

Darwin Buoy Mooring Standards

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1. Preamble

1.1. Title

- 1.1.1. Darwin Buoy Mooring Standards.

1.2. Authority

- 1.2.1. These Standards constitute conditions on the approval, installation, maintenance and ongoing regulation of buoy moorings as required by the *Ports Management Act 2015* Section 53 and Part 7.
- 1.2.2. A person must not, in or on the port waters of Darwin, without the prior written approval of the Regional Harbourmaster (RHM):
- Erect, or cause to be erected, below the high water mark any jetty, wharf, pontoon (whether or not attached to the shore), mooring or structure, whether temporary or permanent; or
 - Moor, anchor or otherwise fasten a floating structure or mooring buoy to the sea floor, a lake or riverbed or the shore; or
 - Secure a vessel to a mooring, or allow a vessel to secure to a mooring that has not been approved.
- 1.2.3. The RHM must not withhold an approval, or impose a condition on such an approval, except on reasonable grounds set out in a written notice given to the person seeking to erect a structure.

1.3. Application

- 1.3.1. These Standards apply to all moorings in the port of Darwin and set the conditions for the installation, maintenance and ongoing regulation of them.

1.4. Applicable Legislation

- *Ports Management Act 2015*
- *Marine Pollution Act 1999*
- *Marine Pollution Regulations 2003*
- *Waste Management and Pollution Control Act 1998*

1.5. Objective

- 1.5.1. The objective of this document is to provide clear conditions on the approval of buoy moorings to ensure all such moorings are appropriate for the vessels moored thereupon and for the prevailing weather encountered in that location and that the mooring is maintained appropriately to ensure its ongoing suitability and safety.

2. Definitions

In these Standards:

Approved means approved by the Regional Harbourmaster.

Commercial Mooring means a mooring to which a commercial vessel is, or is intended, to be secured or any mooring at which a vessel not owned by the mooring owner is, or is intended, to be secured except under circumstances described at article 8.1.5.

Cyclone Mooring means either a commercial or private mooring that is designed and constructed to secure the authorised vessel(s), at a minimum, during cyclonic conditions of a severity rating of Category 3 under the Australian Tropical Cyclone Intensity Scale employed by the Australian Bureau of Meteorology.

Mooring means any gear set out in a permanent manner to which a vessel or other floating structure may be secured by a chain, cable, wire or rope.

Mooring Area means an area, declared by the Regional Harbourmaster as a mooring area.

Mooring Equipment is the apparatus making up the mooring. It consists of an anchor weight, ground chain, riser chain, buoy and pendant.

Mooring Permit means a permit issued by the Regional Harbourmaster, pursuant to Section 53 of the *Ports Management Act 2015*, authorising the installation of a mooring and the vessels that may be secured to that mooring.

Mooring Permit Holder is the person named on the mooring permit, responsible for the installation, maintenance and removal of a mooring.

Private Mooring means a mooring to which a recreational vessel or pleasure craft owned by the mooring permit holder is, or is intended, to be secured.

Regional Harbourmaster (RHM) means the person appointed to be the Regional Harbourmaster for a port under section 19(1) of the *Ports Management Act 2015*.

Seasonal Mooring Area means an area within a designated port, declared by the Regional Harbourmaster as a seasonal mooring area in which vessel owners may install temporary moorings.

Tender means a vessel that is smaller than the principal craft and which is used as an auxiliary to the principal craft as a means of transportation between the principal craft and the shore or other vessels or other functions of an auxiliary nature.

3. Mooring Permits

3.1. Requirement for a Mooring Permit

- 3.1.1. A person must not install a mooring without the written approval of the RHM, as required by Section 53 of the *Ports Management Act 2015*.
- 3.1.2. A person must not secure a vessel to a mooring or allow a vessel to secure to a mooring that has not been approved by the RHM.
- 3.1.3. Such written permission is to be in the form of a mooring permit. An example mooring permit is at Annex A.

