

TASMANIA

**MARINE AND SAFETY (GENERAL)
REGULATIONS 2023**

STATUTORY RULES 2023, No. 47

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MARINE AND SAFETY (GENERAL) REGULATIONS 2023

I, the Governor in and over the State of Tasmania and its Dependencies in the Commonwealth of Australia, acting with the advice of the Executive Council, make the following regulations under the *Marine and Safety Authority Act 1997*.

Dated 19 June 2023.

B. BAKER
Governor

By Her Excellency's Command,

MICHAEL DARREL JOSEPH FERGUSON
Minister for Infrastructure and Transport

PART 1 – PRELIMINARY

1. Short title

These regulations may be cited as the *Marine and Safety (General) Regulations 2023*.

2. Commencement

These regulations take effect on 1 July 2023.

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3. Interpretation

In these regulations, unless the contrary intention appears –

Act means the *Marine and Safety Authority Act 1997*;

AMSA means the Australian Maritime Safety Authority established under the *Australian Maritime Safety Authority Act 1990* of the Commonwealth;

approved means approved by MAST;

AS means a standard published, and as from time to time amended or substituted, by Standards Australia;

AS 4758 includes –

- (a) AS 4758.1–2008, as in force immediately before 13 August 2015; and
- (b) AS 4758.1:2015, as from time to time amended or substituted;

AS/NZS means a standard published, and as from time to time amended or substituted, by Standards Australia and Standards New Zealand jointly;

authorised person means a person who –

- (a) is appointed under section 44 of the Act for the purposes of these regulations; or

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- (b) is a member of a class of persons appointed under section 44 of the Act for the purposes of these regulations;

auxiliary vessel has the same meaning as in the National Law;

class, for a vessel, means its class under the National Law;

emergency, for a vessel, means the occurrence of any, or any combination of, the following:

- (a) a death or injury (caused by the vessel);
- (b) a death or injury on (but not caused by) the vessel;
- (c) the loss of a person from the vessel;
- (d) an on-board medical emergency;
- (e) a collision with an object or another vessel;
- (f) a grounding, sinking, flooding or capsizing of the vessel;
- (g) the discovery that another vessel requires assistance;
- (h) an on-board fire;
- (i) a loss of stability;

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- (j) a propulsion failure;
- (k) a structural failure in the hull or superstructure;
- (l) the giving (other than for testing or training purposes) of the emergency muster station signal;
- (m) the giving (other than for testing or training purposes) of the “abandon ship” signal;
- (n) the materialisation of a risk that is peculiar to that particular vessel, on account of its design, cargo or operations;

EPIRB means Emergency Position Indicating Radio Beacon that conforms to AS/NZS 4280.1;

EVDS means an electronic visual distress signal;

flare means a flare that conforms to AS 2092;

life jacket means an inflatable or buoyant jacket, that meets or exceeds AS 4758, for keeping a person afloat in water;

lightweight craft means an off-the-beach sailing craft, a canoe, a kayak, a stand-up paddle board or any other lightweight craft capable of being navigated that is not also a commercial vessel;

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MAST means the Marine and Safety Authority established by section 4 of the Act;

motor boat has the same meaning as in the *Marine and Safety (Motor Boats and Licences) By-laws 2013*;

NSCV means the National Standard for Commercial Vessels published by AMSA, as amended from time to time;

off-the-beach sailing craft means a wind-powered craft that is designed to be launched directly from a beach;

operate, for a vessel, includes navigate the vessel;

owner has the same meaning as in the National Law;

partially smooth waters means partially smooth waters as specified in Schedule 2 to the *Marine and Safety (Limits of Operational Areas of Vessels) By-laws 2013*;

PLB means Personal Locator Beacon that conforms to AS/NZS 4280.2;

prescribed fee, for any matter, means the fee prescribed in Schedule 1 in relation to the matter;

PWC means a motor boat that –

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- (a) is designed to use an inboard motor, powering a jet drive, as the principal means of propulsion; and
- (b) is designed to be operated by a person standing, crouching or kneeling on it, or sitting astride it, rather than within the confines of it;

sea kayak means a kayak that –

- (a) is specifically designed for paddling on open waters; and
- (b) does not have an enclosed hull;

sheltered waters means sheltered waters as specified in Schedules 1 and 2 to the *Marine and Safety (Limits of Operational Areas of Vessels) By-laws 2013*;

smooth waters means smooth waters as specified in Schedule 1 to the *Marine and Safety (Limits of Operational Areas of Vessels) By-laws 2013*;

surf zone means the area between the outermost breakers and the shore;

tender vessel has the same meaning as in the National Standard for Commercial Vessels published by AMSA, as amended from time to time;

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VHF, in relation to the radio spectrum, means very high frequency and is the band extending from 30 MHz to 300 MHz.

4. Prescribed craft

For the purpose of the definition of vessel in section 3 of the Act, each of the following craft is a prescribed craft:

- (a) a canoe;
- (b) a kayak;
- (c) an off-the-beach sailing craft;
- (d) a PWC;
- (e) a stand-up paddle board;
- (f) a rowing shell that is fitted with outriggers for oars and sliding seats;
- (g) a sea kayak;
- (h) a surf ski;
- (i) a seaplane, while being navigated on water;
- (j) any other craft capable of being navigated on water.

