

Western Australian Marine Act 1982
Navigable Waters Regulations 1958

Exemption from certain speed restrictions for Rottnest Fast Ferries passenger ferries

WAMA-2021-204740

I, Raymond Buchholz, Assistant Executive Director Maritime, Department of Transport make this instrument under section 115A and regulation 48 as delegate of the Chief Executive Officer.

Instrument title

This instrument is WAMA-2021-204740.

Definitions

In this instrument:

ferry means –

- a) Seaflyte (UVI 437438);
- b) Voyager IV (UVI 450250); and
- c) Harbour Master (UVI 443404).

Hillarys Boat Harbour means the area the subject of Notice 2.

Notice 1 means the notice under section 67 published in the *Government Gazette* at p.5029 on 8 November 2016.

Notice 2 means the notice under section 67 published in the *Government Gazette* at p.4250 on 13 December 2019.

regulation means a regulation of the *Navigable Waters Regulations 1958*.

Rottnest Fast Ferries means CM Marine Pty Ltd (ACN 160 675 374).

Rottnest Fast Ferries Risk Register and Safety Management System means the document so titled and provided by Rottnest Fast Ferries to the Chief Executive Officer on 22 July 2021.

rule means a rule of the *Prevention of Collision at Sea Regulations 1983 (WA)*.

section means a section of the *Western Australian Marine Act 1982*.

Exemptions under section 115A

I exempt a ferry from the application of Notice 1 and Notice 2 while it enters or exits Hillarys Boat Harbour.

Approval under regulation 48(a)

I approve a ferry to exceed 8 knots in water less than 3 metres deep and within 50 metres of the water's edge while it enters or exits Hillarys Boat Harbour and while it is in the area to which Notice 1 applies.

Conditions

It is a condition of each approval and exemption that –

- (a) the ferry does not exceed a speed of 8 knots while it is within the area covered by Notice 2;
- (b) the ferry does not exceed a speed of 12 knots while it is within the area covered by Notice 1;
- (c) the ferry makes sound signals as described in;
 - a. rule 34(a) when it departs berth at Hillarys Boat Harbour;
 - b. rule 34(e) when it enters or exits Hillarys Boat Harbour;
- (d) the ferry displays a flashing orange light visible from all sides at all times while it is inside Hillarys Boat Harbour;
- (e) the operation of the ferry complies with the Rottneest Fast Ferries Risk Register and Safety Management System; and
- (f) a copy of this instrument is produced to the Department of Transport within 72 hours of demand.

When this instrument is in force

This instrument remains in force until 1 August 2023 unless revoked sooner.



Raymond Buchholz

Assistant Executive Director, Maritime

26 October 2021