3.2. Application for Mooring Permit

- 3.2.1. An application for a mooring permit is to be in writing and is to specify whether the proposed mooring is to be commercial or private.
- 3.2.2. For a commercial mooring, the permit application is to include:
 - The particulars of the mooring permit applicant, including the applicant's full name, address, email address and contact telephone number;
 - The proposed maximum length and displacement of vessels to be authorised for the mooring;
 - Whether the mooring is to be a cyclone mooring;
 - A proposed position for the mooring;
 - The particulars of the mooring equipment, together with a report by an appropriately qualified engineer that the mooring equipment is made of quality materials and suitable for the proposed location and vessels having regard to tidal and weather conditions;
 - For existing buoy moorings without an equipment report by an appropriately qualified engineer, evidence of inspection on a regular basis and a statement from the mooring owner as to the vessel size and suitability of the mooring, is acceptable in lieu;
 - The particulars of the size, colour, marking and lighting (FI.Y) of the mooring buoy; and
 - A cyclone plan.
- 3.2.3. For a private mooring and vessels < 15 m, the permit application is to include:
 - The particulars of the mooring permit applicant, including the applicant's full name, address, email address and contact telephone number;
 - The name, overall length and displacement of the vessel to be the authorised vessel for the proposed mooring;
 - Proof of ownership of the authorised vessel. A private mooring permit will only be issued to a person owning the vessel or if providing evidence of being in the process of purchasing the vessel, for which the mooring permit is being applied

- The particulars of the size, colour, marking and lighting (or reflective tape) of the mooring buoy;
- Whether the mooring is to be a cyclone mooring;
- A proposed position for the mooring;
- The particulars of the mooring equipment (a guide to equipment is at Annex B); and
- A cyclone plan.

3.2.4. Cyclone plans are required for all moorings:

- For vessels at cyclone moorings the plan is to cover the proposed course of action in the event of a Category 4 or 5 cyclone; and
- For vessels at non-cyclone moorings the plan is to cover the proposed course of action in any cyclone.

3.3. Application Approval

3.3.1. If the RHM is satisfied that the proposed mooring position is appropriate and available and that the mooring equipment is suitable, the RHM will issue a mooring permit detailing:

- The mooring identification number;
- The name of the mooring permit holder;
- Whether the permit is for a private or commercial mooring;
- Whether the mooring is a cyclone mooring;
- For commercial moorings, the maximum overall length and displacement of vessel(s) authorised for that mooring;
- For private moorings, the name of the vessel authorised for that mooring; and
- The allocated position of the mooring.

3.3.2. The grant of a mooring permit does not give any tenancy or interest in the proposed position of the mooring.

3.4. Mooring Permit Validity Period

3.4.1. A mooring permit is valid for a period of 4 years from the date of issue or renewal.

3.5. Mooring Permit Revalidation

3.5.1. An application for revalidation of a mooring permit shall be lodged not later than the expiry date shown on the permit.

3.5.2. An application for revalidation of a mooring permit shall include all the information required at article 3.2.

3.5.3. The RHM must, upon written application of the permit holder, and if satisfied as to the ongoing suitability and safety of the mooring and authorised vessel(s), renew the permit.

3.6. Expired Mooring Permit

- 3.6.1. If the permit holder fails to apply for revalidation of the permit, then, upon expiry of the mooring permit, the permit holder must remove the mooring equipment or transfer it in accordance with article 11.1.1.
- 3.6.2. If the permit holder fails to remove or transfer the mooring equipment, the RHM may initiate action to declare the vessel and mooring equipment abandoned.
- 3.6.3. In such cases the RHM will contact the permit holder and/or the vessel owner. If unable to do so the RHM may remove the vessel from the mooring, remove, or otherwise dispose of, the mooring equipment and reallocate the mooring position.
- 3.6.4. It is an offence to fail to comply with the direction of the RHM.
- 3.6.5. The permit holder of a mooring which the RHM has caused to be removed is liable to pay all expenses incurred in the removal and storage of the mooring and vessel.
- 3.6.6. An amount which a mooring permit holder is liable to pay may be recovered as a debt due and payable to the Northern Territory.
- 3.6.7. A person must not hinder or obstruct, or aid or abet a person to hinder or obstruct, the RHM, or a person lawfully assisting the RHM, in causing a mooring to be removed.

