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CONTENTS

<i>Notice</i>	<i>Page</i>
Administration and Probate	1299
Anti-Discrimination	1301
Energy	1303
Government Notices	1302
Heritage	1302
Lands	1303
Marine and Safety	1305
Notices to Creditors	1300
State Services	1327

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Administration and Probate

ADMINISTRATION AND PROBATE ACT 1935

Notice of Intention to apply for Letters of Administration

Notice is hereby given that after the expiration of fourteen days from the publication hereof application will be made to the Supreme Court of Tasmania in its Ecclesiastical Jurisdiction that Letters of Administration of the Estate of EMILY BIRD late of 13 Imlay Street Dunalley in Tasmania home duties/widow deceased intestate may be granted to Ivan Bruce Kelly of 7 Russell Street Dunalley in Tasmania retired businessman/married and Carol Anne Doddridge of 17 Clark Street Dunalley in Tasmania home duties/married and Raymond John Kelly of 151 Arthur Highway Dunalley in Tasmania pensioner/married three of the five sons and daughters of the said deceased.

Dated this twenty-third day of July 2008.

MURDOCH CLARKE,
Solicitors for the Estate.

ADMINISTRATION AND PROBATE ACT 1935

Notice of Intention to apply for Letters of Administration

NOTICE is hereby given that after the expiration of fourteen days from the publication hereof application will be made to the Supreme Court of Tasmania in its Ecclesiastical Jurisdiction that Letters of Administration of the Estate of WAYNE REX BLACK married/cabinetmaker late of 5 Lila Street Prospect in Tasmania deceased intestate may be granted to Patricia Susanne Black married/home duties of 5 Lila Street Prospect in Tasmania the wife of the said Wayne Rex Black deceased.

Dated this twenty-third day of July 2008.

WILL EDWARDS LAWYERS,
Solicitor for the Estate.

ADMINISTRATION AND PROBATE ACT 1935

Notice of Intention to apply for Letters of Administration

NOTICE is hereby given that after the expiration of fourteen days from the publication hereof application will be made to the Supreme Court of Tasmania in its Ecclesiastical Jurisdiction that Letters of Administration of the Estate of MICHAEL LAURENCE DEAN late of 17/12 Garfield Road Glenorchy in Tasmania retired naval officer/single deceased intestate may be granted to Laurence Clifford Dean of 322 East Derwent Highway Geilston Bay in Tasmania retired senior manager/widower the father of the said deceased.

Dated this twenty-third day of July 2008.

MURDOCH CLARKE,
Solicitor for the Estate.

ADMINISTRATION AND PROBATE ACT 1935

Notice of Intention to apply for Letters of Administration

NOTICE is hereby given that after the expiration of fourteen days from the publication hereof application will be made to the Supreme Court of Tasmania in its Ecclesiastical Jurisdiction that Letters of Administration of the Estate of GEOFFREY OWEN LEWIS late of 15 Tingira Road Blackmans Bay in Tasmania works inspector married deceased intestate may be granted to Mandy Lee Lewis of 15 Tingira Road Blackmans Bay in Tasmania self employed widow the wife of the said deceased and Ronald Allen Carthew of 126 Van Morey Road Margate in Tasmania company director married the brother of the said deceased.

Dated this twenty-third day of July 2008.

MURDOCH CLARKE,
Solicitors for the Estate.

ADMINISTRATION AND PROBATE ACT 1935

*Notice of Intention to apply for Letters of Administration
(with the Will annexed)*

NOTICE is hereby given that after the expiration of fourteen days from the publication hereof application will be made to the Supreme Court of Tasmania in its Ecclesiastical Jurisdiction that Letters of Administration (with the Will annexed) in the Estate of VERA ELIZABETH STENBERG late of Ibis Care Nursing Home Quiggin Street Wynyard in Tasmania home duties/widow deceased may be granted to Sally Anne Abell of 6 Menai Street Burnie in Tasmania sales representative/divorced and Edwin William Clarke of 8 Pine Crescent Wynyard in Tasmania invalid pensioner/widower an ultimate residuary legatee and legal guardian of ultimate residuary legatees respectively of the said deceased.

Dated this twenty-third day of July 2008.

GREG SMITH & Co.,
Solicitor for the Applicants.

ADMINISTRATION AND PROBATE ACT 1935

Notice of Intention to apply for Letters of Administration

NOTICE is hereby given that after the expiration of fourteen days from the publication hereof application will be made to the Supreme Court of Tasmania in its Ecclesiastical Jurisdiction that Letters of Administration of the Estate of JOHN DESMOND STEVENS of Berth 49 Oyster Cove Marina Kettering Tasmania development analyst/divorced man deceased intestate may be granted to Brett John Stevens of Unit 6/85 Merthyr Road New Farm Queensland health promotions officer/sinlge man and Donna Louise Stuchley of 17 The Parkway Mallabulla New South Wales retired defence force employee/married woman the lawful son and daughter of the said deceased.

Dated this twenty-third day of July 2008.

OGILVIE JENNINGS,
Solicitors for the Applicants.

Notices to Creditors

IAN DONALD COX late of 28/1 Arthur Street New Town in Tasmania single deceased: Creditors next of kin and others having claims in respect of the property or Estate of the deceased Ian Donald Cox who died on the tenth day of April 2008 are required by the Executor Tasmanian Perpetual Trustees Limited of 23 Paterson Street Launceston in Tasmania to send particulars to the said Company by the twenty-third day of August 2008 after which date the Executor may distribute the assets having regard only to the claims of which it then has notice.

Dated this twenty-third day of July 2008.

SARAH GRIFFITH, Trust Administrator.

WOLODYMIR HUCULAK late of Queenborough Rise Nursing Home 1 Peel Street Sandy Bay in Tasmania married deceased: Creditors next of kin and others having claims in respect of the property or Estate of the deceased Wolodymir Huculak who died on the first day of April 2008 are required by the Executor Tasmanian Perpetual Trustees Limited of 23 Paterson Street Launceston in Tasmania to send particulars to the said Company by the twenty-third day of August 2008 after which date the Executor may distribute the assets having regard only to the claims of which it then has notice.

Dated this twenty-third day of July 2008.

LUCINDA VELDMAN, Senior Trust Administrator.

CLARICE BETTY MOORE late of Marys Grange Nursing Home Grange Avenue Taroona in Tasmania widow deceased: Creditors next of kin and others having claims in respect of the property or Estate of the deceased Clarice Betty Moore who died on the twenty-fifth day of May 2008 are required by the Executor Tasmanian Perpetual Trustees Limited of 23 Paterson Street Launceston in Tasmania to send particulars to the said Company by the twenty-third day of August 2008 after which date the Executor may distribute the assets having regard only to the claims of which it then has notice.

Dated this twenty-third day of July 2008.

ALISON TAYLOR, Trust Administrator.

RITA LOUISE MOORE late of 68 Karoola Road Lindisfarne in Tasmania widow deceased: Creditors next of kin and others having claims in respect of the property or Estate of the deceased Rita Louise Moore who died on the twenty-first day of May 2008 are required by the Executor Tasmanian Perpetual Trustees Limited of 23 Paterson Street Launceston in Tasmania to send particulars to the said Company by the twenty-third day of August 2008 after which date the Executor may distribute the assets having regard only to the claims of which it then has notice.

Dated this twenty-third day of July 2008.

ALISON TAYLOR, Trust Administrator.

CHARLES EDWYN PLUMMER (also known as Charles Edwin Plummer) late of Multi Purpose Health Centre 15 Chapman Avenue Dover in Tasmania widower deceased: Creditors next of kin and others having claims in respect of the property or Estate of the deceased Charles Edwin Plummer who died on the seventeenth day of April 2008 are required by the Executors Peter Thomas and Tasmanian Perpetual Trustees Limited of 23 Paterson Street Launceston in Tasmania to send particulars to the said Company by the twenty-third day of August 2008 after which date the Executors may distribute the assets having regard only to the claims of which it then has notice.

Dated this twenty-third day of July 2008.

LUCINDA VELDMAN, Senior Trust Administrator.

LORAIN PRICE (also known as Lorraine Price) late of Meercroft Nursing Home Clements Street Devonport in Tasmania home duties/widow deceased: Creditors next of kin and others having claims in respect of the property or Estate of the deceased Loraine Price (also known as Lorraine Price) who died on the ninth day of May 2008 are required by the Executor Tasmanian Perpetual Trustees Limited of 23 Paterson Street Launceston in Tasmania to send particulars to the said Company by the twenty-third day of August 2008 after which date the Executor may distribute the assets having regard only to the claims of which it then has notice.

Dated this twenty-third day of July 2008.

HEATHER SHEPPARD, Branch Manager.

HAROLD CHARLES STEVENSON late of 4 Hardinge Avenue Launceston in Tasmania single deceased: Creditors next of kin and others having claims in respect of the property or Estate of the deceased Harold Charles Stevenson who died on the twenty-ninth day of May 2008 are required by the Executor Tasmanian Perpetual Trustees Limited of 23 Paterson Street Launceston in Tasmania to send particulars to the said Company by the twenty-third day of August 2008 after which date the Executor may distribute the assets having regard only to the claims of which it then has notice.

Dated this twenty-third day of July 2008.

GLENDAL LEE, Trust Administrator.

JEAN TEMPERENCE WATERS (also known as Jean Temperance Waters) late of Karingal Care Services Inc 32 Lovett Street Devonport in Tasmania home duties/widow deceased: Creditors next of kin and others having claims in respect of the property or Estate of the deceased Jean Temperence Waters (also known as Jean Temperance Waters) who died on the tenth day of June 2008 are required by the Executor Tasmanian Perpetual Trustees Limited of 23 Paterson Street Launceston in Tasmania to send particulars to the said Company by the twenty-third day of August 2008 after which date the Executor may distribute the assets having regard only to the claims of which it then has notice.

Dated this twenty-third day of July 2008.

HEATHER SHEPPARD, Branch Manager.

THOMAS HENRY WOOD late of 422 Brooker Avenue Moonah in Tasmania widower deceased: Creditors next of kin and others having claims in respect of the property or Estate of the deceased Thomas Henry Wood who died on the thirty-first day of March 2008 are required by the Executor Tasmanian Perpetual Trustees Limited of 23 Paterson Street Launceston in Tasmania to send particulars to the said Company by the twenty-third day of August 2008 after which date the Executor may distribute the assets having regard only to the claims of which it then has notice.

Dated this twenty-third day of July 2008.

LUCINDA VELDMAN, Senior Trust Administrator.

ELIZABETH HANEL late of 103 Molle Street West Hobart in Tasmania retired paediatric nurse/widow who died on the sixteenth day of October 2007: Creditors next of kin and others having claims in respect of the property of the abovenamed deceased are required by the Executors Susan Craggs and Timothy Orchard Craggs c/- Blissendon Lawyers of 120 Main Road Moonah in Tasmania to send particulars to the said Executors on or before the twenty-third day of August 2008 after which date the Executors may distribute the assets having regard only to the claims of which they then have notice.

Dated this twenty-third day of July 2008.

BLISSENDON LAWYERS, Solicitors to the Estate.

GORDON ALLEN DODGE late of 69A Coleman Street Moonah in Tasmania retired prison officer/widower who died on the eighth day of May 2008: Creditors next of kin and others having claims in respect of the property of the abovenamed deceased are required by the Executor Robert John Blissendon c/- Blissendon Lawyers of 120 Main Road Moonah in Tasmania to send particulars to the said Executor on or before the twenty-third day of August 2008 after which date the Executor may distribute the assets having regard only to the claims of which the Executor then has notice.

Dated this twenty-third day of July 2008.

BLISSENDON LAWYERS, Solicitors to the Estate.

SMITH BERNARDITA ABARQUEZ home duties/widow deceased who died on the twenty-seventh day of June 2008 late of 41 Banyalla Street Rokeby in Tasmania ("The Testator") as personal representatives of the Testator Lucia Salvador of 1078 Crepe Myrtle Drive Hercules California in the United States of America accounting manager/widow and Kenneth Smith of 41 Banyalla Street Rokeby in Tasmania student/single man require under section 54 of the *Administration and Probate Act 1935* that any person who has a claim against the Estate of the Testator lodge written details of their claim with the registrar of the Supreme Court of Tasmania at Salamanca Place Hobart in Tasmania or with Peter Worrall Lawyers legal practitioners to the Estate GPO Box 1134 Hobart on or before thirty days after which date the personal representatives pursuant to Section 55 of the *Administration and Probate Act 1935* are at liberty to pay and distribute the assets of the Testator dealing then only with the claims of which they and the Registrar have notice.

Dated this twenty-third day of July 2008.

PETER WORRALL LAWYERS, Solicitors to the Estate.

NOTICE is hereby given that The Public Trustee has filed in the Office of the Registrar of the Supreme Court at Hobart an election to administer the Estate(s) of:—

UNA JOSEPHINE SAVILLE late of 21 Watkinson Street Devonport in Tasmania retired nurse/married woman deceased.

BARBARA JEAN WISE late of Toosey Nursing Home 8 Archer Street Longford in Tasmania home duties/single woman deceased.

Dated this twenty-third day of July 2008.

PETER MALONEY, Chief Executive Officer,
The Public Trustee.

Anti-Discrimination

ANTI DISCRIMINATION ACT 1998

EXEMPTIONS GRANTED

The following application for exemption from the provisions of the *Anti-Discrimination Act 1998* (the Act) has been granted:—

- (1) Carer Tasmania – (08/125) – Application for exemption granted under sections 25, 27(d)(f) of the Act for a period of three years.

