW Maritime will liaise with NSW Fisheries and National Parks and Wildlife Services to organise periodic compliance programs.

References

- SLEMP, 2001 **Smiths Lake Estuary Management Study and Management Plan**
Great Lakes Council (GLC), May 2001
Webb, McKeown & Associates Pty Ltd
- IPICL, 2000 **Independent Public Inquiry into Coastal Lakes: Final Report**
Healthy Rivers Commission of NSW (HRC), April 2002
- FISHERIES, 1999 **Policy and Guidelines Aquatic: Habitat Management and Fish Conservation**
Port Stephens Research Centre, 1999
Eds AK Smith and DA Pollard, NSW Fisheries (FISHERIES)
- DLWC, 2000 www.dlwc.nsw.gov.au now Department of Infrastructure, Planning and Natural Resources (www.dipnr.nsw.gov.au)
- CC, 1997 **NSW Coastal Policy**
Coastal Council (CC), New South Wales Government, 1997
- GLLTP, 1993 **Great Lakes Local Tourism Plan**
Great Lakes Council (GLC), September 1993
Mandidis Roberts Consultants
- GLWRSS, 1998 **Great Lakes Waterways Recreation Strategy Study**
Great Lakes Council (GLC), August 1998
Jelliffe Environmental Pty Ltd
- AMPSL, 1993 **Area Management Plan – Smiths Lake**
NSW Maritime Authority (WA), 1993

SMITHS LAKE

EASTERN BASIN



8 EASTERN BASIN

8.1 Description:

The eastern basin is a 2 km² body of water running from Symes Bay in the north to the Myall Lakes National Park 2.25km to the south. Its widest point runs from the sandbar that separates the lake from the Pacific Ocean to the western shore 1.3km away. Symes Bay is set apart from the main western body of the lake by an extensive sand delta of less than 0.5 metre in depth and is negotiable only to small powerboats and non-motorised craft.

The broad expanses of shallow foreshore and extensive shoals attract both tourists and residents, although associated developments are of a low-key nature. The eastern basin provides ideal environs for children to wade, for swimmers, and learner water skiers. The area is also popular with sailors, sailboarders and more recently, kite surfers.

Access to Symes Bay in the east is via an informal launching ramp located at the Sandbar Caravan Park, or an informal ramp off Patsys Flat Road. Vessels also travel across the lake in order to reach the unpatrolled ocean beach at Sandbar to swim and surf, the beach being located a short distance across the eastern sand dunes.

8.2 Navigational Restrictions Etc

The navigation dynamics of the lake are largely determined by its entrance opening regime adopted by the Great Lakes Council. Tidal flow through the narrow ocean entrance is extreme when the Lake is manually opened, and at these times is considered by the Authority to present a potential danger for swimmers and small craft alike. There is no signage to indicate this hazard on the estuary, however when notified, yellow floating markers are installed by NSW Maritime at regular intervals around a 200m radius near the Lake entrance. The markers provide swimmers and vessels with an indication of the dangerous and changing conditions when approaching the ocean entrance.

A natural navigation restriction is evidenced by an extensive sand delta less than 0.5 metre in depth separating Symes Bay from the rest of the lake. In fact, it becomes possible to walk over this area during times of low water brought about by long periods without substantial rain or after opening of the lake to the ocean.

The current SLEMP zoning includes a four knot area extending from Patsy Flat along the western shore of the basin, south to Bull Island and west to Simons Point.

8.3 Infrastructure

A private informal launching facility is available to residents and visitors of the Sandbar Caravan Park on the eastern-most shore of the lake, and another informal ramp is located at Patsys Flat near Sandpiper Lodges. Patsys Flat Road allows additional access to Symes Bay when the lake level is low, and is generally used by a few residents and licensed fishing boats. There is no designated parking at this site.

There are no slipways, fuelling points, pump-outs, public wharfs, jetties or marinas on the Eastern Basin, and no oyster leases, dredges or work boats of any description, other than the small commercial fishing fleet.

8.4 Compliance History

Analysis of formal warnings and fixed penalties issued over the last three years reveal that most offences relate to the registration of craft. The breakdown of safety related offences shows a relatively even distribution with no single feature outstanding. Failure to carry the required lifejackets has been the most significant offence. Other infringements include speed, bow riding, vessels exceeding capacity and failure to carry an observer while towing.

Complaints from local residents expressed concern over ski activities on the Eastern Basin, in particular around Patsys Flat Road and Symes Bay. These reports tend to relate to speed, distance off swimmers and vessel noise emissions.