PART 2 – SAFETY EQUIPMENT

5. Life jackets

- (1) A person who is on a lightweight craft must wear an approved life jacket unless –
 - (a) the sole purpose of operating the lightweight craft is to ride the crest of a wave in a surf zone towards the shoreline; or
 - (b) the lightweight craft is a rowing shell that is accompanied by a powered craft which –
 - (i) is, at all times, within 500 metres of the rowing shell; and
 - (ii) in addition to the life jackets required for the persons on the powered craft, is carrying 4 additional approved life jackets for the persons on the rowing shell that the powered craft is accompanying; or
 - (c) the lightweight craft is a rowing shell that is being used for or in connection with a rowing competition, regatta, event or other race –
 - (i) that is being promoted, controlled, managed or conducted by Rowing Tasmania Incorporated; and

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- (ii) in respect of which Rowing Tasmania Incorporated has prepared an approved safety management plan; or
 - (d) the person is wearing an inflatable or buoyant jacket that –
 - (i) is designed to keep a person afloat in water; and
 - (ii) meets or exceeds the minimum standards relating to safety specified in AS 4758 for the level of approved life jacket required to be worn by the person under this regulation.

Penalty: Fine not exceeding 10 penalty units.

- (2) A person who is on a PWC must not use a life jacket that is inflatable.

Penalty: Fine not exceeding 10 penalty units.

- (3) The master of a motor boat must ensure that a person who is being towed by the motor boat wears an approved life jacket.

Penalty: Fine not exceeding 10 penalty units.

- (4) The person being towed by a motor boat must not use a life jacket that is inflatable.

Penalty: Fine not exceeding 10 penalty units.

- (5) For the purposes of subregulations (1) and (3), an approved life jacket is –

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- (a) for a lightweight craft, other than a sea kayak, in sheltered waters or for a motor boat in any waters, a life jacket that meets, or exceeds, the requirements of AS 4758 Level 50 life jackets or Level 50 special-purpose life jackets; or
 - (b) for a lightweight craft, other than a sea kayak, in waters other than sheltered waters, a life jacket that meets, or exceeds, the requirements of AS 4758 Level 100 life jackets; or
 - (c) for a sea kayak in any waters, a life jacket that meets, or exceeds, the requirements of AS 4758 Level 50 life jackets.
- (6) The owner of a life jacket must ensure that the life jacket is serviced and maintained in accordance with the instructions of the manufacturer of the life jacket.

Penalty: Fine not exceeding 10 penalty units.

- (7) If requested to do so by an authorised person, the owner of a life jacket must provide the authorised person with evidence that the life jacket has been serviced and maintained as required under subregulation (6).

Penalty: Fine not exceeding 10 penalty units.

6. Life jackets for certain vessels

- (1) A person must wear an approved life jacket if the person is on a commercial vessel that –
- (a) is proceeding under power; and
 - (b) is less than 6 metres in length or is a motor-propelled auxiliary vessel or tender vessel.

Penalty: Fine not exceeding 5 penalty units.

- (2) For the purposes of subregulation (1), an approved life jacket is –
- (a) for a vessel that is operating in waters other than sheltered waters, a life jacket that meets the requirements of Annex G of Part C, Subsection 7A of the NSCV; or
 - (b) for a vessel that is operating in sheltered waters, being partially smooth waters –
 - (i) a life jacket that meets the requirements of Annex G of Part C, Subsection 7A of the NSCV; or
 - (ii) a life jacket that meets, or exceeds, the requirements of AS 4758; or
 - (c) for a vessel that is operating in sheltered waters, being smooth waters –

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- (i) a life jacket that meets the requirements of Annex G of Part C, Subsection 7A of the NSCV; or
 - (ii) a life jacket that meets, or exceeds, the requirements of AS 4758.
- (3) The master of a vessel of a kind referred to in subregulation (1) must ensure that each person on the vessel who is under the age of 16 years complies with that subregulation.

Penalty: Fine not exceeding 10 penalty units.
- (4) Subregulation (1) does not apply to a person on a vessel of a kind referred to in that subregulation if the person is wearing a wetsuit and –
 - (a) is preparing to dive from the vessel for a commercial purpose; or
 - (b) has completed a dive from the vessel for a commercial purpose and is changing, or preparing to change, out of the wetsuit.

7. Mandatory safety equipment for lightweight craft

- (1) Subject to subregulation (2), the operator and other persons on a lightweight craft must ensure that the craft carries while it is operating –
 - (a) if the lightweight craft is a rowing shell, the mandatory safety equipment specified in Schedule 2; and

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- (b) in any other lightweight craft, the mandatory safety equipment specified in Schedule 3.

Penalty: Fine not exceeding 10 penalty units.

- (2) If a lightweight craft is travelling with a powered support vessel or 3 lightweight craft are travelling together in waters other than sheltered waters or smooth waters, the carriage of flares, EPIRB/PLB and VHF radio (*the equipment*) may be reduced to carriage of the equipment by one of every 3 lightweight crafts if the lightweight crafts remain within 50 metres of the craft or vessel carrying the equipment.
- (3) The operator of a lightweight craft must ensure that lights specified in Schedule 3 as mandatory safety equipment for the lightweight craft are operational, and in use, when the vessel is operating –
- (a) between sunset and sunrise; and
- (b) at other times where visibility is reasonably limited.

