



Government Gazette

of the State of

New South Wales

Number 587—Roads and Transport

Friday, 15 December 2023

The New South Wales Government Gazette is the permanent public record of official NSW Government notices. It also contains local council, non-government and other notices.

Each notice in the Government Gazette has a unique reference number that appears in parentheses at the end of the notice and can be used as a reference for that notice (for example, (n2019-14)).

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To submit a notice for gazettal, see the Gazette page.

ROADS ACT 1993

Notice of Dedication of Land as Public Road at Quakers Hill in the Blacktown City Council Area

Transport for NSW, by its delegate, dedicates the land described in the schedule below as public road under section 10 of the *Roads Act 1993*.

K DURIE
Statutory Land Transactions Manager
Transport for NSW

Schedule

All that piece or parcel of land situated in the Blacktown City Council area, Parish of Prospect and County of Cumberland, shown as Lot 53 Deposited Plan 1121275.

(TfNSW Papers: SF2023/218558; RO SF2015/202397)

ROAD RULES 2014
ELECTRIC SCOOTER USE AREA EXEMPTION NOTICE 2023
GEORGES RIVER COUNCIL

I, Anna Bradley, as delegate of Transport for NSW, in accordance with rule 262-2 of the Road Rules 2014 make the following Notice.



Anna Bradley
A/Deputy Secretary Cities and Active Transport
Transport for NSW

Dated this 8th day of December 2023

1 Name of Notice

This Notice is the ***Electric Scooter Use Area Exemption Georges River Council Notice 2023.***

2 Commencement

This Notice has effect on and from the 22 December 2023.

3 Effect

This Notice remains in force up to and including the repeal of Part 15-1 of the Road Rules 2014 unless revoked or amended earlier.

4 Interpretation

Words and expressions used in this Notice have the same meaning as in the Road Rules 2014 unless otherwise stated.

5 Exemption of the operation of road rule 262-1

Riders of electric scooters are exempt from road rule 262-1 on roads within the Georges River Council indicated by the shaded area (defined as "Operational Area" in the Legend) at Schedule One to this Notice.

6 Publication

This Notice is to be published in the NSW Government Gazette.

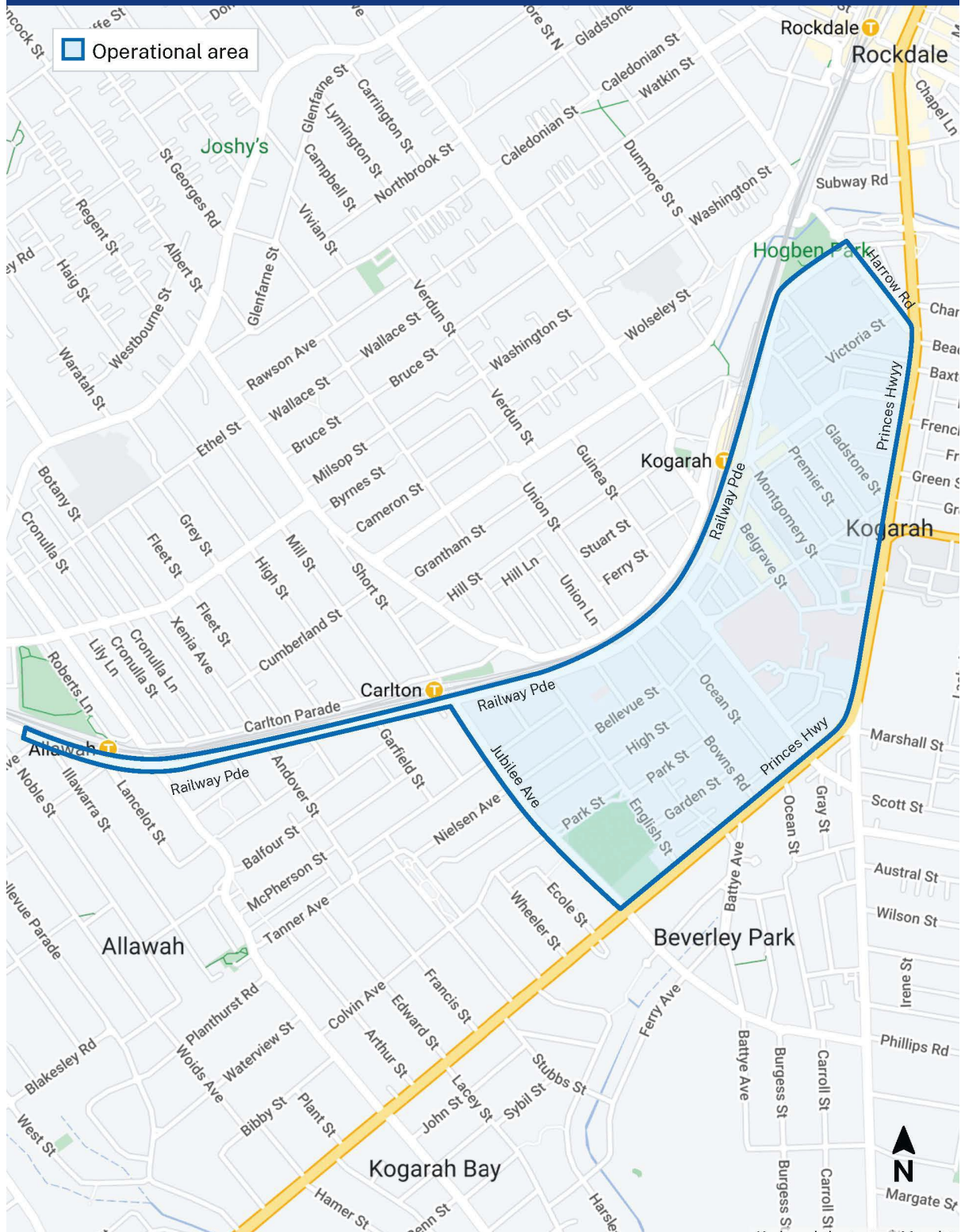
Explanatory note:

Road rule 262-1 prohibits the riding of electric scooters on a road unless those riders are exempt by a Notice made by Transport for NSW under road rule 262-2 which specifies an area included in the Notice.

Only persons 16 years and over may legally ride an electric scooter borrowed or hired under a share scheme and are also subject to other road transport laws including specific road rules for electric scooter riders at Part 15-1 of the Road Rules 2014 (including riding an electric on a road on which the ordinary speed limit is greater than 50 kilometres per hour).

SCHEDULE ONE

Kogarah e-scooter shared scheme trial area map



Direction to the Board of the Transport Asset Holding Entity of New South Wales (Capital Program, Cash Holdings, Borrowings and Access/ Licence Fees) 2023

under the

State Owned Corporations Act 1989

I, Jo Haylen, MP, Minister for Transport, with the approval of the Treasurer, in pursuance of section 20P of the *State Owned Corporations Act 1989*, make the following direction to the Board of the Transport Asset Holding Entity of New South Wales, being satisfied that because of exceptional circumstances, it is necessary to give the direction in the public interest.

Dated this 20th day of November 2023.

JO HAYLEN, MP
Minister for Transport

Explanatory note

The Transport Asset Holding Entity of New South Wales (TAHE) will transition to a non-commercial Public non-Financial Corporation (PNFC). The purpose of this Direction is to ensure NSW has an optimal model for delivering transport services while providing for focused and strategic asset management and assurance, generating revenue for on-going investment in transport assets and operations, as well as broader social objectives such as investment in social housing, alongside its investment in rail assets.

The Direction is the result of exceptional circumstances and in the public interest because:

- The government has decided to transition TAHE from operating as a statutory State Owned Corporation to operating as a PNFC. This decision has consequential changes to contributions and the basis on which access & licence fees are charged to Sydney Trains and NSW Trains.
- Under a non-commercial operating model, TAHE is no longer required to earn a commercial return which will enable longer term investments in rail assets, the Transport network and social objectives (such as responding to the current housing crisis in NSW).

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Direction to the Board of the Transport Asset Holding Entity of New South Wales (Capital Program, Cash Holdings, Borrowings and Access/Licence Fees) 2023

under

Section 20P of the State Owned Corporations Act 1989

1 Name of Direction

This direction is the *Direction to the Board of the Transport Asset Holding Entity of New South Wales (Capital Program, Cash Balances, Borrowings and Access/Licence Fees) 2023*.

2 Commencement

This direction commences on the day on which it is signed and will remain in force until it is revoked.

3 TAHE Capital Program

The Board of the Transport Asset Holding Entity of New South Wales (**TAHE**) is directed, in a timely manner, to make amendments to TAHE's financial year 2023-24 10-year capital program, and implement all necessary changes, to give effect to the Treasurer's letter dated 31 August 2023 in relation to funding and programming of capital works on the rail network owned by TAHE.

Amendments to the 10-year capital program include deferrals totaling \$495.1 million from forward estimates up to 2026-27, into 2027-28 and beyond:

- Central Precinct - \$329.6 million
- Transport Asset Renewal and Retail Uplift program - \$17.6 million
- Electrical Isolation program - \$52.7 million
- Sydney Harbour Bridge Heavy Rail maintenance - \$104.7 million
- Offset by higher Tangara Life expenditure - \$9.5 million

4 Cash Balances

The Board of TAHE is directed, for each financial year between 2023-24 to 2032-33, to use a portion of the cash balances held by it as agreed with NSW Treasury for investment in approved heavy rail infrastructure projects on the NSW rail network owned by TAHE and to ensure cash balances are reduced to the level agreed each financial year between TAHE and NSW Treasury.

OFFICIAL

5 Additional Borrowings

Subject to obtaining the necessary approvals under the *Government Sector Finance Act 2018 (GSF Act)* of the amount to be borrowed, the Board of TAHE is directed to ensure that TAHE takes on the following additional borrowings, to be drawn down only as required:

- (a) Up to \$485m, or such other amount as approved under the GSF Act, to fund the conditional debt paydown related to the Regional Rail Fleet Program Public Private Partnership; and
- (b) Up to \$297m, or such other amount as approved under the GSF Act, to partially fund TAHE's commercial projects across the budget and forward estimates.

6 TAHE contractual arrangements (Access/Licence Fess)

The Board of TAHE is directed to use its reasonable endeavors to procure, in a timely manner, the renegotiation of TAHE's current arrangements of:

- (a) The Licence, Agency and Maintenance Deed; and
- (b) Track access agreements,

with Transport for NSW, Sydney Trains and NSW Trains, to set track access and licence fees:

- (c) at a level that ensures TAHE's forward capital program is appropriately funded considering all funding sources; and
- (d) which is consistent with the letter from the Treasurer on 31 August 2023 that the NSW Government's intention is that TAHE:
 - (i) is to operate as a non-commercial PNFC; and
 - (ii) is no longer required to provide returns to Government in the form of income tax equivalents and dividends from financial year 2023-2024, and
 - (iii) will maintain its exemption from payment of land tax on TAHE-owned land used for railway purposes.

MARINE SAFETY ACT 1998

MARINE NOTICE

Section 12(2)

REGULATION OF VESSELS – EXCLUSION ZONE

Location

Manning River, Harrington – area around the firing position on the Harrington Training Wall.

Duration

12.00pm to 10.00pm – Monday 1 January 2024.

Detail

A fireworks display will be conducted over navigable waters of the Manning River. Fireworks will be launched from the Harrington Training Wall and the area directly around this firing position may be dangerous and hazardous during the display.

An **EXCLUSION ZONE** is specified during the event at the location specified above, which will be indicated by the presence of a control vessel stationed on the boundary.

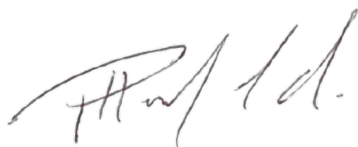
Unauthorised vessels and persons are strictly prohibited from entering the Exclusion Zone which will be monitored by the control vessel.

Penalties may apply (section 12(5) – *Marine Safety Act 1998*).

For full details visit the Transport for NSW website – <https://www.nsw.gov.au/driving-boating-and-transport/using-waterways-boating-and-transport-information/restrictions-and-closures-on-nsw-waterways/marine-notices>

Marine Notice: NH2404

Date: 8 December 2023



Paul Hearfield

Manager Waterways Operations Hunter

Delegate

MARINE SAFETY ACT 1998

MARINE NOTICE

Section 12(2)

REGULATION OF VESSELS – EXCLUSION ZONE

Location

Shoalhaven River, Shoalhaven Heads – within a 200m radius of a barge positioned approximately 100m southeast of the foreshore of 55 River Road, Shoalhaven Heads.

Duration

- 6.00pm to 11.00pm – Sunday 31 December 2023

Detail

A fireworks display will be conducted on the navigable waters of Shoalhaven River, Shoalhaven Heads as specified above, and will involve the use of a stationary barge as a platform for the display. The area directly around this location may be dangerous and hazardous while the fireworks display is occurring.

An **EXCLUSION ZONE** is specified during the event and will be indicated by the presence of signage and monitored and maintained by event personnel and a control vessel.

Unauthorised vessels and persons are strictly prohibited from entering the Exclusion Zone.

Penalties may apply (section 12(5) – *Marine Safety Act 1998*).

For full details visit the Transport for NSW website – <https://www.nsw.gov.au/driving-boating-and-transport/using-waterways-boating-and-transport-information/restrictions-and-closures-on-nsw-waterways/marine-notices>

Marine Notice: SO2379

Date: 12 December 2023



Nathaniel Jacobs

Manager Waterways Operations South

Delegate

MARINE SAFETY ACT 1998

MARINE NOTICE

Section 12(2)

REGULATION OF VESSELS – EXCLUSION ZONE

Location

Lake Mulwala – adjacent to the Mulwala Water Ski Club lagoon breakwall and Ski Club Holiday Park.