It is important to note that complaints do not appear to emanate from the interaction between fishing, sailing or paddle craft and ski boats or PWCs on the water. This may be due to the fact that in most cases fishing and sailing vessels (including wind and kite surfing) tend to seek areas away from the recognised family day use areas and participate at times outside of those favoured by social skiers. Also, PWC use on the Lake is relatively rare and rowers have a preference for the more scenic, natural shoreline. In these cases congestion does not appear to be a source of conflict for on-water users, be they motorised or non-motorised.

8.5 Values

- ◆ Stakeholders value the Eastern Basin of Smiths Lake as an environmentally sensitive and important habitat area for a variety of aquatic, avian and terrestrial species. Of particular importance is the Myall Lakes National Park bordering its southern perimeter.
- ◆ Stakeholders enjoy the amenity of lakeside living.
- ◆ Visitors and residents alike enjoy a wide range of aquatic activities on the eastern basin. The varying conditions permit similar activities to be undertaken without conflict with other less compatible activities. For example, the shallow sand delta area is ideal for small sailing vessels and wind and kite surfers, but too shallow for faster and larger powered activities such as water skiing.
- ◆ The deeper Symes Bay area is valued as an ideal area for water skiing, aquaplaning and other motorised activities.
- ◆ Passive and non-powered vessel users enjoy the amenity of the eastern basin. The western foreshore in particular is valued as an area in which to swim, canoe and kayak.
- ◆ NSW Fisheries and the professional fishing industry value the eastern basin for its importance in terms of seagrasses and the density and diversity of marine species found there.
- ◆ Stakeholders also value the sandbar area separating the lake from the ocean. It is used by boaters and PWC riders as a base from which to swim, pickup and set down, as well as an access point to the beach.

8.6 Issues

- ◆ The SLEMP zoning plan recommended a 4 knot area that extended into the eastern basin as far as Patsys Flat. This zone was designed to reduce the amount of powered craft, especially those water skiing, in areas that conflict with non-powered and passive activity. Some submissions received agreed with the zoning while others saw it as being overly regulatory. This is essentially a safety and equity issue.
- ◆ Stakeholders expressed concern over siltation, periods of low water and the opening and closing regime of the lake, causing a transit problem for vessels.

- ◆ Stakeholders expressed concern over apparent incompatible activities such as swimming and power boating in the Patsys Flat area.
- ◆ Stakeholders expressed differing views concerning the scattering of dinghies on the foreshores. Some suggested the dinghies added to the village atmosphere and rustic characteristics of the lake, while others considered them an eye-sore. NSW Maritime saw potential safety issues especially during periods of high water. Vessels could float out into the lake and present navigation hazards. Additionally, the proliferation of vessels may also contribute to degradation of shoreline vegetation by shading grasses and encouraging weeds and a spread in human impact.
- ◆ Stakeholders have expressed concern over noise from the occasional inboard ski boat and personal watercraft. However, the shallow nature of much of the eastern basin results in fewer noise complaints and is not as big an issue as it is around De Berts Reserve and the western basin.

8.7 Management Strategies and Action Plan

Outcome	Strategies	Actions	Timeframe
Improved management of the shallow areas of the eastern basin, particularly during lake opening or periods of low rainfall	Periodic installation of buoys and shallow water signage	<ul style="list-style-type: none"> ▪ Liaise with Great Lakes Council to ensure prior knowledge of lake opening. ▪ Prior to lake opening and during periods of low water, install yellow aquamarks adjacent to the eastern side of the basin near the opening to warn vessels of dangerous conditions. Install "caution - shallow water" signage on the foreshore at Sandbar and the southern side of the opening and to be activated when the lake is open. 	<p>Short term</p> <p>Short term</p>

<p>Reduce the risk of accidents or incidents involving powered vessels and those undertaking non-powered activities, particularly in the Patsys Flat area.</p>	<p>Reconfigure vessel restrictions, resulting in a significant reduction in waterskiing activity on the western shore of the eastern basin.</p> <p>Education</p>	<ul style="list-style-type: none"> ▪ Remove existing 4 knot trial zone. ▪ Introduce a No Skiing or Aquaplaning zone in the area between the eastern and western basins (see MIDDLE BASIN section for details). ▪ Install an east cardinal mark adjacent to Patsys Flat indicating vessels should keep east of the area thereby reducing the risk of collision with swimmers and non-powered craft. ▪ Install signage at the various launching facilities indicating: <ul style="list-style-type: none"> ○ A code of conduct for powered vessels especially those involved in towing activities on the lake ○ "Avoid high traffic Areas" ○ "Help reduce noise – avoid offensive behaviour" ▪ Regular compliance programs 	<p>Short term</p> <p>"</p> <p>"</p> <p>"</p> <p>Ongoing</p>
<p>Help to ensure equitable use of the waterway for all stakeholders while at the same time maintaining the relatively peaceful ambience and village atmosphere of the Smiths Lake foreshore.</p>	<p>Educate, monitor and review.</p>	<ul style="list-style-type: none"> ▪ Install signage at vessel access points indicating: <ul style="list-style-type: none"> ○ A code of conduct for powered vessels ○ "Avoid high traffic Areas" ○ "Help reduce noise – avoid offensive behaviour" ▪ Regularly monitor through patrolling and periodic 	<p>Short term</p> <p>Ongoing</p>