This exemption has been sought to enable Carer Tasmania to specifically advertise for, and employ, a female for the position of Counsellor in accordance with gender requirements specified in the application.

Granted on fifteenth day of July 2008.

All exemptions granted are subject to the condition of undertaking anti-discrimination community education and/or corporate employer training on the principles and provisions of the Anti-Discrimination Act 1998.

A person may apply to the Anti-Discrimination Tribunal for a review of the Commissioner's decision within 28 days from the date of this notice being published.

Dated this twenty-third day of July 2008.

SARAH BOLT,
Anti-Discrimination Commissioner.

Government Notices

Department of Justice,
Hobart, 17 July 2008.

JUSTICES ACT 1959

IN ACCORDANCE with the provisions of the *Justices Act 1959*, HIS EXCELLENCY THE GOVERNOR-IN-COUNCIL has been pleased to appoint the undermentioned persons as Justices of the Peace for the State of Tasmania:—

Wayne Anthony Edmunds 19 Uplands Place BURNIE	Vicki Ann Brougham 101 Trevor Street ULVERSTONE
Donald James Morris 22 D'Arcy Street SOUTH HOBART	Cheryl Patricia Sharman 72 Sunbeam Crescent AMBLESIDE

By His Excellency's Command,

DAVID LLEWELLYN,
Attorney-General.

Department of Environment, Parks,
Heritage and the Arts.
Hobart, 14 July 2008.

NATIONAL PARKS AND RESERVES MANAGEMENT ACT 2002

IN accordance with the provisions of Section 28 of the *National Parks and Reserves Management Act 2002*, notice is hereby given of the approval on 16 June 2008, under Section 19 of that Act, by His Excellency the Governor-in-Council, of the *Trevellyn Nature Recreation Area Management Plan 2008*.

The plan may be inspected at the Department of Environment, Parks, Heritage and the Arts, 134 Macquarie Street, Hobart, or at the Parks and Wildlife Service website at: <http://www.parks.tas.gov.au/publications/techrep.html>

By His Excellency's Command

MICHELLE O'BYRNE, MP,
Minister for Environment, Parks, Heritage and the Arts.

Government House
Hobart, 16 July 2008.

HIS Excellency the Governor has this day in the name and on behalf of Her Majesty The Queen assented to the following Bills:—

A Bill for an Act for the appropriation of \$3 501 098 000 out of the Consolidated Fund for the service of the financial year ending on 30 June 2009 and to authorise the Treasurer to borrow money on behalf of the State. Consolidated Fund Appropriation Act (No. 1) 2008. (Act No. 24 of 2008)

A Bill for an Act for the appropriation of \$19 640 000 out of the Consolidated Fund for the service of the financial year ending on 30 June 2009 and to authorise the Treasurer to borrow money on behalf of the State. Consolidated Fund Appropriation Act (No. 2) 2008. (Act No. 25 of 2008)

By His Excellency's Command,
J. D. CHILCOTT, Official Secretary.

Office of The Minister for Planning
and Workplace Relations.
Hobart, 6 July 2008

BUILDING ACT 2000 Section 19

I HEREBY REVOKE the Scheme for the Accreditation of Building Practitioners in force pursuant to section 19 of the *Building Act 2000* and Schedule 1 of the *Building Amendment Act 2006*.

I APPROVE pursuant to section 19 of the *Building Act 2000* a Scheme for the Accreditation Building of Practitioners dated July 2008.

DAVID BARTLETT MP,
Minister for Planning and Workplace Relations

Explanatory Note:

The Scheme for the Accreditation Building Practitioners dated July 2008 may be obtained from the Workplace Standards Tasmania website: www.wst.tas.gov.au/building

Printed copies of the Scheme may be obtained from the Workplace Standards Tasmania Helpline by telephoning: 1300 366 322 (local rate inside Tasmania) or (03) 6233 7657 (outside Tasmania).

Helpline email address: wstinfo@justice.tas.gov.au

Heritage



Tasmanian Heritage Council

Historic Cultural Heritage Act 1995

NOTICE OF PERMANENT ENTRY OF PLACE IN THE TASMANIAN HERITAGE REGISTER

In accordance with sections 21(1)(a) and 26(c) of the *Historic Cultural Heritage Act 1995* (the Act), the Tasmanian Heritage Council has entered the following place in the Tasmanian Heritage Register on a permanent basis:

Cascades Female Factory, Degraives, Syme, McRobies, Aspley,
Tara and Nevin Streets, South Hobart
Ward 7 Royal Derwent Hospital and Ha-Ha Wall, Upper Road,
New Norfolk
Portside and Van Diemen's Land Company Cemetery, 1-3 Spring
Street, Burnie
Former Kingston Primary School, 8 Hutchins Street, Kingston
Sheepwash Creek Sawyers Camp, Matthew Flinders Drive, Bruny
Island

Any person who lodged an objection or submission may appeal to the Resource Management and Planning Appeal Tribunal against a decision of the Heritage Council under section 27 of the Act. An appeal must be made in writing and lodged with the Appeal Tribunal (GPO Box 2036 Hobart 7001) within 30 days after this notice.

Michael Lynch
Chair
23 July 2008

Energy Regulator

Office of the Tasmanian Energy Regulator.

Hobart 23 July 2008

GAS PIPELINES ACT 2000

Notice Under Section 42(1)

IN accordance with section 42(1) of the *Gas Pipelines Act 2000*, notice is hereby given that a pipeline construction licence was granted to BBI TGP Pty Ltd (ACN 083 052 019) on the 15th day of July 2008.

A copy of the licence document may be viewed at the Energy Regulator's website at www.energyregulator.tas.gov.au.

Dated this twenty-third day of July 2008.

ANDREW REEVES,
Director of Gas.

Land Acquisition

LAND ACQUISITION ACT 1993

Notice of Acquisition

(Section 18)

PURSUANT to Section 18 of the *Land Acquisition Act 1993* (referred to as "the Act"), Transend Networks Pty Ltd (being an acquiring authority in accordance with the Act), does hereby declare that the "Electricity Easement and Restriction as to User of Land" described in the Second Schedule hereto over the land described in the First Schedule hereto is taken and vested in Transend Networks Pty Ltd absolutely under the Act, for the authorised purpose of constructing, maintaining and operating electricity infrastructure necessary for the transmission of electricity

Dated this sixteenth day of July 2008

For and on behalf of Transend Networks Pty Ltd,
D.P. OXLEY, Company Secretary for
Transend Networks Pty Ltd ABN 57 082 586 892
7 Maria Street Lenah Valley, Tasmania, 7008

First schedule

ALL THAT parcel of land situate in the Parish of Huntingdon, Land District of Monmouth in Tasmania containing 52.87 hectares (area) or thereabouts delineated as Lot 1 on registered Plan No. 143502 being the land comprised in the Register Volume 143502 Folio 1 registered in the name of Raymond John Le Fevre and Judith Mary Le Fevre

ALL THAT parcel of land situate in the Parish of Huntingdon and in the Parish of Pelham, Land District of Monmouth in Tasmania containing 61.92 hectares (area) or thereabouts delineated as Lot 2 on registered Plan No. 130184 being the land comprised in the Register Volume 130184 Folio 2 registered in the name of Raymond John Le Fevre and Judith Mary Le Fevre

Second schedule

Electricity easement and restriction as to user of land means:

FIRSTLY the full and free right and liberty for Transend Networks Pty Ltd (described as "Transend") and its successors and its and their servants, agents and contractors at all times hereafter:

TO clear the lands marked "Electricity Easement" on Plan of Survey 152542 in the office of the Recorder of Titles (described as "the servient land") and to lay, erect, construct, install and operate, in, upon, over, along and under the servient land towers, poles, wires, cables, apparatus, appliances and other ancillary work (described collectively as "electricity infrastructure") for the transmission of electrical energy and for purposes incidental thereto.

TO inspect, maintain, repair, modify, add to, replace and remove the electricity infrastructure.

TO cause or permit electrical energy to flow or be transmitted or distributed through the electricity infrastructure.

TO cut away remove and keep clear of the electricity infrastructure all trees and other obstructions or erections of any nature whatsoever which may at any time overhang, encroach upon or be in or on the servient land and which may in the opinion of Transend or its successors endanger or interfere with the proper operation of the electricity infrastructure.

TO enter into and upon the servient land for all or any of the above purposes, with or without all necessary plant equipment and machinery and the means of transporting the same, and if necessary to cross the remainder of the land, where practicable in consultation with the registered proprietor/s, for the purpose of access and egress to and from the servient land.

SECONDLY the benefit of a covenant for Transend and its successors with the registered proprietor/s for themselves and their successors not to erect any buildings or place any structures or objects within the servient land without the prior written consent of Transend or its successors to the intent that the burden of the covenant may run with and bind the servient land and every part thereof and that the benefit thereof may be annexed to the easement hereinbefore described.

LAND ACQUISITION ACT 1993

Notice of Acquisition

(Section 18)

PURSUANT to Section 18 of the *Land Acquisition Act 1993* (referred to as "the Act"), Transend Networks Pty Ltd (being an acquiring authority in accordance with the Act), does hereby declare that the "Electricity Easement and Restriction as to User of Land" described in the Second Schedule hereto over the land described in the First Schedule hereto is taken and vested in Transend Networks Pty Ltd absolutely under the Act, for the authorised purpose of constructing, maintaining and operating electricity infrastructure necessary for the transmission of electricity

Dated this sixteenth day of July 2008

For and on behalf of Transend Networks Pty Ltd,
D.P. OXLEY, Company Secretary for
Transend Networks Pty Ltd ABN 57 082 586 892
7 Maria Street Lenah Valley, Tasmania, 7008

First schedule

ALL THAT parcel of land situate in the Parish of Hawkesdale, Land District of Cumberland in Tasmania containing 4979 hectares (area) or thereabouts delineated as Lot 1 on registered Plan No. 108423 being the land comprised in the Register Volume 108423 Folio 1 registered in the name of Christopher Errol White and Helen Jennifer White

Second schedule

Electricity easement and restriction as to user of land means:

FIRSTLY the full and free right and liberty for Transend Networks Pty Ltd (described as “Transend”) and its successors and its and their servants, agents and contractors at all times hereafter:

TO clear the lands marked “Electricity Easement” on Plan of Survey 153970 in the office of the Recorder of Titles (described as “the servient land”) and to lay, erect, construct, install and operate, in, upon, over, along and under the servient land towers, poles, wires, cables, apparatus, appliances and other ancillary work (described collectively as “electricity infrastructure”) for the transmission of electrical energy and for purposes incidental thereto.

TO inspect, maintain, repair, modify, add to, replace and remove the electricity infrastructure.

TO cause or permit electrical energy to flow or be transmitted or distributed through the electricity infrastructure.

TO cut away remove and keep clear of the electricity infrastructure all trees and other obstructions or erections of any nature whatsoever which may at any time overhang, encroach upon or be in or on the servient land and which may in the opinion of Transend or its successors endanger or interfere with the proper operation of the electricity infrastructure.

TO enter into and upon the servient land for all or any of the above purposes, with or without all necessary plant equipment and machinery and the means of transporting the same, and if necessary to cross the remainder of the land, where practicable in consultation with the registered proprietor/s, for the purpose of access and egress to and from the servient land.

SECONDLY the benefit of a covenant for Transend and its successors with the registered proprietor/s for themselves and their successors not to erect any buildings or place any structures or objects within the servient land without the prior written consent of Transend or its successors to the intent that the burden of the covenant may run with and bind the servient land and every part thereof and that the benefit thereof may be annexed to the easement hereinbefore described.

LAND ACQUISITION ACT 1993

Notice of Acquisition

(Section 18)

Pursuant to Section 18 of the Land Acquisition Act 1993 (referred to as “the Act”), Transend Networks Pty Ltd (being an acquiring authority in accordance with the Act), does hereby declare that the “Electricity Easement and Restriction as to User of Land” described in the Second Schedule hereto over the land described in the First Schedule hereto is taken

and vested in Transend Networks Pty Ltd absolutely under the Act, for the authorised purpose of constructing, maintaining and operating electricity infrastructure necessary for the transmission of electricity

Dated this sixteenth day of July 2008

For and on behalf of Transend Networks Pty Ltd,
D.P. OXLEY, Company Secretary for
Transend Networks Pty Ltd ABN 57 082 586 892
7 Maria Street Lenah Valley, Tasmania, 7008

First schedule

ALL THAT parcel of land situate in the Parish of Huntingdon, Land District of Monmouth in Tasmania containing 62.92 hectares (area) or thereabouts delineated as Lot 4 on Sealed Plan 133062 being the land comprised in the Register Volume 133062 Folio 4 registered in the name of Raymond Peter Farrow

Second schedule

Electricity easement and restriction as to user of land means:

FIRSTLY the full and free right and liberty for Transend Networks Pty Ltd (described as “Transend”) and its successors and its and their servants, agents and contractors at all times hereafter:

TO clear the lands marked “Electricity Easement” on Plan of Survey 152542 in the office of the Recorder of Titles (described as “the servient land”) and to lay, erect, construct, install and operate, in, upon, over, along and under the servient land towers, poles, wires, cables, apparatus, appliances and other ancillary work (described collectively as “electricity infrastructure”) for the transmission of electrical energy and for purposes incidental thereto.

TO inspect, maintain, repair, modify, add to, replace and remove the electricity infrastructure.

TO cause or permit electrical energy to flow or be transmitted or distributed through the electricity infrastructure.

