

TASMANIA

**MARINE AND SAFETY (LIMITS OF
OPERATIONAL AREAS OF VESSELS) BY-LAWS
2023**

STATUTORY RULES 2023, No.

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MARINE AND SAFETY (LIMITS OF OPERATIONAL AREAS OF VESSELS) BY-LAWS 2023

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 (Limits of Operational Areas of Vessels) By-laws 2023*.

2. Commencement

These by-laws take effect on 23 December 2023.

3. Interpretation

(1) In these by-laws –

grid reference means the grid reference taken from the Universal Grid Reference System used in Tasmania and based on the Geocentric Datum of Australia (known as the GDA or GDA94) as defined in the *Commonwealth Gazette* No. GN 35, 6 September 1995.

(2) For the purposes of these by-laws, a reference to a place in a Schedule is a reference to the place as defined in that Schedule.

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4. Limits of operational areas of vessels operating in smooth waters

The limits of the operational areas of vessels operating in smooth waters are as specified in Schedule 1.

5. Limits of operational areas of vessels operating in partially smooth waters

The limits of the operational areas of vessels operating in partially smooth waters are as specified in Schedule 2.

6. Limits of operational areas of vessels used for commercial purposes operating in sheltered waters

The limits of the operational areas of vessels used for commercial purposes operating in sheltered waters are as specified in Schedules 1 and 2.

7. Limits of operational areas of vessels not used for commercial purposes operating in sheltered waters

The limits of the operational areas of vessels not used for commercial purposes operating in sheltered waters are –

- (a) as specified in Schedule 1; and
- (b) as specified in clauses 1, 3, 7, 8, 10, and 11 of Schedule 2; and

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- (c) waters within 2 nautical miles to seaward of the mainland coast of Tasmania between Cape Grim across the north coast and down the east coast to South East Cape; and
 - (d) all waters within Storm Bay and Frederick Henry Bay other than the waters seaward of an imaginary straight line drawn from Low Point, at the southern end of Wedge Bay, to the easternmost point of Cape Queen Elizabeth; and
 - (e) all waters within Adventure Bay other than the waters seaward of –
 - (i) an imaginary straight line drawn 090° (T) from Grass Point for a distance of 2 nautical miles; and
 - (ii) an imaginary straight line drawn 024° (T) for a distance of 8.4 nautical miles from the end point of the line referred to in subparagraph (i); and
 - (iii) an imaginary straight line drawn 239° (T) from the end point of the line referred to in subparagraph (ii) to Cape Queen Elizabeth.

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8. Coastal waters

The limits of vessels not used for commercial purposes operating in coastal waters are all navigable waters not specified under clause 7.

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SCHEDULE 1 – SMOOTH WATERS

Clauses 4, 6 and 7

1. Inland waters

The waters of any inland lake, river or stream.

2. Ansons Bay

All waters within Ansons Bay other than the waters seaward of an imaginary straight line drawn due north from grid reference 608789/5453428.

3. Arthur River

All waters within the Arthur River other than the waters seaward of an imaginary straight line drawn due north from grid reference 303613/5452599.

4. Blackman Bay

All waters within Blackman Bay other than the waters seaward of an imaginary straight line drawn due west from grid reference 572734/5255948.

5. Blythe River

All waters within the Blythe River other than the waters seaward of an imaginary straight line

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drawn due west from grid reference
414806/5452416.

6. Bridport

All waters within the Brid River but not beyond an imaginary straight line drawn 150° (T) from Granite Point, at Bridport, to the shore on Barnboughe Beach.

7. Cam River

All waters within the Cam River other than the waters seaward of the bridge carrying the Bass Highway across the Cam River.

8. Carlton River

All waters within the Carlton River other than the waters seaward of an imaginary straight line drawn 000° (T) from grid reference 552622/5252597 at the entrance to the Carlton River to the southern end of Carlton Beach.

9. Cloudy Bay Lagoon

All waters within Cloudy Bay Lagoon other than the waters seaward of an imaginary straight line drawn due west from the southwestern tip of the spit at the western end of Cloudy Beaches.

10. Coles Bay

All waters within Great Oyster Bay other than the waters seaward of an imaginary straight line drawn from the easternmost point of Waterloo Point to the westernmost point of Fleurieu Point.

11. Currie

All waters within Currie Harbour other than the waters seaward of an imaginary straight line drawn from the northernmost point of the breakwater to Currie Harbour number 6 light.

12. Devonport

All waters within the Mersey River other than the waters seaward of an imaginary straight line drawn from the seaward end of the eastern breakwater to the signal mast on the western shore.