		<p>noise testing of vessels</p> <ul style="list-style-type: none"> Regularly review strategies and assess effectiveness. 	"
<p>Mitigate the risk of damage to sensitive areas and seagrass habitat near the shoreline on the western side of the basin and in the north-east corner of Symes Bay.</p>	<p>SLEMP (GLC, 2001) identified the location of seagrass beds in the eastern basin, noting the need for protection when lake levels are less than 1.0 metre. These areas are generally too shallow for most powered craft and therefore damage may be kept to a minimum. However, an education strategy and a ban on anchoring and/or laying buoys in such areas are to be implemented.</p>	<ul style="list-style-type: none"> Signage and/or buoyage identifying the location of seagrass beds to be located at vessel access points in consultation with NSW Fisheries. Liaise with NSW Fisheries to organise periodic compliance programs. 	<p>Short term</p> <p>Ongoing</p>

SMITHS LAKE MIDDLE BASIN



9 MIDDLE BASIN

9.1 Description:

This section of the lake comprises the stretch of water that connects the eastern and western basins. It extends from Simons Point in the west to Bull Island 1.3km to the east, and from John De Bert Reserve and Frothy Coffee Boatshed in the north to the Myall Lakes National Park approximately 700 metres to the south. It is the most intensely utilised section of the lake and is popular for canoes, sail craft, windsurfers, powerboats and to a lesser extent PWCs. The central point is John De Berts Reserve on the shores of Smiths Lake village. It has a public boat launching facility and is the most popular location for boaters, tourists and residents due to the sandy beach area, park and other public facilities. A commercial hire and drive operation at the boatshed east of the boat ramp provides an opportunity for the public to hire catamarans, small powerboats, canoes and paddle craft for use on the lake.

9.2 Navigational Restrictions Etc

The Smiths Lake Estuary Management Plan (GLC, 2001) 'zoning plan' proposed an extensive 4 knot speed limit along the foreshore of this area from the eastern basin through to the western basin, being the most highly populated section of the lake. Due to the issues associated with implementing irregular buoyed zones it was recommended that any variations to the 4 knot area should, as far as possible, utilise prominent land marks as boundaries.

In November 2002 an alternative to the 'trial zoning' was proposed and subsequently implemented. The mid-stream buoys were removed, and the landmarks of Bull Island and Simons Point used to establish boundaries.

9.3 Infrastructure

The John De Bert Reserve boat ramp is very much the point of origin around which Smiths Lake village developed, and now finds itself in the most popular location for boaters due to its central position. The ramp consists of a concrete pad construction making it easy for the conventional sedan to launch and retrieve. However, parking facilities are severely limited and many local boaters elect to return home to store their trailers for the day after launching. The

public toilet amenities, children's playground and picnic tables available at the reserve further lend themselves to the popularity of the area for daytime activities.

Signage and yellow aquamarks indicating the limits of a four knot restriction are evidenced in this area.

There are no slipways, fuelling points, pump-outs, public wharfs, jetties or marinas on the Middle Basin, and no oyster leases, dredges or work boats of any description, other than the small commercial fishing fleet.

9.4 Compliance History

The Authority has historically received consistent levels of complaint in relation to vessel activity on the Lake, mostly resulting from conflict between waterway users and residents. A notable increase in complaints was recorded over the 2001/2002 boating season (being October 2001 to Easter 2002), and related to new waterway zoning restrictions being trialed in accordance with recommendations of the SLEMP (GLC, 2001).

The majority of complaints resulting from the 'zoning' trial related to skiing, the curfew, and the extension of the existing 4 knot speed restriction. The public response highlighted the popularity of waterskiing with residents and in particular, visitors.

The unrestricted channel, allowing craft to pass between the east and west basin at high speed, was also a cause for concern. The narrowing of this channel at low water was perceived to present a potential risk for collision.

Other complaints from local residents expressed concern over ski activities on the Lake, in particular around John DeBert Reserve. These reports tend to relate to speed, distance off swimmers and vessel noise emissions, each of which could be managed under existing regulations where the offending craft is identified.