Duration

8:30pm Sunday 31 December 2023 to 12:30am Monday 1 January 2024.

Detail

A fireworks display will be conducted over the navigable waters of Lake Mulwala. The display will be staged from land at the above location. The area directly around this location may be dangerous and hazardous while the fireworks display is occurring.

An **EXCLUSION ZONE** is specified during the event extending for a radius of 150 metres around the display. The Zone will be monitored and maintained by event personnel and a control vessel.

Unauthorised vessels and persons are strictly prohibited from entering the Exclusion Zone.

Penalties may apply (section 12(5) - *Marine Safety Act 1998*).

For full details visit the Transport for NSW website – <https://www.nsw.gov.au/driving-boating-and-transport/using-waterways/restrictions-and-closures/marine-notices>

Marine Notice: SO2374

Date: 4 December 2023



Nathaniel Jacobs

Manager Waterways Operations South

Delegate

OFFICIAL

MARINE SAFETY ACT 1998

MARINE NOTICE

Section 12(2)

REGULATION OF VESSELS – EXCLUSION ZONE

Location

Tuggerah Lake, The Entrance – adjacent to Memorial Park.

Duration

8:45pm to 9:45pm – Sunday 31 December 2023.

Detail

Fireworks displays will be conducted over the navigable waters of Tuggerah Lake, at the location specified above. Fireworks will be launched from a fireworks barge anchored at the above location. The area directly around this firing position may be dangerous and hazardous while fireworks are being launched.

An **EXCLUSION ZONE** is specified during the event which will be marked by the presence of control vessels on the perimeter and will be created 150 meters around the fireworks barge.

Unauthorised vessels and persons are strictly prohibited from entering the Exclusion Zone, which will be monitored by control vessels.

Penalties may apply (section 12(5) – *Marine Safety Act 1998*).

For full details visit the Transport for NSW website – <https://www.nsw.gov.au/driving-boating-and-transport/using-waterways-boating-and-transport-information/restrictions-and-closures-on-nsw-waterways/marine-notices>

Marine Notice: SY2334

Date: 8 December 2023



Drew Jones

Manager Waterways Operations Hawkesbury River/Broken Bay

Delegate

MARINE SAFETY ACT 1998

MARINE NOTICE

Section 12(2)

REGULATION OF VESSELS – EXCLUSION ZONE

Location

Brisbane Water, Gosford – between Gosford Breakwall and the railway bridge extending to a 300-meter radius from an anchored fireworks barge.

Duration

8:45pm to 9:30pm – Sunday 31 December 2023.

Detail

A fireworks display will be conducted on the waters of Brisbane Water at the location specified above.

An **EXCLUSION ZONE** is specified during the event, and will be created within the waters of Brisbane Water to a 300-meter radius from an anchored fireworks barge (see the attached image).

Unauthorised vessels and persons are strictly prohibited from entering the Exclusion Zone, which will be patrolled by Maritime vessels.

Penalties may apply (section 12(5) – *Marine Safety Act 1998*).

For full details visit the Transport for NSW website – <https://www.nsw.gov.au/driving-boating-and-transport/using-waterways-boating-and-transport-information/restrictions-and-closures-on-nsw-waterways/marine-notices>

Marine Notice: SY2343

Date: 8 December 2023



Drew Jones

Manager Waterways Operations Hawkesbury River/Broken Bay

Delegate



MARINE SAFETY ACT 1998

Section 12(2)

MARINE NOTICE

REGULATION OF VESSELS – EXCLUSION ZONE

Location

Main Beach and Turners Beach, Yamba.

Duration

9:30am to 1:00pm – Sunday 7 January 2024

Detail

A marathon swim event will be conducted on the navigable waters adjacent to Main Beach and Turners Beach, Yamba. In the event of poor sea conditions, Whiting Beach and Clarence River, Yamba will be used as back-up locations.

An **EXCLUSION ZONE** is specified at the above location while the events are in progress, and will be marked by buoys and monitored by control vessels.

Unauthorised vessels and persons are strictly prohibited from entering the Exclusion Zone.

Penalties may apply (Section 12(5) – *Marine Safety Act 1998*).

For full details visit the Transport for NSW website – <https://www.nsw.gov.au/driving-boating-and-transport/using-waterways-boating-and-transport-information/restrictions-and-closures-on-nsw-waterways/marine-notices>

Marine Notice: NH2408

Date: 8 December 2023



Andre Uljee

A/Manager Waterways Operations North

Delegate

MARINE SAFETY ACT 1998

MARINE NOTICE

Section 12(2)

REGULATION OF VESSELS – EXCLUSION ZONE

Location

The historic Coffs Harbour Jetty, Coffs Harbour

Duration

2:00pm to 10:30pm – Sunday 31 December 2023

Detail

A firework display will be conducted over the navigable waters of Coffs Harbour. Fireworks will be launched from the historic Coffs Harbour Jetty. The area directly around this firing position may be dangerous and hazardous to other waterway users while fireworks are being launched.

An **EXCLUSION ZONE** is specified during the event, extending 150 metres around the firing point located on the jetty. This Zone will be indicated by the presence of control vessels at the boundary.

Unauthorised vessels and persons are strictly prohibited from entering the Exclusion Zone.

Penalties may apply (Section 12(5) – *Marine Safety Act 1998*).

For full details visit the Transport for NSW website – <https://www.nsw.gov.au/driving-boating-and-transport/using-waterways-boating-and-transport-information/restrictions-and-closures-on-nsw-waterways/marine-notice>

Marine Notice: NH2405

Date: 8 December 2023



Andre Uljee

A/Manager Waterways Operations North

Delegate

MARINE SAFETY ACT 1998

MARINE NOTICE

Section 12(2)

REGULATION OF VESSELS – EXCLUSION ZONE AND SPECIAL RESTRICTIONS

Location

Sydney Harbour – all navigable waters bounded by imaginary lines drawn between:

- Garden Island Port Hand Beacon and Bradley’s Head Light;
- the most northerly point of Middle Head, and Cannae Point Flagstaff;
- North Head starboard hand beacon and Macquarie Light.

Duration

11:30am to 2:20pm – Tuesday 26 December 2023

Detail

A yacht race will take place on Sydney Harbour at the above location, as specified above. Due to the potential to affect the safety of navigation, a **Regulated Area** with declared special restrictions will be established for the duration of the event comprising the entirety of the location specified above.

Special Restrictions

Pursuant to section 12(3) of the *Marine Safety Act 1998*, those restrictions in the Regulated Area are as follows:

- No sail vessel other than official competing yachts may have sails hoisted between 12:00pm and 2:00pm;
- A strict 6 knot speed limit zone and a “no wash” zone are to be enforced for the duration;
- Vessels intending to accompany or follow the racing fleet outside the heads are required to follow strict navigation channels - leaving the Harbour in the vicinity of South Head and re-entering via North Head, then using the Western Channel while keeping to the starboard side of the channel.
- Vessels intending to observe the event without leaving the Harbour are required to position their vessels on, and remain on, the western side of the Harbour or south of Vaucluse Point on the eastern side of the Regulated Area.

Exclusion Zone

In addition, an **EXCLUSION ZONE** will be established within the Regulated Area between 12:00pm and 2:20pm, which will be marked by a perimeter of yellow buoys (see the attached image).

Unauthorised vessels and persons are strictly prohibited from entering the Exclusion Zone, which will be patrolled by Maritime vessels and Water Police, and monitored by other official control vessels.

No Anchoring or Passive Craft Zone

Pursuant to section 12(3) of the *Marine Safety Act 1998*, a “No Anchoring or Passive Craft Zone” will also be established within the Regulated Area approximately 100m around the Exclusion Zone generally, extending to 200m from the Exclusion Zone in the Watsons Bay/Vaucluse Bay area, and extending to the whole of the area between the Exclusion Zone and North Head (*see orange in attached map*).

No vessels are permitted to anchor in this area under any circumstances and, due to the safety risk posed by the event and by spectator vessel traffic, no non-powered passive craft (e.g. canoes, kayaks, surf boats, surf skis, rowing craft) are permitted in this area at any time.

Penalties may apply (section 12(5) – *Marine Safety Act 1998*).

For full details visit the Transport for NSW website – <https://www.nsw.gov.au/driving-boating-and-transport/using-waterways-boating-and-transport-information/restrictions-and-closures-on-nsw-waterways/marine-notices>

Maps and Charts Affected

Transport for NSW Boating Map – 9D

RAN Hydrographic Chart AUS 200

Marine Notice: SE2322

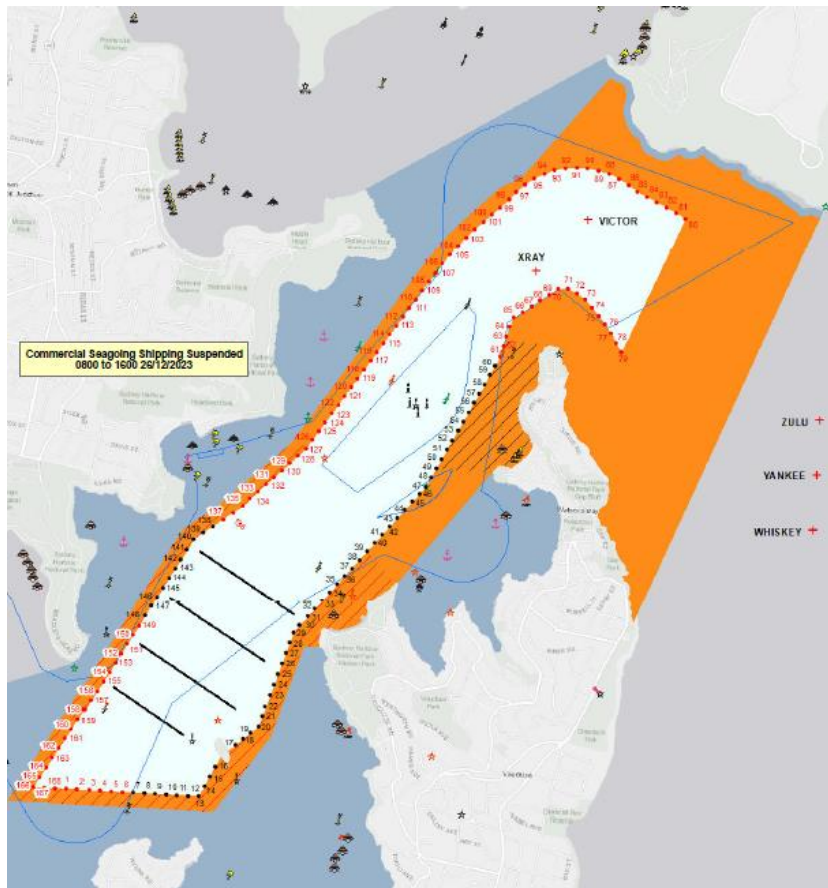
Date: 28 November 2023



Rianna James

Acting Senior Special Aquatic Events Officer

Delegate



MARINE SAFETY ACT 1998

MARINE NOTICE

Section 12(2)

REGULATION OF VESSELS – EXCLUSION ZONE

Location

Nelson Bay, Port Stephens – adjacent to Nelson Bay Harbour.

Duration

7.00pm to 9.45pm – Sunday 31 December 2023

Detail

A fireworks display will be conducted over the navigable waters of Nelson Bay at the location specified above. Fireworks will be launched from a moored firing barge at the above location. The area directly around this firing position may be dangerous and hazardous to other waterway users while fireworks are being launched.

An **EXCLUSION ZONE** is specified during the event, extending 200 metres around the moored barge. This Zone will be indicated by the presence of control vessels which will be stationed on the boundary.

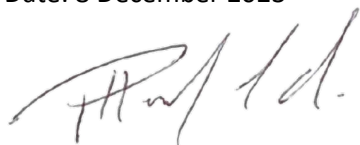
Unauthorised vessels and persons are strictly prohibited from entering the Exclusion Zone.

Penalties may apply (Section 12(5) – *Marine Safety Act 1998*).

For full details visit the Transport for NSW website – <https://www.nsw.gov.au/driving-boating-and-transport/using-waterways-boating-and-transport-information/restrictions-and-closures-on-nsw-waterways/marine-notices>

Marine Notice: NH23101

Date: 8 December 2023



Paul Hearfield

Manager Waterways Operations Hunter

Delegate

MARINE SAFETY ACT 1998

MARINE NOTICE

Section 12(2)

REGULATION OF VESSELS – EXCLUSION ZONE

Location

Hunter River – upstream of the existing Hexham bridges between Black Hill and Tomago.

Duration

15 January 2024 to 31 December 2025.

Detail

Construction of the M1 Pacific Motorway viaduct bridge across the Hunter River will be conducted at the location specified above.

An **EXCLUSION ZONE** is specified during the event, which will be marked by yellow buoys in the water.

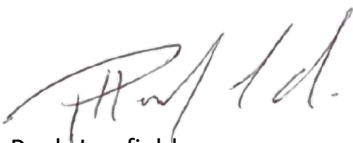
Unauthorised vessels and persons are strictly prohibited from entering the Exclusion Zone.

Penalties may apply (Section 12(5) – *Marine Safety Act 1998*).