13. Emu Bay

All waters of Emu Bay other than the waters seaward of –

- (a) an imaginary straight line drawn from the eastern extremity of Ocean Wharf to the western extremity of Island Breakwater; and
- (b) an imaginary straight line drawn along Island Breakwater; and

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- (c) an imaginary straight line drawn from the eastern extremity of Island Breakwater to the shore at the eastern side of Emu River.

14. Georges Bay

All waters within Georges Bay other than the waters seaward of an imaginary straight line drawn from the westernmost point of Pelican Point to the southernmost point of Clerk Point.

15. Grants Lagoon

All waters within Grants Lagoon other than the waters seaward of an imaginary straight line drawn due south from grid reference 609200/5432488.

16. Grassy

All waters within Grassy Harbour other than the waters seaward of an imaginary straight line drawn from the westernmost point of Grassy Island to the Grassy Outer Harbour number 10 port mark.

17. Hobart

All waters within the River Derwent, Huon River and D'entrecasteaux Channel other than the waters seaward of –

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- (a) an imaginary straight line drawn from Cape Direction to Kellys Point; and
- (b) an imaginary straight line drawn from Scott Point to Hopwood Point.

18. Lady Barron

All waters within the Port of Lady Barron other than the waters seaward of an imaginary straight line drawn 075° (T) from Tommy Rews Point to the easternmost shore of Adelaide Bay.

19. Launceston

All waters within the Port of Launceston other than the waters seaward of an imaginary straight line drawn across the River Tamar through Barrel Rock and the centre of Shear Reef.

20. Little Swanport

All waters within Little Swanport other than the waters seaward of an imaginary straight line drawn 000° (T) from Limekiln Point.

21. Musselroe Bay

All waters within Musselroe Bay other than the waters seaward of an imaginary straight line drawn due south from grid reference 599079/5479687 to the opposite shore.

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22. New River Lagoon

All waters within New River Lagoon other than the waters seaward of an imaginary straight line drawn due east from the southernmost point of Prion Beach.

23. Norfolk Bay

All waters within Norfolk Bay other than the waters seaward of an imaginary straight line drawn from Dorman Point to Whitehouse Point.

24. Nubeena

All waters within Wedge Bay other than the waters seaward of an imaginary straight line drawn from the southernmost point of Lory Point to the easternmost point of Low Point.

25. Pieman River

All waters within the Pieman River other than the waters seaward of an imaginary straight line drawn due east from grid reference 327083/5385370.

26. Pipe Clay Lagoon

All waters within Pipe Clay Lagoon other than the waters seaward of an imaginary straight line drawn 180° (T) from the southernmost point of Cremorne Beach.

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27. Pipers River

All waters within the Pipers River other than the waters seaward of an imaginary straight line drawn from grid reference 513463/5460065 to grid reference 513219/5459924.

28. Pitt Water

All waters within Pitt Water other than the waters seaward of an imaginary straight line drawn from the southeasternmost point of Sandy Point to the northwesternmost point of Tiger Head.

29. Port Arthur

All waters within Port Arthur other than the waters seaward of an imaginary straight line drawn from the southernmost point of Standup Point to the southernmost point of Budget Head.

30. Port Davey

All waters within Bathurst Harbour and Bathurst Channel other than the waters seaward of an imaginary straight line drawn from the easternmost point of Forrester Point to the southwesternmost point of Deep Point.

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31. Port Sorell

All waters within Port Sorell other than the waters seaward of an imaginary straight line drawn 270° (T) from Griffiths Point.

32. Recherche Bay

All waters within Pigsties Bay other than the waters seaward of an imaginary straight line drawn from the easternmost point of Ryans Point to the westernmost point of Bennetts Point.

33. River Forth

All waters within the River Forth other than the waters seaward of the bridge carrying the Bass Highway across the River Forth.

34. Scamander River

All waters within the Scamander River other than the waters seaward of the bridge carrying the Tasman Highway across the Scamander River.

35. Sea Elephant River

All waters within the Sea Elephant River other than the waters seaward of an imaginary straight line drawn northwest from grid reference 252662/5590546 to the opposite shore.

36. Smithton

All waters within Duck Bay and Big Bay other than the waters seaward of –

- (a) an imaginary straight line drawn from the northernmost point of Stony Point to the northernmost point of Perkins Island; and
- (b) an imaginary straight line drawn 135° (T) from the easternmost point of Perkins Island to the mainland shore.

37. Southport

All waters within the Lune River and Hastings Bay other than the waters seaward of an imaginary straight line drawn 000° (T) from grid reference 496718/5189459 to the opposite shore.

38. Southport Lagoon

All waters within Southport Lagoon other than the waters seaward of an imaginary straight line drawn 045° (T) from 498125/5185028 to the opposite shore.