It is important to note that complaints do not appear to emanate from the interaction between fishing, sailing or paddle craft and ski boats or PWCs on the water. This may be due to the fact that in most cases fishing and sailing vessels tend to seek areas away from the recognised family day use areas and participate at times outside of those favoured by social skiers. Also, PWC use on the Lake is relatively rare and rowers have a preference for the more scenic, natural shoreline. In these cases congestion does not appear to be a source of conflict for on-water users, be they motorised or non-motorised.

In contrast, the recognised family day use areas are frequented by both swimmers and skiers, and complaints in relation to the mooring of fishing vessels at the John DeBert Reserve ramp are ongoing. Council Reserves tend to be situated in central locations near urban zones and as such receive high level visitation.

Every season it is commonplace for swimmers to express a general concern in regard to vessel speed around John De Bert Reserve. Speeding is an important compliance issue on the estuary and enforcement action has ensued wherever offences have been detected.

Analysis of formal warnings and fixed penalties issued over the last three years reveal that most offences relate to the registration of craft. The breakdown of safety related offences shows a relatively even distribution with no single feature outstanding. Failure to carry the required lifejackets being the most significant offence, with infringements issued for speed, bow riding, vessels exceeding capacity and failure to carry an observer while towing.

While all these matters are considered by the Authority to be of a serious nature, overall compliance is high. Such issues are managed on a case by case basis via routine patrol, inspection and ongoing education campaigns.

9.5 Values

- ◆ The John De Bert Reserve is valued by families as an area for pursuing recreational activities, such as picnics and swimming, as well as passive aquatic activities including canoeing, kayaking and paddle boating.
- ◆ Stakeholders enjoy the amenity of lakeside living.
- ◆ The boat ramp at John De Bert Reserve is the most popular launching facility on the lake. Visitors and residents alike enjoy a wide range of powered aquatic activities emanating from this area.
- ◆ NSW Fisheries and the professional fishing industry value an area along the southern shore for its importance in terms of seagrasses and the density and diversity of marine species found there.
- ◆ Stakeholders value the safe and equitable use of this section of the lake, especially the safe co-existence of the varying recreational activities carried out around John De Bert Reserve.