TO cut away remove and keep clear of the electricity infrastructure all trees and other obstructions or erections of any nature whatsoever which may at any time overhang, encroach upon or be in or on the servient land and which may in the opinion of Transend or its successors endanger or interfere with the proper operation of the electricity infrastructure.

TO enter into and upon the servient land for all or any of the above purposes, with or without all necessary plant equipment and machinery and the means of transporting the same, and if necessary to cross the remainder of the land, where practicable in consultation with the registered proprietor/s, for the purpose of access and egress to and from the servient land.

SECONDLY the benefit of a covenant for Transend and its successors with the registered proprietor/s for themselves and their successors not to erect any buildings or place any structures or objects within the servient land without the prior written consent of Transend or its successors to the intent that the burden of the covenant may run with and bind the servient land and every part thereof and that the benefit thereof may be annexed to the easement hereinbefore described.

Marine and Safety

MARINE AND SAFETY (FEES) AMENDMENT BY-LAWS (No.3) 2008

UNDER the powers conferred on it by the *Marine and Safety Authority Act 1997*, the Marine and Safety Authority makes the following by-laws:—

1.—Short Title

These by-laws may be cited as the *Marine and Safety (Fees) Amendment By-Laws (No.3) 2008*.

2.—Commencement

These by-laws take effect on 30 July 2008.

3.—Principal By-laws

In these by-laws, the *Marine and Safety (Fees) By-Laws 2000* are referred to as the Principal By-laws.

4.—Clause 3 amended (Fees)

Clause 3 is amended as follows:—

- (a) by omitting from subclause (2) “*Marine and Safety (Mooring) By-laws 1998*” and substituting “*Marine and Safety (Moorings) By-laws 2008*”;
- (b) by omitting from subclause (3) “*Marine and Safety (Motor Boats and Licences) By-laws 1998*” and substituting “*Marine and Safety (Motor Boats and Licences) By-laws 2008*”.

The Common Seal of the Marine and Safety Authority was affixed in pursuance of a resolution of the Authority made at a meeting held on the nineteenth day of June in the presence of:—

SIMON FITZGERALD, Chairperson.

COLIN FINCH, Chief Executive.

MARINE AND SAFETY (VESSEL SAFETY STANDARDS) AMENDMENT BY-LAWS 2008

UNDER the powers conferred on it by the *Marine and Safety Authority Act 1997*, the Marine and Safety Authority makes the following by-laws:—

1.—Short Title

These by-laws may be cited as the *Marine and Safety (Vessel Safety Standards) Amendment By-Laws 2008*.

2.—Commencement

These by-laws take effect on 30 July 2008.

3.—Principal By-laws

In these by-laws, the *Marine and Safety (Vessel Safety Standards) By-Laws 2000* are referred to as the Principal By-laws.

4.—Clause 3 amended

Clause 3 to the Principal By-laws is amended as follows:—

- (a) by omitting “*Marine and Safety (Limits of Operational Areas) By-laws 1997* from the definition of “area of operation” and substituting “*Marine and Safety (Definition of Operational Areas) By-laws 2003*”;
- (b) by omitting “*Marine and Safety (Limits of Operational Areas) By-laws 1997* from the definition of “Australian coastal and middle waters” and substituting “*Marine and Safety (Definition of Operational Areas) By-laws 2003*”;

(c) by omitting “*Marine and Safety (Limits of Operational Areas) By-laws 1997* from the definition of “inshore waters” and substituting “*Marine and Safety (Definition of Operational Areas) By-laws 2003*”;

(d) by omitting “*Marine and Safety (Limits of Operational Areas) By-laws 1997* from the definition of “offshore waters” and substituting “*Marine and Safety (Definition of Operational Areas) By-laws 2003*”;

(e) by omitting “*Marine and Safety (Limits of Operational Areas) By-laws 1997* from the definition of “operational area” and substituting “*Marine and Safety (Definition of Operational Areas) By-laws 2003*”;

(f) by omitting “*Marine and Safety (Limits of Operational Areas) By-laws 1997* from the definition of “partially smooth waters” and substituting “*Marine and Safety (Definition of Operational Areas) By-laws 2003*”;

(g) by omitting “*Marine and Safety (Limits of Operational Areas) By-laws 1997* from the definition of “prescribed port” and substituting “*Marine and Safety (Definition of Operational Areas) By-laws 2003*”;

(h) by omitting “*Marine and Safety (Limits of Operational Areas) By-laws 1997* from the definition of “restricted offshore waters” and substituting “*Marine and Safety (Definition of Operational Areas) By-laws 2003*”;

(i) by omitting “*Marine and Safety (Limits of Operational Areas) By-laws 1997* from the definition of “smooth waters” and substituting “*Marine and Safety (Definition of Operational Areas) By-laws 2003*”;

(j) by omitting “*Marine and Safety (Limits of Operational Areas) By-laws 1997* from the definition of “unlimited seagoing operation” and substituting “*Marine and Safety (Definition of Operational Areas) By-laws 2003*”.

5.—Clause 33 amended

Clause 33(2)(b) is amended by omitting “*Marine and Safety (Motor Boats and Licences) By-laws 1997*” and substituting “*Marine and Safety (Motor Boats and Licences) By-laws 2008*”.

6.—Clause 143 amended

Clause 143(4)(c) is amended by omitting “*Marine and Safety (Motor Boats and Licences) By-laws 1997*” and substituting “*Marine and Safety (Motor Boats and Licences) By-laws 2008*”.

The Common Seal of the Marine and Safety Authority was affixed in pursuance of a resolution of the Authority made at a meeting held on nineteenth day of June 2008 in the presence of:—

SIMON FITZGERALD, Chairperson.

COLIN FINCH, Chief Executive.

MARINE AND SAFETY (PRESCRIBED OFFENCES)
AMENDMENT BY-LAWS 2008

UNDER the powers conferred on it by the *Marine and Safety Authority Act 1997*, the Marine and Safety Authority makes the following by-laws:—

1.—Short title

These by-laws may be cited as the *Marine and Safety (Prescribed Offences) Amendment By-Laws 2008*.

2.—Commencement

These by-laws take effect on 30 July 2008.

3.—Principal By-laws

In these by-laws, the *Marine and Safety (Prescribed Offences) By-Laws 2000* are referred to as the Principal By-laws.

4.—Clause 3 substituted

Clause 3 of the Principal By-laws is rescinded and the following by-law is substituted:—

Offences under by-laws

- 3(1) For the purpose of section 45(1) of the *Marine and Safety Authority Act 1997*, an offence against a provision of the respective by-laws specified in column 1 of the Parts of Schedule 1 is a prescribed offence.
- 3(2) The penalty specified in column 2 of the Parts of Schedule 1 opposite that provision is the penalty payable under an infringement notice served in respect of that offence.

5.—Schedule 1 substituted

Schedule 1 to the Principal By-laws is rescinded and the following Schedule is substituted:—

Schedule 1

Clause 3

PART 1—MARINE AND SAFETY (CERTIFICATES OF COMPETENCY)
BY-LAWS 2002

	<i>Column 1 Offence</i>	<i>Column 2 Penalty (Penalty units)</i>
1.	4(2)	5 (if passengers carried) 2 (if no passengers carried)
2.	4(3)	2
3.	6(6)	2
4.	39(1)	1
5.	40	0.5
6.	41(2)	5
7.	42(a)	2
8.	42(b)	2
9.	43	2

PART 2—MARINE AND SAFETY (JETTIES) BY-LAWS 2007

	<i>Column 1 Offence</i>	<i>Column 2 Penalty (Penalty units)</i>
1.	4(1)(a)	2
2.	4(1)(b)	2
3.	4(2)	2

4.	4(3)	1
5.	5(1)	2
6.	5(2)	1
7.	5(3)	2
8.	5(4)	1
9.	6	2
10.	7	2
11.	9(3)	2
12.	10(1)(a)(b)(c)(d)(e)(f)	2
13.	10(2)	5
14.	10(3)	2
15.	10(4)	2
16.	11(1)	1
17.	12(1)	5
18.	12(2)	2
19.	14(a)	2
20.	14(b)	2
21.	15(1)	2
22.	15(2)	2
23.	18	2

PART 3 – MARINE AND SAFETY (MOORINGS) BY-LAWS 2008

	<i>Column 1 Offence</i>	<i>Column 2 Penalty (Penalty units)</i>
1.	4(1)	1
2.	6(3)	0.5
3.	9(1)	0.5
4.	9(2)	0.5
5.	9(3)	0.5
6.	10(2)(a)	0.5
7.	10(2)(b)	0.5
8.	11	0.5
9.	12	0.5
10.	13(a)	0.5
11.	13(b)	0.5
12.	14	0.5
13.	15(1)(a)	0.5
14.	15(1)(b)	0.5
15.	15(1)(c)	0.5
16.	16(2)	1
17.	18	2
18.	20(1)(a)	2
19.	20(1)(b)	2
20.	20(1)(c)	2
21.	20(2)	2
22.	21	0.5

PART 4 – MARINE AND SAFETY (MOTOR BOATS AND
LICENCES) BY-LAWS 2008

	<i>Column 1 Offence</i>	<i>Column 2 Penalty (Penalty units)</i>
1.	5	1
2.	10(4)	0.5
3.	11(1)	0.5

4.	11(2)	0.5	PART 5 – MARINE AND SAFETY (VESSEL SAFETY STANDARDS) BY-LAWS 2000		
5.	11(3)	0.5			
6.	11(5)	0.5			
7.	11(6)	0.5			
8.	12	0.5			
9.	13	0.5			
10.	14(1)	0.5			
11.	14(2)	0.5			
12.	15	0.5			
13.	17(1)	2			
14.	23(5)	1			
15.	24	0.5			
16.	25(4)	0.5			
17.	26	1			
18.	27	2			
19.	31(1)(a)	2			
20.	31(1)(b)	0.5			
21.	31(2)	0.5			
22.	32(1)	0.5			
23.	32(2)	0.5			
24.	32(3)	0.5			
25.	32(4)	0.5			
26.	32(5)	0.5			
27.	33(1)(a)	1			
28.	33(1)(b)	1			
29.	33(2)(a)	1			
30.	33(2)(b)	1			
31.	33(5)	1			
32.	33(6)	1			
33.	35	1			
34.	36(2)(a)	0.5			
35.	36(2)(b)	0.5			
36.	36(4)	0.5			
37.	37(2)	0.5			
38.	38(1)	1			
39.	38(2)	1			
40.	39	1			
41.	40(a)	1			
42.	40(b)	1			
43.	43(1)(a)	1			
44.	43(1)(b)	1			
45.	44(4)	1			
46.	45	1			
47.	46	1			
48.	49	0.5			
49.	53(1)	2			
50.	53(2)	2			
51.	53(3)	2			

46.	126(2)(a)	2	96.	157(d)	1
47.	126(2)(b)	2	97.	158(a)	1
48.	127(1)	2	98.	158(b)	1
49.	129(2)	1	99.	159(2)	1
50.	130(4)(a)	1	100.	160(1)	5
51.	130(4)(b)	1	101.	160(2)	5
52.	136(8)	5	102.	161	2
53.	137(1)(a)	5	103.	162(a)	1
54.	137(1)(b)(i)	5	104.	162(b)	1
55.	137(1)(b)(ii)	5	105.	162(c)(i)	1
56.	137(1)(b)(iii)	5	106.	162(c)(ii)	1
57.	137(1)(b)(iv)	5	107.	162(c)(iii)	1
58.	138(1)	2	108.	163	2
59.	139(a)	5	109.	167(1)	5
60.	139(b)	5	110.	167(2)	5
61.	139(c)	5	111.	167(3)	5
62.	140(1)	5	112.	168(2)	5
63.	140(2)(a)	2	113.	169(2)	5
64.	140(2)(b)	2	114.	170(3)	5
65.	141(1)	5	115.	170(4)	5
66.	142	5	116.	170(6)	2
67.	143(2)	2	117.	171(1)	5
68.	143(3)(a)	5	118.	171(2)	5
69.	143(3)(b)	5	119.	173(2)	2
70.	144	2	120.	173(5)	2
71.	145(1)(a)	5	121.	174(1)	5
72.	145(1)(b)	5	122.	174(2)	2
73.	145(1)(c)	5	123.	175(1)	2
74.	145(2)	2	124.	176(2)	5
75.	146(a)	5	125.	178(2)(a)	2
76.	146(b)	5	126.	178(2)(b)	2
77.	147(a)	2	127.	178(3)	2
78.	147(b)	2	128.	179(3)	1
79.	148(a)	5	129.	179(4)	5
80.	148(b)	5	130.	181(1)	5
81.	149(a)	5	131.	181(2)	5
82.	149(b)	5	132.	181(3)(a)	5
83.	150(2)(a)(b)	5	133.	181(3)(b)	5
84.	150(4)	5	134.	183	5
85.	151	5	135.	184(1)(a)	5
86.	152(1)(a)	2	136.	184(1)(b)	5
87.	152(1)(b)	2	137.	184(1)(c)	5
88.	153(2)	5	138.	184(2)	5
89.	155(1)	5	139.	185(1)	5
90.	155(2)	2	140.	185(2)	5
91.	156(1)	1	<hr/> <p>The Common Seal of the Marine and Safety Authority was affixed in pursuance of a resolution of the Authority made at a meeting held on nineteenth day of June 2008 in the presence of:—</p> <p>SIMON FITZGERALD, Chairperson.</p> <p>COLIN FINCH, Chief Executive.</p>		
92.	156(2)	1			
93.	157(a)	1			
94.	157(b)	1			
95.	157(c)	1			

MARINE AND SAFETY (FEES) AMENDMENT BY-LAWS (No.2) 2008

UNDER the powers conferred on it by the *Marine and Safety Authority Act 1997*, the Marine and Safety Authority makes the following by-laws:—

6.—Short title

These by-laws may be cited as the *Marine and Safety (Fees) Amendment By-Laws (No.2) 2008*.