Penalty: Fine not exceeding 10 penalty units.

PART 3 – MISCELLANEOUS

8. Powers of authorised persons

- (1) An authorised person may –
 - (a) direct an operator of a lightweight craft –
 - (i) to remove the craft from the vicinity; or
 - (ii) to proceed to a place indicated by the authorised person; and
 - (b) give directions to the operator of a lightweight craft relating to –
 - (i) the manner of approaching or departing from a location; or
 - (ii) the manner of taking up or setting down passengers or loading or unloading goods; or
 - (iii) the mooring or anchoring of boats; and
 - (c) remove a lightweight craft to a place of safe custody if –
 - (i) the craft is abandoned without being securely moored or at anchor; or
 - (ii) while operating the craft, the operator is unfit, in the opinion of the authorised person, to operate

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the craft because of being under
the influence of alcohol or drugs;
or

(iii) in the opinion of the authorised
person, the lightweight craft
impedes safe navigation; and

(d) give directions, including to stop, to the
operator of a lightweight craft; and

(e) board any lightweight craft to inspect it
or any object on the craft; and

(f) request the operator of a lightweight craft
to give his or her name, age and address.

(2) The operator of a lightweight craft must comply
with the directions of an authorised person.

Penalty: Fine not exceeding 10 penalty units.

9. Prohibited areas for navigation

A person, in any area specified in Schedule 5,
must not –

(a) drive or be in charge of a lightweight
craft or a commercial vessel, unless
approved by MAST or an authorised
person; or

(b) ride upon any aquaplane, water ski or
similar device or cause any such device
to be towed, pulled or propelled.

Penalty: Fine not exceeding 10 penalty units.

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10. Vessels not to be operated in designated waters

(1) In this regulation –

designated means designated –

- (a) on navigation charts issued by the Australian Hydrographic Service or an international hydrographic service; or
 - (b) in notices to mariners issued by MAST.
- (2) Except as may be necessitated by an emergency, the master of a vessel must ensure that it does not operate in waters that are designated as –
- (a) being unsafe or unsuitable for that vessel, or vessels of its class, to navigate; or
 - (b) waters in which that vessel, or vessels of its class, are not permitted to navigate.

Penalty: Fine not exceeding 50 penalty units.

11. Retrieval of information

On payment of the applicable prescribed fee, a person may apply to –

- (a) retrieve information from MAST records; and
- (b) copy information from MAST records.

12. Information in respect of commercial vessel

- (1) The owner of one of the following commercial vessels must supply the information specified in subregulation (3) within 14 days after commencing commercial operations in Tasmania:
- (a) a commercial vessel the home port of which is in Tasmania;
 - (b) a commercial vessel that is owned by –
 - (i) an individual whose principal place of residence is in Tasmania; or
 - (ii) a person whose place of business, or principal place of business, is in Tasmania and the commercial vessel is operated as part of the business;
 - (c) a commercial vessel that is chartered by a person –
 - (i) whose place of business, or principal place of business, is in Tasmania; and
 - (ii) who intends to operate the commercial vessel as part of the business;
 - (d) a commercial vessel that is owned, or operated, by a person whose principal place of business for managing the

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operations of the commercial vessel is in
Tasmania.

Penalty: Fine not exceeding 5 penalty units.

- (2) The owner of a commercial vessel not referred to in subregulation (1) must supply the information specified in subregulation (3) within 7 days after the 90th calendar day, cumulatively, in the immediately preceding 12-month period, on which the vessel was present in coastal waters.

Penalty: Fine not exceeding 5 penalty units.

- (3) The following information is the information to be supplied under subregulation (1) or (2):
- (a) the full name and address of the person who is the owner of the commercial vessel;
 - (b) the unique identifier of the commercial vessel;
 - (c) the expiry date, if any, of the authorisation under the National Law that enables the vessel to operate as a commercial vessel;
 - (d) any other information that MAST considers appropriate.
- (4) An owner who has supplied information under this regulation must notify MAST in writing of any change of address of the owner within 7 days after the date of that change.

Penalty: Fine not exceeding 5 penalty units.

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- (5) If an owner who has supplied information under this regulation in respect of a commercial vessel transfers the ownership of that commercial vessel, the owner must, within 7 days after the date of that transfer, notify MAST in writing of –
- (a) the name and address of the person to whom the ownership of the commercial vessel has been transferred; and
 - (b) the date of the transfer.

Penalty: Fine not exceeding 5 penalty units.

