



Terms and Conditions

Shipping and Pilotage Mooring Control Areas

Recreational Mooring Site Registration

Pursuant to Shipping and Pilotage (Mooring Control Areas) Regulations 1983, the following Terms and Conditions are attached to the Mooring Registration and are requirements of the Registered Owner. In accepting the offered Mooring Registration, the Registered Owner agrees to abide by these Terms and Conditions and the Shipping and Pilotage (Mooring Control Areas) Regulations 1983, at all times.

1. The Mooring Registration is valid subject to the payment of the prescribed Annual Hiring Fee and compliance by the Registered Owner with the Shipping and Pilotage (Mooring Control Areas) Regulations 1983 (Regulation 7(3)).
2. The exact geographical position that the mooring apparatus is to be located [the Mooring Site] is as shown on the 'Certificate of Registration for a Mooring Site'. The mooring apparatus is to be positioned using Differential Geographical Positioning System (DGPS) and its position is to be expressed in Universal Transverse Mercator (UTM) coordinates using Datum WGS84. Inspection Reports shall be provided by a DoT Recognised Mooring Contractor.
3. The Registered Owner agrees to locate and maintain the mooring apparatus on the seabed at the UTM position shown on the front of the 'Certificate of Registration for a Mooring Site', the accuracy of which is to be no greater than plus or minus 1 metre of that UTM position (Regulation 8(2)).
4. Any mooring apparatus must be of a nature, material, dimension, size, type and construction that will provide a secure mooring for the 'Nominated Vessel' specified in the 'Certificate of Registration for a Mooring Site' (Regulation 14 (1)).
5. The mooring apparatus must also be of a suitable design to minimise any adverse impact on the environment, and certified as environmentally compliant by a DoT Recognised Mooring Contractor.
6. Nominated Vessel - Only one 'Nominated Vessel' may be recorded on the 'Certificate of Registration for a Mooring Site'. This vessel must be owned by the Registered Owner. A Registered Owner may by written notice request that a 'Nominated Vessel' be deleted from the 'Certificate of Registration for a Mooring Site' as a result of the sale of that vessel by the Registered Owner. In this event, the

Registered Owner has 6 months to nominate a 'Substitute Vessel' in order to retain the Mooring Registration (Regulation 17 (1) and (2)).

7. A nominated vessel that is deemed to be registrable pursuant to the Navigable Waters Regulations 1958 NWR must be registered in accordance with part VA of the NWR while the "Certificate of Registration" for the Mooring Site is current.
8. The Registered Owner who sells or otherwise disposes of his or her interest in a 'Nominated Vessel', must give written notice of the sale or disposal, and the date of the sale or disposal, to DoT within 7 days of the sale or disposal.
9. Within 6 months after the date of the sale or disposal, by written notice to DoT, the Registered Owner must nominate another suitable vessel that is owned by the Registered Owner. This is to be accompanied by full particulars of the nominated 'Substitute Vessel'. Failure to do so will result in the termination of the mooring site registration in accordance with Regulation 15(b).
10. Approved Vessels/Objects - The Registered Owner shall not, without the previous approval of DoT, use, or permit to be used, the mooring by a vessel or floating object of larger dimensions than that specified in the 'Certificate of Registration for a Mooring Site' (Regulation 16 (2)).
11. Multiple Vessels/Objects - The Registered Owner shall not secure more than one vessel or floating object to the mooring simultaneously (regulation 16 (2b)). The exception to this shall be any vessel not exceeding 3.1m in length, provided that the vessel is secured alongside the moored vessel and not tethered to its stern.
12. Substitute Vessel - A Registered Owner may by written application request that a 'Nominated Vessel' specified in the 'Certificate of Registration for a Mooring Site' be substituted by another suitable vessel. To be considered suitable, the substitute vessel must be owned by Registered Owner and not exceed the maximum vessel length approved for the Mooring Site (Regulation 16 (2)).
13. Use of a Mooring Site - A person must not secure a vessel or floating object to a mooring without the consent of the Registered Owner.
14. A vessel within a MCA shall comply with the requirements of the Prevention of Collisions at Sea Regulations 1983 made under the Western Australian Marine Act 1982. With the exception, that when moored in accordance with the Shipping and Pilotage (Mooring Control Areas) Regulations 1983 they are not obligated to exhibit lights, shapes or give signals prescribed in the Prevention of Collisions at Sea Regulations 1983 (Regulation 16A (2)).
15. A Mooring Buoy to the following specification is to be fitted to the mooring apparatus:
 - o Bright yellow in colour
 - o Minimum 600 millimetres in height and 600 millimetres in diameter; and
 - o Displaying the mooring registration number, black in colour on a white background, with each digit 65mm high and 50mm wide positioned and maintained so that they are clearly visible on both sides of the mooring buoy. (Regulation 13).

- 16.** The mooring bridle must be no longer than the minimum length required for the nominated vessel to secure to the mooring and have a white float not less than 100 millimetres in diameter secured to the end.
- 17.** Maintenance - The Registered Owner agrees to maintain the mooring apparatus at the registered mooring site in good and substantial condition and repair at all times. The mooring apparatus shall be of a nature, material, dimension, size, type and construction that will provide a secure mooring for any vessel or floating object of or up to the size and displacement tonnage specified in the 'Certificate of Registration for a Mooring Site' (Regulation 10).
- 18.** The Mooring Buoy is to be kept in a state such that it is afloat, free of marine growth and clearly visible at all times. At least half of the buoy must be projected above the water line at all times (Regulation 13 (a)).
- 19.** The Licensee shall provide an inspection report within 1 month from a recognised mooring contractor to DoT upon request. Moorings located in unprotected waters are also required to provide an inspection report as part of their request to renew their Mooring Registration every second year. Failure to provide an inspection report by the required date may result in DoT terminating the registration of a mooring site (Regulation 14 (2)).
- 20.** Transfer of Mooring Registration - Mooring Registrations may only be transferred in accordance with Regulation 12(3) and may only be considered via the sale of the vessel registered to the site.
- 21.** Mooring Registrations not otherwise transferable: The Registered Owner shall not assign, sell or otherwise dispose of any rights associated with the mooring site without first obtaining the approval of DoT. This includes the practice of 'sub-leasing' (Regulation 12 (1)).
- 22.** The Registered Owner must notify DoT in writing within 7 days of any change of details of the Registered Owner. (No verbal advice will be accepted) (Regulation 17 (1) (b)).
- 23.** Annual Fee: The Annual Hiring Fee must be paid in advance to DoT on or before the commencement of each registration period. Failure to pay the Annual Hiring Fee on or before the commencement of the registration period may result in DoT terminating the registration of a mooring site (Regulation 15 (d)).
- 24.** The Department of Transport may vary or alter mooring sites within the MCA and a Registered Owner shall, within one month (or such lesser period as is reasonably required) of receipt of a request from DoT, relocate or remove any mooring from the site so varied or altered (Regulation 9).
- 25.** The Department of Transport may terminate registration of a mooring site where it is considered desirable in the public interest that registration should be terminated (Regulation 15 (a)).

26. Other terms and conditions in accordance with the Shipping and Pilotage (Mooring Control Areas) Regulations 1983.

Acceptance by the Registered Owner of the offer of a Mooring Site Registration is considered evidence that the Registered Owner has read the Terms and Conditions as amended in accordance with the Shipping and Pilotage (Mooring Control Areas) Regulations 1983 and agrees to abide by them.

For further information please contact:

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