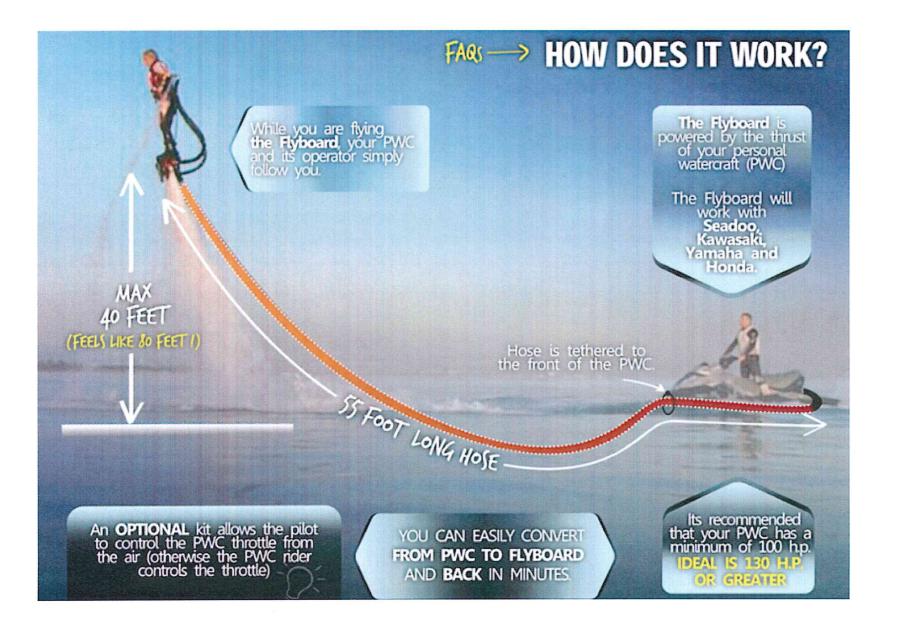
APPENDIX 12 ATTACHMENT 1



# Hillarys North – Proposed AFD Activity Areas



	<b>Option A</b> – DoT preferred option (100m x 300m) area would include commercial and recreational zone. Riders would launch from beach
	<b>Option B</b> – Commercial Operator preferred option (100 x 75m) Commercial zone only. Riders would launch from break wall

# AUTHORISATION TO PUBLISH GOVERNMENT GAZETTE

Order No: /

Fax No: 9431 1019

### DEPARTMENT OF TRANSPORT

Branch / Section: NAVIGATIONAL SAFETY

Contact Name: CHRIS MATHER

I hereby authorise the publication of the following notice in the *Government Gazette* dated 24 December 2013 and acknowledge funds are available.

Authorising Officer's Signature: .....

SENT TO EMAIL ADDRESS: slp@dpc.wa.gov.au

SIGNED AUTHORISATION FAXED TO: 9321 7536

## WESTERN AUSTRALIAN MARINE ACT 1982

# **Closure of Navigable Waters**

## Closed Waters – Aerial Freestyle Device Mangles Bay - Rockingham City of Rockingham

### Department of Transport Fremantle WA, 24 December 2013

ACTING pursuant to the powers conferred by Section 66 of the Western Australian Marine Act 1982, I hereby close all navigable waters to the operation of Personal Watercraft (PWC) fitted with an aerial freestyle device, with the exception of all waters within 300m of an approved Aerial Freestyle area as described at Schedule A of this notice, provided they are operated in accordance to the conditions set out in Schedule B of this notice.

#### NAVIGABLE WATERS Includes

(a) The territorial sea adjacent to the State;

(b) The sea on the landward side of the territorial sea adjacent to the State that is not within the limits of the State; and

(c) Waters within the limits of the State.

In this notice, the following definitions apply:

- 1. The aerial freestyle device means any device, Flyboard® or alike, which can be connected to a PWC so as to provide pressured water from the PWC to the device to aid propulsion at the surface of the water, into the air and/or underwater;
- 2. The aerial freestyle device user means the person attached to the aerial freestyle device Personal watercraft (PWC) means as per definition at regulation 46 (2) of the Navigable Waters Regulations 1958;
- 3. The PWC operator means the person who is the rider and master of the PWC;
- 4. Aerial Freestyle means the practice of manoeuvring the aerial freestyle device above the surface of the water or deliberately fully submerging the aerial freestyle device user below the surface of the water.

SCHEDULE A: All those waters of Mangles Bay bounded by lines commencing at position 32°16.271'S, 115°43.884'E (approximately 230 metres north-west of the Bell Park foreshore at Rockingham Beach); thence to 32°16.201'S, 115°43.981'E (200 metres north-easterly); thence to 32°16.234'S, 115°44.014'E (80 metres south-easterly); thence to 32°16.308'S, 115°43.911'E (approximately 211 metres south-westerly); thence to the point of commencement (approximately 81 metres north-westerly). All coordinates based on GDA 94.

#### SCHEDULE B: Operating Conditions

- 1. Only one person is to use the Aerial Freestyle device at any one time;
- 2. The Aerial Freestyle device user must be a minimum age of 14 years;
- 3. Propulsion thrust to the Aerial Freestyle device must be controlled by the PWC operator at all times;
- 4. When the Aerial Freestyle device is being operated connected to a PWC, the PWC operator and the Aerial Freestyle device user must wear an approved personal flotation device as described in regulation 50B of the Navigable Waters Regulations 1958;



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- 5. The PWC operator must hold a Recreational Skippers Ticket as per regulation 47 of the Navigable Waters Regulations 1958;
- 6. Whilst in operation, the PWC operator must have a PWC kill switch safety lanyard attached to them at all times;
- 7. Whilst in operation, the Aerial Freestyle device user must wear a helmet suitable for water sports at all times
- The PWC must be appropriately registered for operation in Western Australia as per regulation 45B of the Navigable Waters Regulations 1958 or as a Domestic Commercial Vessel in accordance with the Marine Safety (Domestic Commercial Vessels) National Law Act 2012;
- 9. The Aerial Freestyle device user must not engage in aerial freestyle outside of a designated aerial freestyle area;
- 10. The Aerial Freestyle device user must not engage in aerial freestyle within 15 metres of any other person or any other vessel;
- 11. The Aerial Freestyle device user must not engage in aerial freestyle in water depth less than 2.5 metres;
- 12. The Aerial Freestyle device user must not engage in deliberate porpoising in water depths less than 4 metres; 13. The Aerial Freestyle device can only be operated during sunrise to sunset;
- 14. General safety obligations, collision regulations and any other legislative requirements that apply to either a recreational or commercial personal water craft under the Navigable Waters Regulations 1958 and Western Australian Marine Act 1982 must be complied with at all times.
- 15. In addition to above, Commercial Aerial Freestyle operations must operate in accordance with the Marine Safety (Domestic Commercial Vessels) National Law Act 2012 Certificate of Survey and Certificate of Operation

Ray Buchholz A/General Manager Marine Safety Department of Transport

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