



Terms and Conditions

Swan and Canning Rivers Mooring Control Area

Recreational Mooring Site Licence

Swan and Canning Rivers Mooring Control Area is pursuant to Mooring Regulations 1998, the following Terms and Conditions are attached to the Licence and are Requirements of the Licensee. In accepting the offered Mooring Site, the Licensee agrees to abide by these Terms and Conditions and the Mooring Regulations 1998, at all times. Failure to comply may result in cancellation of mooring license.

The Mooring Licence is valid subject to the payment of the prescribed annual fee and compliance by the Licensee with the Mooring Regulations 1998.

1. The exact geographical position that the mooring apparatus is to be located [the Mooring Site] is as shown on the front of the mooring licence. 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 to be determined by a Department of Transport (DoT) recognised mooring contractor.
2. Damage caused to other vessels or property by the licensed vessel or any other authorised vessel affixed to the mooring is the responsibility of the Mooring Licensee.
3. The Licensee must notify the Department in writing within 7 days of any change of address of the Licensee. (No verbal advice will be accepted).
4. Mooring Maintenance:
 - The Licensee agrees to maintain the mooring apparatus in a serviceable condition such that the nominated vessel is held securely at the Mooring Site at all times unless the vessel is on a voyage or is removed from navigable waters.
 - The Licensee agrees to locate and maintain the mooring apparatus on the seabed at the UTM position shown on the front of the mooring licence, the accuracy of which is to be no greater than plus or minus 5 metres of that UTM position.
 - Any mooring apparatus must be of a nature, material, dimension, size, type and construction that will provide a secure mooring for the Licensed/Authorised vessel.
5. Mooring Buoy:
 - A Mooring Buoy to the following specification is to be fitted to the mooring apparatus:

- Bright yellow in colour
- Beehive shaped
- Minimum of 600 millimetres in height and 600 millimetres in diameter
- Displaying mooring licence numbers on both sides of the buoy, black in colour on a white background, with each digit 65mm high and 50mm wide and;
- The Mooring Buoy is to be kept in a state that it is afloat, free of all marine growth and clearly visible at all times.
- The Mooring Site Licence Number as shown on the front of the licence must be clearly visible on each side of the mooring buoy at all times.
- Each digit of the Mooring Site Licence Number must be of plain block design and not script and must be vertical and not slanting.

6. Substitute Vessels:

- Please contact the Department of Transport 13 11 56 for a preliminary assessment of available area to accommodate a larger vessel. Due to all mooring zones reaching capacity Licensed Mooring Sites have been maximised and may not accommodate further increases.
- If sufficient swing area is not available at the present mooring site for the new [longer] Licensed Vessel and it causes interference or damage to any other mooring or vessel, then the Mooring Licensee will be required, at their own expense, to relocate the mooring apparatus to another site (if available) approved by the Department. This may not be within the present mooring area of your licence. The Mooring Licensee may also be liable for any damage claims made by other parties.

7. Recreational Vessels:

- The vessel is to be registered in accordance with Regulation 45B (1) (a) and (b) of the Navigable Waters Regulations 1958. If the vessel is not registrable under the Navigable Waters Regulations 1958 or is a tender, the vessel is to exhibit so that it is clearly visible from the exterior of the vessel, the Mooring Identification Sticker issued under the regulations for that reason. Penalty for non-compliance \$1000 maximum

8. Commercial vessels:

- Must be “in survey” with a current valid Certificate of Survey.

9. Mooring Inspection Reports:

- The Licensee shall provide a current inspection report to the Department by a recognised mooring contractor in the following circumstances;
 - Every 24 months; or
 - When requesting increase in size of maximum vessel length; or
 - When applying for additional authorised vessels greater in size than the licensed vessel for that mooring, and the current mooring inspection report for that mooring is older than 24 months confirming that the mooring apparatus is safe and fit for purpose for the vessel nominated on the authorised user application form; or
 - As requested by the Director General.

10. Application for Transfer of a Mooring Site Licence:

- A Mooring Licence granted under the Mooring Regulations 1998, may only be transferred in accordance with Regulation (16) which states a licence may be transferred:

- To an individual over the age of 17 years whose principal place of residence is in WA and:
- The owner of the licensed vessel nominated on the Mooring Licence.
- No request for authorised vessels will be considered for a mooring Licence until transfer has been finalised

11. Sale or Disposal of a Licensed Vessel:

- An existing Mooring Licensee is granted 6 months to nominate the new Licensed vessel (from date of sale or disposal of original licensed vessel), during this time no new authorised vessels will be approved to this mooring until such time as the new Licensed vessel is nominated, however, any existing authorised vessel/s that were originally attached to the mooring may remain approved to use the mooring providing they are the same or lesser length than the Licensed Vessel.
- A mooring licensee, who sells or otherwise disposes of his or her interest in a licensed vessel, must give written notice of the sale or disposal, and the date of the sale or disposal, to the department within 7 days after the sale or disposal. Within 6 months (Regulation 25 (3)) after the date of the sale or disposal, by written notice to the department, the mooring licensee must nominate another suitable vessel that is owned by the mooring licensee. This is to be accompanied by full particulars of the nominated vessel and the required fee paid. Failure to do so may result in the cancellation of the mooring site licence (Regulation 14 (1) (d)).

12. Additional vessel advice:

- Only the Licensed Vessel, or other authorised additional Vessel, as described on the Mooring Licence or Endorsement, may occupy the Licensed Mooring Site.
- A vessel, other than the licensed vessel, may not occupy the Mooring Site unless DoT has given permission in writing in the form of an endorsement to the Licensee.
- Registered vessels may apply to be approved as authorised users; however please note that the renting or leasing of mooring sites is strictly prohibited and may result in the cancellation of the mooring site licence.
- Authorisation for Additional Vessels will be valid for maximum period of 12 months. Authorisation will automatically cease upon transfer or cancellation of the mooring site licence.
- The Department of Transport reserves the right to cancel an approval or determine an alternate expiry date on notification to the licensee at any time.

13. Transfer of Mooring Site Licence (Authorised Vessel advice):

- Authorisation for any additional vessels will automatically cease upon transfer or cancellation of the mooring site licence.

14. Mooring Licences not otherwise transferable:

- A mooring licence is not transferable; and rights conferred on a person in respect of a mooring licence is not assignable and may not pass by will or intestacy or vest by operation of law in any other person.

15. Vessels – Licensed and Authorised:

- The owner of a vessel on a registered mooring site must maintain the vessel in a seaworthy condition so that the vessel is capable of undertaking a voyage.

16. Tender or Registrable vessels:

- Maximum of 3.1m may be secured alongside only to an approved vessel for short periods of time to ensure the integrity of the licensed swing area. Vessels are not to be secured from the stern of the authorised vessel at any time.
- Definition of a Tender Vessel: A tender is to be no more than 3.1m long, has a motor no bigger than 3.73 kW (5hp) and is used only as a life boat and for ship to shore transport. A tender or registrable vessel maximum 3.1m may be secured alongside a vessel for short term to enable the transfer of materials or persons.

Acceptance by the Licensee of the offer of a Mooring Site Licence is considered proof that the Licensee has read the Terms and Conditions as amended from time to time in accordance with the Mooring Regulations 1998 and agrees to abide by them at all times.

For further information please contact:

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Mooring Office
Marine Operations Centre
14 Capo D'Orlando Drive, Fremantle WA 6160

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