IALA Working Group 1 – Planning process / legislation (step by step process)

SUGESTED GUIDELINE STRUCTURE

* Purpose of doc - Aim to encourage maritime authorities to engage in MSP (Nav safety and the provision of AtoN) (subsidiary – other sectors able to understand the position and priorities of shipping)

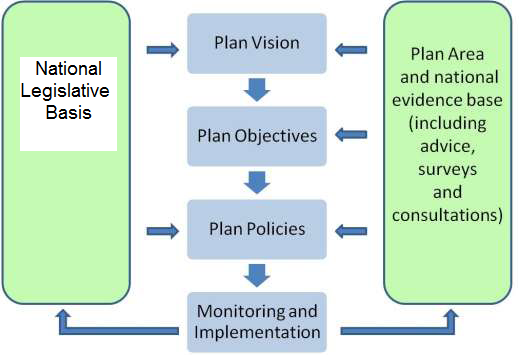
AIM (Draft):

* + To inform and encourage marine Aids to Navigation (AtoN) and Vessel Traffic Services (VTS) authorities in engaging with MSP.
  + To inform those involved with marine plan production of the common safety of navigation issues, including AtoN and VTS issues, for MSP throughout the world.[[1]](#footnote-1)
* Introduction to shipping and IALA
  + Set out context of the need for international legislation (eg. Conventions), the way that this is typically adopted by countries into their domestic law (name check a few e.g. SOLAS, MARPOL etc. (links)).
  + Set out issues for IALA e.g. port access, anchorages, IWRAP and PAWSA (IALA risk toolbox use at strategic level) – qualitative and quantitative risk tools, and idea would be to ID areas in which a focus can be identified as well as mitigation measures – justification for early contact to understand the needs for navigation safety provision in light of use by other sectors)
  + Risk-based approach to safety management. In Australian example, NE shipping management plan maps shipping, likely increase in use, and assesses this against collision, powered grounding, drift grounding, structure failure / foundering, fire / explosion, oil spill. Maps of change give colours that indicate what additional AtoN / VTS measures need to be taken. HOWEVER – Need to ensure that approach to assessment of risk is appropriate for the scale / intensity of use in an area i.e. the North Sea will be different from the Antarctic.
* Introduction to MSP – why, how, where, etc.
  + Include economic activities (e.g. commercial drivers for shipping) and politically inspired targets (eg. Renewable energy targets) as drivers
  + Distinction between sectorial plans and multi-sectorial plans
  + Distinctions and interlinkages between consenting (licensing) and planning
  + MSP is a proactive activity rather than reactive
  + How shipping is reflected in plans – not exclusively risk-based – also about economy, perception and realisation of safety (image of shipping as an industry), planning is evidence-based
  + Need to describe cumulative effects (the sum of effects of activities upon the physical and / or natural environment of an area), in-combination effects (the effects arising from multiple uses in an area upon one another), and co-use (deliberate development of a resource in a plan area for multiple activities) in setting out matters covered by MSP. Need a little more description of this and link to a reference document for more detail.
  + Depending upon the planning process used, typically a marine plan is not predicated upon one solution, and options are usually presented to address key issues over the plan period that can form the basis of discussion. Several options may be considered in plan development using an iterative and continual learning approach.

EC – MSP is about planning and regulating all human uses of the sea, while protecting marine ecosystems. It focuses on marine waters under national jurisdiction and is concerned only with planning activities at sea. It does not cover management of coastal zones or spatial planning of sea-land interface. (<http://ec.europa.eu/maritimeaffairs/policy/maritime_spatial_planning/index_en.htm>).

UNESCO – MSP is a public process of analyzing and allocating the spatial and temporal distribution of human activities in marine areas to achieve ecological, economic and social objectives that have been specified through a political process. (<http://www.unesco-ioc-marinesp.be/marine_spatial_planning_msp>).

Possible process from A Description of the Marine Planning System for England (Defra, UK, 2011):



* Detailed needs of Navigational Safety with AtoN and VTS as a focus (not just shipping as it concerns all vessels) in MSP
  + Existing measures e.g. TSS and other routing measures, including IMO adopted routing measures (to include concerns about use by other vessels)
  + Future trends in shipping traffic
  + Risk-based trigger points for additional measures
    - ... and requirement for suitable studies / evidence in each case
  + Determining what an acceptable level of risk is – identifying that there will always be variability in risk (reference to need for project level assessment)
* Toolbox – how you deliver the needs to shipping through MSP

Management (e.g. Water Space Management) - Planning is one element of a larger management process, which includes implementation, enforcement, monitoring, evaluation, research, public participation, and financing — all of which must be present to carry out effective management over time.