9.6 Issues

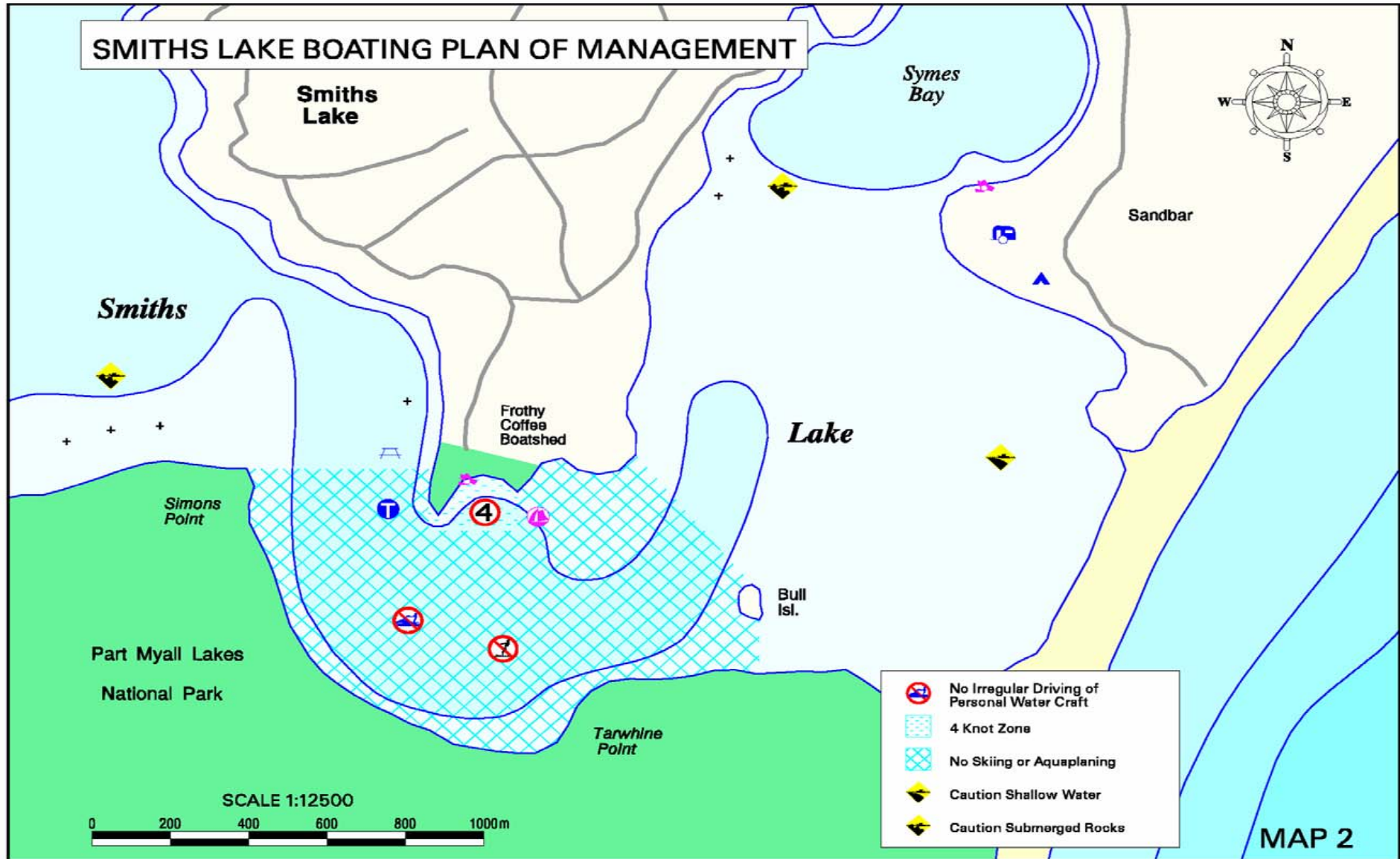
- ◆ Stakeholders expressed deep concern over any suggestion to remove the boat launching facility from De Bert Reserve in favour of upgraded facilities at Brambles Reserve.
- ◆ The SLEMP zoning plan recommended a 4 knot area that extended into the eastern basin as far as Patsys Flat. This zone was designed to reduce the amount of powered craft, especially those water skiing, in areas that conflict with non-powered and passive activity. Submissions received agreed with the zoning while others saw it as being overly regulatory. This is essentially a safety and equity issue.
- ◆ Stakeholders expressed concern over apparent incompatible activities such as swimming and power boating in the De Bert Reserve area.
- ◆ Stakeholders expressed differing views concerning the scattering of dinghies on the foreshores. Some suggested the dinghies added to the village atmosphere and rustic characteristics of the lake, while others considered them an eye-sore. Waterways saw potential safety issues especially during periods of high water. Vessels could float out into the lake and present navigation hazards. Additionally, the proliferation of vessels may also contribute to degradation of shoreline vegetation by shading grasses and encouraging weeds and a spread in human impact.
- ◆ Stakeholders have expressed concern over noise from the occasional inboard ski boat and personal watercraft.
- ◆ Wash is of most concern to the proprietors of the Frothy Coffee Boatshed when the lake entrance is closed and nearing maximum capacity prior to opening. High water levels make the property most vulnerable to wash and wind generated waves.
- ◆ Permanent mooring of commercial vessels, particularly fishing vessels near John De Bert Reserve, has long been an issue of conflict on the Lake, as the village of Smiths Lake and use of the reserve has grown.
- ◆ Stakeholders expressed concern that aquatic licences issued by the Authority, especially for high-powered events, may create an intolerable impact on the lake environment.
- ◆ The protection of sensitive areas, eg. SEPP 14 wetlands and seagrass habitat is an issue on the Lake. NSW Fisheries highlights the importance of seagrass to ecologically sustainable fishing (Fisheries, 1999), and SLEMP (GLC, 2001) reflects this value by recommending measures such as boater education and the marking of seagrass beds to minimise the risk of damage by propellers. Additionally, National Parks and Wildlife Services express concern of the impact increased vessel activity could have on Ramsar wetlands located in the area and the Myall Lakes National Park in general.

