

# Buoy Mooring Authority Fact Sheet (Application Process)



## What is a Buoy Mooring Authority?

A buoy mooring authority is a permit granted by Maritime Safety Queensland under the *Transport Operations (Marine Safety) Act 1994* for an buoy mooring authority holder to occupy an allocated position. The granting of an application for a buoy mooring authority is a personal grant and does not confer legal title on any person. A buoy mooring authority cannot be sold (either with an approved vessel or as a mooring only), sub-leased, rented or used for financial gain.

An unauthorised or unmarked buoy mooring may be seized and removed. A person responsible for an unauthorised or unmarked buoy mooring may be liable for prosecution and/or costs incurred by Maritime Safety Queensland in removing the mooring device.

## Application process

*Determine the type of buoy mooring authority required:*

- **Restricted Buoy Mooring Authorities** are issued exclusively for private recreational use by one nominated and approved vessel. The buoy mooring cannot be rented, leased or otherwise dealt with by the buoy mooring authority holder for financial gain. The mooring buoy must be yellow in colour.
- **Unrestricted buoy mooring authorities** are issued to support the business activities of established marine service providers and legitimate businesses. It is the responsibility of the buoy mooring authority holder to demonstrate to Maritime Safety Queensland that the unrestricted mooring is required and is used solely to support the nominated business activity. The mooring buoy must be fluorescent pink or "Day-Glo" pink in colour. Where these colours are unavailable, orange is acceptable as a substitute colour.

*Buoy mooring application:*

1. Complete a buoy mooring application form.
- Pay the fee
    - restricted mooring \$100.70 (initial assessment fee of \$62.90 + 12 months occupation \$37.80)
    - unrestricted mooring \$125.80 (initial assessment fee of \$62.90 + 12 months occupation \$62.90)

*Note – fees current at date of printing. Check with Maritime Safety Queensland for any changes.*

- The following information is required to process a buoy mooring application:
  - Provide proof of applicant's identity:
    - Individuals applying for a buoy mooring authority need to provide current photograph identification such as a driver's licence or passport. If providing copies of these documents they should be certified.
    - Businesses applying for a buoy mooring authority need to provide a certified copy of either a Certificate of Incorporation or Certificate of Registration as a Business Name.
  - Proof of applicant's address:
    - Individuals applying for a buoy mooring authority need to provide a current driver's licence, rates notice or electricity account.
    - Businesses applying for a buoy mooring authority need to provide a certified copy of either a Certificate of Incorporation or Certificate of Registration as a Business Name.
  - Proof of vessel ownership by providing certified copies of vessel registration papers and/or ownership papers.
  - Vessel information including type and size of the vessel/s. You can source this information from vessel registration papers.
  - Identify the proposed location of the buoy mooring.

- The responsibility lies with the applicant to provide detailed information that will enable a desktop assessment of the proposed location to proceed to conclusion.
- The applicant must clearly define where the proposed mooring is to be located by supplying DGPS coordinates or GPS coordinates (minutes to three decimal places)
- In high density areas only DGPS coordinates will be accepted. Liaise with your relevant Maritime Safety Queensland (MSQ) regional office for further information.
- Port authority and other agency clearances
  - If the proposed mooring is within port authority, Great Barrier Reef Marine Park Authority, Queensland Parks and Wildlife Service or local government jurisdiction the applicant must provide satisfactory evidence that all other relevant agencies have agreed to the establishment of the mooring. (For example - a letter either supporting the establishment of the mooring and/or advising of no objections to the establishment of a mooring.)
- Cultural heritage clearances:
  - Cultural heritage considerations should not be confused with Native Title issues as cultural heritage can be both tangible or intangible, Indigenous or non-Indigenous in nature, and exist regardless of the type of land tenure.
  - The responsibility lies with the applicant to provide at the time of lodgement, written verification from the Cultural Heritage Coordination Unit, Department of Natural Resources and Mines (Indigenous cultural heritage), and Environmental Protection Agency (non-Indigenous cultural heritage) that there are no cultural heritage issues that may impact the buoy mooring application.
  - Download information about cultural heritage searches at [http://www.nrm.qld.gov.au/cultural\\_heritage/index.html](http://www.nrm.qld.gov.au/cultural_heritage/index.html)
- For commercial applications, the applicant must supply sufficient information to identify the registered business for which the mooring is sought.

*Review of the buoy mooring application:*

- If there is insufficient information to support the application, it is the applicant's responsibility to provide any additional information at Maritime Safety Queensland's request.
- The 30 day processing period will commence upon receipt of all requested information. If Maritime Safety Queensland needs to undertake a Native Title notification for the proposed buoy mooring, the 30 day processing period will commence at the completion of this process.
- If your buoy mooring application is rejected, you will be advised in writing of the reasons for the rejection.
- If your buoy mooring application is approved and:
  - there is no waiting list, the buoy mooring authority will be prepared and the applicant will be advised in writing; or
  - there is a waiting list, the application will be added to the relevant waiting list and the applicant will be advised in writing.
- In some areas priority or waiting lists have been established. Applications will be added to the relevant list in accordance with the date the completed application is received.