For full details visit the Transport for NSW website – <https://www.nsw.gov.au/driving-boating-and-transport/using-waterways-boating-and-transport-information/restrictions-and-closures-on-nsw-waterways/marine-notices>

Marine Notice: NH2412

Date: 11 December 2023



Paul Hearfield

Manager Waterways Operations Hunter

Delegate

MARINE SAFETY ACT 1998

MARINE NOTICE

Section 12(2)

REGULATION OF VESSELS – EXCLUSION ZONE

Location

Hastings River, Port Macquarie – from the Port Macquarie Marina back channel to the main channel of the river near Lady Nelson Wharf.

Duration

7:30am to 8:30am – Saturday 6 January 2024

Detail

A “Sailpast” will be conducted on the navigable waters specified above, consisting of a flotilla of vessels participating in a local competition.

A moving **EXCLUSION ZONE** is specified during the event, which will surround and move with the flotilla as it makes its way in an easterly direction.

This Zone will be indicated by the presence of control vessels and by a Marine Rescue vessel at each end of the flotilla.

Unauthorised vessels and persons are strictly prohibited from entering the Exclusion Zone.

Penalties may apply (Section 12(5) – *Marine Safety Act 1998*).

For full details visit the Transport for NSW website – <https://www.nsw.gov.au/driving-boating-and-transport/using-waterways-boating-and-transport-information/restrictions-and-closures-on-nsw-waterways/marine-notices>

Marine Notice: NH2400

Date: 8 December 2023



Andre Uljee

A/Manager Waterways Operations North

Delegate

PASSENGER TRANSPORT (GENERAL) REGULATION 2017

Clause 76(1)(b) Valid smartcards
Publication of terms and conditions

TRANSPORT FOR NSW, pursuant to Clause 76 of the Passenger Transport (General) Regulation 2017, publishes the following terms and conditions for the use of a smartcard.

These terms and conditions for the use of a smartcard repeal any previous terms and conditions for the use of a smartcard published by Transport for NSW and take effect on and from 15 December 2023.

Terms of Use

Pursuant to clause 70 of the *Passenger Transport (General) Regulation 2017*, Transport for NSW accepts 2 kinds of smartcards, being:

1. Opal Card and
2. Approved Payment Devices.

These Terms of Use are separated into 4 sections.

- Section 1 applies to the use of an Opal Card;
- Section 2 applies to Approved Payment Devices; and
- Section 3 is a general section that applies to both the use of an Opal Card and an Approved Payment Device.
- Appendix A sets out the form of entitlement evidence accepted by TfNSW for passengers travelling on a concession fare.

WHAT IS THE OPAL TICKETING SYSTEM AND WHO ARE WE?

Opal Ticketing System: The Opal Card (**Opal Card**) is a smartcard designed for use by an electronic ticketing system (**Opal Ticketing System**). The Opal Card can be used as a form of ticketing and payment for public transport services within the metropolitan areas of Sydney, Newcastle and Wollongong equipped with Opal Card readers (**Opal Card Readers**) on which the Opal Card is an accepted form of fare payment (**Opal Transport Services**). The Opal Card is issued by Transport for NSW (**TfNSW**). A reference to **us**, **we** or **our** is a reference to TfNSW and, where the context requires, its authorised representatives and agents.

An Approved Payment Device (**Device**) has the meaning set out in clause 69 of the *Passenger Transport (General) Regulation 2017* and can be used for pay as you go travel on the Opal Ticketing System. Types of Devices that can be used include a debit, credit, prepaid card or mobile device of a class approved by TfNSW.

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A Device can be used as a form of ticketing and payment for public transport services on Designated Services (as defined in clause 2.3) by validating the Device on approved Opal Card Readers on which the Device is an accepted form of fare payment.

Failure to comply with these Terms of Use means that you do not hold a valid ticket for travel and you may be subject to a fine.

Section 1 – Opal Cards

OPAL TERMS OF USE

1.1. **Opal Terms of Use:** The reference to "Opal's terms of use" or "Opal Terms of Use" on the back of the Opal Card is a reference to these Opal Terms of Use as amended from time to time in accordance with clause 3.3 (**Opal Terms of Use**). These Opal Terms of Use are the terms and conditions that apply to your use of the Opal Card and the Opal Ticketing System.

ACCEPTANCE

1.2. **Acceptance of terms:** By ordering, using or registering an Opal Card you agree to be bound by the Opal Terms of Use in force at the time you order, use or register your Opal Card. If you do not agree to be bound, you must refrain from using the Opal Card.

1.3. **Responsibility for a child:** If you acquire an Opal Card for use by a person who lacks, by reason of youth, the understanding necessary for these Opal Terms of Use to be binding on them (**Child**), you are responsible for the use of that Opal Card by that Child.

OPAL CARDS

1.4. **Opal Cards:** We issue Opal Cards that are reloadable "pay as you go" stored value Opal Cards and non-reloadable physical Opal Cards.

1.5. **Property of TfNSW:** Physical Opal Cards are and remain our property. We may inspect, de-activate or take possession of an Opal Card or require its return at our discretion without notice at any time.

RELOADABLE OPAL CARDS

1.6. **Reloadable Opal Cards:** We issue a variety of reloadable, pay as you go, Opal Cards which may be used to pay for travel on public passenger vehicles or trains (including light rail) on Opal Transport Services.

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1.7. You must use the “Adult” Opal Card unless you are entitled to use a different type of Opal Card allowing concessional fares (including concession or senior/pensioner Opal Cards) or free travel. When using an Opal Card allowing free or concessional fares travel, you must carry and produce upon request proof of your entitlement in accordance with clause 3.10 and Appendix A.

1.8. You can use a “Child/Youth” Opal Card only if you are:

- aged 4 to 15 years (inclusive); or
- a full-time NSW/ACT school student aged 16 and older with a Transport Concession Entitlement Card as proof of entitlement.

1.9. Further information about the types of reloadable Opal Cards available under the Opal Ticketing System, the criteria for eligibility, the fares charged by Operators and any additional special terms and conditions for reloadable Opal Cards other than the “Adult” Opal Card may also be obtained from transportnsw.info/opal (the “**Opal Website**”). Customers who use reloadable Opal Cards other than the “Adult” Opal Card must inform themselves of and comply with any such additional special terms and conditions. If an Opal Card allowing concessional fares travel has been issued specifically to you, you must not permit any other person to use that Opal Card. You must not use an Opal Card allowing concessional fares travel that has been issued specifically to another person.

1.10. **Precondition to using a reloadable Opal Card:** You must add value to a reloadable Opal Card before using it to pay for your first trip.

NON- RELOADABLE OPAL CARDS

1.11. **Non-reloadable Opal Cards:** We issue three categories of non-reloadable Opal Cards, **Single Trip Tickets**, **Free Opal Cards** and **Opal One Day Travel Passes**.

1.12. **Single Trip Ticket:** A Single Trip Ticket is a non-reloadable Opal Card for use on trains, ferries or light rail only. It can only be used for one trip and transfer to another mode is not allowed. Single Trip Tickets are valid for the day of purchase and expire on 4.00am the next day, or at the end of a trip taken prior to that time. The Single Trip Ticket is valid for travel to destinations within the distance fare band of the ticket purchased, which is calculated and set from the point of tap on and limited to the chosen distance band of the ticket.

- 1.13. **Free Opal Cards:** We issue Free Opal Cards, including (but not limited to) Free Travel Opal Cards and School Opal Cards to provide free travel on Opal Transport Services, following confirmation of eligibility. Use of Free Opal Cards is also subject to the Additional Terms and Conditions for Free Opal Cards published below, as amended by us from time to time.
- 1.14. **Opal One Day Travel Pass Cards:** We may issue Opal One Day Travel Pass cards to approved third party suppliers (“**Approved Organisations**”) for the purpose of on selling to eligible customers. Use of Opal One Day Travel Pass cards is also subject to the Additional Terms and Conditions for Opal One Day Travel Pass cards published below, as amended by us from time to time.

ADDITIONAL TERMS AND CONDITIONS FOR FREE OPAL CARDS

- 1.15. **Free Travel Opal Cards:** We may issue a Free Opal Card to eligible customers with a vision impairment as well as selected ex-Defence Force personnel to provide free travel on Opal Transport Services (**Free Travel Opal Card**). Further information, including eligibility requirements, is located on the Opal Website.
- 1.16. Subject to clause 1.19, Free Opal Cards are not transferrable and must only be used by the person to who the Free Opal Card has been issued. You must not permit any other person to use your Free Opal Card.
- 1.17. If your Free Opal Card is damaged, lost or stolen, you may order a replacement card (a fee may apply) online at the Opal Website or by calling 131 500. Your current Free Opal Card will be blocked, and a replacement Free Opal card will be mailed to you, usually within 5-7 working days.
- 1.18. If you hold a Free Travel Opal Card, you are not required to tap on at the beginning of a trip or tap off at the end of a trip at an Opal Card Reader and you may show your proof of entitlement pass to transport staff or bus driver in order commence or end your journey.
- 1.19. If eligible, we may also issue you with a second Free Travel Opal Card to provide your attendant free travel on Opal Transport Services (**Attendant’s Card**). The Attendant’s Card may be used by any person who is travelling with you.

- 1.20. Use of the Attendant's Card is limited to instances where the attendant is travelling with the eligible holder of a Free Travel Opal Card. You must not use an Attendant's Card unless you are travelling with the person named on the Attendant's Card.
- 1.21. You must carry evidence of eligibility in accordance with Appendix A at all times when using a Free Travel Opal Card and produce it in accordance with clause 3.10.
- 1.22. Your Free Travel Opal Card will not operate at Sydney Domestic and Sydney International Airport train stations. Access to or from these stations requires assistance from station staff. Station access fees may apply.
- 1.23. **School Opal Cards:** We issue a School Opal Card to eligible school students to provide free or subsidised travel between home and school on Opal Transport Services.
- 1.24. You may only use your School Opal Card for travel which commences between 6.30am and 7pm (6.30am and 9.30pm for TAFE students) on school days between home and school. For all other travel, you must use a Child/Youth Opal card.
- 1.25. Your School Opal Card will not operate at the following train stations:
- Sydney Domestic Airport; or
 - Sydney International Airport;
- To access these stations you must use a Child/Youth Card.
- 1.26. Use of the School Opal Card is also subject to the School Pass Terms, published at <https://transportnsw.info/school-students>.
- 1.27. **Other Free Opal Cards:** We may, at our discretion, determine other classes of individuals eligible for Free Opal Cards and may provide relevant additional terms and conditions for usedirectly to eligible individuals issued with those Free Opal Cards.

ADDITIONAL TERMS FOR OPAL ONE DAY TRAVEL PASS CARDS

- 1.28. You must tap on and tap off the Opal One Day Travel Pass card in accordance with clause 1.58.
- 1.29. Your Opal One Day Travel Pass card is valid for travel on the Opal network on the day of

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tap on until 4am the next day.

1.30. Your Opal One Day Travel Pass card specifies whether it permits travel to and from the following stations:

- Sydney Domestic Airport; or
- Sydney International Airport;

If the Opal One Day Travel Pass card does not permit travel to and from these stations you will need to pay the relevant Station Access Fee to access these stations.

Opal One Day Travel Pass cards are not accepted on OpalPay Services.

1.31. The Opal Refund and Balance Transfer Policy does not apply to Opal One Day Travel Pass cards. TfNSW will not provide refunds to Approved Organisations or customers in any circumstances. Customers seeking refunds must contact the Approved Organisations they acquired the Opal One Day Travel Pass card from.

1.32. Clause 3.1 of these Terms of Use does not apply to Opal One Day TravelPasses.

ACQUIRING OPAL CARDS

1.33. **Reloadable Opal Cards:** You can acquire reloadable physical Opal Cards through:

- the Opal Website;
- various retailers which are approved as Opal retailers; and
- any service centres that we establish,(together, the **Opal Channels**).

1.34. You may obtain information on Opal Channels and on how and through what Opal Channels you may acquire an Opal Card from the Opal Website. When acquiring an Opal Card, you must provide all the information that we deem reasonably necessary for us to supply you with the Opal Card of the type you are acquiring. If you receive an Opal Card in the mail, you must activate it in accordance with the procedure specified in the Opal starter pack that accompanies the Opal Card. We are not responsible for any delays in delivering an Opal Card to you if the information you provide is inaccurate, out of date or unclear, or the Opal Card is undeliverable to the address you provide.

1.35. **Single Trip Tickets:** You can acquire a Single Trip Ticket from an 'Opal Top Up or Single Trip Ticket Machine' only.

- 1.36. **Free Opal Cards:** We issue Free Opal Cards in accordance with the terms and conditions of the relevant free or subsidised travel scheme. Eligibility details and further information is available on the Opal Website.
- 1.37. **Opal One Day Travel Pass Cards:** We issue Opal One Day Travel Pass cards exclusively to Approved Organisations. Notwithstanding clauses 1.40 and 1.78, Approved Organisations may on sell Opal One Day Travel Pass cards at their discretion. TfNSW will not supply Opal One Day Travel Pass cards directly to Customers.
- 1.38. **Opal One Day Travel Pass:** **Opal One Day Travel Pass** cards are available only for:
- Adults; or
 - Child/Youth if you are (i) aged 4-15 (inclusive); or (ii) a full-time NSW/ACT school student aged 16 and older with a Transport Concession Entitlement Card, issued by your school, as proof of entitlement.
- 1.39. Other Concession entitlements are not available for Opal One Day Travel Pass cards. You must not use a Child/Youth Opal One Day Travel Pass card unless eligible.
- 1.40. **Prohibited Acquisition:** Subject to clause 1.37, you must not obtain an Opal Card by purchasing it from another person. As described in clause 1.78, the sale of an Opal Card for a price is prohibited, and you may not be able to confirm the Opal Card Balance of any such Opal Card, or the Opal Card may have been cancelled by us, whether at the time of purchase or subsequently. This may include circumstances where the Opal Card that you purchase has been lost or stolen, or a “top up” to the Opal Card has been reversed because of an unauthorised credit card transaction involving a lost or stolen credit card.