7.—Commencement

These by-laws take effect on 30 July 2008.

8.—Principal By-laws

In these by-laws, the *Marine and Safety (Fees) By-Laws 2000* are referred to as the Principal By-laws.

9.—Schedules 2 and 3 substituted

Schedules 2 and 3 to the Principal By-laws are rescinded and the following Schedules are substituted:—

Schedule 1

SCHEDULE 2 – FEES RELATING TO PERMITS FOR MOORINGS EXCLUSIVE OF GST

Clause 3(2)

Item	Fee units
Application for permit	33.05
Issue of permit	49.59
Renewal of permit	49.59
Notice of transfer of permit	16.53

Schedule 3

FEES RELATING TO REGISTRATIONS, TRANSFERS AND LICENCES

Clause 3(3)

PART 1—FEES RELATING TO REGISTRATIONS, TRANSFERS AND LICENCES, EXCLUSIVE OF GST

Item	Fee units
Application for registration of motor boat	9.92
Application and renewal of registration of motor boat	49.59
Issue of certificate of registration for motor boat	49.59
Notice of transfer of registration	16.53
Motor boat licence	29.75
Provisional licence	-
Endorsement for PWC	29.75
Replacement registration certificate, licence or provisional licence	4.95
Reissued registration certificate, licence or provisional licence with altered details	4.95

PART 2—FEES RELATING TO EXAMINATIONS FOR LICENCES, ENDORSEMENTS AND REGISTRATION LABELS, INCLUSIVE OF GST

Item	Fee units
Examination for licence to drive a motor boat	10.91
Examination for provisional licence to drive motor boat	10.91
Examination for endorsement for PWC	10.91
Replacement registration label for motor boat	5.45

The Common Seal of the Marine and Safety Authority was affixed in pursuance of a resolution of the Authority made at a meeting held on the nineteenth day of June 2008 in the presence of:—

SIMON FITZGERALD, Chairperson.

COLIN FINCH, Chief Executive.

MARINE AND SAFETY (MOORINGS) BY-LAWS 2008

CONTENTS

PART 1—PRELIMINARY

1. Short title
2. Commencement
3. Interpretation

PART 2—PERMITS

4. Requirement for permit
5. Issue of permit
6. Appointed place
7. Recording of details
8. Renewal of permit
9. Transfer of permit
10. Revocation of permit
11. Change of address of permit holder

PART 3—MOORINGS

12. Identification
13. Approved type of mooring buoy
14. Length of cable
15. Maintenance and inspection
16. Notice to remove mooring
17. Removal of mooring where no permit held

PART 4—MISCELLANEOUS

18. Approved lights and daymarks for fish farm boundaries
19. Vessels at registered mooring not required to exhibit lights
20. Interference with moorings
21. Unauthorised use of moorings
22. Rescission

MARINE AND SAFETY (MOORINGS)
BY-LAWS 2008

UNDER the powers conferred on it by the *Marine and Safety Authority Act 1997* the Marine and Safety Authority makes the following by-laws.

PART 1—PRELIMINARY

1.—Short title

These by-laws may be cited as the *Marine and Safety (Moorings) By-Laws 2008*.

2.—Commencement

These by-laws take effect on 30 July 2008.

3.—Interpretation

In these by-laws:—

“**appointed place**” means the place appointed by the Authority under clause 6;

“**approved form**” means a form approved by the Authority;

“**authorised mooring**” means a mooring to which a permit applies;

“**HWOST**” means high water on spring tide;

“**identification number**” means the identification number assigned to the mooring by the Authority under clause 5;

“**mooring**” means any floating fixture, marker, pile, buoy, cable or chain attached to a weight;

“**owner**” means—

(k) the owner of a mooring; or

(l) a hirer, bailee or person having the possession and control of a mooring;

“**permit**” means a permit issued under clause 5;

“**permit holder**” means a person holding a permit;

“**prescribed fee**” means a fee prescribed by the *Marine and Safety (Fees) By-laws 2000*.

PART 2—PERMITS

4.—Requirement for permit

- (1) A person must not install a mooring without holding a permit in respect of that mooring.

Penalty: Fine not exceeding 10 penalty units.

- (2) A person may apply to the Authority for a permit to install a mooring.

- (3) An application:—

(a) is to be in writing and signed by the applicant; and

(b) is to state a residential address at which the applicant can be contacted; and

(c) is to be in an approved form; and

(d) is to be accompanied by the prescribed fee.

- (4) The Authority may—

(a) grant an application for a permit to install a mooring; or

(b) refuse to grant the application.

5.—Issue of permit

- (1) If the Authority grants an application for a permit, it is to:—

(a) issue the permit on payment of the prescribed fee; and

(b) assign an identification number of the mooring to which the permit relates.

- (2) A permit:—

(a) is to be in an approved form; and

(b) is to bear the identification number of the mooring.

- (3) A permit remains in force until the expiry date determined by the Authority or until the date of revocation of the permit, whichever occurs first.

- (4) A permit remains the property of the Authority.

6.—Appointed place

- (1) The Authority is to appoint a place at which the permit holder is permitted to install a mooring.

- (2) The Authority may vary the appointed place to improve the safety of vessels or for the safe navigation of vessels.

- (3) The permit holder must not relocate a mooring from the appointed place except with the written consent of the Authority.

Penalty: Fine not exceeding 5 penalty units.

7.—Recording of details

The Authority is to record:—

- (a) the name of the registered owner; and
- (b) the appointed place; and
- (c) the identification number; and
- (d) details of the mooring; and
- (e) the start and expiry date of the mooring permit; and
- (f) any other information the Authority considers appropriate.

8.—Renewal of permit

- (1) A person may apply for the renewal of a permit.
- (2) An application for renewal of a permit is to be:—
 - (a) in an approved form; and
 - (b) accompanied by the prescribed fee; and
 - (c) lodged with the Authority before the expiry date of the permit.
- (3) The Authority may:—
 - (a) grant an application for the renewal of a permit; or
 - (b) refuse to grant the application.

9.—Transfer of permit

- (1) A person must not transfer a permit except with the written consent of the Authority.

Penalty: Fine not exceeding 5 penalty units.

- (2) If the permit holder transfers the mooring permit to another person, he or she, within 14 days after the transfer, must provide the Authority with written notice of:—
 - (a) the full name and residential address of the person to whom the mooring permit has been transferred; and
 - (b) the date of the transfer.

Penalty: Fine not exceeding 5 penalty units.

- (3) The new permit holder, within 7 days after the transfer, must provide the Authority with written notice of the permit transfer.

Penalty: Fine not exceeding 5 penalty units.

- (4) The written notice under subclause (3) is to be:—
 - (a) in an approved form; and
 - (b) accompanied by the prescribed fee.

10.—Revocation of permit

- (1) A permit is revoked if:—
 - (a) it is not renewed within a period of 28 days after its expiry date; or
 - (b) the permit holder contravenes or fails to comply with these by-laws or any direction of the Authority.
- (2) If a permit is revoked, the permit holder must:—
 - (a) within 14 days from the revocation date of the permit, remove or cause to be removed the mooring; and
 - (b) notify the Authority, in writing, of the removal.

Penalty: Fine not exceeding 5 penalty units.

- (3) If the permit holder fails to comply with subclause (2), the Authority may:—
 - (a) remove the mooring; and

- (b) offer the mooring for sale by advertisement in the local newspaper; and

- (c) recover costs associated with the removal of the mooring.

11.—Change of address of permit holder

The permit holder must notify the Authority in writing of any change of address within 7 days after the date of that change.

Penalty: Fine not exceeding 5 penalty units.

PART 3—MOORINGS**12.—Identification**

The owner of a mooring must clearly and permanently mark the identification number above the water line on any mooring buoy of the mooring.

Penalty: Fine not exceeding 5 penalty units.

13.—Approved type of mooring buoy

The permit holder must ensure that a mooring buoy is:—

- (a) of a type, pattern and size approved by the Authority; and
- (b) of a conspicuous colour and not less than 20 centimetres and not exceeding 60 centimetres in vertical diameter except with the written consent of the Authority.

Penalty: Fine not exceeding 5 penalty units.

14.—Length of cable

- (1) The permit holder must ensure that the length of the mooring cable of a mooring does not exceed three times the depth of water at HWOST at the appointed place for the mooring without the permission of the Authority.

Penalty: Fine not exceeding 5 penalty units.

- (2) The Authority may permit a mooring cable of greater length than that specified in subclause (1) if it is satisfied that the use of additional cable is justified for the safe mooring.

15.—Maintenance and inspection

- (1) A permit holder must ensure that a mooring:—
 - (a) is maintained in good order and condition; and
 - (b) is lifted and inspected as to their condition at least once in every 2 years; and
 - (c) is correctly located and maintained at the appointed place or places for such moorings.

Penalty: Fine not exceeding 5 penalty units.

- (2) The Authority may inspect any mooring.

- (3) If any mooring, in the opinion of the Authority, is not in good order, the Authority may:—
 - (a) suspend the permit issued for the mooring by notice in writing served on the permit holder for the period specified in that notice; and
 - (b) direct the permit holder to make repairs as specified in the notice.

16.—Notice to remove mooring

- (1) The Authority, by notice in writing served on the permit holder or notice attached to the mooring, may direct the permit holder to remove all equipment comprising the mooring within the period specified in that notice.

- (2) A person must comply with any direction given in a notice under subclause (1).

Penalty: Fine not exceeding 10 penalty units.

17.—Removal of mooring where no permit held

The Authority may:—

- (a) remove any mooring in respect of which there is no permit; and
- (b) offer the mooring for sale by advertisement in the local newspaper; and
- (c) recover costs associated with the removal of the mooring.

PART 4—MISCELLANEOUS**18.—Approved lights and daymarks for fish farm boundaries**

A person must exhibit approved daymarks and navigation lights to the satisfaction of the Authority in respect of moorings used to mark the boundaries of leases or permit areas issued under the *Marine Farming Planning Act 1995*.

Penalty: Fine not exceeding 20 penalty units.

19.—Vessels at mooring not required to exhibit lights

- (1) Vessels secured to authorised moorings within waters specified by the Authority are not required to exhibit the lights and shapes prescribed by the *Marine and Safety (Collision) Regulations 2007* or to make the prescribed sound signals.
- (2) Subclause (1) applies only to a vessel secured to its designated mooring and displaying on the mooring buoy the identification number assigned by the Authority.

20.—Interference with moorings

- (1) A person without authority must not:—
 - (a) interfere with a mooring; or
 - (b) anchor or moor a vessel or place anything so as to prevent any vessel from using or riding conveniently at the appointed place; or
 - (c) interfere with, or obstruct, a vessel when approaching or leaving the mooring at the appointed place.

Penalty: Fine not exceeding 20 penalty units.

- (2) A person without authority must not interfere with any vessel, floating fixture, marker, buoy or object at the appointed place.

Penalty: Fine not exceeding 20 penalty units.

21.—Unauthorised use of moorings

A person must not use a mooring without the authority of the holder of the permit relating to that mooring.

Penalty: Fine not exceeding 5 penalty units.

22.—Rescission

- (1) The *Marine and Safety (Moorings) By-Laws 1998* are rescinded.
- (2) A permit issued under the *Marine and Safety (Moorings) By-Laws 1998* and in force at the commencement of these by-laws remains in force until the expiry date determined by the Authority or until the date of revocation of the permit under these by-laws, whichever occurs first.

The Common Seal of the Marine and Safety Authority was affixed in pursuance of a resolution of the Authority made at a meeting held on the nineteenth day of June 2008 in the presence of:—

SIMON FITZGERALD, Chairperson.
COLIN FINCH, Chief Executive.

**MARINE AND SAFETY
(MOTOR BOATS AND LICENCES)
BY-LAWS 2008**

CONTENTS**PART 1—PRELIMINARY**

- 1. Short title
- 2. Commencement
- 3. Interpretation
- 4. Application of by-laws

PART 2—REGISTRATION

- 5. Requirement to be registered
- 6. Exemptions from requirement to be registered
- 7. Application for or renewal of registration
- 8. Registration
- 9. Identifying number
- 10. Certificate and registration label
- 11. Display of identifying number
- 12. Illegal use of identifying number
- 13. Change of address of owner
- 14. Transfer of ownership of registered motor boat
- 15. Production of certificate
- 16. Cancellation or suspension of registration

PART 3—LICENCES

- 17. Requirement to hold licence
- 18. Residents of other States
- 19. Application for licence
- 20. Eligibility for licence
- 21. Issue of licence
- 22. Period of licence
- 23. Provisional licence
- 24. Change of address of licence holder
- 25. Cancellation and suspension of licence
- 26. Production of licence
- 27. Requirement for endorsement for PWC
- 28. Application for endorsement for PWC
- 29. Eligibility for endorsement for PWC
- 30. Granting and issuing of endorsement for PWC

PART 4—MISCELLANEOUS

- 31. Equipment
- 32. Wearing personal flotation devices
- 33. Navigation of motor boats and speed limits
- 34. Speed trials
- 35. Motor boat not to be driven negligently
- 36. Capacity label
- 37. Safe operation sticker
- 38. Dive flags
- 39. Maximum number of skiers
- 40. Conditions for towing of skiers
- 41. Ski access lanes
- 42. Area of ski access lanes
- 43. Restrictions within a ski access lane
- 44. Designated ski areas
- 45. Damage to ski lane markers
- 46. Unauthorised use of motor boat
- 47. Replacement certificates, labels and licences
- 48. Reissue of certificates and licences with altered details
- 49. False information

- 50. Exemptions
- 51. Appeals
- 52. Service of notices
- 53. Powers of authorised officers
- 54. Rescission

SCHEDULE 1

PART 1 — MINIMUM SAFETY EQUIPMENT FOR MOTOR BOATS

PART 2 — MINIMUM SAFETY EQUIPMENT FOR PWC AND MOTOR-PROPELLED TENDERS

PART 3 — SPECIFICATION OF SAFETY EQUIPMENT

SCHEDULE 2—PROHIBITED AREAS FOR NAVIGATION

SCHEDULE 3—AREAS WHERE SPEED OF 5 KNOTS NOT BE EXCEEDED

SCHEDULE 4—SKI ACCESS LANE MARKERS

MARINE AND SAFETY
(MOTOR BOATS AND LICENCES)
BY-LAWS 2008

UNDER the powers conferred on it by the *Marine and Safety Authority Act 1997*, the Marine and Safety Authority makes the following by-laws.