**Allocation of a mooring space**

- A mooring space will generally be offered to the applicant at the top of the priority list for that area. Consideration must also be given to the size of the vessel and suitability of the area. Additional consideration may be given to a business application, if the business can demonstrate a legitimate commercial need to utilise the buoy mooring for more than one vessel.
- Where the next available site is not suitable for the vessel nominated by the applicant at the top of the list, an offer will be made to the applicant closest to the top of the list who can use the available mooring. Other applicants ahead of the person being offered the mooring will be advised why an offer had not been made to them.

- Applicants are given 14 days from the date of written advice from Maritime Safety Queensland to accept or decline the offer of a buoy mooring space. If the applicant does not accept the offer within 14 days, an offer is to be made to the next suitable applicant on the list.
- Once an offer has been made and accepted for a buoy mooring in one area, all other applications for that person or business will be removed from priority lists.
- After the regional harbour master has received the applicant's written acceptance of the offered buoy mooring, the applicant will be allowed a further 30 days to:
  - Contact the relevant office to discuss the exact location of the mooring.
  - Either place the mooring device in position or take possession of/purchase any device which may already be in position from the current owner/mooring authority holder. If a sale of the mooring device cannot be negotiated, the current buoy mooring authority holder is required to remove the device within 14 days after expiry or surrender of the current buoy mooring authority.
  - Place the nominated vessel on the mooring.

### **Buoy mooring identification**

- The number issued for the buoy mooring authority is to be marked on the buoy attached to the mooring in plain characters not less than 50 millimetres high, with proportionate spacing and stroke width and must be black characters on a light background. If the buoy is of a solid nature, the number must be etched or branded on the buoy. Otherwise, the number may be painted onto the buoy.
- The number issued for a buoy mooring authority must be marked on the buoy attached to the mooring and maintained so as to be legible at all times. Buoys may be fitted with retro-reflective material to enhance visibility.
- Where a Regional Harbour Master has issued a grid number with a buoy mooring authority this must also be marked on the buoy attached to the mooring and maintained so as to be legible at all times.

### **Buoy mooring specifications**

- Surface buoys attached to mooring tackle must be not less than 250 millimetres and not more than 800 millimetres in their greatest dimension. The buoy must be of adequate volumetric dimensions to support the mooring device in all conditions.
- The mooring device must be of sufficient length to ensure the buoy remains on the water's surface at all times.
- Surface buoys should be of a robust construction and preferably foam filled. Where a buoy is of synthetic construction, it should also be UV stabilised.
- Buoys should be spherical, teardrop shaped or the shape of two cones joined at their bases, and not of a shape so as to cause confusion with navigation markers.
- Special arrangements apply in the Gold Coast area for the type of buoy used. Contact the Gold Coast Office for further information.
- Private buoys in Queensland coastal waters, jointly authorised by Maritime Safety Queensland and the Great Barrier Reef Marine Park Authority, are to be colour-coded as per Maritime Safety Queensland's specifications.

### **Conditions of use**

1. The "conditions of use" applicable to a buoy mooring authority may be amended upon renewal each year by the Regional Harbour Master in the interests of marine safety, efficiency and effectiveness of the maritime industry.
2. The Regional Harbour Master may cancel or refuse to renew a buoy mooring authority if there has been a significant change in circumstances affecting marine safety in the vicinity of the buoy mooring.
3. It is the responsibility of the buoy mooring authority holder to remove the mooring device within 14 days of a buoy mooring authority being cancelled or revoked.
4. A buoy mooring authority holder is responsible for monitoring and ensuring that the mooring is permanently secured in the approved position. The mooring must not be relocated without prior written consent from Maritime Safety Queensland. If the mooring is moved by natural occurrences, it is the buoy mooring authority holder's responsibility to reposition the mooring to the approved position.

5. It is the buoy mooring authority holder's responsibility to ensure the mooring device is maintained in a safe and serviceable condition at all times and is suitable for the type of vessel attached to the mooring.
6. Only the buoy mooring authority holder's nominated ship is permitted to be moored on the restricted mooring. The vessel on the mooring must be Queensland registered, unless it is exempt from registration, and the buoy mooring authority holder must ensure that the vessel complies with the *Transport Operations (Marine Safety) Act 2004*. Buoy mooring authority holders are reminded that under the *International Regulations for Preventing Collisions at Sea*, all moored vessels are required to exhibit an all-round white light whilst secured to the buoy mooring. Penalties apply for non-compliance.
7. The buoy mooring authority holder is responsible for ensuring that the moored vessel manages on-board garbage and sewage and is compliant with the *Transport Operations (Marine Pollution) Act 1995*. It is the buoy mooring authority holder's responsibility to make arrangements for the removal of ship-sourced waste.
8. Failure to comply with the "conditions of use" or directions of a Regional Harbour Master may result in the buoy mooring authority holder being liable for prosecution and/or any costs incurred by Maritime Safety Queensland.
9. The buoy mooring authority holder is responsible for keeping Maritime Safety Queensland informed of any change to their contact details or if they cease to use a buoy mooring. Otherwise, the buoy mooring authority may expire or be cancelled by Maritime Safety Queensland without further notice.