9.7 Management Strategies and Action Plan

Outcome	Strategies	Actions	Timeframe
<p>Reduce the risk of accidents or incidents involving powered vessels and those undertaking non-powered activities in the John De Bert Reserve / Frothy Coffee area. Also, reduce the effects of wash generated by vessels particularly when water levels are high.</p>	<p>Reconfigure vessel restrictions, resulting in a significant reduction in waterskiing and other power boating activity. No skiing zones will reduce power boating activity due to less passes being undertaken. Also, irregular driving (freestyling) of Personal Water Craft (PWC) will not be permitted in this area. As a result, vessels will tend to use this area only as a conduit between the eastern and western basins.</p>	<ul style="list-style-type: none"> ▪ Remove existing 4 knot trial zone and replace it with a <i>"No Skiing or Aquaplaning"</i> zone. It will extend from Oyster Point to Bull Island then south to the Myall Lakes National Park, then west to Simons Point and back to Oyster Point. Additionally, institute a <i>"No Irregular Driving (freestyling)"</i> PWC restriction in the same area. (See map 2 at end of this section) 	<p>Short term</p>
	<p>Introduce safer launch and retrieve measures for vessel operators using the De Berts Reserve boat ramp.</p>	<ul style="list-style-type: none"> ▪ Reintroduce a 4 knot zone as originally gazetted in 1987. That is from Oyster Point to Frothy Coffee Boatshed. (See map 2 at end of this section). 	<p>Short term</p>
	<p></p>	<ul style="list-style-type: none"> ▪ Install appropriate signage and 4 knot aqua buoys. 	<p>Short term</p>
	<p></p>	<ul style="list-style-type: none"> ▪ Restrict vessel operators to launch and retrieval in an area extending from the ramp to an existing pvc pole immediately west of the ramp. 	<p>Short term</p>
	<p>Reduce congestion near John De Bert Reserve</p>	<ul style="list-style-type: none"> ▪ Create a <i>"No Vessel"</i> zone west of the pvc pole to enable the safe use of the sandy beach by those involved in passive recreational activities. 	<p>Short term</p>
	<p></p>	<ul style="list-style-type: none"> ▪ Install appropriate signage ▪ Implement above "No Vessel" zone restrictions at 	<p>Short term</p>

	<p>by encouraging the relocation of commercial vessels, particularly fishing vessels to Brambles Reserve.</p> <p>Liaison and discussion with relevant Agencies</p> <p>Education</p>	<p>the sandy beach area.</p> <ul style="list-style-type: none"> ▪ Liaise with the commercial fishers with a view to the selective positioning of the mooring of commercial fishing vessels at Brambles Reserve. ▪ Liaise with Great Lakes Council to encourage the upgrading of Brambles Reserve boat ramp. ▪ NSW Maritime will support application made by Great Lakes Council for maintenance dredging to remove unconsolidated marine sediment in the vicinity of the boat ramp as required. ▪ Install signage at the various launching facilities indicating: <ul style="list-style-type: none"> ○ New zoning arrangements ○ A code of conduct for powered vessels especially those involved in towing activities on the lake ○ Messages such as <i>"Avoid high traffic Areas"</i> and <i>"Help reduce noise – avoid offensive behaviour"</i> ▪ Regular compliance programs 	<p>Short term</p> <p>Short term</p> <p>Short term</p> <p>Short term</p> <p>Short Term</p> <p>Ongoing</p>
<p>Mitigate the risk of damage to sensitive wetland, seagrass national park areas adjoining this section of the lake.</p>	<p>Educate, monitor and review compliance concerning mooring, anchoring and power boating in these areas.</p>	<ul style="list-style-type: none"> ▪ Install signage at vessel access points identifying sensitive wetland and seagrass areas. ▪ Refuse requests for aquatic licences to hold high-powered aquatic events in this section of the lake. ▪ Liaise with NSW Fisheries and National Parks and 	<p>Short term</p> <p>Ongoing</p>

		Wildlife Services to organise periodic compliance programs.	Ongoing
Minimise the potential risk and visual or environmental impact of unsecured craft around the lake shore.	Liaison and consultation with relevant government agency(s).	<ul style="list-style-type: none"> ▪ Recommend that Great Lakes Council give consideration to the potential hazard posed by the unsecured dinghies and the establishing of designated storage areas with basic facilities in the form of securing posts or communal storage racks. 	Short term
Help to ensure equitable use of the waterway for all stakeholders while at the same time maintaining the relatively peaceful ambience and village atmosphere of the Smiths Lake foreshore.	Educate, monitor and review.	<ul style="list-style-type: none"> ▪ Regularly monitor through patrolling and periodic noise testing of vessels ▪ Install signage at vessel access points indicating: <ul style="list-style-type: none"> ○ A code of conduct for powered vessels ○ Messages such as "<i>Avoid high traffic Areas</i>" and "<i>Help reduce noise – avoid offensive behaviour</i>" ▪ Regularly review strategies and assess effectiveness. 	<p>Ongoing</p> <p>Short term</p> <p>Ongoing</p>
Help achieve the best possible result for all stakeholders in terms of the provision of appropriate boating infrastructure.	Liaison with Great Lakes Council. Stakeholders have expressed a strong desire for the existing De Bert Reserve boat launching facility to remain and be improved. Additionally, there is also a need to develop the Brambles Reserve area which could result in relieving some of the heavy use and congestion experienced at De Bert Reserve.	<ul style="list-style-type: none"> ▪ Liaise with Great Lakes Council and inform them of the feedback received during the consultation process. Offer assistance in formulating a Waterways Asset Development and Management Program (WADAMP) application for 50% grant funding of any proposed improvements to launching facilities. 	Medium Term



SMITHS LAKE

WESTERN BASIN



10 WESTERN BASIN

10.1 Description:

The Western basin is a 7.5 km² body of water running from Tarbuck Bay in the north to the Myall Lakes National Park 3 km to the south. Its widest point runs from Simons Point and Smiths Lake Village in the east to Wamwarra Bay on the western shore 3.5 km away. The basin has two small islands, Big Island and Little Island, with a total area of around 0.4 km².