PART 1—PRELIMINARY

1.—Short Title

These by-laws may be cited as the *Marine and Safety (Motor Boats and Licences) By-Laws 2008*.

2.—Commencement

- (1) These by-laws, except clause 27, take effect on 30 July 2008.
- (2) Clause 27 takes effect on 1 January 2009.

3.—Interpretation

In these by-laws —

“**ABP Standard**” means the standard entitled “National Standard for the Australian Builders Plate for Recreational Boats” published by the National Marine Safety Committee and adopted by the Australian Transport Council;

“**approved**” means approved by the Authority;

“**Australian Builders Plate**” means a builder's plate that complies with all the requirements of the ABP Standard;

“**canoe**” means a lightweight keelless open boat, pointed at each end, that —

- (a) is able to be paddled by one or more people; and
- (b) is able to carry passengers;

“**capacity label**” means a label specifying the maximum persons capacity of a recreational vessel specified in clause 36;

“**certificate of registration**” means a certificate of registration issued under clause 10;

“**coastal waters**” means coastal waters as defined in the Marine and Safety (Definition of Operational Areas) By-laws 2003;

“**competent authority of any Australian State**” means an agency, department or authority of a State of the Commonwealth that is responsible for maritime operations and safety;

“**designated ski area**” means an area of water declared to be a designated ski area under clause 44;

“**dive flag**” means an International Code Flag A at least 750mm long and 600 mm wide;

“**driver**” in relation to a vessel, means the person physically directing the course of the vessel, whether or not the person is also regulating the speed of, or otherwise managing, the vessel;

“**hire and drive vessel**” means a vessel that is let or hired for a commercial purpose;

“**identifying number**” means a number assigned by the Authority under clause 9;

“**in charge**”, in relation to a motor boat, means to have command of the motor boat, whether or not physically steering, or directing the course of, the motor boat;

“**inshore waters**” means inshore waters as defined in the Marine and Safety (Definition of Operational Areas) By-laws 2003;

“**kayak**” means an enclosed small lightweight boat able to be propelled by a double-bladed paddle by one or more people seated in the boat;

“**KW or H.P.**” means the manufacturer's designated kilowatt or horsepower rating applicable to the propulsion machinery installed in a motor boat;

“**length**” means the length overall of the motor boat measured from the fore part of the stem to the after side of the tuck, stern or rudder, excluding any engine pods or bowsprits;

“**licence**” means a licence issued under clause 21;

“**licence holder**” means a person who holds a licence or provisional licence;

“**marine facility**” means any facility, structure or equipment used in relation to the navigation and operation of vessels;

“**motor boat**” means any vessel solely used for the purposes of recreation, including a PWC, propelled or intended to be propelled by mechanical power whether from an inboard motor or an outboard motor and whether or not mechanical power is the principal means of propulsion;

“**motor propelled tender**” means any vessel not exceeding 4.5 metres in length that is —

- (a) operated within 0.5 nautical miles of a parent vessel; and
- (b) used primarily for embarking and disembarking crew and passengers;

“**non-motorised boat**” means —

- (a) a non-motorised yacht tender; and
- (b) any boat that is used for recreation which does not use an engine for propulsion;

“**off-the-beach sailing craft**” means any wind-powered craft that is launched directly from a beach;

“**officer of the Authority**” means a person authorised by the Authority to act on its behalf;

“**owner**” in relation to a motor boat, includes any person who is the sole owner, joint owner or part-owner or who has possession and use of the motor boat under a hire purchase agreement or a bill of sale, but does not include any person in whom the property in the motor boat or any absolute or conditional right or licence to take possession of the motor boat is vested under a hire purchase agreement or a bill of sale;

“**parent vessel**” means a base vessel

- (a) from which a motor propelled tender operates; and
- (b) that provides safe haven and refuge for the tender;

“**partially smooth waters**” means all sheltered waters that are not smooth water;

“personal flotation device” means a lifejacket or buoyancy vest specified in Schedule 1;

“prescribed fee” means a fee prescribed by the Marine and Safety (Fees) By-laws 2000;

“provisional licence” means a licence issued under clause 23,

“PWC” means a personal water craft including –

- (a) any aquascooter, jet ski, wave runner or motorised surfboard; and
- (b) any similar craft that has an engine for propulsion;

“PWC endorsement” means an endorsement granted under clause 30;

“registered” means registered under these by-laws.

“registration label” means a label of registration issued under clause 10;

“second hand motor boat” means a vessel that has been used otherwise than –

- (a) in the course of being built or tested; or
- (b) by an owner builder; or
- (c) by the builder only; or
- (d) for the purpose of transporting it for the purpose of sale; or
- (e) for the purpose of demonstrating it to a purchaser;

“sheltered waters” means all waters defined as such in the Marine and Safety (Definition of Operational Areas) By-laws 2003 and inland waters and all water not greater than 2 nautical miles to seaward along the North and East Coasts of Tasmania but excluding waters between Cape Grim and South East Cape that are not specifically referred to in the Marine and Safety (Definition of Operational Areas) By-Laws 2003;

“ski access lane” means an area of water declared under clause 41;

“smooth waters” means all waters defined as such in the Marine and Safety (Definition of Operational Areas) By-laws 2003.

4.—Application of by-laws

These by-laws apply to motor boats except those that are subject to registration or survey under the Marine and Safety (Vessel Safety Standards) By-laws 2000.

PART 2—REGISTRATION

5.—Requirement to be registered

The owner of a motor boat must not allow it on a marine facility or to be navigated on any waters unless it is –

- (a) registered under clause 8; or
- (b) exempted under clause 6.

Penalty: Fine not exceeding 10 penalty units.

6.—Exemptions from requirement to be registered

The following motor boats are exempted from the requirement to be registered:—

- (a) a motor boat that is propelled or intended to be propelled by machinery of less than 2.9kW (4 H.P.);
- (b) a motor propelled tender;
- (c) a motor boat registered by a competent authority of any Australian State that complies with that authority’s requirements.

7.—Application for or renewal of registration

- (1) A person may apply to the Authority for the registration or renewal of registration of a motor boat.
- (2) An application for registration or renewal of registration of a motor boat –
 - (a) is to be in writing and signed by or on behalf of the owner; and
 - (b) is to be in an approved form; and
 - (c) is to state a residential address at which the applicant can be contacted; and
 - (d) is to be accompanied by the prescribed fee.
- (3) The Authority may refuse to register for the first time a motor boat, other than a second hand motor boat, if –
 - (a) an Australian Builders Plate is not fixed to the motor boat in accordance with the ABP Standard; or
 - (b) the information on the Australian Builders Plate has been altered, defaced, concealed, removed or obliterated; or
 - (c) the Authority has reason to believe the information on the Australian Builders Plate fixed to the vessel is incorrect.

8.—Registration

- (1) If the Authority registers a motor boat, it is to record:—
 - (a) the name of the registered owner; and
 - (b) identification details of the motor boat; and
 - (c) the start and expiry date of registration; and
 - (d) any other information the Authority considers appropriate.
- (2) A motor boat is registered until the expiry date nominated by the Authority.
- (3) The Authority may change the expiry date if it considers it appropriate.
- (4) If the Authority changes the expiry date, it is to notify the registered owner accordingly.

9.—Identifying number

- (1) The Authority is to assign an identifying number in respect of a registered motor boat.
- (2) The Authority may approve the use of a personalised identifying number.
- (3) The owner of a motor boat that is registered with a yacht club or boating club that allocates identifying numbers or unique names may use the number or name so allocated with the approval of the Authority.

10.—Certificate and registration label

- (1) If a motor boat is registered, the Authority is to issue the owner –
 - (a) a certificate of registration on payment of the prescribed fee; and
 - (b) a registration label.
- (2) A certificate of registration and registration label are to be in an approved form.
- (3) A certificate of registration is to include the identifying number.
- (4) A person must fix the registration label to the motor boat in a prominent place.

Penalty: Fine not exceeding 5 penalty units.

11.—Display of identifying number

- (1) The owner of a motor boat that is not a PWC must ensure that—

- (a) the identifying number is clearly displayed in figures and letters of not less than 150mm in height, on both sides of the motor boat; or
(b) if it is impracticable to do so, it is displayed as the Authority directs.

Penalty: Fine not exceeding 5 penalty units.

- (2) The owner of a PWC must ensure that—

- (a) the identifying number is clearly displayed in figures and letters of not less than 100mm in height, on both sides of the PWC; or
(b) if it is impracticable to do so, it is displayed as the Authority directs.

Penalty: Fine not exceeding 5 penalty units.

- (3) The owner of a motor boat must ensure that the identifying number is not obscured.

Penalty: Fine not exceeding 5 penalty units.

- (4) The Authority may allow an identifying number to be of a smaller height than specified under this clause so long as that number is displayed in a conspicuous place.

- (5) The owner of a registered motor boat which has a personalised identifying number approved under clause 9(2) must notify the Authority in writing of any change in that number within 7 days after the date of that change.

Penalty: Fine not exceeding 5 penalty units.

- (6) The owner of a registered motor boat who uses an identifying number allocated under clause 9(3) must notify the Authority in writing of any change in the name or number within 7 days after the date of that change.

Penalty: Fine not exceeding 5 penalty units.

12.—Illegal use of identifying number

A person must not apply an identifying number assigned to a registered motor boat to any other motor boat.

Penalty: Fine not exceeding 10 penalty units.

13.—Change of address of owner

The owner of a registered motor boat must notify the Authority in writing of any change of address within 7 days after the date of that change.

Penalty: Fine not exceeding 5 penalty units

14.—Transfer of ownership of registered motor boat

- (1) If the owner of a registered motor boat transfers the ownership of the motor boat, he or she, within 7 days after the transfer, must notify the Authority—

- (a) the name and residential address of the person to whom ownership of the motor boat has been transferred; and
(b) the date of the transfer.

Penalty: Fine not exceeding 5 penalty units.

- (2) The person to whom ownership of a motor boat has been transferred, within 7 days after the transfer, must lodge with the Authority a signed written notice—

- (a) specifying the name and residential address of the immediate previous owner; and

- (b) containing the signature of the immediate previous owner.

Penalty: Fine not exceeding 5 penalty units.

- (3) The written notice under subclause (2) is to be—

- (a) in an approved form; and
(b) accompanied by the prescribed fee.

15.—Production of certificate

A holder of a certificate of registration for a motor boat, if required, must produce the certificate within any period the Authority determines.

Penalty: Fine not exceeding 5 penalty units.

16.—Cancellation or suspension of registration

The Authority may cancel or suspend the registration of a motor boat if—

- (a) any information furnished by the holder of the certificate for the boat or by the applicant for registration is found to be untrue; or
(b) any provision of these by-laws or any requirement of the Authority in respect to the boat or its registration has not been complied with; or
(c) the Authority has reason to believe that the noise emitted by the boat is, or would be, excessive; or
(d) the Authority considers that the boat is unsafe to persons or property; or
(e) the holder of the certificate of registration for the boat ceases to be the owner of the boat; or
(f) the registration of the boat is not renewed before the expiry date as determined under clause 8.

PART 3—LICENCES AND ENDORSEMENTS**17.—Requirement to hold a licence**

- (1) A person must not drive or be in charge of any registered motor boat or motor boat that is required to be registered on any waters or any marine facility unless the person holds—

- (a) a licence or a provisional licence; or
(b) an approved certificate of competency; or
(c) an approved licence issued or recognised by a competent authority of an Australian State or Territory that is substantially similar to a licence issued under these by-laws.

Penalty: Fine not exceeding 20 penalty units.

- (2) A person who drives or is in charge of a surveyed hire and drive vessel is exempted from the requirement in subclause (1) if—

- (a) the boat is not capable of exceeding 8 knots; and
(b) the hirer is satisfied that the person is able to comply with regulations relating to the vessel, safety and operation.

18.—Residents of other States

The Authority may permit a person whose normal residential address is outside the State and who holds an unexpired licence to drive or be in charge of a motor boat, certificate or equivalent authority issued by a competent authority of any Australian State to drive or be in charge of a motor boat.

19.—Application for licence

An application for a licence to drive or be in charge of a motor boat—

- (a) is to be in an approved form; and

- (b) is to state a residential address at which the applicant can be contacted; and
- (c) is to be accompanied by the prescribed fee for the relevant examination.