3.7. Conversion of Mooring Type

- 3.7.1. A mooring may be converted from private to commercial or from commercial to private by submitting the appropriate mooring application to the RHM. If the RHM is satisfied of those matters detailed in paragraph 3.2, the RHM will issue a revised mooring permit.

4. Mooring Permit Waiting List

- 4.1.1. If insufficient mooring sites are available in an area the RHM may maintain a waiting list specifying the particulars of applicants for mooring permits in that area. Upon submission of an application for a mooring permit in that area, the applicant will be placed at the end of the waiting list for that area.
- 4.1.2. The RHM may, at any time by written notice, require an applicant to confirm or update the particulars provided by the applicant in an application or to provide further particulars and if an applicant fails to respond to such a notice within the time specified in the notice, remove the applicant's name from the waiting list.
- 4.1.3. Where a mooring site becomes available the RHM will offer a mooring permit to the first applicant on the waiting list who has specified a vessel of appropriate length for the site.
- 4.1.4. If, for any reason, the applicant does not accept the offer within 14 days of being given notice of the offer, or such further time as the RHM may by written notice allow, then the offer lapses, the name of the applicant will be removed from the waiting list and the RHM may make the offer to the next appropriate applicant.

5. Removal of Unauthorised Mooring

- 5.1.1. If a mooring is installed contrary to Section 53 of the *Ports Management Act 2015*, if a mooring has not been approved or if a valid mooring permit does not apply, the RHM may by notice served on the owner of the mooring, require the mooring to be removed within such period (being not less than 14 days after the date of service or publication of the notice) as is specified in the notice.
- 5.1.2. Where the owner of the unauthorised mooring fails to comply with the direction, the RHM may cause the mooring to be removed.
- 5.1.3. It is an offence to fail to comply with the direction of the RHM.
- 5.1.4. The permit holder of a mooring which the RHM has caused to be removed is liable to pay all expenses incurred in the removal of the mooring.
- 5.1.5. An amount which a mooring owner is liable to pay may be recovered as a debt due and payable to the Northern Territory.
- 5.1.6. A person must not hinder or obstruct, or aid or abet a person to hinder or obstruct, the RHM, or a person lawfully assisting the RHM, in causing a mooring to be removed.

6. Installation of Moorings

6.1. Installation

- 6.1.1. A mooring permit holder is to;
 - Supply and install the approved mooring equipment in the allocated position at their own cost as soon as practicable, and no later than 6 months, after being issued a mooring permit;
 - Inform the RHM of the installation, including any deviations from the mooring permit approval; and
 - Ensure the mooring buoy is clearly marked with the mooring permit number in black letters of not less than 50mm height.
- 6.1.2. Where a mooring has been installed but the installation deviated from the approved mooring permit, the RHM may:
 - Require the mooring permit holder to remove the mooring and reinstall it in accordance with the permit; or
 - Approve a change to the mooring equipment as detailed at article 13.

6.2. Failure to Install a Mooring

- 6.2.1. Where a mooring has not been installed within 6 months of the permit issue, RHM will, by written notice, withdraw approval for the mooring.

- 6.2.2. Such a notice is to state that within 14 days after the notice is given, the person to whom it is given may make written representations to the RHM concerning the matter. The RHM is not to determine the matter without considering any representations received within that period of 14 days.
- 6.2.3. If a mooring permit approval is withdrawn, any mooring equipment installed will be unauthorised and subject to actions at article 5.
- 6.2.4. The proposed location of the mooring may be reallocated, subject to the requirements of article 4.

7. Mooring Maintenance

7.1. Private Moorings

- 7.1.1. A private mooring permit holder is to:
 - Keep and maintain the mooring equipment in good condition at all times;
 - Inspect and service the mooring equipment biennially, following any extreme weather event that had the potential to affect the mooring equipment's integrity or if otherwise directed to do so by the RHM; and
 - Provide documentary evidence of the inspection and servicing of the mooring equipment to the RHM.