USE OF OPAL CARDS AND OPAL TICKETING SYSTEM

- 1.41. **Use of Opal Cards:** You must:
- use the Opal Card and Opal Ticketing System in accordance with these Opal Terms of Use;
 - not obtain or attempt to obtain Opal Benefits (as described on the Opal website at <https://transportnsw.info/tickets-opal/opal/opal-benefits>) by using an Opal Card or the Opal Ticketing System (including Opal Card Readers) in a way that is inconsistent with these Terms of Use;

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- provide us with the information and assistance that we deem reasonably necessary for the effective use of the Opal Card;
- comply with all laws and regulations applicable to your use of the Opal Card;
- only use an Opal Card issued by us on the Opal Ticketing System (and you must not use any other smartcards at an Opal Card Reader or any other part of the Opal Ticketing System);
- not misuse, deface, alter, tamper with or deliberately damage or destroy the Opal Card;
- not alter, remove or replace any notices (other than the activation sticker), trademarks or artwork on the Opal Card; and
- not modify, adapt, translate, disassemble, decompile, reverse engineer, create derivative works of, copy or read, obtain or attempt to discover by any means, any (i) encrypted software or encrypted data contained on an Opal Card; or (ii) other software or data forming part of the Opal Ticketing System.

1.42. **Defective cards:** You must not knowingly use a Damaged or Faulty Opal Card and must immediately report a Damaged or Faulty Opal Card (other than an Opal One Day Travel Pass Card) online at the Opal Website or by calling 131 500 as soon as it is discovered that it is Damaged or Faulty. In relation to an Opal Card:

- **Damaged** means not capable of being read by an Opal Card Reader and subject to physical damage or electronic tampering by you or any other person or event subsequent to the acquisition of that Opal Card; and
- **Faulty** means: (i) not Damaged but not capable of being read by an Opal Card Reader; or (ii) for a Single Trip Ticket only, not able to be utilised due to the existing service being at capacity and not allowing customer access where another subsequent service does not exist for this day.

Under b) iii): You may request for a refund for a Faulty Single Trip Ticket, or to transfer the cost of that Faulty ticket to a reloadable Opal Card. No refunds or transfers are provided for a lost, stolen or damaged Single Trip Ticket, or in any other circumstances, as in our terms and conditions.

CARD REGISTRATION

1.43. **Registering a reloadable Opal Card:** In order to register a reloadable Opal Card you must provide the information necessary to create a customer profile (**Customer Profile**), or alternatively you can permit another person to link your Opal Card to their Customer Profile

(in which case that other person will be able to manage your Opal Card as described in clause 1.47. The card identification number and card security code (**Opal Card Number**) of the Opal Card that you are registering will be linked in the Opal Ticketing System to your Customer Profile. More than one Opal Card can be linked to that Customer Profile, but an Opal Card can only be linked to one Customer Profile at any given time.

- 1.44. **Registered Card Benefits:** A range of services (**Registered Card Benefits**) are available for registered Opal Cards. Information about Registered Card Benefits can be obtained from the Opal Website. If a registered Opal Card is lost or stolen and you report it as lost or stolen, the Opal Card Balance of that Opal Card will be protected in accordance with and upon the terms of our refund policy set out at the Opal Website (**Opal Refund and Balance Transfer Policy**).
- 1.45. **Changing Registered Card Benefits:** We may change the Registered Card Benefits at any time in accordance with clause 3.3.
- 1.46. **Registration on behalf of others:** You may only register and manage the registration of an Opal Card on behalf of:
- a Child under the age of 16, if you are a parent or guardian of that Child; or
 - any other person over the age of 16, if you are doing so with their consent (including their consent to disclose any personal information you provide to us about them).
- 1.47. **Linking your Registered Opal Card to another person's Customer Profile:** If you allow your Opal Card to be linked to another person's Customer Profile, that person can manage your Opal Card (including after your death). This gives them the ability to:
- access information collected by us in relation to your Opal Card in accordance with the Opal Privacy Policy, including your travel history;
 - manage auto top-ups for your Opal Card;
 - receive notifications via email or text message regarding the status of your Opal Card;
 - apply for and receive a refund of your Opal Card Balance, if they possess your Opal Card;
 - transfer your Opal Card Balance to another Opal Card that is linked to their Customer Profile; and

- unlink your Opal Card from their Customer Profile.

1.48. Unlinking your Registered Opal Card from another person's Customer Profile:

TfNSW will automatically unlink all Opal Cards from a Customer Profile that is deactivated for any reason, including the death of the account holder. Auto top-ups will be discontinued for unlinked Opal Cards.

1.49. Confidentiality: You must keep all usernames, passwords, personal identification numbers, card security codes and answers to security questions confidential and you must not disclose this information to any person. You must not enable any other person, application (including any mobile application) or system to access your Customer Profile. We are not responsible for any loss suffered as a result of you disclosing any information, including any username or password contained in your Customer Profile to another person, any application (including any mobile application) or any system. You must also keep the Opal Card Number that is printed on your OpalCard safe and secure. If your Opal Card is unregistered and another person obtains your Opal Card Number, this may allow them to view your recent travel history, registryour Opal Card, or link your Opal Card to their own Customer Profile.

1.50. Unregistered Opal Cards: You can acquire an unregistered reloadable Opal Card through various retailers which are approved as Opal retailers, and any service centres that we establish. The provisions in these Terms of Use relating to unregistered Opal Cards apply to Opal Cards that are acquired but not registered, and also to registered Opal Cards that have been de-registered.

1.51. Card authentication: When interacting with the Opal Ticketing System, you will comply with any authentication procedures that we reasonably require from time to time. If you cannot satisfy any of our authentication requirements, you may not be able to interact with the Opal Ticketing System including obtaining the Registered Card Benefits.

PAYMENT, FARES AND BALANCES

1.52. Payment for travel: In connection with your use of an Opal Card, you are responsible for the payment of all fares (including OpalPay Service fares, promotional fares, concession fares, discounted fares or fares with caps) (**Opal Fares**). We also reserve the right to apply charges in connection with the use of the Opal Card (**Opal Charges**). Information about

applicable Opal Fares and Opal Charges will be published on the Opal Website and is subject to change from time to time in accordance with clause 3.3

- 1.53. **OpalPay Services fares:** You may use your Opal Card on selected private ferry services (**OpalPay Services**). Your Opal Card must be Tapped on at the device presented by the operator.
- 1.54. By Tapping On the OpalPay operator's device, you agree to pay the amount charged by the operator for the travel and approve that Transport for NSW deduct the amount from your Opal Card balance to pay the operator.
- 1.55. OpalPay Services fares are set by the private operator and are subject to change at their discretion. By using your Opal card to pay for these services, you agree to the private operator's terms of carriage and fare structure. Opal benefits and fare caps (include daily fare caps) do not apply on OpalPay Services.
- 1.56. Only Reloadable Opal Cards may be used on OpalPay Services. Free Opal Cards cannot be used.
- 1.57. **Opal Card Balance:** Your Opal Card Balance will be available to pay for Opal Fares and Opal Charges (unless those amounts are transferred or refunded in accordance with the Opal Refund and Balance Transfer Policy, or forfeited in accordance with clause 1.93. You must add value to a reloadable Opal Card sufficient to meet these charges.
- 1.58. **Tap on and tap off:** Subject to clauses 1.18 and this clause 1.58, you must tap on at the beginning of your trip and tap off at the end of your trip at an Opal Card Reader except in the case of ferry services from Manly and some ferry services to Manly. For ferry services from Manly only, you must tap on at the beginning of your trip but you do not have to tap off at the end of your trip and you may exit without doing so. For ferry services to Manly, you may be required to tap off, depending on the wharf of departure.
- 1.59. Instructions on how to tap on and tap off will be set out in the documentation that is provided with a new Opal Card, and on the Opal Website, and you must comply with those instructions.
- 1.60. If you fail to tap on or tap off as required, the Opal Ticketing System is unable to ascertain where you entered or exited the public transport network, as the case may be,

and the Opal Card will be charged the default fare for the journey. You will also not be entitled to Opal Benefits such as the intermodal discount and the journey will not count toward your weekly fare cap.

- 1.61. See <https://transportnsw.info/tickets-opal/opal/tapping-on-tapping-off#accordion-default-fare-content> for further details on default fares.
- 1.62. **Tap on for OpalPay:** You must Tap on as directed when travelling on OpalPay Services. You are not required to Tap off when travelling on OpalPay Services.
- 1.63. **Multiple use not permitted:** You can only use an Opal Card for one trip at a time. You must not tap on twice with the same Opal Card in order to pay for another person's trip.
- 1.64. **Tap on and Tap off at the one location:** You are permitted to tap on and then tap off at the same location if you no longer intend to make a journey.
- 1.65. **Sufficient funds:** You must not use a reloadable Opal Card to pay the Opal Fare for a trip if the Opal Card Balance of the reloadable Opal Card or a Single Trip Ticket is: (a) insufficient to pay for it; or (b) a negative balance.
- 1.66. **Minimum and maximum balances:** A limit applies to the maximum amount that can be maintained as an Opal Card Balance on an Opal Card, which may vary depending on the type of Opal Card you have. You must not commence a trip if (a) the Opal Card Balance is negative; or (b) the Opal Card Reader declines a tap on due to an insufficient balance.
- 1.67. **Authorisation:** You authorise us to deduct all Opal Fares and Opal Charges as and when they are due from the Opal Card Balance of the Opal Card.
- 1.68. **Negative balances:** If the Opal Card Balance of a reloadable Opal Card is insufficient to pay for the applicable Opal Fare or is a negative balance, you must add value to the Opal Card in an amount sufficient to pay for your trip before you use it again. You must pay any negative Opal Card Balance on a reloadable Opal Card and, when you add value to it, the added value will be first applied to reduce any negative balance.
- 1.69. **Adding value:** You may "top up" or add value to a physical reloadable Opal Card by paying or transferring value to the Opal Card Balance of the reloadable Opal Card.

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Information on current methods of adding value can be obtained from the Opal Website. Under the Opal Ticketing System, "add value" is also referred to as "top up".

- 1.70. **Balance adjustments:** You may dispute the amount of an Opal Card Balance of your Opal Card and request an adjustment of the Opal Card Balance by completing and sending the [enquiry form](#) on the Opal Website. An adjustment to an Opal Card Balance will only be made at our discretion. We may adjust an Opal Card Balance retrospectively if we discover that it is incorrect.
- 1.71. **Balance transfers:** We will only transfer the Opal Card Balance of an Opal Card to another Opal Card if: (a) both Opal Cards are registered and linked to the same Customer Profile; (b) the entire Opal Card Balance (less any applicable Opal Charges) is being transferred; and (c) the Opal Card from which the transfer is being made has been cancelled.
- 1.72. **Opal Benefits not transferred:** Opal Benefits (as described on the Opal website at <https://transportnsw.info/tickets-opal/opal/opal-benefits>) are specific to each Opal Card and are not transferrable upon the transfer of the Opal Card Balance of an Opal Card to another Opal Card, except where an Opal card is found to be a Defective card under clause 1.42. For example, any paid journeys accrued for the purpose of the Weekly Fare Cap are not transferred to a new Opal Card.
- 1.73. **Opal Benefits not available for OpalPay Services:** Travel on OpalPay Services does not count towards Opal Benefits and is not included in Opal Fare caps. Opal Benefits are not applicable for use of OpalPay Services.
- 1.74. **Auto top up:** If you set up an "auto top up" as one of the Registered Card Benefits for your reloadable Opal Card, you are authorising us to automatically add value to your reloadable Opal Card whenever your Opal Card Balance falls below the required minimum balance by means of an automatic payment from: (a) a credit card; (b) a debit card; or (c) bank or similar account if we make such a service available in the future (**Authorised Payment Source**).
- 1.75. You can obtain information on the minimum and maximum amounts that can be automatically added under an auto top up, the methods by which you can change or terminate an auto top up and the manner in which we will handle the auto top up if your

Authorised Payment Source is declined or has expired from the Opal Website. You must ensure that your Authorised Payment Source remains valid and current and you must renew your Authorised Payment Source if it has expired or if we request you to do so. If a payment for an auto top up is declined by your Authorised Payment Source, we will reverse that auto top up and cancel the auto top up.

1.76. Auto top up is not available for unregistered Opal Cards.

1.77. Website top ups:

- **Reversals:** After we receive instructions from you to add value to a reloadable Opal Card via the Opal Website you should tap on at an Opal Card Reader with that Opal Card within 60 days. If you fail to tap on within the 60 days we will reverse the value added back to your credit or debit card as the case may be.
- **Timing:** We will use our reasonable endeavours to ensure timely top ups via the Opal Website but we will not be responsible for any delays in doing so.

TRANSFER OF YOUR OPAL CARD

1.78. **No resale:** You must not sell, or offer to sell, an Opal Card to another person for a price. We may cancel any Opal Card that is sold or offered for sale in breach of this clause at any time without notice. If you have an Opal Card that you no longer wish to use, you can apply for a refund of the Opal Card Balance as described below.