20.—Eligibility for licence

An applicant for a licence—

- (a) is to be at least 17 years of age; and
- (b) is to satisfy the Authority—
 - (i) by way of examination that he or she has a good knowledge of the Marine and Safety (Collision) Regulations 2007, these by-laws and other relevant operational knowledge; and
 - (ii) that he or she is competent and physically capable of safely driving or having charge of a motor boat; and
- (c) is to provide evidence of sufficient eyesight to safely drive or have charge of a motor boat if the Authority so requires; and
- (d) is to satisfy the Authority that he or she has operational experience on motor boats by providing to the Authority -
 - (i) written evidence signed by a holder of a licence of at least 20 hours time on a motor boat underway on the water; or
 - (ii) a statement of attainment from a person approved by the Authority as evidence of satisfactory completion of a course of practical tuition in motor boat handling.

21.—Issue of licence

- (1) The Authority may—
 - (a) grant an application for a licence to drive or be in charge of a motor boat; or
 - (b) refuse to grant the application.
- (2) If the Authority grants an application for a licence, it is to issue a licence in an approved form on payment of the prescribed fee.
- (3) The Authority is to record—
 - (a) the name of the person to whom the licence is issued; and
 - (b) the start and expiry date of the licence; and
 - (c) any other details the Authority considers appropriate.

22.—Period of licence

A licence issued on or after 1 July 2006 expires on 30 June 2009.

23.—Provisional licence

- (1) A person who is at least 12 years of age and less than 17 years of age may apply for a provisional licence to drive a motor boat.
- (2) An application for a provisional licence to drive a motor boat—
 - (a) is to be in an approved form; and
 - (b) is to state a residential address at which the applicant can be contacted.
- (3) The Authority may –
 - (a) grant an application for a provisional licence to drive a motor boat if that person satisfies the requirements of clauses 20(1)(b), (c) and (d); or
 - (b) refuse to grant the application.
- (4) If the Authority grants an application for a provisional licence, it is to issue a licence in an approved form on payment of the prescribed fee.

- (5) A person with a provisional licence must not drive a registered motor boat or motor boat that is required to be registered on any waters or any marine facility unless a responsible adult is present.

Penalty: Fine not exceeding 10 penalty units.

- (6) A provisional licence is to specify any restrictions and conditions .

- (7) A provisional licence expires on the date on which the licence holder attains the age of 17 years.

24.—Change of address of licence holder

A licence holder must notify the Authority of any change of residential address within 7 days after the date of that change.

Penalty: Fine not exceeding 5 penalty units.

25.—Cancellation and suspension of licence

- (1) The Authority may cancel a licence or provisional licence if—
 - (a) information given by the licence holder in the application for the licence is false or misleading; or
 - (b) the licence holder has been convicted of an offence against these by-laws; or
 - (c) the licence holder is or has become, in the Authority's opinion, incapable of safely driving or having charge of a motor boat.
- (2) The Authority may suspend a licence or provisional licence if—
 - (a) the licence holder fails to notify the Authority of any change of residential address; or
 - (b) the licence holder fails to pay the prescribed renewal fee on or before the date of expiry.
- (3) The Authority, by notice served on the licence holder, is to notify –
 - (a) the cancellation or suspension of a licence or provisional licence; and
 - (b) the grounds of that cancellation or suspension.
- (4) If a licence or provisional licence is cancelled or suspended, the licence holder must return the licence or provisional licence to the Authority.

Penalty: Fine not exceeding 5 penalty units.

26.—Production of licence

A licence holder must produce the licence or provisional licence within 14 days after being required to do so.

Penalty: Fine not exceeding 5 penalty units.

27.—Requirement for endorsement for PWC

A licence holder must not drive or be in charge of a PWC without an endorsement on the licence or provisional licence.

Penalty: Fine not exceeding 20 penalty units.

28.—Application for endorsement for PWC

An application for an endorsement to drive or be in charge of a PWC is to be in an approved form.

29.—Eligibility for endorsement for PWC

An applicant for a PWC endorsement—

- (a) must have completed a PWC theory examination before 31 December 2008; or
- (b) must complete a PWC Practical Training Course after 1 January 2009

30.—Granting and issuing of endorsement for PWC

- (1) The Authority may—
 - (a) grant an application for a PWC endorsement to drive or be in charge of a PWC; or
 - (b) refuse to grant the application.
- (2) If the Authority grants an application for a PWC endorsement, it is to issue the endorsement in an approved form on payment of the prescribed fee.
- (3) The Authority is to record—
 - (a) the name of the person to whom the endorsement is granted; and
 - (b) the start and expiry date of the endorsement; and
 - (c) any other details the Authority considers appropriate.
- (4) The Authority may impose conditions in relation to the PWC endorsement.

PART 4—MISCELLANEOUS**31.—Equipment**

- (1) The owner or driver of a motor boat must ensure that the minimum safety equipment specified in Schedule 1 appropriate to the area of operation is—
 - (a) carried on the boat; and
 - (b) properly stored, kept ready for immediate use, and maintained in good order at all times.

Penalty: Fine not exceeding 20 penalty units.

- (2) The owner or driver of a motor boat must ensure that inflatable personal flotation devices are maintained in accordance with the recommendations of the manufacturer.

Penalty: Fine not exceeding 10 penalty units.

32.—Wearing personal flotation devices

- (1) Every person onboard a motor boat under 6 metres in length or a motor propelled tender must wear a personal flotation device specified in Schedule 1 while the vessel is under power, unless the person is within a deckhouse, cabin or secure enclosed space.

Penalty: Fine not exceeding 5 penalty units.

- (2) The owner or driver of a motor boat under 6 metres in length or a motor propelled tender must ensure that any child under the age of 16 years is wearing a personal flotation device as specified in Schedule 1 while that vessel is under power, unless the child is within a deckhouse, cabin or secure enclosed space.

Penalty: Fine not exceeding 5 penalty units.

- (3) The owner or driver of a motor boat or motor propelled tender must ensure that any child under the age of 12 years is wearing a personal flotation device as specified in Schedule 1 while that vessel is under power, unless the child is within a deckhouse, cabin or secure enclosed space.

Penalty: Fine not exceeding 5 penalty units.

- (4) The owner or operator of a PWC, kayak, canoe or off-the-beach sailing craft must wear a personal flotation device as specified in Schedule 1 at all times.

Penalty: Fine not exceeding 5 penalty units.

- (5) Any person being towed or any person onboard a craft that is being towed by a motor boat must wear a personal flotation device as specified in Schedule 1 at all times.

Penalty: Fine not exceeding 5 penalty units.

33.—Navigation of motor boats and speed limits

- (1) A person, in any area specified in Schedule 2, must not—
 - (a) drive or be in charge of a motor boat; or
 - (b) ride upon or cause any aquaplane, water ski or similar device to be towed, pulled or propelled.

Penalty: Fine not exceeding 5 penalty units.

- (2) A person, in any area specified in subclause (3), must not—
 - (a) drive or be in charge of a motor boat, except when the boat is being propelled wholly by sail at a speed exceeding 5 knots; or
 - (b) ride upon or cause any aquaplane, water ski or similar device to be towed, pulled or propelled at a speed exceeding 5 knots.

Penalty: Fine not exceeding 5 penalty units.

- (3) For the purpose of subclause (2), the areas are as follows:—

- (a) waters specified in Schedule 3;
- (b) within 60 metres of—
 - (i) any shore line, river bank, diving platform or marine facility; or
 - (ii) any boat under way, at anchor, moored or engaged in fishing or in rowing; or
 - (iii) any buoy laid by or with the approval of the Authority; or
 - (iv) any person on water skis, an aquaplane or similar object being towed by another boat;
- (c) when passing within 120 metres of—
 - (i) any person bathing; or
 - (ii) any vessel or buoy displaying the signal letter “A” of the International Code of Signals which signifies “I have a diver down; keep well clear at slow speed”.

- (4) It is a defence in proceedings for an offence under subclause (2) in relation to areas referred to in subclause (3) for a person to prove that —

- (a) there was no reasonable likelihood of injury, nuisance or annoyance to persons or damage to property; or
- (b) the consequences of a cessation of the towing of such water skier, skiers or aquaplaner would cause an accident; or
- (c) the situation of vessels passing on parallel courses where no nuisance, annoyance or danger is caused to the occupants of either vessel; or
- (d) the situation of vessels engaged in racing or a similar activity under the provisions of the Marine and Safety (Pilotage and Navigation) Regulations 2007.

- (5) A person must not operate a PWC between sunset and sunrise.

Penalty: Fine not exceeding 10 penalty units

- (6) A person must not operate a motor boat in an erratic and non-directional way which would make it difficult for others to predict the motor boat's course to avoid a collision if—
- (a) the motor boat is within 200m of a swimmer; or
 - (b) the motor boat is within 200m of a shoreline and there is any building used for human habitation within 100m of that shoreline.

Penalty: Fine not exceeding 10 penalty units

34.—Speed trials

- (1) The Authority, on the application of any aquatic body, may grant permission in writing for the body to conduct speed trials or other organised water sport during any hours and on any days it may specify.
- (2) The participants in any trials or sport permitted under subclause (1) are exempt from compliance with clause 33 during the hours and day so specified.
- (3) The Authority, upon the application of any person, may exempt from the operation of clause 33 any boat or boats of specified kind or class used for specified purposes or in specified circumstances or in specified areas.
- (4) An exemption under this by-law is for any time and is subject to any restrictions, limitations and conditions the Authority may direct.

35.—Motor boat not to be driven negligently

A person driving or in charge of a motor boat on any waters must not drive negligently or carelessly or at a speed or in a manner that is dangerous or likely to cause injury to any person.

Penalty: Fine not exceeding 10 penalty units.

36.—Capacity label

- (1) The Authority is to issue the owner of a registered motor boat a capacity label that specifies the maximum persons capacity for the motor boat.
- (2) The owner or driver of a motor boat must ensure that the capacity label —
 - (a) is permanently attached to the boat not more than one metre from each steering position; and
 - (b) shows the maximum number of people the boat may carry in smooth waters.

Penalty: Fine not exceeding 5 penalty units.

- (3) The maximum persons capacity for a boat is—
 - (a) the maximum capacity calculated according to Australian Standard 1799.1-1992; or
 - (b) the maximum capacity as rated by the manufacturer; or
 - (c) a capacity calculated in a manner approved by the Authority.
- (4) An owner or driver of a vessel must not remove, deface or conceal a capacity label that is attached to a recreational boat.

Penalty: Fine not exceeding 5 penalty units.

- (5) An Australian Builders Plate of the approved form issued by the manufacturer or importer may be substituted for the capacity label issued by the Authority.

37.—Safe operation sticker

- (1) The Authority is to issue a safe operation sticker to the owner of a PWC.
- (2) The owner or driver of a PWC must ensure that a safe operation sticker issued by the Authority is affixed in a prominent place, adjacent to the craft's controls.

Penalty: Fine not exceeding 5 penalty units.

38.—Dive flags

- (1) A vessel with persons engaged in diving must display a dive flag visible from 360 degrees.
- (2) A vessel must not display a dive flag if it is moving at greater than 5 knots or in the hours of darkness.
- (3) Any person engaged in diving in a boat displaying a dive flag is exempted from the requirement to wear a personal flotation device as required in Clause 32 subclauses 1, 2 and 3.

Penalty: Fine not exceeding 10 penalty units

Penalty: Fine not exceeding 5 penalty units

39.—Maximum number of skiers

Except with the written permission of the Authority, a person must not drive a motor boat that is towing more than 3 persons on water skis, aquaplanes or similar objects.

Penalty: Fine not exceeding 10 penalty units.

40.—Conditions for towing of skiers

A person must not drive or be in charge of a motor boat for the purpose of towing any person on any water ski, aquaplane or similar object—

- (a) between the hours of sunset and sunrise, except with the written permission of the Authority; and
- (b) unless the person is accompanied on the motor boat by at least one other person of at least 10 years of age who is responsible for communicating to the person driving or being in charge of the motor boat of any mishap occurring to the person being towed or riding upon the water ski, aquaplane or other object.

Penalty: Fine not exceeding 10 penalty units

41.—Ski access lanes

The Authority, by notice advertised in a daily newspaper, may declare that an area of water is a ski access lane for use by registered motor boats whilst launching or landing a water skier or an aquaplaner.

42.—Area of ski access lanes

A ski access lane comprises all that area of water at right angles to the shore, extending 60 metres seawards between two marker beacons of the form shown in Schedule 4.

43.—Restrictions within a ski access lane

- (1) While any ski access lane is being used—
 - (a) a person, other than a person using or about to use the access lane for the purposes for which it has been declared, must not enter that access lane; and
 - (b) a person must not bathe, paddle or fish in the water of that access lane.

Penalty: Fine not exceeding 10 penalty units.

- (2) Subclause (1) does not apply to any person engaged in water skiing or aquaplaning who has capsized and is waiting to resume water skiing or aquaplaning or to be picked up or is returning directly to the shore.

44.—Designated ski areas

- (1) The Authority may declare an area of water to be a designated ski area for vessels towing persons on waterskis, aquaplanes or other similar devices.
- (2) A designated ski area is to be marked by the Authority with marker beacons of the form shown in Schedule 4.
- (3) A designated ski area comprises areas of water as specified in Schedule 5.
- (4) A person must not drive or be in charge of a motor boat at a speed exceeding 5 knots within a designated ski area unless towing persons as referred to in subclause (1).