7.2. Commercial Moorings

- 7.2.1. A commercial mooring permit holder is to:
 - Keep and maintain the mooring equipment in good condition at all times;
 - Engage an appropriately qualified mooring service provider to inspect and service the mooring equipment biennially, following any extreme weather event that had the potential to affect the mooring equipment's integrity or if otherwise directed to do so by the RHM; and
 - Provide documentary evidence of the inspection and servicing of the mooring equipment to the RHM.

7.3. Failure to Maintain a Mooring

- 7.3.1. Where a mooring has not been serviced, or where notice of such servicing has not been provided, the RHM will, by written notice, direct the mooring permit holder to conduct the maintenance as required above.
- 7.3.2. Where the mooring permit holder fails to comply with the direction, the mooring may be rendered unauthorised and be subject to article 5.

8. Use of Moorings

- 8.1.1. A person must not secure a vessel to a mooring, or allow a vessel to secure to a mooring that has not been approved.

- 8.1.2. A person must not secure a vessel, or allow it to remain secured, to a mooring unless the vessel is authorised to be secured to that mooring, or is a tender of that vessel.
- 8.1.3. A person must not secure a vessel other than a tender, or allow it to remain secured, to a mooring to which a vessel is already secured or to a vessel that is secured to a mooring.
- 8.1.4. A vessel secured to a mooring shall have the name of the vessel, or unique vessel identifier, prominently displayed.
- 8.1.5. A commercial mooring permit holder must ensure that any vessel which is secured to that mooring is the subject of a current marine insurance policy for so long as the vessel utilises the mooring. If so requested by the RHM, the commercial mooring permit holder must provide the RHM with a certificate of currency in respect of the marine insurance policy for any such vessel.
- 8.1.6. In the case of private moorings, the RHM may, upon application by the mooring permit holder, provide permission for a vessel other than the authorised vessel to temporarily occupy the mooring during extended absence of the authorised vessel (for example while seasonal cruising). Such temporary occupation shall be for a period not exceeding 3 months. For periods greater than 3 months the mooring permit shall be converted to a commercial mooring permit.

9. Removal of Vessels

- 9.1.1. A vessel owner is to ensure that any vessel on a mooring is kept in a safe condition, suitable for its intended purpose or for undertaking a voyage.
- 9.1.2. The RHM may direct the owner of a vessel to remove a vessel from a mooring or mooring area if:
 - The RHM is of the opinion that the vessel is not kept in a safe condition;
 - The RHM is of the opinion that the vessel is a threat to safe and unimpeded navigation;
 - The RHM is of the opinion that the vessel is impeding the use of an existing mooring;
 - The vessel is not authorised to be secured to that mooring; or
 - If the vessel is secured to an unauthorised mooring.
- 9.1.3. Where the owner of the vessel fails to comply with the direction, the RHM may cause the vessel to be moved, at the owner's risk.
- 9.1.4. It is an offence to fail to comply with the direction of the RHM.
- 9.1.5. The owner of the vessel which the RHM has caused to be moved is liable to pay all expenses incurred in the removal and storage of the vessel.
- 9.1.6. An amount which a vessel owner is liable to pay may be recovered as a debt due and payable to the Northern Territory.
- 9.1.7. A person must not hinder or obstruct, or aid or abet a person to hinder or obstruct, the RHM, or a person lawfully assisting the RHM, in causing a vessel to be moved.