1.79. **Certain Opal Cards non- transferrable:** subject to clause 1.19 if your Opal Card is issued specifically to you, you must not allow any other person to use, or attempt to use, the Opal Card.

REFUNDS

1.80. **Opal Refund and Balance Transfer Policy:** We will make refunds for Opal Card Balances or for a Single Trip Ticket as stated in these Opal Terms of Use and in accordance with the Opal Refund and Balance Transfer Policy. The Opal Refund and Balance Transfer Policy also contains the terms and conditions upon which we will transfer the balance of an Opal Card to another Opal Card.

1.81. TfNSW does not provide refunds for OpalPay Services. Refunds must be sought directly from the relevant operator.

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- 1.82. **Applications for refunds:** Where we de-activate or take possession of an Opal Card; or require its return under clause 1.5; cancel an Opal Card under clause 1.87, or the Opal Card is Damaged or Faulty under clauses 1.42 or 1.86, or expires under section 1.89, you may apply for a refund in accordance with the Opal Refund and Balance Transfer Policy.
- 1.83. **Right to reject application for refund:** If you make an application for a refund under clause 1.82 we may reject the claim if you have not complied with any of the provisions of these Opal Terms of Use or if we have reason to suspect that an offence under anylaw may have been or may be committed.
- 1.84. **Lost or stolen - registered physical Opal Cards:** If you have lost a registered OpalCard or the registered Opal Card has been stolen, you must notify us as soon as possible by calling 131 500 or through the Opal Website, so that we can cancel it and arrange for a balance transfer in accordance with the Opal Refund and Balance Transfer Policy. No refunds will be given for lost or stolen registered Opal Cards. You remain liable for Opal Fares and Opal Charges incurred on the Opal Carduntil you report it to us as lost or stolen.
- 1.85. **Lost or stolen - unregistered Opal Cards:** No refunds or balance transfers will be given for lost or stolen unregistered Opal Cards.
- 1.86. **Defective cards:** If a physical Opal Card is Damaged or Faulty: (a) you must notify us as soon as possible by visiting the Opal Website or by calling 131 500 to request a replacement Opal Card or a refund for a reloadable Opal Card or a Single Trip Ticket (if Faulty only); and (b) if you want a refund, you must physically return the Opal Card by mailing or delivering to us the Opal Card together with a signed and completed “Opal card refundform” that is contained in the Opal Refund and Balance Transfer Policy. If you do not physically return a Damaged or Faulty Opal Card you will not be entitled to a refund.

CANCELLATION AND EXPIRATION

- 1.87. **Cancellation:** We may cancel an Opal Card if:
- we are satisfied that it is lost, stolen, Damaged or Faulty;
 - we are satisfied that you have not complied with any of the provisions of these Opal Terms of Use or if we have reason to suspect that an offence under the *Passenger Transport Act 1990* may have been or may be committed;

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- we deem it reasonable to do so for the purposes of providing efficient and effective ticketing services;
- you request the cancellation of an Opal Card; or
- we deem you no longer are eligible for a concession or a Free Opal Card.

1.88. An Opal Card that has been cancelled will no longer be usable. You may make application for a refund of the balance of a cancelled reloadable Opal Card in accordance with clause 1.82 or an application for a new Free Opal Card in accordance with clause 1.13.

1.89. **Card Expiration:** An Opal Card will expire:

- a) in the case of a reloadable Opal Card – 12 years; or
- b) in the case of a Free Opal Card - 5 years,

after the date it is initialised (which will be earlier than the date you received or first used the Opal Card) (**Planned Expiry**).

1.90. However, we may expire an Opal Card earlier if we have reasonable grounds to do so (for example, if a particular batch of Opal Cards are experiencing failures prior to their date of Planned Expiry) (**Unplanned Expiry**).

1.91. We may also extend the period of validity for any Opal Card type if we consider it appropriate or necessary for the proper administration of the Opal Card program. In such instances, we will not notify you of the changed expiry date of any affected Opal Card, however you will be notified in accordance with clause 1.92 as the revised expiry approaches.

1.92. **Notice of expiry:** You will know when an Opal Card is about to expire as a card expiration message will appear on the reader display when you tap on an Opal Card Reader during the 30 day period prior to Planned Expiry, or, in the case of Unplanned expiry, such lesser period as we may reasonably need to determine.

1.93. **Forfeiture of Opal Card Balance:** If you have a registered, reloadable Opal Card, you can apply for a transfer or refund of your Opal Card Balance in accordance with clause 1.82 for a period of up to 90 days after the date of cancellation or expiration of the Opal Card. If you do not do so, or you are not entitled to a refund in accordance with the Opal Refund

and Balance Transfer Policy, you will forfeit the Opal Card Balance of that cancelled or expired Opal Card to us.

1.94. **Inability to use:** You will not be able to use any Opal Card that has been cancelled or has expired.

Section 2 – Approved Payment Devices

- 2.1. **Acceptance of terms:** By using your Device as a ticket on a public passenger service you agree to be bound by these Terms of Use in force at that time. If you do not agree to be bound, you must refrain from using your Device.
- 2.2. **Amendments:** We may, at any time, change any part of these Terms of Use or any other information referred to in the Terms of Use, by updating the Terms of Use or that other information accordingly on the Opal Website. Any such changes will take effect when they are published on the Opal Website. If we make any such changes that we consider will adversely affect your use of a Device in a material way, we will take such steps to notify you of those changes as we consider reasonably appropriate (for example, by including a notice on the Opal Website). By continuing to use a Device after any changes are published on the Opal Website, you agree to be bound by those changes. If you do not agree to any such changes, you must refrain from using a Device.

PAYMENT AND FARES

- 2.3. **Payment of Fares:** A Device may only be used as a form of ticket for a journey is on a route or railway line that TfNSW has designated from time to time as a route or railway line for which a Device may be used (**Designated Services**). Further details Designated Services can be found online at the Opal Website.
- 2.4. A Device may only be used to pay the Adult Opal fare as prescribed in the Passenger Transport (Opal and Other Fares) Order 2016, as amended from time to time (**Appropriate Fare**).
- 2.5. **Device to be validated:** In order to use your Device as a ticket for travel on a Designated Service, you must validate your Device by tapping on at the beginning of your ferry trip at an approved Opal Card Reader.
- 2.6. **Tap on and tap off:** you must tap on at the beginning of your trip and tap off at the end of your trip at an Opal Card Reader except in the case of ferry services from Manly and some ferry services to Manly. For ferry services from Manly only, you must tap on at the beginning of your trip but you do not have to tap off at the end of your trip and you

may exit without doing so. For ferry services to Manly, you may be required to tap off, depending on the wharf of departure.

2.7. If you fail to tap on or tap off as required, the Opal Ticketing System is unable to ascertain where you entered or exited the public transport network, as the case may be, and you will be charged the default fare for the journey. You will also not be entitled to Opal Benefits such as the intermodal discount and the journey will not count toward your weekly fare cap.

See <https://transportnsw.info/tickets-opal/opal/tapping-on-tapping-off#accordion-default-fare-content> for further details on default fares.

2.8. **Opal Benefits apply:** Select Opal Benefits and fare caps apply to the use of a Device.

2.9. **Authority to travel:** By validating your Device on an Opal Reader, you agree and consent to TfNSW charging the financial institution account linked to the Device the Appropriate Fare. A validated Device constitutes an authority to travel and is your ticket for the trip on a Designated Service.

2.10. **Payment for travel:** You are responsible for the payment of the Appropriate Fare (including fares with caps). By validating your Device on an approved Opal Card Reader, you consent and agree to TfNSW charging the cost of the Appropriate Fare to the financial institution account linked to the Device.

2.11. If financial settlement of the Appropriate Fare attempted to be paid via your Device is declined when we submit it for payment (**Unpaid Fares**), you authorise us to seek to take payment using your details again on a number of additional occasions until we receive the full payment. We will also attempt to collect any Unpaid Fares the next time you validate your Device at an Opal Reader.

2.12. If you have outstanding Unpaid Fares for previous travel, you will not be permitted to travel using the Device until the Unpaid Fares have been settled in full.

- 2.13. **Multiple use not permitted:** You can only use a Device for one trip at a time. You must not tap on twice with the same Device or another Device which is linked to the same credit or debit card number in order to pay for another person's trip. If you have a joint bank account, you can both use your Devices to travel at the same time and each Device will be charged separately.
- 2.14. **Multiple Devices permitted:** You may use multiple Devices to pay for the travel of others. This does not permit separate Devices linked to the same credit or debit card to be used for multiple trips at the same time (for example, you cannot use a credit card and allow another person to use a smartphone feature which emulates the use of the same credit card).
- 2.15. **Approval to use Device:** You must have the express approval of the owner of the financial institution account to use a Device linked to that account.
- 2.16. **Tap on and Tap off at the one location:** You are permitted to tap on and then tap off at the same location if you no longer intend to make a journey.
- 2.17. **Sufficient funds:** You must ensure there are available funds in the financial institution account linked to your Device to pay the Appropriate Fare.
- 2.18. **Authorisation:** You authorise us to deduct all Fares as and when they are due from the financial institution account linked to your Device.

Section 3 General

- 3.1. **Opal Refund and Balance Transfer Policy:** We will make refunds for payment made by an Opal Card or Device in accordance with the Opal Refund and Balance Transfer Policy.
- 3.2. **Right to reject application for refund:** If you make an application for a refund under clause 1.82, we may reject the claim if you have not complied with any of the provisions of these Terms of Use or if we have reason to suspect that an offence under any law may have been or may be committed.
- 3.3. **Amendments:** We may, at any time, change any part of these Terms of Use or any other information referred to in these Terms of Use, by updating these Terms of Use or that other information accordingly at Opal Website. Any such changes will take effect when they are published on the Opal Website. If we make any such changes that we consider will adversely affect your use of the Opal Card or Device in a material way, we will take such steps to notify you of those changes as we consider reasonably appropriate (for example, by including a notice on the Opal Website). By continuing to use an Opal Card or Device after any changes are published on the Opal Website, you agree to be bound by those changes. If you do not agree to any such changes, you must refrain from using the Opal Card or Device. You may apply for a refund of the stored value of that Opal Card (**Opal Card Balance**) in accordance with the Opal Refund and Balance Transfer Policy.
- 3.4. **Operator's conditions of carriage:** These Terms of Use apply in addition to conditions of carriage imposed by any provider of public transport services who accepts the Opal Card or Device as payment for use of its services (**Operator**). When using the services of any Operator you must comply with that Operator's conditions of carriage. We are not responsible for the acts or omissions of any Operator.
- 3.5. **Accuracy of information:** You represent and warrant that any information that you provide to us is true, accurate and up to date. If the information you provide changes or is out of date, you must notify us of the change as soon as possible.

- 3.6. **Opal Website:** If and when you use the Opal Website, you must comply with the [Opal Website Terms of Use](#).
- 3.7. **Opal Guidelines:** You must comply with all the procedures, policies and guidelines relating to the Opal Card, Device and the Opal Ticketing System (including, but not limited to, the Opal Refund and Balance Transfer Policy, the Opal Privacy Policy, the guidelines in the Opal Website and any starter packs) that are published or issued by us as each may be amended from time to time in accordance with clause 3.3(**Opal Guidelines**).
- 3.8. **Opal Privacy Policy:** We will handle personal information that we collect in relation to the Opal Ticketing System in accordance with our privacy policy ([Opal Privacy Policy](#)) that published the Opal Website. Use of the Opal Card or Device indicates your consent to the use and disclosure of your personal information in accordance with the Opal Privacy Policy and relevant legislation relating to personal information and privacy.

LAW ENFORCEMENT AND REVENUE PROTECTION

- 3.9. **Revenue protection:** You must co-operate with any officer (including any NSW police officer) authorised by us to monitor fare evasion, protect revenue or enforce compliance (**Authorised Officer**).
- 3.10. **Proof of entitlement:** This clause 3.10 does not apply if you are aged 4 to 15 years (inclusive) and using a “Child/Youth” Opal Card or a School Opal Card. When travelling using a Free Travel Opal Card, an Opal One Day Travel Pass Card or an Opal Card that entitles you to concessional fares (including a concession Opal Card or a senior/pensioner Opal Card), you must carry and produce upon request by an Authorised Officer evidence of your entitlement in accordance with Appendix A.
- 3.11. If you fail to carry or produce the evidence referred to above, you may be liable to pay a fine. Your eligibility for concessional, discounted or free travel may also be suspended or withdrawn.
- 3.12. **Production of Opal Card or Device:** You must immediately produce the Opal Card or Device that you are using if requested to do so by an Authorised Officer. You consent to any Authorised Officer inspecting the Opal Card or Device and viewing transactions on the

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Opal Card or Device. If your Device is not functional and cannot be read you may be liable to pay a fine.