Penalty: Fine not exceeding 10 penalty units.

- (5) It is a defence in proceedings for an offence under subclause (4) for a person to prove that there was no reasonable likelihood of injury, nuisance or annoyance to persons or damage to property.

45.—Damage to ski lane markers

A person must not cause damage or interfere with shore marker beacons or any thing used in marking a ski access lane.

Penalty: Fine not exceeding 10 penalty units.

46.—Unauthorised use of motor boat

A person must not drive a registered motor boat or a motor boat that is required to be registered without the authority or consent of the registered owner of that boat.

Penalty: Fine not exceeding 10 penalty units.

47.—Replacement certificates, labels and licences

- (1) If a certificate of registration, a registration label, licence or provisional licence is lost, stolen, destroyed, defaced, mutilated or rendered illegible, the person to whom it has been issued—
 - (a) is to inform the Authority; and
 - (b) may apply for a replacement.
- (2) The Authority may issue a replacement certificate, label, licence or provisional licence on payment of the prescribed fee.

48.—Reissue of certificates and licences with altered details

- (1) The person to whom a certificate of registration, licence or provisional licence has been issued may apply to the Authority to have the certificate, licence or provisional licence reissued with altered details.
- (2) The Authority may reissue a certificate, licence or provisional licence on payment of the prescribed fee.

49.—False information

A person in an application must not make a statement or give information knowing that the statement or information is false or misleading.

Penalty: Fine not exceeding 10 penalty units.

50.—Exemptions

- (1) The Authority may exempt any motor boat or class of motor boats from the operation of any of the provisions of these by-laws.
- (2) The Authority may exempt any person from any provisions of these by-laws.

51.—Appeals

- (1) A person who is aggrieved by the cancellation or suspension by the Authority of a licence may appeal to a magistrate.
- (2) An appeal—
 - (a) is to be made within 14 days of the service of a notice of cancellation or suspension by the Authority; and
 - (b) is to state the grounds of the appeal.
- (3) The decision of a magistrate on the hearing of an appeal under this by-law is final.

52.—Service of notices

A notice is taken to be duly served on a person if it is served personally or posted to the last address of that person as shown in the records of the Authority.

53.—Powers of authorised officers

- (1) An authorised officer may—
 - (a) direct an owner, driver or person in charge of a motor boat—
 - (i) to remove the boat from the vicinity; or
 - (ii) to proceed to a place indicated by the authorised officer; and
 - (b) give directions to the owner or operator of a motor boat 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 to a place of safe custody a motor boat if—
 - (i) the motor boat is abandoned without being securely moored or at anchor; or
 - (ii) the owner or driver or person in charge is unfit to operate the motor boat because of being under the influence of alcohol or drugs; or
 - (iii) in the opinion of the authorised officer, the motor boat impedes safe navigation; and
 - (d) give directions, including to stop, to the owner or driver or operator of a motor boat; and
 - (e) board any motor boat to inspect it or any object on the boat; and
 - (f) request the owner of a motor boat to give his or her name, age and address; and
 - (g) request the person driving or person in charge of a motor boat who is not the owner of the vessel to give the name and address of the place of residence of the owner.
- (2) If any person who is not the owner of the motor boat is alleged to have committed an offence under these by-laws, the owner of the boat, on demand of an authorised officer, must give any information required relating to the identity and whereabouts of that person.

Penalty: Fine not exceeding 10 penalty units.

Penalty: Fine not exceeding 10 penalty units.

- (3) If the owner does not know the information required under subclause (2), the owner must take steps to obtain the information and report to the authorised officer within 7 days the result of the steps taken.

Penalty: Fine not exceeding 10 penalty units.

54.—Rescission

The Marine and Safety (Motor Boat and Licences) By-Laws 1998 are rescinded.

Schedule 1

Clause 31

PART 1—MINIMUM SAFETY EQUIPMENT FOR MOTOR BOATS

<i>Equipment</i>	<i>Vessels less than 6 metres within Sheltered Waters</i>	<i>Vessels less than 6 metres in all other waters</i>	<i>Vessels greater than 6 metres within Sheltered Waters</i>	<i>Vessels greater than 6 metres in all other waters.</i>
Anchor, Rope Chain <i>as specified in Part 3</i>	✓	✓	✓	✓
Bailer/Bilge Pump	✓	✓	✓	✓
PFD per person <i>as specified in Part 3</i>	✓	✓	✓	✓
Fire Extinguisher <i>as specified in Part 3</i>	✓	✓	✓	✓
Oars/Auxiliary Propulsion	✓	✓		
Flares <i>as specified in Part 3</i>	✓	✓	✓	✓
Heaving Line		✓	✓	✓
Lifebuoy			✓	✓
EPIRB <i>as specified Part 3</i>		✓		✓
Radar Reflector		✓		✓
First Aid Kit <i>as specified in Part 3</i>		✓		✓
Water		✓		✓
Marine Radio <i>as specified in Part 3</i>		✓		✓
Navigation lights and Torch for night operation	✓	✓	✓	✓

✓ Mandatory

PART 2—MINIMUM SAFETY EQUIPMENT FOR PWC AND MOTOR PROPELLED TENDERS

<i>Equipment</i>	<i>Motor propelled tender</i>	<i>PWC within Sheltered Waters</i>	<i>PWC within all other waters</i>
PFD <i>as specified in Part 3</i>	✓	✓	✓
Flares <i>as specified in Part 3</i>		✓	✓
Bailer or Bilge Pump	✓		
Fire Extinguisher <i>as specified in Part 3</i>	R	✓	✓
EPIRB <i>as specified in Part 3</i>			✓
Tow Line	R		✓
Radio			✓

✓ Mandatory

R Recommended

Schedule 1

SPECIFICATION OF SAFETY EQUIPMENT

1.—Anchors, chain and cable

- (1) An anchor type as specified in Australian Standard AS 2198 is to be carried.
- (2) The size of the anchor and diameter and length of the chain and rope must be sufficient to hold the vessel in all sea and wind conditions and depth of water in the intended area of operation.

2.—Fire Extinguishers

- (1) Fire extinguishers as listed below, are to be carried, readily accessible in suitable and different parts of the boat.
- (2) Only extinguishers marked as complying with Australian Standard AS 1841.5 (1992), AS1846 for dry chemical type are acceptable.
- (3) The minimum number and capacity of fire extinguishers are to be provided in accordance with the following table.

<i>Vessel Length</i>	<i>Minimum number and minimum capacity</i>	<i>Minimum Equivalent rating</i>
PWC	One (1) .75kg	5BE
Under 8 metres (excluding PWC)	One (1) .9kg	5BE
8 metres up to 12 metres	Two(2) .9kg	5BE
12 metres and over	Three(3) .9kg or One (1) .9kg and One(1) 1.5kg	5BE 5BE/10BE

3.—EPIRBS

- (1) Before 1 February 2009, EPIRBS if required, are to conform to either Australian Standard AS/NZS 4330 or AS.NZS 4280.1
- (2) On and after 1 February 2009, EPIRBS, if required, are to conform to Australian Standard AS/NZS 4280.1.
- (3) EPIRBS conforming to AS/NZS 4280.1 are required to be registered with the relevant authority of the Australian Commonwealth.

4.—First Aid Kits

The first aid kit contents should reflect likely conditions, duration of the voyage and the number of passengers.

5.—Personal Flotation Device

- (1) A PFD 1 (conforming with Australian Standard AS 1512) is required for each person onboard a motor boat or motor-propelled tender.
- (2) A PFD 2 (conforming with Australian Standard AS1499) may be substituted for a PFD1 when operating a motor boat or motor propelled tender in smooth waters.
- (3) A PFD 2 (conforming with Australian Standard AS 1499) or PFD 3 (conforming with Australian Standard AS 2260) may be substituted for a PFD 1 when operating a PWC in sheltered waters and a kayak, canoe or off-the-beach sailing craft in all waters.
- (4) A PFD 3 (conforming with Australian Standard AS 2260) may be substituted for a PFD Type 1 (conforming with Australian Standard AS 1512) or PFD Type 2 (conforming with Australian Standard AS 1499) when in a motor boat on the way to being towed or is being transported back to shore after being towed.
- (5) A PFD 1 (conforming with Australian Standard AS 1512), or PFD 2 (conforming with Australian Standard AS 1499) or PFD 3 (conforming with Australian Standard AS 2260) is to be worn at all times by persons being towed, or onboard craft that are being towed, by a vessel or device from the shore.

6.—Flares

- (1) Flares (Pyrotechnics) are to conform to Australian Standard AS2092 or equivalent.
- (2) Flares required are as follows:—

	<i>Smooth waters</i>	<i>Partially smooth waters</i>	<i>Coastal waters</i>
All vessel lengths	Recommended only	2 red hand held 2 orange hand held smoke signal	2 red hand held 2 orange hand held smoke signal 2 red parachute flares
PWC	Recommended only	2 red hand held 2 orange hand held smoke signal	2 red hand held 2 orange hand held smoke signal 2 red parachute flares

Schedule 2

Clause 33(1)

PROHIBITED AREAS FOR NAVIGATION

1. Lake Gordon: all waters within 50m of the Gordon Dam.
2. Lake Gordon: all waters within 50m of the Gordon Intake.
3. 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 20 metres upstream from the Serpentine Dam.
4. 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.
5. Lake Pedder: the waters bounded by Edgar Dam, a sign on the western bank approximately 400 metres upstream of Edgar Dam and a sign on the eastern bank approximately 50 metres upstream of Edgar Dam.
6. Lake Pedder: the waters of McPartlan Canal from a point approximately 400 metres upstream from the Gordon River Road bridge, downstream to Lake Gordon.
7. Cluny Lagoon: the waters bounded by Cluny Dam, a sign on the eastern bank and a sign on the western bank, both signs located approximately 120 metres upstream from Cluny Dam.
8. Lake Catagunya: the waters bounded by the Catagunya Dam, a sign located on the eastern bank and a sign on the western bank, both signs located approximately 200 metres upstream from the Catagunya Dam.
9. River Derwent: the waters of the River Derwent for a distance of 700 metres downstream from the Catagunya Dam.
10. Lake Catagunya: the waters of the Wayatinah Power Station tailrace for a distance of 60 metres downstream from the Wayatinah Power Station.
11. Lake Repulse: the waters bounded by the Repulse Dam, a sign on the eastern bank approximately 400m upstream of the Repulse Dam and a sign on the western bank approximately 100m upstream of the Repulse Dam.
12. River Derwent: the waters of the River Derwent for a distance of 250 metres downstream from Repulse Dam.
13. River Derwent: the waters of the River Derwent for a distance of 300 metres downstream from Cluny Dam.
14. 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 1500 metres upstream from the Meadowbank Dam.
15. River Derwent: the waters of the River Derwent for a distance of 300 metres downstream from Meadowbank Dam.
16. 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.
17. 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 200 metres upstream from the Wayatinah Dam.
18. Wayatinah Lagoon: the waters bounded by the Wayatinah Power Station tunnel inlet structure, a sign on the eastern bank and a sign on the western bank, both signs located approximately 100 metres upstream from the tunnel inlet structure.
19. Lake King William: the waters bounded by Clark Dam, a sign on the western bank approximately 300 metres upstream of the dam and a sign on the eastern bank approximately 100 metres upstream of the Clark Dam.
20. 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 that part of the River Derwent between the Clark Dam and the pump station located approximately 6000 metres downstream from the Clark Dam; the Wentworth Canal, Dunnys Dam, Wentworth Dam, and Hornes Dam; but excluding Mossy Marsh Pond and Pump Pond.
21. Tungatinah Lagoon: the waters bounded by the Tungatinah Tunnel inlet structure and a sign on the south eastern bank located approximately 200 metres upstream from the inlet structure.
22. Bronte Lagoon/Bradys Lake: the waters of Woodward's Canal from the foot bridge at Bronte Lagoon downstream to a point distant 50 metres downstream from the radial gates at the Lyell Highway.
23. 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.
24. Lake Echo: the waters of the canal and flume from Echo Dam at Lake Echo downstream to and including the Echo Forebay.
25. Dee Lagoon: the waters of the Lake Echo Power Station tailrace for a distance of 400 metres downstream from the Lake Echo Power Station.
26. Dee Lagoon: the waters bounded by the Dee Tunnel Inlet, a sign on the eastern bank and a sign on the western bank, both signs located approximately 100 metres, upstream from the Dee Tunnel Inlet.
27. Pine Tier Lagoon: the waters bounded by the Pine Tier Dam, a sign on the eastern bank and a sign on the western bank, both signs located approximately 200 metres upstream from the Pine Tier Dam.
28. Bronte Canal: the waters of the Bronte Canal from the Pine Tier Dam downstream to a point 100 metres downstream from the Lyell Highway Bridge at Bronte Lagoon.
29. Little Pine Lagoon: the waters bounded by Little Pine Dam, a sign on the north-western bank approximately 100 metres upstream of the Little Pine Dam and a sign on the south-eastern bank approximately 100 metres upstream of the Little Pine Dam.
30. Little Pine Lagoon/Lake Echo: the waters of Deep Creek from a point 170 metres upstream from the Marlborough Highway bridge downstream to the River Ouse; the waters of the River Ouse from Deep Creek downstream approximately 200 metres to the River Ouse weir; the waters of the Monpeelyata Canal and flume from the Ouse River weir downstream to Lake Echo.
31. Clarence Weir: the waters of Clarence Weir.
32. St Clair Lagoon: the waters from the Lake St Clair Pumping Station downstream to St Clair Lagoon and 150 metres out into the St Clair Lagoon.