13. Annual infrastructure administration fee

- (1) This regulation applies to a commercial vessel that is present in commercial waters if one or more of the following apply to the vessel:
- (a) the home port of the vessel is in Tasmania;
 - (b) the vessel is owned by –
 - (i) an individual whose principal place of residence is in Tasmania; or
 - (ii) a person whose place of business, or principal place of business, is in Tasmania and the commercial vessel is operated as part of the business;
 - (c) the vessel is chartered by a person –

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- (i) whose place of business, or principal place of business, is in Tasmania; and
 - (ii) who intends to operate the commercial vessel as part of the business;
 - (d) the vessel is owned, or operated, by a person whose principal place of business for managing the operations of the commercial vessel is in Tasmania;
 - (e) the vessel has been present in coastal waters in the preceding 12-month period, unless the owner of the vessel proves, to the satisfaction of MAST, that the vessel was only present in coastal waters in that 12-month period for a cumulative period of less than 90 calendar days.
- (2) The owner of a commercial vessel to whom a notice under subregulation (3) has been issued must not operate the vessel, or allow the vessel to be operated, in State waters in a financial year, unless –
- (a) a label has been issued under subregulation (5), and is in force, in respect of the vessel for that financial year; and
 - (b) that label is displayed in accordance with the requirements specified in relation to that financial year in a notice issued under subregulation (5) in relation to the vessel.

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Penalty: Fine not exceeding 10 penalty units.

- (3) MAST may issue, to the owner of a commercial vessel to which this regulation applies, a notice in writing requiring the owner to pay to MAST, by the date specified in the notice, the amount of the annual infrastructure administration fee determined in relation to the vessel in accordance with Schedule 4.
- (4) The owner of a commercial vessel to whom a notice under subregulation (3) has been issued must pay to MAST, by the date specified in the notice, the amount of the annual infrastructure administration fee payable for that vessel for a financial year, as specified in the notice.
- (5) If MAST receives from the owner of a commercial vessel the amount specified in a notice issued to the owner in respect of that commercial vessel under subregulation (3), MAST is to issue the owner with –
 - (a) a label, in an approved form, in respect of the vessel for that financial year; and
 - (b) a notice specifying where the label is to be displayed on the vessel.
- (6) Despite subregulation (5), MAST may refuse to issue a label for a commercial vessel until all fees due and owing to MAST in respect of the vessel, under the Act or any other Act, are paid.
- (7) If the owner of a commercial vessel receives a notice under subregulation (3) and does not pay the annual infrastructure administration fee

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specified in the notice within 21 days after the date specified in the notice, MAST may, by notice in writing to the owner, charge the owner an additional late fee of 20% of the amount of the annual infrastructure administration fee.

- (8) The owner of a commercial vessel to whom a notice under subregulation (7) has been issued must pay to MAST, by the date specified in the notice, the late fee payable as specified in the notice.
- (9) For the purposes of determining the relevant annual infrastructure administration fee in Schedule 4 in respect of a vessel, a measurement of the length of the vessel is to be rounded up to the nearest whole centimetre.

14. Prescribed offences and penalties

- (1) For the purposes of section 45(1) of the Act, an offence against a provision specified in column 1 of Schedule 6 is a prescribed offence.
- (2) The penalty, in penalty units, specified in column 2 of Schedule 6 opposite the provision specified in column 1 is the penalty payable under an infringement notice served in respect of that offence.

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SCHEDULE 1 – PRESCRIBED FEES

	Matter	Regulation	Regulation 3 Fee units
1.	Application to retrieve information from MAST records	Regulation 11(a)	24 units
2.	Copying of information from MAST records	Regulation 11(b)	84 units for each hour or part of an hour

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**SCHEDULE 2 – SAFETY EQUIPMENT FOR ROWING
SHELLS**

Regulation 7(1)(a)

1. White strobe light on the bow with 360-degree visibility, for at least one nautical mile, when operated between sunset and sunrise.
2. White light on the stern with 270-degree visibility aft of the stern, for at least one nautical mile, when operated between sunset and sunrise.

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SCHEDULE 3 – SAFETY EQUIPMENT

Regulation 7(1)(b)

PART 1 – SAFETY EQUIPMENT TO BE CARRIED

Equipment	Lightweight craft in smooth waters	Lightweight craft in sheltered waters	Lightweight craft in waters other than sheltered waters
White strobe light OR white light 360-degree visibility	Mandatory	Mandatory	Mandatory
Tethering device when more than 200m offshore	Mandatory (if craft is not a dinghy used for rowing)	Mandatory (if craft is not a dinghy used for rowing)	Mandatory (if craft is not a dinghy used for rowing)
EPIRB or PLB as specified in Part 2 of this Schedule		Recommended	Mandatory
VHF radio		Recommended	Mandatory
Bailer or bilge pump in craft unless hull permanently enclosed	Mandatory	Mandatory	Mandatory
Compass			Mandatory

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Equipment	Lightweight craft in smooth waters	Lightweight craft in sheltered waters	Lightweight craft in waters other than sheltered waters
Flares – 2 red hand-held flares and 2 orange hand-held smoke flares or an EVDS as specified in Part 2 of this Schedule		Recommended	Mandatory

PART 2 – SPECIFICATIONS OF EQUIPMENT

1. EPIRB or PLB

- (1) An emergency position indicating radio beacon (EPIRB) is to –
 - (a) conform to AS/NZS 4280.1:2017; and
 - (b) be registered with the Australian Maritime Safety Authority established by the *Australian Maritime Safety Authority Act 1990* of the Commonwealth; and
 - (c) if being carried on a lightweight craft that is carrying an EVDS instead of flares, is to incorporate a GPS; and
 - (d) if being carried after 1 January 2033, is to incorporate a GPS.
- (2) A personal locator beacon (PLB) –

- (a) is to conform to AS/NZS 4280.2:2017; and
- (b) is to be registered with the Australian Maritime Safety Authority established by the *Australian Maritime Safety Authority Act 1990* of the Commonwealth; and
- (c) if being carried on a lightweight craft that is carrying an EVDS instead of flares, is to incorporate a GPS.