- 3.13. **Co-operation:** You must co-operate with us and the NSW Police in endeavouring to recover an Opal Card or Device if it is lost or stolen or if we suspect any suspicious activity in relation to an Opal Card or Device.
- 3.14. **Records:** In the absence of manifest error, our records are conclusive of the matters to which they relate.
- 3.15. **Enquiries, complaints and disputes:** You may raise enquiries, complaints or disputes by completing and sending us the enquiry form available on the Opal Website.
- 3.16. **Customer instructions:** Whenever you provide information or an instruction in connection with an Opal Card, Device or the Opal Ticketing System to us, we are entitled to assume that you have the right and authority to provide that information or instruction to us and that we are entitled to rely on the information or instruction.
- 3.17. **Intellectual property rights:** The Opal Card, Device, the Opal Ticketing System (including related software, architecture, data or other information) and their operation are protected by copyright and other intellectual property rights that are owned by us and our licensors.
- 3.18. **Assignment:** If we assign our functions under the Opal Ticketing System or cease to be responsible for the operation of the Opal Ticketing System, the reference to “TfNSW”, “we”, “us” and “our” in these Opal Terms of Use will refer to our assignee or the entity that has taken over the responsibility, as the case may be.

INTERPRETATION

- 3.19. **Proper law:** These Opal Terms of Use are governed by the laws of New South Wales and we and you submit to the exclusive jurisdiction of the courts of New South Wales.

- 3.20. **Unenforceability:** If any part of these Opal Terms of Use is held to be unenforceable, the unenforceable part is to be given effect to the fullest extent possible and the remainder will remain in full force and effect.
- 3.21. **Including:** The words “including”, “such as”, “for example” and similar expressions are not intended as terms of limitation.

LIABILITY

- 3.22. **Delays:** To the maximum extent permitted by law, we are not responsible for any delays in performing any of our obligations under these Opal Terms of Use and any of our functions under the Opal Ticketing System. To the maximum extent permitted by law, we will not be liable for any loss, damage, costs or expenses incurred as a result of the failure or delay in processing any transaction including a refund, balance transfer, balance adjustment or transaction to add value.
- 3.23. **Exclusion of representations and warranties:** All express or implied guarantees, warranties, representations or other terms and conditions not contained in these Opal Terms of Use are excluded from these Opal Terms of Use to the maximum extent permitted by law.
- 3.24. **Times of Services:** The times published in the official timetables are those at which it is intended, so far as circumstances permit, that the passenger services should arrive at, and depart from, the various bus stop, ferry wharf or station. However, Transport for NSW and the Operators do not guarantee the departure or arrival of services at the times stated.
- 3.25. Each Operator reserve the right to cancel, either wholly or in part, any of the services shown in the official timetables and vary the stops, stations or wharves at which the services will pick up or set down passengers and the times of arrival or departure, as shown in such timetables.
- 3.26. **Lawful remedies:** Nothing in these Opal Terms of Use excludes anything imposed by any legislation (such as the Australian Consumer Law which contains guarantees that protect the purchasers of goods and services in certain circumstances) that cannot be lawfully excluded or limited (**Non-Excludable Provision**). If we are able to limit your

remedy for a breach of a Non-Excludable Provision, then our liability for such a breach is limited to one or more of the following at our option:

- in the case of goods, the replacement of the goods or the supply of equivalent goods, the repair of the goods, the payment of the cost of replacing the goods or of acquiring equivalent goods; or
- in the case of services, the supplying of the services again, or the payment of the cost of having the services supplied again.

3.27. **Maximum liability:** Subject to our obligations under any Non-Excludable Provision and to the maximum extent permitted by law:

- our maximum aggregate liability to you for all claims under these Opal Terms of Use is limited to \$250; and
- we are not liable for, and no measure of damages will, under any circumstances, include special, indirect, consequential, incidental or punitive damages or damages for loss of profits, revenue, goodwill or anticipated savings.

The limitations and exclusions under this clause apply regardless of whether the claim or liability arises in contract, tort (including, without limitation, negligence), equity, under statute, based on fundamental breach or breach of a fundamental term or on any other basis, whether or not such claim, liability or damage was foreseeable.

3.28. **Contribution:** Our liability to you (if any) is reduced to the extent that your acts or omissions (or those of a third party) contribute to or caused the loss or liability.

Opal Ticketing

Accepted tickets and required entitlement cards

July 2023

Full fare tickets

Adult Opal card (physical card)

The Adult Opal card is for customers **16 years of age or over** who normally pay full fare.



Opal single trip tickets

Opal **single trip tickets** are single-use tickets for train, bus, ferry and light rail trips within the Opal network. Opal single trip tickets are not valid until tapped on and expire at 4am after the day of issue.



Opal one day travel pass



Concession tickets

Customers using concession tickets must provide proof of entitlement in accordance with this Appendix on request by an authorised officer or driver.

1. Child/ Youth Opal cards

Child/Youth Opal card

When using public transport, children aged **4-15 years** and **NSW/ACT secondary school students aged 16 years and over** are entitled to concession travel.

Child/Youth/Student



Children aged 4-15 years are not required to carry a proof of entitlement for Child/Youth fares. Full time students aged 16 years or older can also travel on a Child/Youth Opal card accompanied by a Transport Concession Entitlement Card to verify eligibility.



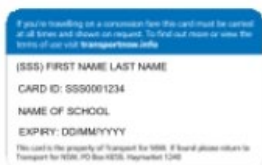
Front

Mature Secondary Student



Back

Senior Secondary Student



Back

Home School Student



Back

Proof of Age



Back

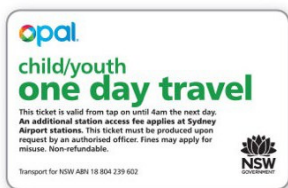
Distance Education Student



Back

Child/Youth one day travel pass

NSW/ACT secondary school students **aged 16 years and over** must also carry their **Transport Concession Entitlement Card** issued by their school, as proof of entitlement when travelling on the authority of a Child/Youth Opal product.



2. Concession Opal cards

Tertiary and TAFE students

Tertiary students travelling with a Concession Opal card must carry a valid Transport Concession Entitlement Card (TCEC) issued by Transport for NSW.



Apprentices and trainees, Job seekers & Eligible Centrelink customers

Apprentices, trainees, job seekers and other eligible Centrelink customers can travel with a Concession Opal card within the Opal network, but must carry a valid TCEC as proof of entitlement.



3. Gold Senior/Pensioner Opal cards

Seniors

A NSW or interstate Seniors Card or digital Seniors Card can be used as proof of entitlement within the Opal network.



Pensioners

A Pensioner Concession Card or a NSW War Widower Transport Concession Card is an accepted proof of entitlement to travel with a Gold Senior/Pensioner Opal card. This includes the digital Pensioner Concession Card when presented in the Centrelink Digital Wallet.



A Health Care Card is not accepted as proof of entitlement for a Gold Senior/Pensioner Opal card.

4. Free travel Opal cards

School Opal card

Eligible primary and secondary students may be entitled to free or concession travel to and from school with a School Opal card. School Opal cards are personalised with the card holder's name.



No specific proof of entitlement is required, however the School Opal card must be tapped on and tapped off and is only valid for travel to and from school.

Employee Opal card

Employee Opal cards are issued to eligible persons and are personalised with the card holder's name. Customers travelling with this type of Opal card may be asked to verify they are the card holder.



5. Free Travel Passes

Vision Impaired Person's Travel Pass

Blind or severely vision impaired customers who carry this pass are entitled to free travel and a separate Opal card is not required. Where indicated, an attendant may travel for free with the card holder.



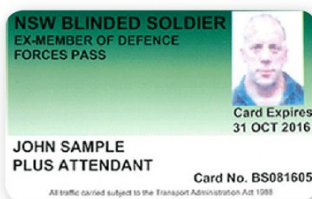
Ex-Member of Defence Forces

Ex-members of the Defence Forces who carry their TCEC are entitled to free travel, and a separate Opal card is not required. Where indicated, an attendant may travel for free with the card holder.



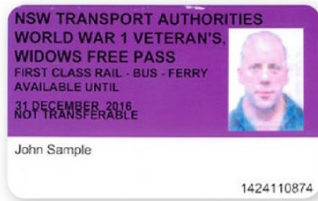
NSW Blinded Soldier Pass

NSW blinded soldiers who are ex-members of the Defence Forces are entitled to free travel, and a separate Opal card is not required. Where indicated, an attendant may travel for free with the card holder.



WW1 Veterans' Widows Pass

George Cross recipients are entitled to free travel, and a separate Opal card is not required.



Free Travel Opal card (optional)

Some travel pass holders may choose to carry a free travel Opal card for independent gate access. A free Opal card is not a ticket and is not valid for travel without one of the travel passes listed above. The Free Travel Opal card does not need to be tapped on or tapped off, but may be used to allow access through gates stations and wharves. Free Travel Opal cards are personalised with the cardholder's name.



Find out more at transportnsw.info/opal

MARINE SAFETY ACT 1998

MARINE NOTICE

Section 12(2)

REGULATION OF VESSELS – EXCLUSION ZONE

Location

Macleay River, Kempsey – adjacent to the Kempsey/Macleay RSL Club and 100m downstream from the road bridge.

Duration

8.00pm to 9.30pm – Sunday 31 December 2023

Detail

A fireworks display will be conducted over navigable waters of the Macleay River as specified above. Fireworks will be launched from a barge and the area directly around this firing position may be dangerous and hazardous during the display.

An **EXCLUSION ZONE** is specified during the event at the location specified above which will be indicated by the presence of control vessels stationed on the boundary.

Unauthorised vessels and persons are strictly prohibited from entering the Exclusion Zone which will be monitored by control vessels.

Penalties may apply (section 12(5) – *Marine Safety Act 1998*).

For full details visit the Transport for NSW website – <https://www.nsw.gov.au/driving-boating-and-transport/using-waterways-boating-and-transport-information/restrictions-and-closures-on-nsw-waterways/marine-notices>

Marine Notice: NH2406

Date: 8 December 2023



Andre Uljee

A/Manager Waterways Operations North

Delegate

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MARINE SAFETY ACT 1998

MARINE NOTICE

Section 12(2)

REGULATION OF VESSELS – EXCLUSION ZONE

Location

Newcastle Harbour – between the Pilot Station and Dyke Point

Duration

6.00pm to 8.00pm – Sunday 31 December 2023

Detail

A low-level air show will be conducted at the location above presenting a significant potential hazard to other waterway users.

An **EXCLUSION ZONE** is specified during the event which will be indicated by the presence of control vessels which will be stationed on the boundary (see the attached map).

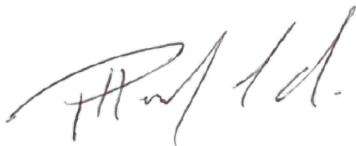
Unauthorised vessels and persons are strictly prohibited from entering the Exclusion Zone.

Penalties may apply (section 12(5) - *Marine Safety Act 1998*).

For full details visit the Transport for NSW website – <https://www.nsw.gov.au/driving-boating-and-transport/using-waterways-boating-and-transport-information/restrictions-and-closures-on-nsw-waterways/marine-notice>

Marine Notice: NH2399

Date: 8 December 2023



Paul Hearfield

Manager Waterways Operations Hunter

Delegate



MARINE SAFETY ACT 1998

MARINE NOTICE

Section 12(2)

REGULATION OF VESSELS – EXCLUSION ZONE

Location

South West Rocks Creek – adjacent to Ingenia Holiday Park.

Duration

6.30pm to 9.30pm – Sunday 31 December 2023

Detail

A fireworks display will be conducted over navigable waters of South West Rocks Creek. Fireworks will be launched from a barge anchored at the above location and the area directly around this firing position may be dangerous and hazardous during the display.

An **EXCLUSION ZONE** is specified during the event which will be indicated by the presence of control vessels stationed on the boundary.

Unauthorised vessels and persons are strictly prohibited from entering the Exclusion Zone which will be monitored by control vessels.

Penalties may apply (section 12(5) – *Marine Safety Act 1998*).

For full details visit the Transport for NSW website – <https://www.nsw.gov.au/driving-boating-and-transport/using-waterways-boating-and-transport-information/restrictions-and-closures-on-nsw-waterways/marine-notices>

Marine Notice: NH23108

Date: 8 December 2023



Andre Uljee

A/Manager Waterways Operations North

Delegate

MARINE SAFETY ACT 1998

MARINE NOTICE

Section 12(2)

REGULATION OF VESSELS – EXCLUSION ZONE

Location

Lake Albert, Wagga Wagga

Duration

4:00pm Sunday 31 December 2023 to 1:00am Monday 1 January 2024.

Detail

A fireworks display will be conducted on Lake Albert, involving the use of three stationary barges as a platform for the display during the above times.

An **EXCLUSION ZONE** is specified during the event which will comprise the entirety of Lake Albert, and will be marked by local signage, barricading, event staff and control vessels.

Unauthorised vessels and persons are strictly prohibited from entering the Exclusion Zone.

Penalties may apply (section 12(5) - *Marine Safety Act 1998*).

For full details visit the Transport for NSW website – <https://www.nsw.gov.au/driving-boating-and-transport/using-waterways-boating-and-transport-information/restrictions-and-closures-on-nsw-waterways/marine-notices>

Marine Notice: SO2376

Date: 6 December 2023



Nathaniel Jacobs

Manager Waterways Operations South

Delegate

MARINE SAFETY ACT 1998

MARINE NOTICE

Section 12(2)

REGULATION OF VESSELS – EXCLUSION ZONE

Location

Wollongong Harbour, Wollongong – all navigable waters bounded by imaginary lines drawn between:

1. The Southern Breakwall including the slipway and adjoining beach;
2. The entire carpark around the Yachties' café;
3. Halfway along the Northern Breakwall;
4. The area of water between these locations.

Duration

7:00pm to 10:00pm – Sunday 31 December 2023

Detail

A firework display will be conducted over the navigable waters of Wollongong Harbour and the adjacent waters of the Tasman Sea. The display will be staged from the Southern Breakwall at the above location. The area directly around this location may be dangerous and hazardous while the fireworks are being launched.