33. St Clair Lagoon: the waters of St Clair Lagoon for a distance of 300 metres upstream from the St Clair Dam.
34. River Derwent: the waters of the River Derwent for a distance of 50 metres downstream from the St Clair Dam.
35. Poatina: the waters of the Poatina Tailrace from the Poatina Power Station tunnel outlet downstream to Brumbys Creek.
36. Arthurs Lake: all waters within 30 metres of the Arthurs Lake Dam.
37. 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.
38. Shannon Lagoon: the waters bounded by Shannon Dam, a sign on the western bank and a sign on the eastern bank, both signs located approximately 50 metres upstream from the Shannon Dam.
39. 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.
40. Great Lake: all waters within a distance of 50 metres of Tods Corner Power Station.
41. Great Lake: the waters immediately upstream of Poatina Intake, bounded by the breakwater walls on the northern and southern sides, for a distance of 500m from the intake.
42. Lake Augusta: the waters bounded by the Augusta Dam, a sign on the south-western bank and a sign on the north-eastern bank, both signs located approximately 50 metres upstream from the Augusta Dam.
43. Lake Augusta: the waters bounded by the outlet, a sign on the northern bank and a sign on the southern bank, both signs located approximately 50 metres downstream of the outlet.
44. Lake Trevallyn:
 - (a) the waters 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 Trevallyn Dam.
 - (b) the waters of Stephensdale Bay bounded to the south by the buoy line or two signs on the bank.
45. 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.
46. Lake Mackenzie: the waters bounded by the Mackenzie Spillway, a sign on the western bank and a sign on the dam, both signs located approximately 50m upstream from the spillway.
47. Lake Mackenzie: all waters within 50 metres of the Fisher Intake.
48. 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.
49. Lake Rowallan: the waters bounded by Rowallan Dam, a sign on the eastern bank and a sign on the western bank, both signs located approximately 100 metres upstream from the Rowallan Dam.
50. Mersey River: the waters of the Mersey River from Rowallan Dam downstream approximately 800 metres to the Mersey Forest Road bridge.
51. Lake Parangana: the waters bounded by Parangana Dam, a sign on the eastern bank and a sign on the western bank, both signs located approximately 250 metres upstream from Parangana Dam.
52. Mersey River: the waters of the Mersey River from Parangana Dam downstream approximately 800 metres to the Mersey Forest Road bridge.
53. River Forth: the waters of the River Forth from the Lemonthyme Power Station downstream for a distance of 650 metres.
54. Lake Cethana: the waters bounded by Cethana Dam, a sign on the western bank approximately 250 metres upstream of the Cethana Dam and a sign on the eastern bank approximately 100 metres upstream of the Cethana Dam.
55. 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 of the Wilmot Power Station.
56. Lake Gairdner: the waters bounded by the Wilmot Dam spillway, a sign on the eastern bank and a sign on the western bank, both signs located approximately 200 metres upstream from that spillway.
57. Lake Gairdner: all waters within 50 metres of Wilmot Intake.
58. Lake Barrington: the waters from Cethana Dam downstream to a sign on the bank near Jacksons Creek approximately 2000 metres from Cethana Dam.
59. 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 1600 metres upstream from Devils Gate Dam.
60. Lake Paloona/River Forth: the waters of the River Forth and Lake Paloona from Devils Gate Dam downstream to the Wilmot River.
61. Lake Murchison: the waters of Lake Murchison.
62. Murchison River/Lake Rosebery: the waters of the Murchison River and Lake Rosebery from the Murchison Dam downstream for a distance of 1400 metres.
63. Lake Mackintosh: the waters bounded by the Mackintosh Dam, a sign on the northern shore and a sign on the southern shore, both signs located approximately 750 metres upstream from the Mackintosh Dam.
64. Mackintosh River/Lake Rosebery: the waters of the Mackintosh River and Lake Rosebery from the Mackintosh Dam downstream for a distance of 2700 metres.
65. 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 400 metres upstream from the Bastyan Dam.
66. Pieman River/Lake Pieman: the waters of the Pieman River and Lake Pieman for a distance of 2200 metres downstream from the Bastyan Dam.
67. Pieman River: the waters of the Pieman River for a distance of 400 metres downstream from the Reece Dam.

68. Lake Pieman: the waters bounded by the Reece Dam, a sign on the eastern bank approximately 480 metres upstream from the Reece Dam and a sign on the western bank approximately 60 metres upstream from the Reece Dam.
69. Lake Mackintosh: the waters in the vicinity of the Sophia outlet, a sign on the eastern shore and a sign on the western shore, both signs located approximately 200 metres downstream of the outlet.
70. Lake Burbury: the waters bounded by Crotty Dam and a sign on each side of Crotty Dam located approximately 120 metres from Crotty Dam.
71. Lake Burbury: all waters within 100 metres of John Butters Intake.
72. Lake Plimsoll: the waters bounded by Anthony Dam, a sign on the eastern shore and a sign on the western shore, both signs located approximately 200 metres upstream from Anthony Dam.
73. Lake Plimsoll: the waters bounded by Anthony Levee, a sign on the eastern shore and a sign on the western shore, both signs located approximately 200 metres upstream from Anthony Levee.
74. Huntsmens Lake: all waters within 200m of the Meander Dam.
75. Carlton Beach: all waters within 200 metres of the waterline extending eastward from the western end of the beach to the mouth of the Carlton River.
- (b) Bellerive Beach: an area within 200 metres of the waterline extending eastward from the western end of the beach with the eastern extremity delineated by a sign on the beach;
- (c) Blackmans Bay: all waters within an imaginary line drawn in a north-westerly direction from Flowerpot Point to the stormwater outlet on Blackmans Bay Beach;
- (d) Howrah Beach: all waters within an imaginary line drawn from Howrah Point to the boat launching area;
- (e) Kingston Beach: waters within an imaginary line drawn from the Kingston Beach Sailing Club to a point on the beach at the end of Beach Road;
- (f) Nutgrove Beach: an area within 200 metres of the waterline extending eastward from the western end of the beach to the Sandy Bay Sailing Club.
7. Waters of Tiger Head inside of an imaginary line drawn between the base of the boat launching ramp and the point in Dark Corner.
8. Waters of the Carlton River upstream of an imaginary line drawn between beacons situated 400 metres from the mouth of the river.
9. South Esk River –
 - (a) waters bounded on the south by the weir situated on the northern side of the Perth Bridge and on the north by the Perth Water Supply Pumping Station;
 - (b) waters bounded on the south by the convergence of the South Esk and Macquarie Rivers and on the north by the Mill Dam.
10. Lake Barrington - within 60 metres of the southern extremity of the launching ramp at Kentish Park.
11. Port Area of Whitemark.
12. Port Area of Lady Barron.
13. South Esk River west of Kings Park
14. Trevallyn Power Station Tailrace - to the west of an imaginary line drawn north west from No. 3 light.
15. West Arm - between one imaginary line drawn northwards from the Riviera Hotel, through West Arm beacon, to the southernmost part of Anchor Point, and another imaginary line drawn from the shore south of Stingray Bay, via the north eastern and south western buoys southwards to the short.
16. Lagoon Bay - the marked ski access lane is for landing or picking up skiers only.
17. Pipers Head - in the mouth of the Pipers River between the entrance and an imaginary line drawn to the eastward from Weymouth Boat Ramp.
18. Bridport—
 - (a) Great Forester River: in the mouth of the Great Forester River from the northern end of the breakwater to the green and yellow pile with blue notice off Main Beach;
 - (b) Croquet Lawn Bay;
 - (c) All waters in Anderson Bay to 200m seaward of the shore bounded by an imaginary line drawn perpendicular to the shore at the Northern end of Mermaids Beach and another such imaginary line drawn perpendicular to the shore at Pier Point.

Schedule 3

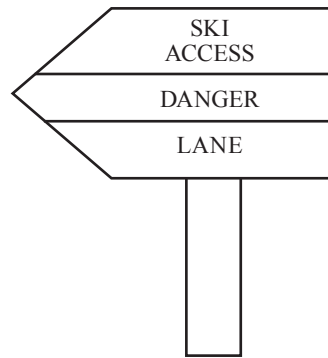
Clause 33(3)

AREAS WHERE SPEED OF 5 KNOTS NOT TO BE EXCEEDED

1. Waters of the Prosser River that are to seaward of the bridge on the Tasman Highway (and commonly known as the Prosser River Bridge or the Orford Bridge).
2. All waters of the Scamander River with the exception of that stretch of the river known as "Price's Straight" and which is delimited at its upstream end by 2 beacons one adjacent to each bank of the river and of rectangular shape and white in colour and at its downstream end by 2 beacons one adjacent to each bank of the river and of rectangular shape and white in colour.
3. An area of water of Georges Bay which lies to the eastward of the launching ramp located at Stieglitz Beach, as delineated by transit beacons on the eastern and western extremities consisting of 2 beacons in line having orange coloured triangular top marks, the seaward limit of which is an imaginary line drawn parallel to the shoreline between these transits and 120 metres to seaward from the low water mark.
4. Waters of Coles Bay to the northward of an imaginary line drawn from the navigation light located on the outer end of the main Coles Bay jetty to the beacon located at the mouth of Ranger Creek.
5. Waters inside of an imaginary line drawn between Blinking Billy Point and the base of the boat launching ramp on Sandy Bay Point.
6. River Derwent –
 - (a) New Norfolk: from the New Norfolk Bridge downstream approximately 900 metres to an imaginary line drawn from the Western side of the boat launching ramp on the southern shore to a point on the Northern shore marked by a rectangular warning sign;
10. Lake Barrington - within 60 metres of the southern extremity of the launching ramp at Kentish Park.
11. Port Area of Whitemark.
12. Port Area of Lady Barron.
13. South Esk River west of Kings Park
14. Trevallyn Power Station Tailrace - to the west of an imaginary line drawn north west from No. 3 light.
15. West Arm - between one imaginary line drawn northwards from the Riviera Hotel, through West Arm beacon, to the southernmost part of Anchor Point, and another imaginary line drawn from the shore south of Stingray Bay, via the north eastern and south western buoys southwards to the short.
16. Lagoon Bay - the marked ski access lane is for landing or picking up skiers only.
17. Pipers Head - in the mouth of the Pipers River between the entrance and an imaginary line drawn to the eastward from Weymouth Boat Ramp.
18. Bridport—
 - (a) Great Forester River: in the mouth of the Great Forester River from the northern end of the breakwater to the green and yellow pile with blue notice off Main Beach;
 - (b) Croquet Lawn Bay;
 - (c) All waters in Anderson Bay to 200m seaward of the shore bounded by an imaginary line drawn perpendicular to the shore at the Northern end of Mermaids Beach and another such imaginary line drawn perpendicular to the shore at Pier Point.

19. An area within 200 metres of the waterline at the following:— **LEFT-HAND MARKER**

- (a) Mersey Bluff Beach;
- (b) Coles Beach;
- (c) East Devonport Beach (each and west side of breakwater);
- (d) All Hawley and Port Sorell Beaches;
- (e) Squeaking Point;
- (f) Panatana Rivulet;
- (g) Forth River;
- (h) Turners Beach;
- (i) Ulverstone Sea Beaches



20. An area on the Mersey River north of the Bass Highway bridge and south of an imaginary line drawn due east from the Victoria Parade boat ramp.

PART 2—DESIGNATED SKI AREA MARKERS

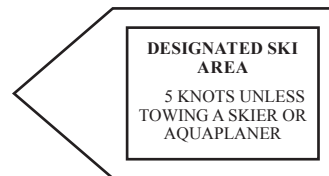
Clause 44 (2)

- 21. Four Springs Lake.
- 22. Arthurs Lake - Waters of Cowpaddock Bay north of the transmission lines.
- 23. Penstock Lagoon.
- 24. Little Pine Lagoon.
- 25. Bradys Lake/Lake Binney - waters of Bradys/Binney Canal.
- 26. Lake Binney/Tungatinah Lagoon - waters of the Binney/Tungatinah Canal.
- 27. Waters of Mossy Marsh.
- 28. Waters of Pump Pond.
- 29. Waters of Shannon Lagoon.
- 30. Waters of Huntsmens Lake.

RIGHT-HAND MARKER



LEFT-HAND MARKER



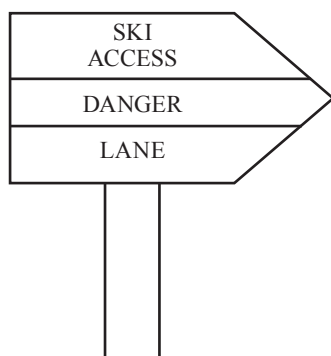
Schedule 4

Clause 42

MARKERS

PART 1—SKI ACCESS LANE MARKERS

RIGHT-HAND MARKER



Schedule 5

DESIGNATED SKI AREAS

CLAUSE 44 (3)

1. Lake Trevallyn/South Esk River: All waters of the South Esk River and Lake Trevallyn bounded by a sign on the river bank adjacent to Roebourne Avenue, Hadspen and the buoy line delineating the prohibited area approximately 500m upstream from the Trevallyn Dam.
2. River Derwent – All waters bounded by Sorell Creek and an imaginary line drawn across the river from the western side of the New Norfolk boat launching ramp.

The Common Seal of the Marine and Safety Authority was affixed in pursuance of a resolution of the Authority made at a meeting held on 19 June 2008 in the presence of—

SIMON FITZGERALD, Chairperson.

COLIN FINCH, Chief Executive.

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