The settlements of Smiths Lake and Tarbuck are the only significant developments adjoining the western basin. The Myall Lakes National Park runs along most of the southern shoreline. Wetlands of SEPP 14 Coastal Wetlands classification adjoin the western and southern edges of the lake and as many as 16 vulnerable species of fauna have been identified in these habitat areas.

Activity on the western basin includes water skiing along the eastern shore adjacent to Smiths Lake village, sailing and windsurfing towards the centre of the basin and around Big Island, and fishing – both recreational and commercial.

10.2 Navigational Restrictions Etc

The navigation dynamics of the lake are largely determined by its entrance opening regime adopted by the Great Lakes Council. Tidal flow through the narrow ocean entrance is extreme when the Lake is manually opened, and at these times is considered by the Authority to present a potential danger for swimmers and small craft alike.

Rock ledges surrounding both Big and Little Islands present navigational restrictions particularly during periods of low water. Also, several submerged logs located off Tramline Beach are hazardous to navigation, particularly when the lake level falls. Other restrictions include the remnants of an old farm fence extending from Myall Lakes National Park at Horse Point to approximately 50 metres into the lake.

The small estuaries of Wamwarra and Tarbuck Creeks are considered unsuitable for navigation by conventional power craft due to submerged hazards in the form of snags. They are however, suitable for exploration with human powered craft such as canoes and kayaks, although fallen trees may limit access to their extremities.

10.3 Infrastructure

Brambles Reserve Boat Ramp is located adjacent to Little Island but is under-utilised due to its rocky foreshore and exposure to southerly wind conditions. During periods of low water access for the launching and retrieving of vessels can be limited to four wheel drive vehicles.

There are no slipways, fuelling points, pump-outs, public wharfs, jetties or marinas on the Western Basin, and no oyster leases, dredges or work boats of any description, other than the small commercial fishing fleet.

10.4 Compliance History

Analysis of formal warnings and fixed penalties issued over the last three years reveal that most offences relate to the registration of craft. The breakdown of safety related offences shows a relatively even distribution with no single feature outstanding. Failure to carry the required lifejackets has been the most significant offence. Other infringements include speed, bow riding, vessels exceeding capacity and failure to carry an observer while towing.

Complaints from local residents expressed concern over noise from ski activities on the eastern shoreline, in particular when vessels are involved in learning to ski activities. Other complaints tend to relate to speed and distance off swimmers.

It is important to note that complaints do not appear to emanate from the interaction between fishing, sailing or paddle craft and ski boats or PWCs on the water. This may be due to the fact that in most cases fishing and sailing vessels (including wind and kite surfing) tend to seek areas away from the recognised family day use areas and participate at times outside of those favoured by social skiers. Also, PWC use on the Lake is relatively rare and rowers have a preference for the more scenic, natural shoreline. In these cases congestion does not appear to be a source of conflict for on-water users, be they motorised or non-motorised.

10.5 Values

- ◆ Stakeholders value the Western Basin of Smiths Lake as an environmentally sensitive and important habitat area for a variety of aquatic, avian and terrestrial species. Of particular importance is the Myall Lakes National Park bordering its southern perimeter and Wetlands of SEPP 14 Coastal Wetlands classification adjoining the western and southern edges of the lake. As many as 16 vulnerable species of fauna have been identified in these habitat areas.
- ◆ Stakeholders enjoy the amenity of lakeside living.
- ◆ The area adjacent to the eastern shoreline is valued as an ideal area for water skiing, aquaplaning and other motorised activities.
- ◆ Passive and non-powered vessel users enjoy the amenity of the western basin. The basin's large expanses in particular are valued as areas in which to sail and windsurf.
- ◆ NSW Fisheries and the professional fishing industry value the western basin for its importance in terms of seagrasses and the density and diversity of marine species found there.

10.6 Issues

- ◆ Stakeholders expressed concern over apparent incompatible activities such as swimming, kayaking, canoeing and power boating in the area from Big Haul Point to Brambles Reserve and Tarbuck Bay.
- ◆ Stakeholders have expressed concern over noise from the occasional inboard ski boat and personal watercraft along the eastern shoreline of the basin.
- ◆ The upgrading of Brambles Reserve and boat ramp has been suggested by stakeholders to help alleviate congestion at John De Bert Reserve and aid in reducing the risk of accidents and/or incidents occurring there.
- ◆ The use of Brambles Reserve and boat ramp as a suitable area for the mooring of commercial vessels, particularly professional fishing vessels, is an issue raised by stakeholders.