Should include:

* IALA risk tools – Note mention by ND of risk management approach that produces figures attached to various costs of risk.
* Consultation – Shipping interests should be clearly defined, should be able to articulate what measures a plan should reflect. Should be aware of when in the process what kind of input is most helpful.
* GIS.
* Case Studies? – E.g. in NL, shipping and coastguard got together and put forward a collective position. Australian NE shipping management plan.
* References

Look at IALA reference documents and assess interrelationship with this document.

Geoportal and links for MSP in France (ministry of ecology, sustainability and energy - <http://www.geolittoral.equipement.gouv.fr>)

Australian Maritime Spatial Information System – AMSIS - <http://www.ga.gov.au/marine/jurisdiction/amsis.html>

ISO standards / MEDIN (European)

United Nations Conference on Trade and Development (2012). Review of Maritime Transport (2012).

International Maritime Organization (2012). Maritime Knowledge Centre – International Shipping Facts and Figures – Information Resources on Trade, Safety, Security, Environment.

England marine planning portal, a consultative tool for viewing and commenting upon information for MSP (INSERT LINK)

Annexes

GIS?

Supporting Actions

* J-CC provided group members with the draft document. Note made to ensure link with PIANC work is made when appropriate (work in progress).
* Maintain involvement of Working Group 1 attendees in development of guideline. This is to ensure others with an interest in guideline development and content are able to input their views where needed.

Meeting record notes (the following information may be helpful in the process of fleshing out and maturing an IALA MSP guideline)

PG - When you first introduce strategic planning, when you deal with stakeholders you find that folk stick to a project level as this is what they’re useful. However, it’s in the interest of all parties for a plan to describe as much as possible up front so that as much as possible can be front-loaded and dealt with at the larger scale.

TK – Who are we writing this for? Is this for planners or for shipping experts involved in the MSP process? There are already principles from EU that regard involvement and inclusion so need to go beyond this. Think we should help shipping experts to get involved and

NL – Target will be IALA membership with 2 facets - (1) IALA membership i.e. orgs that oversee AtoN responsibilities. These orgs vary in size and responsibilities e.g. in Australia the org covers AtoN and traffic management levels (2) Industrial membership – suggest that this product not so useful for industrial membership.

ND – 1-3 points seem logical, restating what MSP means in the context of IALA.

TK – There is indeed variability in organisations so need to take care to involve other authorities, including non-IALA members, to ensure any document is fully informed.

NL – Once processes are mapped, could assign which authorities are involved at what stage. This will enable AtoN authorities to identify why this guidance is useful and who should be looking at it. As needs to be transferable, process may be light on detail.

J-CC – New working group begun on wind farms and shipping traffic. Rotterdam is involved, UK wind farm co., Denmark, Spain, and others. PIANC led and as an association, used o develop harbour infrastructure. Very large subject, try to restrain to maritime safety but a key part of MSP (demonstration of document produced to date to share experience). Started fro MGN 371. First step, ID activities at sea. Second, ID of interaction and difficulties between shipping and other activities. Third, navigation constraint – based upon MCA work and understanding. Outcome of step 3 is sufficient room for manoeuvre. Forth, interactions with communications. Fifth, emergency procedure assessment. Sixth, recommendation for MSP.

\*ACTION\* – J-CC to circulate group members and draft document.

TK – Good checklist, useful information. However, every sector has recommendations on how the process should be undertaken. I would suggest that an IALA note include the process overall in each country and accompany this with a description of what concerns might arise for shipping, utilising documents like PIANCs. Alternatively, you could use the IALA note to inform parties in all countries to help them interact with the debate.

PD – Good practice is something that IALA can give. For example, the approach taken by the US is different to the UK and others.

PD – Aids to Navigation committee will take on this document and work it up with ambition to set up by 2014.