2. Flares or EVDS

- (1) A flare (pyrotechnic) is to –
 - (a) meet, or exceed, the requirements of AS 2092-2004; and
 - (b) display an expiry date that has not passed.
- (2) A lightweight craft is to be provided with the following flares:
 - (a) 2 red hand-held flares;
 - (b) 2 orange hand-held smoke signals;
 - (c) 2 red parachute flares.
- (3) An EVDS is to be of a type approved by MAST and must be operational.
- (4) Despite subclause (2), an EVDS may be carried on a lightweight craft instead of the hand-held flares required under subclause (2)(a) and (b)

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provided that the following equipment is also carried on the lightweight craft:

- (a) an EPIRB or PLB that incorporates a GPS;
- (b) a VHF radio.

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**SCHEDULE 4 – ANNUAL INFRASTRUCTURE
ADMINISTRATION FEE**

	Vessel length	Regulation 13 Fee units
	(metres)	
1.	0-3.99	66
2.	4-4.99	77
3.	5-5.99	91
4.	6-7.99	97
5.	8-8.99	110
6.	9-9.99	122
7.	10-11.99	140
8.	12-14.99	143
9.	15-17.99	182
10.	18-20.99	232
11.	21-23.99	302
12.	24-26.99	363
13.	27-29.99	403
14.	30-34.99	484
15.	35 or longer	-

**SCHEDULE 5 – PROHIBITED AREAS FOR
NAVIGATION**

Regulation 9

1. Lake Gordon: the waters within 100 metres of the Gordon intake.
2. Lake Gordon: the waters within 300 metres upstream of the Gordon Dam.
3. Gordon River: the waters downstream from the Gordon Dam to the confluence of the Serpentine River.
4. Serpentine River: the waters of the Serpentine River for a distance of 1 000 metres downstream from the Serpentine Dam.
5. Lake Pedder: the waters bounded by the Serpentine Dam, a sign on the southern bank and a sign on the northern bank, both signs located approximately 200 metres upstream from the Serpentine Dam.
6. Lake Pedder: the waters bounded by the Scotts Peak Dam, a sign on the eastern bank approximately 75 metres upstream from the Scotts Peak Dam and a sign on the western bank approximately 22 metres upstream from the Scotts Peak Dam.

7. Lake Pedder: the waters bounded by the Edgar Dam, a sign on the western bank approximately 400 metres upstream from the Edgar Dam and a sign on the eastern bank approximately 50 metres upstream from the Edgar Dam.
8. Lake Pedder: the waters of the McPartlan Canal from a point approximately 400 metres upstream from the Gordon River Road bridge downstream to Lake Gordon.
9. Cluny Lagoon: the waters bounded by the Cluny Dam, a sign on the eastern bank and a sign on the western bank, both signs located approximately 150 metres upstream from the Cluny Dam.
10. Lake Catagunya: the waters –
 - (a) bounded by the Catagunya Dam, a sign located on the eastern bank and a sign on the western bank, both signs located approximately 300 metres upstream from the Catagunya Dam; and
 - (b) of the Catagunya Flume.
11. River Derwent: the waters of the River Derwent for a distance of 700 metres downstream from the Catagunya Dam.
12. Lake Catagunya: the waters of the Wayatinah Power Station tailrace to a sign on the eastern

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bank and a sign on the western bank, both signs 150 metres downstream from the Wayatinah Power Station.

- 13.** Lake Repulse: the waters bounded by the Repulse Dam, a sign on the northern bank approximately 400 metres upstream from the Repulse Dam and a sign on the southern bank approximately 100 metres upstream from the Repulse Dam.
- 14.** River Derwent: the waters of the River Derwent for a distance of 300 metres downstream from the Repulse Dam.
- 15.** River Derwent: the waters of the River Derwent for a distance of 300 metres downstream from the Cluny Dam.
- 16.** Meadowbank Lake: the waters bounded by the Meadowbank Dam, a sign on the eastern bank and a sign on the western bank, both signs located approximately 1 500 metres upstream from the Meadowbank Dam.
- 17.** River Derwent: the waters of the River Derwent for a distance of 300 metres downstream from the Meadowbank Dam.
- 18.** Nive River: the waters of the Nive River from the Tungatinah Power Station downstream to

Wayatinah Lagoon including Lake Liapootah and the Liapootah Power Station tailrace.

19. Wayatinah Lagoon: the waters bounded by the Wayatinah Dam, a sign on the eastern bank and a sign on the western bank, both signs located approximately 300 metres upstream from the Wayatinah Dam.
20. Wayatinah Lagoon: the waters bounded by the Wayatinah Power Station tunnel intake structure, a sign on the eastern bank and a sign on the western bank, both signs located approximately 100 metres upstream from the tunnel intake structure.
21. River Derwent: the waters of the River Derwent for a distance of 300 metres downstream from the Wayatinah Dam spillway.
22. Lake King William: the waters bounded by the Clark Dam, a sign on the western bank approximately 300 metres upstream from the Clark Dam and a sign on the eastern bank approximately 100 metres upstream from the Clark Dam.
23. Lake King William: the waters bounded by the Tarraleah Intake, a sign on the western bank approximately 250 metres upstream from the Tarraleah Intake and a sign on the eastern bank approximately 250 metres upstream from the Tarraleah Intake.