- ◆ Stakeholders expressed concern that aquatic licences issued by the Authority, especially for high-powered events, may create an intolerable impact on the lake environment.
- ◆ The protection of sensitive areas, eg. SEPP 14 wetlands and seagrass habitat, is an issue on the Lake. NSW Fisheries highlights the importance of seagrass to ecologically sustainable fishing (Fisheries, 1999), and SLEMP (GLC, 2001) reflects this value by recommending measures such as boater education and the marking of seagrass beds to minimise the risk of damage by propellers. Additionally, National Parks and Wildlife Services express concern of the impact increased vessel activity could have on Ramsar wetlands located in the area and the Myall Lakes National Park in general.
- ◆ Concern has been expressed regarding navigational obstructions such as submerged logs off Tramline Beach and the old farm fence off the Myall Lakes National Park on the southern end of the basin.
- ◆ Stakeholders expressed differing views concerning the scattering of dinghies on the foreshores. Some suggested the dinghies added to the village atmosphere and rustic characteristics of the lake, while others considered them an eye-sore. Waterways saw potential safety issues especially during periods of high water. Vessels could float out into the lake and present navigation hazards. Additionally, the proliferation of vessels may also contribute to degradation of shoreline vegetation by shading grasses and encouraging weeds and a spread in human impact.

10.7 Management Strategies and Action Plan

Outcome	Strategies	Actions	Timeframe
Mitigate the risk of damage to sensitive wetland, seagrass and national park areas adjoining this section of the lake.	Educate, monitor and review compliance concerning mooring, anchoring and power boating in these areas.	<ul style="list-style-type: none"> ▪ Install signage at vessel access points identifying sensitive wetland and seagrass areas in consultation with NSW Fisheries. ▪ Refuse requests for aquatic licences to hold high-powered aquatic events in this section of the lake. ▪ Liaise with NSW Fisheries and National Parks and Wildlife Services to organise periodic compliance programs. 	<p>Short term</p> <p>Ongoing</p> <p>Ongoing</p>
Help to ensure equitable use of the waterway for all stakeholders while at the same time maintaining the relatively peaceful ambience and village atmosphere of the Smiths Lake foreshore.	Educate, monitor and review.	<ul style="list-style-type: none"> ▪ Regularly monitor through patrolling and periodic noise testing of vessels ▪ Install signage at vessel access points indicating: <ul style="list-style-type: none"> ○ A code of conduct for powered vessels ○ Messages such as <i>"Avoid high traffic Areas"</i> and <i>"Help reduce noise – avoid offensive behaviour"</i> ▪ Regularly review strategies and assess effectiveness. 	<p>Ongoing</p> <p>Short term</p> <p>Ongoing</p>

<p>Help achieve the best possible result for all stakeholders in terms of the provision of appropriate boating infrastructure.</p>	<p>Liaison with local government agencies. Stakeholders have expressed a strong desire for the existing De Berts Reserve boating launching facility to remain and be improved. Additionally, there is also a need to develop the Brambles Reserve area which could result in relieving some of the heavy use and congestion experienced at De Berts Reserve.</p>	<ul style="list-style-type: none"> ▪ Liaise with Great Lakes Council and inform them of the feedback received during the consultation process. Offer assistance in formulating a Waterways Asset Development and Management Program (WADAMP) application for 50% grant funding of any proposed improvements to launching facilities. 	<p>Medium Term</p>
<p>Mitigate the risk of accidents or incidents, particularly during periods of low water, involving the submerged logs off Tramline Beach and the remnant farm fence at the southern end of the basin.</p>	<p>Use of navigation aids and education.</p>	<ul style="list-style-type: none"> ▪ Install an east cardinal mark at the eastern extremity of the submerged logs area. ▪ Install a north cardinal mark at the remnant fence. ▪ Liaise with the NPWS with a view to removal of the fence ▪ Include these areas on signage indicating navigation restrictions to be located at vessel access points. 	<p>Short term Short term Short term Short term</p>
<p>Minimise the potential risk and visual or environmental impact of unsecured craft around the lake shore.</p>	<p>Liaison and consultation with relevant government agency(s).</p>	<ul style="list-style-type: none"> ▪ Recommend that Great Lakes Council give consideration to the potential hazard posed by the unsecured dinghies and the establishing of designated storage areas with basic facilities in the form of securing posts or communal storage racks. 	<p>Short term</p>