An **EXCLUSION ZONE** is specified during the event, which will be indicated and monitored by event personnel and a control vessel.

Unauthorised vessels and persons are strictly prohibited from entering the Exclusion Zone, which will be patrolled by Water Police.

Penalties may apply (section 12(5) – *Marine Safety Act 1998*).

For full details visit the Transport for NSW website – <https://www.nsw.gov.au/driving-boating-and-transport/using-waterways-boating-and-transport-information/restrictions-and-closures-on-nsw-waterways/marine-notice>

Marine Notice: SO2367

Date: 20 November 2023



Nathaniel Jacobs

Manager Waterways Operations South

Delegate

MARINE SAFETY ACT 1998

MARINE NOTICE

Section 12(2)

REGULATION OF VESSELS – EXCLUSION ZONE

Location

Camden Haven Inlet, Laurieton – adjacent to the Laurieton United Services Club.

Duration

8.45pm to 9.30pm – Sunday 31 December 2023

Detail

A fireworks display will be conducted over navigable waters of Camden Haven Inlet as specified above. Fireworks will be launched from the Laurieton United Services Club pier and the area directly around this firing position may be dangerous and hazardous during the display.

An **EXCLUSION ZONE** is specified during the event at the location specified above which will be indicated by the presence of control vessels stationed on the boundary.

Unauthorised vessels and persons are strictly prohibited from entering the Exclusion Zone which will be monitored by control vessels.

Penalties may apply (section 12(5) – *Marine Safety Act 1998*).

For full details visit the Transport for NSW website – <https://www.nsw.gov.au/driving-boating-and-transport/using-waterways-boating-and-transport-information/restrictions-and-closures-on-nsw-waterways/marine-notices>

Marine Notice: NH23102

Date: 8 December 2023



Andre Uljee

A/ Manager Waterways Operations North

Delegate

MARINE SAFETY ACT 1998

MARINE NOTICE

Section 12(2)

REGULATION OF VESSELS – EXCLUSION ZONE

Location

Newcastle Harbour – Dyke Point.

Duration

8.30pm to 9.30pm – Sunday 31 December 2023

Detail

A fireworks display will be conducted over the navigable waters of Newcastle Harbour at the location specified above. Fireworks will be launched from a firing position at the above location. The area directly around this firing position may be dangerous and hazardous to other waterway users while fireworks are being launched.

An **EXCLUSION ZONE** is specified during the event, extending 150 metres around the firing position. This Zone will be indicated by the presence of control vessels which will be stationed on the boundary.

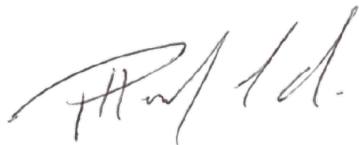
Unauthorised vessels and persons are strictly prohibited from entering the Exclusion Zone.

Penalties may apply (Section 12(5) – *Marine Safety Act 1998*).

For full details visit the Transport for NSW website – <https://www.nsw.gov.au/driving-boating-and-transport/using-waterways-boating-and-transport-information/restrictions-and-closures-on-nsw-waterways/marine-notice>

Marine Notice: NH23105

Date: 8 December 2023



Paul Hearfield

Manager Waterways Operations Hunter

Delegate

MARINE SAFETY ACT 1998

MARINE NOTICE

Section 12(2)

REGULATION OF VESSELS – EXCLUSION ZONE AND SPECIAL RESTRICTIONS

Location

Kiama Harbour, Tasman Sea – adjacent to the Kiama Breakwall on the northern side of the Kiama Boat Harbour.

Duration

8:00pm to 10:00pm – Sunday 31 December 2023

Detail

A fireworks display will be conducted over the navigable waters of Kiama Harbour and the adjacent waters of the Tasman Sea as specified above. The display will be staged from land at the above location. The area directly around this location may be dangerous and hazardous while the fireworks display is occurring.

An **EXCLUSION ZONE** is specified during the event extending for a radius of 200 metres around the display. The Zone will be monitored and maintained by event personnel.

Unauthorised vessels and persons are strictly prohibited from entering the Exclusion Zone.

Special Restrictions

Pursuant to section 12(3) of the *Marine Safety Act 1998*, for the duration of the event, special restrictions are imposed on all lawfully moored vessels within the Exclusion Zone whilst it is in force as follows:

- Vessels moored within the area must remain at their position and **MUST NOT** be operated during the event.

Penalties may apply (section 12(5) - *Marine Safety Act 1998*).

For full details visit the Transport for NSW website – <https://www.nsw.gov.au/driving-boating-and-transport/using-waterways-boating-and-transport-information/restrictions-and-closures-on-nsw-waterways/marine-notices>

Marine Notice: SO2368

Date: 20 November 2023



Nathaniel Jacobs

Manager Waterways Operations South

Delegate

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MARINE SAFETY ACT 1998

MARINE NOTICE

Section 12(2)

REGULATION OF VESSELS – EXCLUSION ZONE AND SPECIAL RESTRICTIONS

Location

Charlotte Bay, Wallis Lake in the vicinity of the Pacific Palms Recreation Club.

Duration

8.30pm to 9.30pm – Sunday 31 December 2023.

Detail

A fireworks display will be conducted from barges located on the navigable waters of Charlotte Bay as specified.

An **EXCLUSION ZONE** is specified during the event, extending for a radius of 100 metres around the fireworks deployment barge which will be controlled by NSW SES vessels.

Unauthorised vessels and persons are strictly prohibited from entering the Exclusion Zone.

Special Restrictions

Pursuant to section 12(3) of the *Marine Safety Act 1998*, for the duration of the event, vessels navigating in the vicinity of the Pacific Palms Recreation Club on Charlotte Bay, Wallis Lake:

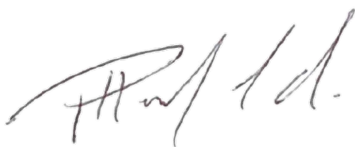
- must not exceed a speed of 4 knots; and
- must produce minimal wash.

Penalties may apply (section 12(5) - *Marine Safety Act 1998*).

For full details visit the Transport for NSW website – <https://www.nsw.gov.au/driving-boating-and-transport/using-waterways-boating-and-transport-information/restrictions-and-closures-on-nsw-waterways/marine-notice>

Gazette Notice: NH23107

Date: 8 December 2023



Paul Hearfield

Manager Waterways Operations Hunter

Delegate

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MARINE SAFETY ACT 1998

MARINE NOTICE

Section 12(2)

REGULATION OF VESSELS – EXCLUSION ZONE

Location

Wangi Wangi Bay, Lake Macquarie – adjacent to the Wangi RSL Club jetty.

Duration

8.30pm to 9.30pm – Sunday 31 December 2023

Detail

A fireworks display will be conducted over the navigable waters of Wangi Wangi Bay at the location specified above. Fireworks will be launched from a moored firing barge at the above location. The area directly around this firing position may be dangerous and hazardous to other waterway users while fireworks are being launched.

An **EXCLUSION ZONE** is specified during the event, extending 150 metres around the moored barge. This Zone will be indicated by the presence of control vessels which will be stationed on the boundary.

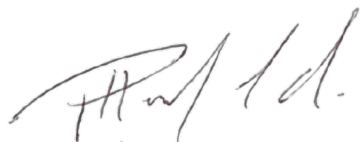
Unauthorised vessels and persons are strictly prohibited from entering the Exclusion Zone.

Penalties may apply (Section 12(5) – *Marine Safety Act 1998*).

For full details visit the Transport for NSW website – <https://www.nsw.gov.au/driving-boating-and-transport/using-waterways-boating-and-transport-information/restrictions-and-closures-on-nsw-waterways/marine-notices>

Marine Notice: NH23104

Date: 8 December 2023



Paul Hearfield

Manager Waterways Operations Hunter

Delegate

MARINE SAFETY ACT 1998

MARINE NOTICE

Section 12(2)

REGULATION OF VESSELS – EXCLUSION ZONE

Location

Manning River, Taree – east of Martin Bridge adjacent to Queen Elizabeth Park.

Duration

7.00pm to 10.00pm – Sunday 31 December 2023.

Detail

A fireworks display will be conducted over navigable waters of the Manning River. Fireworks will be launched from a moored barge and the area directly around this firing position may be dangerous and hazardous during the display.

An **EXCLUSION ZONE** is specified during the event at the location specified above, which will be indicated by the presence of buoys in the water and a control vessel stationed on the boundary.

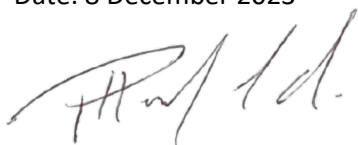
Unauthorised vessels and persons are strictly prohibited from entering the Exclusion Zone which will be monitored by the control vessel.

Penalties may apply (section 12(5) – *Marine Safety Act 1998*).

For full details visit the Transport for NSW website – <https://www.nsw.gov.au/driving-boating-and-transport/using-waterways-boating-and-transport-information/restrictions-and-closures-on-nsw-waterways/marine-notices>

Marine Notice: NH2393

Date: 8 December 2023



Paul Hearfield

Manager Waterways Operations Hunter

Delegate

MARINE SAFETY ACT 1998

MARINE NOTICE

Section 12(2)

REGULATION OF VESSELS – EXCLUSION ZONE

Location

Warners Bay, Lake Macquarie – adjacent to Speers Point.

Duration

12.00am to 12.30am – Monday 1 January 2024

Detail

A fireworks display will be conducted over the navigable waters of Warners Bay at the location specified above. Fireworks will be launched from a moored firing barge at the above location. The area directly around this firing position may be dangerous and hazardous to other waterway users while fireworks are being launched.

An **EXCLUSION ZONE** is specified during the event, extending 200 metres around the moored barge. This Zone will be indicated by the presence of control vessels which will be stationed on the boundary.

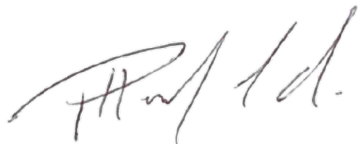
Unauthorised vessels and persons are strictly prohibited from entering the Exclusion Zone.

Penalties may apply (Section 12(5) – *Marine Safety Act 1998*).

For full details visit the Transport for NSW website – <https://www.nsw.gov.au/driving-boating-and-transport/using-waterways-boating-and-transport-information/restrictions-and-closures-on-nsw-waterways/marine-notices>

Marine Notice: NH2410

Date: 8 December 2023



Paul Hearfield

Manager Waterways Operations Hunter

Delegate

MARINE SAFETY ACT 1998

MARINE NOTICE

Section 12(2)

REGULATION OF VESSELS – EXCLUSION ZONE

Location

Tuggerah Lake, The Entrance – adjacent to Memorial Park.

Duration

8:45pm to 9:45pm – Sunday 24 December 2023

Detail

Fireworks displays will be conducted over the navigable waters of Tuggerah Lake, at the location specified above. Fireworks will be launched from a fireworks barge anchored at the above location. The area directly around this firing position may be dangerous and hazardous while fireworks are being launched.

An **EXCLUSION ZONE** is specified during the event which will be marked by the presence of control vessels on the perimeter and will be created 150 meters around the fireworks barge.

Unauthorised vessels and persons are strictly prohibited from entering the Exclusion Zone, which will be monitored by control vessels.

Penalties may apply (section 12(5) – *Marine Safety Act 1998*).

For full details visit the Transport for NSW website – <https://www.nsw.gov.au/driving-boating-and-transport/using-waterways-boating-and-transport-information/restrictions-and-closures-on-nsw-waterways/marine-notices>

Marine Notice: SY2337

Date: 8 December 2023



Drew Jones

Manager Waterways Operations Hawkesbury River/Broken Bay

Delegate

MARINE SAFETY ACT 1998

MARINE NOTICE

Section 12(2)

REGULATION OF VESSELS – EXCLUSION ZONE

Location

Watermans Cove, Sydney Harbour – east of an imaginary line between the most southern and northern tips of Watermans Cove.

Duration

6:00pm to 10:00pm – Friday 15 December 2023

Detail

A laser projection and lighting show will take place on Sydney Harbour in Watermans Cove as specified above. Equipment will be placed on floating pontoons, which will be temporarily installed to depict imagery through water-based activation. Pontoons will be in place from Thursday 14 December 2023 to Saturday 16 December 2023.

An **EXCLUSION ZONE** is specified during the event at the location (see the attached image), which will be marked by yellow buoys.

Unauthorised vessels and persons are strictly prohibited from entering the Exclusion Zone.

Penalties may apply (Section 12(5) – *Marine Safety Act 1998*).