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24. Lake King William/Nive River: the waters of all those canals, flumes, ponds, siphons and tunnels flowing downstream from Lake King William to the Nive River, including –

- (a) that part of the River Derwent between the Clark Dam and the pump station located approximately 6 000 metres downstream from the Clark Dam; and
- (b) the Wentworth Canal and the Wentworth Dam Pond; and
- (c) the Dunnys Canal and the Dunnys Dam Pond; and
- (d) the Hornes Dam Pond; and
- (e) within 50 metres of the Pump Pond intake; and
- (f) within 30 metres upstream from the Pump Pond spillway; and
- (g) within 30 metres upstream from the Mossy Marsh Pond spillway –

but excluding the remainder of the Pump Pond and the Mossy Marsh Pond.

25. Tungatinah Lagoon: the waters within 50 metres of the Tungatinah Tunnel intake structure.

26. Bronte Lagoon: the waters –

- (a) for a distance of 35 metres upstream of the Bronte Lagoon spillway; and
 - (b) for a distance of 300 metres downstream of the Bronte Lagoon spillway; and
 - (c) for a distance of 35 metres from the Clarence Pipeline outlet.
- 27.** Bronte Lagoon/Bradys Lake: the waters of the Woodward's Canal from the footbridge at Bronte Lagoon downstream to Bradys Lake.
- 28.** Bradys Lake: the waters bounded by the Dee Tunnel Outlet, a sign on the eastern bank and a sign on the western bank, both signs located approximately 50 metres downstream from the Dee Tunnel Outlet.
- 29.** Bradys Lake: the waters within 60 metres of the Bradys Lake spillway.
- 30.** Laughing Jack Lagoon: the waters for a distance of –
 - (a) 70 metres upstream from the Laughing Jack Dam; and
 - (b) 200 metres downstream from the Laughing Jack spillway along Powers Creek.
- 31.** Penstock Lagoon: the waters –

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- (a) for a distance of 40 metres upstream and 150 metres downstream from the Penstock Lagoon South Dam spillway; and
 - (b) of the Waddamana No.2 canal.
- 32.** Lake Echo: the waters bounded by the Lake Echo Dam, a sign on the western bank approximately 40 metres upstream, and a sign on the eastern bank approximately 120 metres upstream from the Lake Echo Dam.
- 33.** Lake Echo: the waters of the canal and flume from the Lake Echo Dam at Lake Echo downstream to and including the Echo Forebay.
- 34.** Dee Lagoon: the waters of the Lake Echo Power Station tailrace for a distance of 400 metres downstream from the Lake Echo Power Station.
- 35.** Dee Lagoon: the waters bounded by the Dee Tunnel Inlet Weir, a sign on the northern bank and a sign on the southern bank, both signs located approximately 150 metres upstream from the Dee Tunnel Inlet Weir.
- 36.** Dee Lagoon: the waters of the Dee Lagoon spillway channel from the shoreline of the lagoon to the end of the spillway channel.

- 37.** Pine Tier Lagoon: the waters within 400 metres of the Pine Tier Dam.
- 38.** Bronte Canal: the waters of the Bronte flume and the Bronte Canal from the Pine Tier Dam downstream to the signs approximately 100 metres downstream from the Lyell Highway bridge at Bronte Lagoon, and including the Serpentine Diversion Pond.
- 39.** Little Pine Lagoon: the waters 100 metres upstream and 300 metres downstream from the Little Pine Dam.
- 40.** Little Pine Lagoon/Lake Echo: the waters of –
- (a) the Deep Creek Cut Canal from a point 200 metres upstream from the Marlborough Road bridge to the confluence with Deep Creek; and
 - (b) Deep Creek from the confluence with the Deep Creek Cut Canal to the confluence with the River Ouse; and
 - (c) the River Ouse from the confluence of Deep Creek to the Monpeelyata Intake Weir; and
 - (d) the Monpeelyata Canal and the Monpeelyata flume from the Monpeelyata Intake Weir downstream to Lake Echo.

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- 41.** Clarence Weir Pond: the waters of the Clarence Weir Pond.
- 42.** St Clair Lagoon: the waters within 300 metres of the St Clair Dam.
- 43.** Lake St Clair: the waters within 50 metres of the Lake St Clair Low Head Weir.
- 44.** Poatina: the waters of the Poatina Tailrace from the Poatina Power Station tunnel outlet downstream to Brumbys Creek.
- 45.** Brumbys Creek: the waters within 100 metres of each of Brumbys Creek Weir 1, Brumbys Creek Weir 2 and Brumbys Creek Weir 3.
- 46.** Arthurs Lake: the waters within –
 - (a) 30 metres of the Arthurs Lake Dam; and
 - (b) 50 metres of the Arthurs Lake spillway.
- 47.** Arthurs Lake: the waters of the pump house channel between the pump house structure, a sign on the northern bank and a sign on the southern bank at the upstream mouth of that channel.
- 48.** Woods Lake: the waters –

- (a) bounded by the Woods Lake Dam, a sign on the northern bank of Woods Lake approximately 80 metres upstream of the Woods Lake Dam and a sign on the bend of the Woods Lake Dam approximately 100 metres south of the Woods Lake Dam spillway; and
- (b) for a distance of 300 metres downstream from the Woods Lake Dam spillway.