39. Stanley

All waters within the Port of Stanley other than the waters seaward of an imaginary straight line drawn 218° (T) from the seaward end of the cargo wharf to the eastern bank of East Inlet.

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40. Strahan

All waters within the Port of Strahan other than the waters seaward of an imaginary straight line drawn from grid reference 359319/5328933 through Magazine Island to King Point.

41. Triabunna

All waters within Spring Bay and Prosser Bay other than the waters seaward of an imaginary straight line drawn from Home Point Lookout lighthouse to the northeasternmost point of Johnsons Point.

42. Ulverstone

All waters within the River Leven other than the waters seaward of an imaginary straight line drawn 090° (T) from Black Jack Rock to the training wall in the east.

43. Wynyard

All waters within the Inglis River other than the waters seaward of an imaginary straight line drawn due north from the northern tip of East Wynyard Beach to the opposite shore.

SCHEDULE 2 – PARTIALLY SMOOTH WATERS

Clauses 5, 6 and 7

1. Coles Bay

All waters within Great Oyster Bay other than the waters seaward of –

- (a) an imaginary straight line drawn 110° (T) from the easternmost point of Buxton Point to Schouten Island; and
- (b) an imaginary straight line drawn from the easternmost point of Cape Degerando to the easternmost point of Cape Baudin.

2. Georges Bay

All waters within Georges Bay and Moulting Bay other than the waters seaward of an imaginary straight line drawn from Dora Point, at grid reference 611162/5429591, to the northernmost point of Blanche Point.

3. Hobart

All waters within the River Derwent and the D'Entrecasteaux Channel other than the waters seaward of –

- (a) an imaginary straight line drawn from the southernmost point of Cape Direction to the northeasternmost point of Kellys Point; and

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- (b) an imaginary straight line drawn from the southernmost point of Point Labillardiere to the southernmost point of Southport Bluff.

4. Lady Barron

All waters that are bounded by an imaginary circle having a radius of 5 nautical miles and centred at the outer extremity of the wharf situated in Adelaide Bay.

5. Norfolk Bay

All waters within Norfolk Bay other than the waters seaward of an imaginary straight line drawn from the northernmost point of Green Head to the westernmost point of Renard Point.

6. Nubeena

All waters within Wedge Bay other than the waters seaward of –

- (a) an imaginary straight line drawn from grid reference 555123/5228065 to the northernmost point of Wedge Island; and
- (b) an imaginary straight line drawn from the southernmost point of Wedge Island to the westernmost point of Low Point.

7. Port Davey

All waters within Port Davey other than the waters seaward of an imaginary straight line drawn from the westernmost point of Garden Point to the southernmost point of O'Brien Point.

8. Smithton

All waters within Duck Bay, Big Bay, Robbins Passage and Boullanger Bay other than the waters seaward of –

- (a) an imaginary straight line drawn 130° (T) from the easternmost point of Cape Elie to the mainland shore at Anthony Beach; and
- (b) an imaginary straight line drawn from the westernmost point of Bird Point to the northernmost point of Temdudheker/Woolnorth Point.

9. Stanley

All waters that are bounded by an imaginary circle having a radius of 2.5 nautical miles and centred at Circular Head at Stanley.

10. Strahan

All waters within Macquarie Harbour and all bays and estuaries opening into Macquarie

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Harbour other than the waters seaward of an imaginary straight line drawn 000° (T) for a distance of 0.75 nautical miles from Watts Hill, then 090° (T) to the shoreline.

11. Triabunna

All waters within the Mercury Passage that include Spring Bay and Prosser Bay other than the waters seaward of –

- (a) an imaginary straight line drawn from the southernmost point of Lords Bluff to the northernmost point of Cape Boullanger; and
- (b) an imaginary straight line drawn from the easternmost point of Cape Bernier to the westernmost point of Green Bluff.

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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....., in the presence of –

15 DECEMBER 2023



[Signature]
Chairperson

[Signature]
Chief Executive Officer

Printed and numbered in accordance with the *Rules Publication Act 1953*.

Notified in the *Gazette* on 22/12 2023

These by-laws are administered by Marine and Safety Tasmania.

EXPLANATORY NOTE

(This note is not part of the by-laws)

These by-laws, for the purposes of the *Marine and Safety Authority Act 1997* –

- (a) prescribe the limits of operational areas for vessels operating in smooth waters, partially smooth waters, sheltered waters and coastal waters; and

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- (b) are made consequentially on the repeal of the *Marine and Safety (Limits of Operational Areas of Vessels) By-Laws 2013* under section 11 of the *Subordinate Legislation Act 1992*, by virtue of section 42(4) of the *Marine and Safety Authority Act 1997*.