



About this Licence

The *Mooring Regulations 1998* (the Regulations) impose obligations on the licensee in relation to mooring licences. You should ensure that you are aware of all statutory obligations under the Regulations and all other relevant laws.

Failure to comply with the conditions of this licence may result in cancellation of the Licence. Failure to comply with the provisions of the Act or Regulations may result in cancellation of the Licence and may constitute an offence which may result in a fine.

Legislation can be accessed through the Department of Justice at www.legislation.wa.gov.au

Licence Conditions

1. Interpretation

- 1.1 These conditions are attached and should be read in conjunction with the Mooring Site Licence Certificate.
- 1.2. In the licence and licence conditions, definitions from the Act apply unless the contrary intention appears.
- 1.3. In the event of any inconsistencies between the Act and the licence conditions, the Act will prevail.
- 1.4. The headings are for guidance only and do not form part of the Conditions;
- 1.5. Unless the context requires otherwise, the singular includes the plural and vice versa;
- 1.6. The words “include” and “including” are to be read as if the words “without limitation” appeared immediately afterwards; and
- 1.7. A reference to the Act includes the Regulations.

2. Definitions

- 2.1. **Act** means the *Western Australian Marine Act 1982*;
- 2.2. **Department** means the Department principally assisting the Minister in administering the Regulations (currently the Department of Transport); and
- 2.3. **Licence** means the mooring licence granted under section 65 of the Act to which these Conditions are attached.

3. Use

- 3.1. The mooring site must only be used for a pleasure vessel.
- 3.2. Only one vessel and no other object may be secured to the mooring apparatus at any time. (Rafting is prohibited)
- 3.3. The mooring licensee must not lease, attempt to lease, sell, or invite an offer to purchase the mooring licence.

- 3.4. The mooring site must not be used by any vessel if the most recent request for mooring inspection report has not been provided to the Department within the time required.

4. Requirements

- 4.1. The owner of any vessel authorised to secure to a registered mooring must maintain the vessel in a seaworthy condition so that the vessel is capable of undertaking a voyage.
- 4.2. The owner of a vessel must immediately remove the vessel from the mooring site if that vessel sinks whilst secured to the mooring.

5. Installation & Maintenance

- 5.1. A mooring must be installed and maintained on the location specified by the co-ordinates on the Mooring Site Licence Certificate.
- 5.2. A mooring float or buoy on a mooring site must be bright yellow in colour, beehive shaped and a minimum of 600 millimetres in height and 600 millimetres in diameter.
- 5.3. The mooring site identification number must always be clearly displayed on opposing sides of the mooring buoy.
- 5.4. The digits of the mooring site licence number must be black in colour on a white background, with each digit being at least 65mm high and 50mm wide.
- 5.5. Each digit of the mooring site licence number must be of plain block design, not script and must be vertical and not slanting.
- 5.6. A clearly visible red coloured disc issued by the Department designating the mooring does not form part of the shared-use mooring system must be securely fastened to the mooring buoy.
- 5.7. The mooring buoy is to be kept in a state that it is afloat and free of all marine growth. All information required to be displayed on the mooring buoy must always be clearly visible.
- 5.8. The mooring licensee must maintain the mooring apparatus so that it is safe and fit for the purpose for the maximum vessel length for the mooring site.

6. Mooring Inspection Reports

- 6.1. A mooring inspection report certifying that the mooring site has been inspected by a mooring inspector and complies with the requirements specified in subregulation 20(3), including that it is safe and fit for the purpose of securing a vessel that does not exceed the maximum vessel length must be submitted to the Department within 28 days of receiving a request in the approved form.
- 6.2. A mooring inspection report may be rejected if the report does not sufficiently address the criteria required by the Regulations.
- 6.3. If a mooring inspection report is rejected by the Department the mooring licensee must submit another report.
- 6.4. The maximum vessel length of the registered mooring may be reduced by the Department should an inspection report not match the registered maximum vessel length.

7. Licensed Vessels

- 7.1. Only one vessel may be recorded as the licensed vessel for any registered exclusive use recreational mooring site.
- 7.2. If the licensed vessel is a registrable vessel, the vessel's registration must remain current at all times. If the licensed vessel is not a registrable vessel according to the *Navigable Waters Regulations 1958*, the authorisation sticker issued by the Department must be adhered to the port side of the vessel in a manner which makes it clearly visible.
- 7.3. A mooring licensee who sells or otherwise disposes of the licensee's 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 15 days after the sale or disposal.

8. Additional Vessels

- 8.1. Only one vessel may be authorised as an additional vessel at any one time.
- 8.2. An additional vessel may be authorised to use a registered recreational mooring site for a maximum period of nine months within the annual registration period of the mooring licensee's mooring licence.

9. Tenders

- 9.1. The tender to a licensed or additional vessel may be secured to the registered mooring site if the licensed and any additional vessels are temporarily away from the mooring.
- 9.2. A licensed or additional vessel secured to a registered mooring must only secure a tender alongside the parent vessel.