49. Shannon Lagoon: the waters –

- (a) bounded by the Shannon Dam, a sign on the western bank and a sign on the eastern bank, both signs located approximately 300 metres upstream from the Shannon Dam; and
- (b) for a distance of 300 metres downstream from the Shannon Dam spillway.

50. Shannon Lagoon: the waters from that part of the Highland Lakes Road that crosses Shannon Lagoon to the Miena Dam.

51. Great Lake: the waters immediately upstream from the Poatina intake, bounded by the breakwater walls on the northern and southern sides, for a distance of 500 metres from the intake.

52. Great Lake: the waters of the Arthurs Lake Diversion.

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- 53.** Great Lake: the waters within a distance of 50 metres of the Tods Corner Power Station.
- 54.** Great Lake: the waters bounded by the Miena Dam, a sign on the eastern bank and a sign on the western bank, both signs located approximately 200 metres upstream from the Miena Dam.
- 55.** Great Lake: the waters of the Liawenee Canal and the Liawenee Weir Pond.
- 56.** Lake Augusta: the waters for a distance of –
- (a) 50 metres upstream from the Lake Augusta Dam outlet; and
 - (b) 300 metres downstream from the Lake Augusta Dam outlet.
- 57.** Lake Augusta: the waters 230 metres upstream and 350 metres downstream from the Lake Augusta spillway.
- 58.** Lake Trevallyn: the waters –
- (a) bounded by the Trevallyn Dam, a sign on the northern bank and a sign on the southern bank, both signs located approximately 500 metres upstream from the Trevallyn Dam; and
 - (b) downstream from the Trevallyn Dam for a distance of 350 metres; and

(c) of Stephensdale Bay, bounded to the south by the buoy line and marked by two signs on the bank at either end of the buoy line.

- 59.** River Tamar: the waters of the River Tamar known as the Trevallyn Power Station tailrace from Elouera Street downstream to a sign on the northern bank and a sign on the southern bank, both signs located approximately 80 metres downstream from Elouera Street.
- 60.** Lake Mackenzie: the waters within 50 metres of the Mackenzie Dam intake.
- 61.** Lake Mackenzie: the waters 200 metres upstream and 300 metres downstream from the Mackenzie Dam spillway.
- 62.** Lake Mackenzie: the waters of all canals, flumes and weirs flowing from Jacks Lagoon, the Mackenzie Dam and Yeates Creek downstream to the Fisher tunnel intake structure.
- 63.** Fisher River: the waters of the Fisher Power Station tailrace from the Fisher Power Station to the confluence with the Fisher River.
- 64.** Lake Rowallan: the waters 300 metres upstream from the Rowallan Dam.

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- 65.** Mersey River: the waters of the Mersey River from the Rowallan Dam downstream approximately 800 metres to the Mersey Forest Road bridge.
- 66.** Lake Parangana: the waters bounded by the Parangana Dam, a sign on the eastern bank and a sign on the western bank, both signs located approximately 400 metres upstream from the Parangana Dam.
- 67.** Mersey River: the waters of the Mersey River from the Parangana Dam downstream approximately 800 metres to the Mersey Forest Road bridge.
- 68.** River Forth: the waters –
 - (a) downstream from the Lemonthyme Power Station for a distance of 650 metres; and
 - (b) downstream from the Paloona Power Station to the junction with the Wilmot River.
- 69.** Lake Cethana: the waters bounded by the Cethana Dam, a sign on the western bank approximately 250 metres upstream, and a sign on the eastern bank approximately 100 metres upstream, from the Cethana Dam.

- 70.** Lake Cethana: the waters bounded by the Wilmot Power Station, a sign on the eastern bank and a sign on the western bank, both signs located approximately 500 metres downstream from the Wilmot Power Station.
- 71.** Lake Gairdner: the waters bounded by the Wilmot Dam, the Wilmot Dam spillway, a sign on the eastern bank approximately 300 metres upstream from the Wilmot Dam and a sign on the western bank approximately 450 metres upstream from the Wilmot Dam spillway.
- 72.** Wilmot River: the waters of the Wilmot River for a distance of 300 metres downstream from the Wilmot Dam spillway.
- 73.** Lake Barrington: the waters from the Cethana Dam downstream to a sign on the bank near Jacksons Creek approximately 2 000 metres from the Cethana Dam.
- 74.** Lake Barrington: the waters bounded by the Devils Gate Dam, a sign on the eastern bank and a sign on the western bank, both signs located approximately 300 metres upstream from the Devils Gate Dam.
- 75.** Lake Paloona: the waters of Lake Paloona 2 000 metres from the Devils Gate Dam as marked by signs on the western and eastern sides of the lake and 475 metres from the Paloona Power Station

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as marked by signs on the western and eastern sides of the lake.