10. Cancellation of Mooring Permit

- 10.1.1. The RHM may, by written notice served on a mooring permit holder, cancel the mooring permit if:
 - The RHM is of the opinion that the mooring permit holder has failed to comply with a condition of the permit or has caused or permitted another person to do so;
 - The authorised vessel for a mooring has been sold or disposed of and the mooring permit holder has not nominated a suitable substitute vessel; or
 - The RHM is of the opinion that it is in the public interest or the best interest of good management of a mooring area to do so.
- 10.1.2. If the RHM proposes to cancel a mooring permit, the RHM is to give notice to the mooring permit holder together with reasons for the proposed cancellation. Such notice is to state that within 14 days after the notice is given, the person to whom it is given may make written representations to the RHM concerning the matter. The RHM is not to determine the matter without considering any representations received within that period of 14 days.
- 10.1.3. If a mooring permit is cancelled, the mooring permit holder must remove all mooring equipment within the time specified in the notice of cancellation.
- 10.1.4. Where the owner of the unauthorised mooring fails to comply with the direction, the RHM may cause the mooring to be removed.
- 10.1.5. It is an offence to fail to comply with the direction of the RHM.
- 10.1.6. The owner of the mooring which the RHM has caused to be moved is liable to pay all expenses incurred in the removal of the mooring.
- 10.1.7. An amount which a mooring owner is liable to pay may be recovered as a debt due and payable to the Northern Territory.
- 10.1.8. A person must not hinder or obstruct, or aid or abet a person to hinder or obstruct, the RHM, or a person lawfully assisting the RHM, in causing a mooring to be removed.

11. Transfer of Moorings

- 11.1.1. A mooring permit holder may only transfer the permit to another person with the permission of the RHM and subject to such conditions as the RHM may impose.

12. Inspection of Mooring

- 12.1.1. The RHM, or a person authorised by the RHM, may inspect a mooring at any time.
- 12.1.2. The mooring permit holder must afford the RHM, or authorised representative, carrying out an inspection, reasonable access to the mooring and such other assistance as the RHM may reasonably require.

13. Changes to Mooring Equipment

- 13.1.1. Where a mooring permit holder wishes to make changes to any of the mooring equipment that would significantly alter the characteristics of the mooring, the mooring permit holder must give the RHM written notice of any intended alteration not less than 14 days before the alteration.
- 13.1.2. If the RHM is satisfied that the proposed changes to the mooring equipment are appropriate and that the mooring equipment remains suitable, the RHM will approve the changes and may issue a revised mooring permit.
- 13.1.3. Failure to notify the RHM of mooring equipment changes may render the mooring unauthorised and subject to actions at article 5.

14. Relocation or Removal of Mooring

- 14.1.1. The RHM may direct a mooring permit holder to move the mooring to another position or, if the mooring has become a safety hazard, to remove it.
- 14.1.2. Where the permit holder of the mooring fails to comply with such a direction, the RHM may cause the mooring to be removed.
- 14.1.3. It is an offence to fail to comply with the direction of the RHM.
- 14.1.4. The owner of the mooring which the RHM has caused to be removed is liable to pay all expenses incurred in the removal of the mooring.
- 14.1.5. An amount which a permit holder is liable to pay may be recovered as a debt due and payable to the Northern Territory.
- 14.1.6. A person must not hinder or obstruct, or aid or abet a person to hinder or obstruct, the RHM, or a person lawfully assisting the RHM, in causing a mooring to be removed.

15. Mooring Register

- 15.1.1. The RHM is to keep a register of moorings.
- 15.1.2. The register is to specify, in respect of each mooring;
 - The location and identification number of the mooring for which the permit is granted;
 - The classification of the mooring (commercial, private, cyclone);
 - The particulars of the mooring permit holder, including the full name, address and contact telephone numbers;
 - The maximum overall length and displacement of vessels approved for the mooring or the particulars of the vessel authorised to use the mooring;
 - The date on which maintenance was last carried out;
 - The date upon which mooring maintenance is next to be carried out; and
 - The expiry date of the mooring permit.

- 15.1.3. The RHM must, on written request by a mooring permit holder, provide the permit holder with a copy of particulars of their mooring permit as set out in the register.
- 15.1.4. The mooring register will be made available to the Port Operator to facilitate the functions of maintaining or improving the safe, secure and efficient operation of the port and to allow for emergency management of vessels, particularly during cyclone events.

16. Mooring Areas

- 16.1.1. The RHM may declare an area within a designated port as a mooring area.

17. Seasonal Mooring Areas

- 17.1.1. The RHM may declare an area within a designated port as a seasonal mooring area.
- 17.1.2. The owner of a recreational vessel or pleasure craft may anchor or install a mooring within a seasonal mooring area without holding a mooring permit provided that;
- The mooring is not installed before 1 May of each year; and
 - The mooring is removed before 1 November of each year.
- 17.1.3. Moorings in seasonal mooring areas are subject to articles 12 and 13.