1. Bibliography – Useful information with weblinks
2. Overarching, generic MSP processes

* Description of MSP (EC and UNESCO as starting point).
* Useful to describe basis generically, MSP should be cogniscent that in each country there will be legislation that is relevant. For MSP, there should be some kind of legislation ‘glue’ that keeps things together. Every country would have some kind of machinery that sets out how treaties are transcribed to national legislation.
* IALA want to provide advice to administrations on how to run marine planning – facilitate MSP being able to take full account of navigation. Not for IALA (AtoN) to set this out but useful to advocate a certain process. There’s a role to set out that it’s useful for all relevant administrations. Nautical institute project aiming at achieving this for shipping in general – see Seaways articles. Be complementary. Important to give context but must end up sticking to AtoN.
* - If focussing on AtoN, either we do it at the end of the process but if being involved with marine planning, it’s about contributing to the plan development process to develop the context in which AtoN fits later on.
* ND – Not reinvent the wheel, guidance should simply set out prevailing MSP context.
* Possible sectors to include (drawn from UK MPS):
  + Marine Protected Areas
  + Defence and National Security
  + Energy production and infrastructure development
  + Ports and shipping
  + Marine aggregates
  + Marine dredging and disposal
  + Telecommunications cabling
  + Fisheries
  + Aquaculture
  + Surface water management and waste water treatment and disposal
  + Tourism and recreation
* Insert list from draft MSP directive and the UNESCO guidance.
* J-CC – Principles of MSP in France is to extent what happened on a project level (issue driven) and convene multiple stakeholders to resolve maters. MSP is an extension of this principle.
* NL – In port of Newcastle, largest coal port in the world, impacting upon PNG reefs. As such, there is a need to proactively manage shipping activity e.g. through anchorages, so there are impacts across the coast as a result. Not just in Australia but PNG suffering from pollution as a result of this dense shipping activity. MSP needed to take a holistic view across all activities. Need to provide all information heard over last few days to IALA members.
* TK – Need an overview of where shipping is going to put MSP in context.
* ND – Does the paper include comment on how interactions are over EEZs?
* NL – International maritime boundaries are an important feature of MSP.
* NL – Main focus will be at coast where markings are (situations wherever navigation, traffic services – the matters IALA works on – have a role), not set limits and note interactions at borders, but focus on main IALA concerns.
* TK – Is AtoN a part of licensing or planning? Need to emphasise that there are different levels of involvement e.g. at a project level or a strategic level? In strategic planning, mst have safety on agenda, include risk analysis and this may inform AtoN discussions.
* ND – There is a risk to developers that don’t consider matters IALA are concerned with will have issues in terms of costs to the development e.g. consideration of navigation needs.
* J-CC – Radio interference is another issue – not interrupting this is key to search and rescue as well as navigation.
* PG – Most important is for the shipping sector / IALA to set out what its spatial requirements are. If this is done at the strategic level e.g. turning circles and room needed, then this really helps all users get the most out of the plan. Would be good for IALA guidance to include toolbox. Must be able to understand what sectors want to be able to articulate needs at e.g. MSP Directive negotiations.
* NL – Demonstrate tool that allows consultation to take place.
* PG – Mapping is part of the toolbox – is for discussion, not decision-making. However, very useful information. Present use is what can be described, future change is harder to describe. In describing tools in IALA guidance, should set out limitations.
* J-CC – Some problems between land use and using chart information due to the different providers and tool design. It’s the coast that will be of most interest to IALA in terms of markings.
* TK – As well as the need for coastal overlap to be understood, there needs to be a better sense of MSP cross-border.
* PG – Discussion at IALA suggests that there is a potential for transboundary matters to be discussed on an issue basis by practitioners.
* PD – Data ownership issues e.g. mapping at sea, is a difficulty and part of the problem in terms of not having the essential information needed.
* NL – Hydrographic officers are very keen to ensure maps are up to date and accurate so quality control and management of this is essential. There is a need for information to be more freely available and in Australia RASTER maps are produced, paper maps printed from this and ENC data, but no extra resource. As such, RASTER-based product production being stopped and this may give opportunity to others to use RASTER-type data.
* ND – Paper and RASTER chart scales at the moment do not provide location of individual turbines. This raises the question of who pays for chart updates and it could be that developers do this. Essential to enable accurate marking.
* J-CC - UNCLOS is still an essential principle. Under this, it should be noted that border areas in some locations are not agreed.
* NL – International conventions should be listed and acknowledged.
* NL – WOC and GOC – GOC is business portfolios coming together and setting out solutions to issues e.g. monitoring of fishing.
* TW – Is it safe to assume that IALA as an international organisation is going to develop guidance in accordance with UNESCO approach i.e. balancing economic, env., and Soc. Drivers.
* PD – Need to ensure that guidance is transferable to all countries, not just EU.
* TK – UNESCO guidelines can be a bit technocratic but overarching principles of SD give enough room for each country to interpret their MSP approach accordingly.
* PL – Sust Activity rather than SD?
* TK – SD is adaptable in terms of what it means for different planning authorities and this seems to make.

1. AtoN – Who are the players in MSP processes and how to they work to achieve the aim of navigational safety? – For England, useful to understand the gap between project level assessments and national legislation that transposes international initiatives.

Recommended step by step process – However, not all about AtoN, scale of plans is variable and

* Matters of importance to shipping.

1. This document is a statement from IALA and is to inform discussions in any jurisdiction developing a plan and these planning authorities should be sure to engage any other maritime interests in plan development. [↑](#footnote-ref-1)