- 76.** Lake Murchison: the waters of Lake Murchison.
- 77.** Murchison River/Lake Rosebery: the waters of the Murchison River and Lake Rosebery from the Murchison Dam downstream for a distance of 1 400 metres.
- 78.** Lake Mackintosh: the waters bounded by the Sophia outlet, a sign on the eastern bank and a sign on the western bank, both signs located approximately 300 metres downstream from the outlet.
- 79.** Lake Mackintosh: the waters for a distance of 60 metres upstream from the Tullibardine Dam.
- 80.** Lake Mackintosh: the waters bounded by the Mackintosh Dam, a sign on the northern bank and a sign on the southern bank, both signs located approximately 750 metres upstream from the Mackintosh Dam.
- 81.** Mackintosh River/Lake Rosebery: the waters of the Mackintosh River and Lake Rosebery from the Mackintosh Dam downstream for a distance of 2 700 metres.
- 82.** Lake Rosebery: the waters bounded by the Bastyan Dam, a sign on the northern bank and a

sign on the southern bank, both signs located approximately 750 metres upstream from the Bastyan Dam.

- 83.** Pieman River/Lake Pieman: the waters of the Pieman River and Lake Pieman for a distance of 2 200 metres downstream from the Bastyan Dam.
- 84.** Pieman River: the waters of the Pieman River from the Reece Dam spillway for a distance of 400 metres downstream from the Reece Dam.
- 85.** Lake Pieman: the waters bounded by the Reece Dam, a sign on the eastern bank approximately 500 metres upstream from the Reece Dam and a sign on the western bank approximately 250 metres upstream from the Reece Dam.
- 86.** King River: the waters of the King River from 50 metres upstream from the John Butters Power Station to 200 metres downstream from the John Butters Power Station.
- 87.** King River: the waters for a distance of 400 metres downstream from the Crotty Dam.
- 88.** Lake Burbury: the waters 150 metres upstream from the Darwin Dam.
- 89.** Lake Burbury: the waters bounded by the Crotty Dam and a sign on each side of the Crotty Dam

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located approximately 350 metres from the Crotty Dam.

- 90.** Lake Burbury: the waters within 100 metres of the John Butters intake.
- 91.** Lake Newton: the waters of Lake Newton and for a distance of 200 metres downstream from the Newton Dam spillway.
- 92.** Lake Margaret: the waters within 300 metres of the Lake Margaret Dam spillway.
- 93.** Yolande River: the waters from a distance of 50 metres upstream from the Upper Lake Margaret Power Station for a distance of 200 metres downstream from the Lower Lake Margaret Power Station.
- 94.** Lake Plimsoll: the waters bounded by the Anthony Dam, the Anthony Levee, a sign on the western bank located approximately 180 metres upstream from the Anthony Levee and a sign on the eastern bank located approximately 300 metres upstream from the Anthony Dam.
- 95.** Lake Plimsoll: the waters bounded by the Anthony Intake structure, a sign on the eastern bank and a sign on the western bank, both signs located approximately 300 metres upstream from the Anthony Intake structure.

- 96.** Lake Plimsoll: the waters of the Anthony River for a distance of 300 metres downstream from the Anthony Dam.
- 97.** Hall Rivulet: the waters of the Hall Rivulet Canal and the Hall Rivulet Dam.
- 98.** White Spur Lake: the waters of White Spur Lake, the White Spur Canal, and for a distance of 150 metres downstream from the White Spur Dam spillway.
- 99.** Lake Henty: the waters for a distance of 300 metres downstream from the Henty Dam spillway, the Henty Canal, the Unnamed Creek Diversion Canal and Lake Henty.
- 100.** Huntsman Lake: the waters within 200 metres of the Meander Dam.
- 101.** Carlton Beach: the waters within 200 metres of the waterline extending eastward from the western end of the beach to the mouth of the Carlton River.

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SCHEDULE 6 – OFFENCES

		Regulation 14
	Column 1 - Provision	Column 2 - Penalty Units
1.	Regulation 5(1)	1
2.	Regulation 5(2)	1
3.	Regulation 5(3)	1
4.	Regulation 5(4)	1
5.	Regulation 5(6)	1
6.	Regulation 5(7)	1
7.	Regulation 6(1)	1
8.	Regulation 6(3)	1
9.	Regulation 7(1)	1
10.	Regulation 7(3)	1
11.	Regulation 8(2)	2
12.	Regulation 9	5
13.	Regulation 10(2)	5
14.	Regulation 12(1)	1
15.	Regulation 12(4)	1
16.	Regulation 12(5)	1
17.	Regulation 13(2)	1

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Notified in the *Gazette* on 28 June 2023.

These regulations are administered in the Department of State Growth.

EXPLANATORY NOTE

(This note is not part of the regulations)

These regulations –

- (a) prescribe certain craft as vessels for the purposes of the *Marine and Safety Authority Act 1997*; and
- (b) provide for the wearing of approved personal flotation devices by persons on certain craft and by persons being towed by motor boats; and
- (c) prescribe mandatory safety equipment to be carried on lightweight craft; and
- (d) contain provisions relating to operating vessels at safe speeds and operating vessels in designated waters; and
- (e) provide for the wearing of life jackets on certain vessels and the maintenance of those life jackets; and
- (f) prescribe offences in respect of which infringement notices may be issued; and

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- (g) rescind the *Marine and Safety (General) Regulations 2013*.