Regional Harbourmaster

Buoy Mooring Permit	999		
Location	12° 27.592'S	130° 53.162'E	
Permit Holder	Name – Residential / Company Address		
Permitted Vessel(s)	SV Gorgonzola	12m	9t
Mooring Class	Private	Non-cyclone	
Issue Date	1 January 2017		
Expiry Date	31 December 2021		

The holder of this permit is authorised by the Regional Harbourmaster, subject to the conditions prescribed in the Darwin Buoy Mooring Standards, to install, maintain and keep a mooring in the location specified above and to secure the vessel(s) nominated above to that mooring.

Regional Harbourmaster

Vessel Length (m)	Steel Block/Wheel (kg in air)	Concrete Block (kg in air) ¹	Ground Chain ² Size (mm)	Riser Chain ³ Size (mm)	Pendant ⁴ Size (mm)
<6	80	400	20	16	13
6 - 7.5	130	790	20	16	16
7.5 - 8.5	180	1500	32	20	20
8.5 - 9.5	290	2500	32	20	22
9.5 - 12	370	3100	32	20	26
12 - 15	550	4800	38	20	30
>15	Moorings for vessels >15m are to be designed by an appropriately qualified mooring engineer				

Notes:

1. Concrete weight is approximately 2400kg per cubic metre
2. Ground Chain length should approximate vessel length
3. Riser Chain length should be not less than 1.5 and not more than 3 x water depth at MHWS
4. Pendant rope is to be polypropylene or similar floating material
5. Swivels may be used and should be of a size commensurate with the larger of the connected chains
6. Shackles should be of a size commensurate with the larger of the connected chains
7. Sacrificial anodes may be fitted but are not mandatory
8. Mooring buoys are to be yellow in colour, and should have reserve buoyancy of not less than 1.5 x the submerged mass of the riser chain, shackles, swivels and sacrificial anodes
9. Mooring buoys may require lighting. This will be determined by the RHM as during the application approval process.

1. Transitional Arrangements for Existing Moorings

- 1.1.1. Section 53 of the *Ports Management Act 2015* requires that a person must not install a mooring without the written approval of the Regional Harbourmaster. The *Ports Management Act 2015* commenced on 1 July 2015.
- 1.1.2. For moorings that existed before 1 July 2015, in some instances there was no approval process or the process was unspecified or unclear. In most cases, records do not exist or the provenance and accuracy of records is unknown. Similarly, the suitability and safety of the mooring equipment is unknown and the extent of the hazard represented to both the moored vessel and those around it is unknown, and no means exists to evaluate it.
- 1.1.3. Conditional upon evidence provided identifying a buoy mooring as having been inspected on a regular basis, the owners of existing buoy moorings without the engineers report, identified at 3.2.2, may make a declaration as to the vessel size and suitability of the mooring that will be accepted in lieu of a report, and entered onto the mooring permit.
- 1.1.4. The issuance of a mooring permit by the Regional Harbourmaster for an existing mooring without an engineer's report does not serve as a guarantee of the moorings suitability, but that the mooring owner has declared the mooring fit for the purpose described upon the mooring permit
- 1.1.5. Existing moorings are subject to all other requirements as described in the mooring permit application.
- 1.1.6. The owners of existing moorings are encouraged to apply for a permit for their mooring, as doing so will:
 - Assist in the management of the safety and suitability of moorings to the benefit of all harbour users; and
 - Assist the mooring occupier in ensuring their surroundings are kept safe and their valuable asset is protected. It should also be noted that many insurers require proof of approval before a moored vessel is covered under their policy.
- 1.1.7. The RHM may, by notice served on the owner of an otherwise unapproved mooring, require the owner to apply for a permit for an existing mooring. Such a notice will specify a period for that application (being not less than 14 days after the date of service or publication of the notice). If the owner of an existing mooring fails to apply for a permit, it may render the mooring unauthorised and subject to actions at article 5.