For full details visit the Transport for NSW website – <https://www.nsw.gov.au/driving-boating-and-transport/using-waterways-boating-and-transport-information/restrictions-and-closures-on-nsw-waterways/marine-notices>

Marine Notice: SY2349

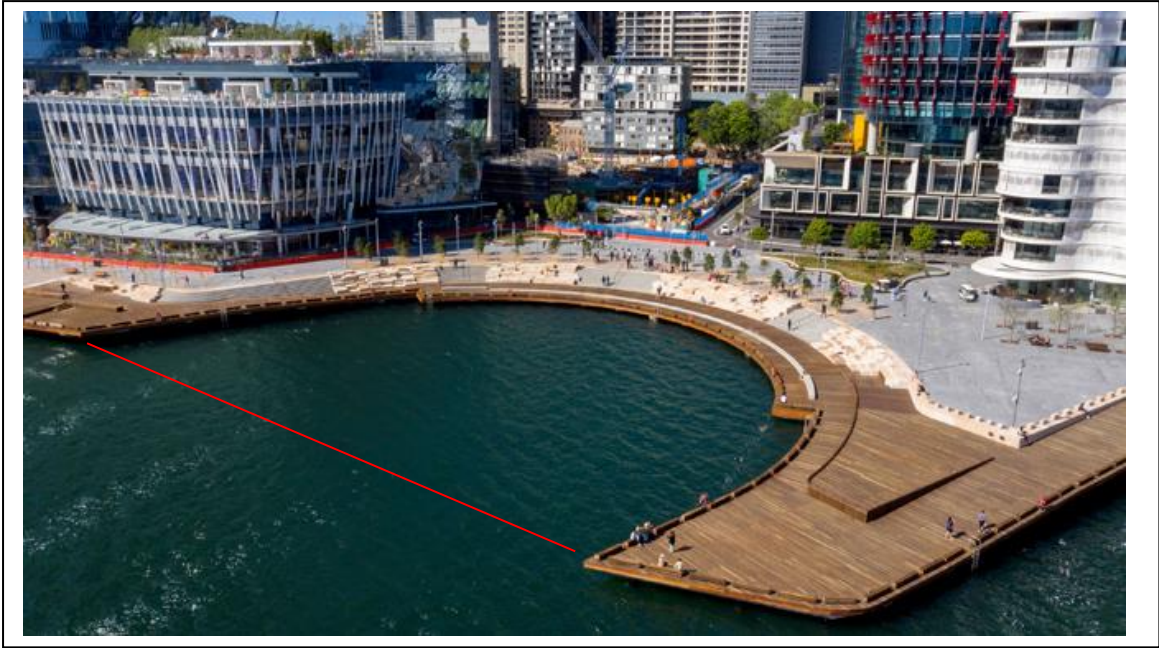
Date: 11 December 2023



Rianna James

A/Senior Special Aquatic Events Officer

Delegate



MARINE SAFETY ACT 1998

MARINE NOTICE

Section 12(2)

REGULATION OF VESSELS – EXCLUSION ZONE AND SPECIAL RESTRICTIONS

Location

Sydney Harbour – from Cockatoo Island to Steele Point, Vaucluse, comprising all navigable waters bounded by imaginary lines drawn between:

- Greenwich Point to Clarkes Point (the entrance to Lane Cove River); and
- Clarkes Point, through Cockatoo Island to White Horse Point; and
- Bradleys Head Light to Steele Point.

Duration

From 8:00am Sunday 31 December 2023 to 2:00am Monday 1 January 2024

Detail and Special Restrictions

The annual New Year's Eve Fireworks and Lit Vessels Parade will be taking place on Sydney Harbour at the location specified above. Due to the potential to affect the safety of navigation, a **Regulated Area** with declared special restrictions will be established for the entirety of the location described above.

Pursuant to section 12(3) of the *Marine Safety Act 1998*, those **Special Restrictions** are as follows:

- From 8:00pm Saturday 30 December 2023 to 1:00am Monday 1 January 2024, Jeffrey Street and Beulah St Wharves, Kirribilli will be **closed** to all vessels;
- From 8:00am Sunday 31 December 2023 to 2:00am Monday 1 January 2024, **anchoring of vessels** in the areas which will become the Exclusion Zone later in the evening (see below) is prohibited, and vessel operators who fail to leave the "No Anchoring Zone" when directed may be guilty of an offence;
- From 11:30am Sunday 31 December 2023 to 1:00am Monday 1 January 2024, Woolwich (Valencia Street) Ferry Wharf will be **closed** to all vessels;
- From 10:00am Sunday 31 December 2023 to 1:00am Monday 1 January 2024, McMahons Point Ferry Wharf will be **closed** to all vessels;
- From 3:00pm Sunday 31 December 2023 to 1:00am Monday 1 January 2024, Milsons Point Ferry Wharf will be **closed** to all vessels;

- From 3:00pm Sunday 31 December 2023 to 2:00am Monday 1 January 2024, a **maximum speed limit of 6 knots** is declared in the Regulated Area (unless otherwise authorised by Transport for NSW (Maritime) or Police);
- From 8:00pm Sunday 31 December 2023 to 2:00am Monday 1 January 2024, additional “**No Anchoring Zones**” are declared in the channels, between:
 - Balmain East and Goat Island
 - Balls Head and the Snails Bay dolphins
 - Clarkes Point and Cockatoo Island
 - Garden Island and Fort Denison; and
 - off Bradleys Head.

The ‘No Anchoring Zones’ near Balls Head, Garden Island, and Bradleys Head will be marked by yellow ‘no anchoring’ buoys with quick flashing yellow lights.

Exclusion Zone

An **EXCLUSION ZONE** is specified during the event, which will be established inside the Regulated Area between 8:00pm Sunday 31 December 2023 and 12:45am Monday 1 January 2024, and will be marked by perimeters of yellow lit buoys (see the attached map).

Unauthorised vessels and persons are strictly prohibited from entering the Exclusion Zone, which will be patrolled by Police and Maritime vessels and monitored by other official control vessels.

Penalties may apply (section 12(5) – *Marine Safety Act 1998*).

For full details visit the Transport for NSW website – <https://www.nsw.gov.au/topics/using-waterways/restrictions-and-closures/marine-notice/current-notice>

Maps and Charts Affected

Transport for NSW Boating Map – 9D and 9G

RAN Hydrographic Chart AUS 200, AUS 201 AUS 202

Marine Notice: SE2320

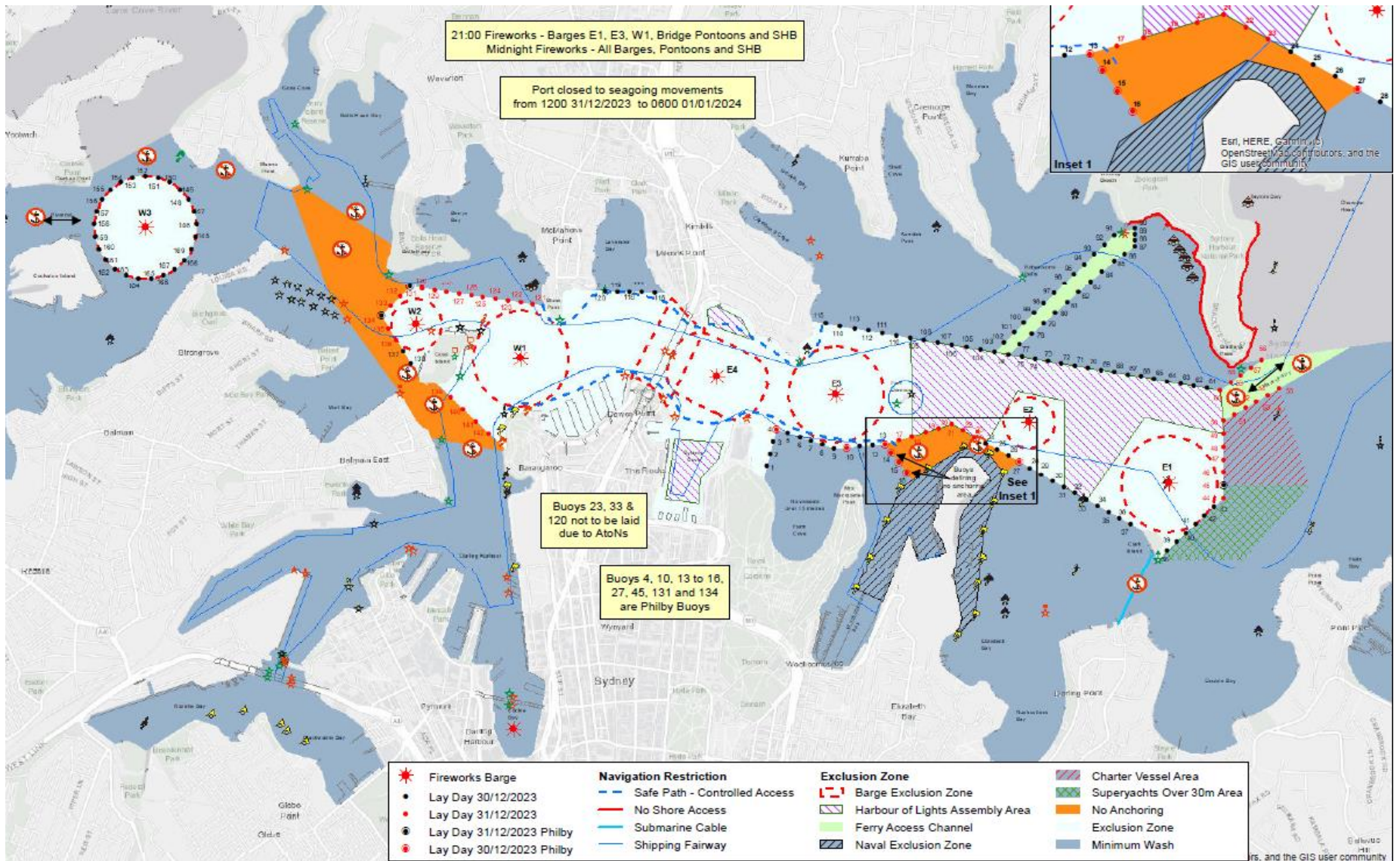
Date: 7 December 2023



Rianna James

A/Senior Special Aquatics Events Officer

Delegate



MARINE SAFETY ACT 1998

Section 12(2)

MARINE NOTICE

REGULATION OF VESSELS – EXCLUSION ZONE

Location

Jack Evans Boat Harbour, Tweed River

Duration

6:00pm Sunday 31 December 2023 to 1:00am Monday 1 January 2024.

Detail

A fireworks display will be conducted over the navigable waters of the Tweed River at the location specified above, presenting a significant potential hazard to other waterway users.

An **EXCLUSION ZONE** is specified during the event, extending for a radius of 75 metres around the fireworks barge which will be monitored by control vessels.

Unauthorised vessels and persons are strictly prohibited from entering the Exclusion Zone.

Penalties may apply (section 12(5) - *Marine Safety Act 1998*).

For full details visit the Transport for NSW website – <https://www.nsw.gov.au/driving-boating-and-transport/using-waterways-boating-and-transport-information/restrictions-and-closures-on-nsw-waterways/marine-notices>

Marine Notice: NH2407

Date: 8 December 2023



Andre Uljee

A/Manager Waterways Operations North

Delegate

MARINE SAFETY ACT 1998

MARINE NOTICE

Section 12(2)

REGULATION OF VESSELS – EXCLUSION ZONE AND SPECIAL RESTRICTIONS

Location

Cape Hawke Harbour, Forster

Duration

8.30pm to 9.30pm – Sunday 31 December 2023.

Detail

A fireworks display will be conducted from barges located on the navigable waters of Cape Hawke Harbour, Forster.

An **EXCLUSION ZONE** is specified during the event, extending for a radius of 100 metres around the fireworks deployment barge which will be controlled by NSW SES vessels.

Unauthorised vessels and persons are strictly prohibited from entering the Exclusion Zone.

Special Restrictions

Pursuant to section 12(3) of the *Marine Safety Act 1998*, for the duration of the event, vessels navigating in the vicinity of Cape Hawke Harbour, Forster:

- must not exceed a speed of 4 knots; and
- must produce minimal wash.

Penalties may apply (section 12(5) - *Marine Safety Act 1998*).

For full details visit the Transport for NSW website – <https://www.nsw.gov.au/driving-boating-and-transport/using-waterways-boating-and-transport-information/restrictions-and-closures-on-nsw-waterways/marine-notices>

Gazette Notice: NH23103

Date: 8 December 2023



Paul Hearfield

OFFICIAL

Manager Waterways Operations Hunter

Delegate

OFFICIAL

MARINE SAFETY ACT 1998

MARINE NOTICE

Section 12(2)

REGULATION OF VESSELS – EXCLUSION ZONE

Location

Toronto Bay, Lake Macquarie – adjacent to the Royal Motor Yacht Club.

Duration

8.30pm to 9.30pm – Sunday 31 December 2023

Detail

A fireworks display will be conducted over the navigable waters of Toronto Bay at the location specified above. Fireworks will be launched from a moored firing barge at the above location. The area directly around this firing position may be dangerous and hazardous to other waterway users while fireworks are being launched.

An **EXCLUSION ZONE** is specified during the event, extending 150 metres around the moored barge. This Zone will be indicated by the presence of control vessels which will be stationed on the boundary.

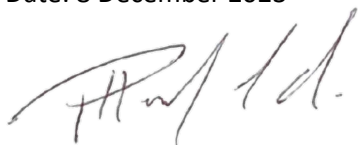
Unauthorised vessels and persons are strictly prohibited from entering the Exclusion Zone.

Penalties may apply (Section 12(5) – *Marine Safety Act 1998*).

For full details visit the Transport for NSW website – <https://www.nsw.gov.au/driving-boating-and-transport/using-waterways-boating-and-transport-information/restrictions-and-closures-on-nsw-waterways/marine-notices>

Marine Notice: NH23106

Date: 8 December 2023



Paul Hearfield

Manager Waterways Operations Hunter

Delegate

MARINE SAFETY ACT 1998

MARINE NOTICE

Section 12(2)

REGULATION OF VESSELS – EXCLUSION ZONE

Location

Bardens Bay, Lake Macquarie – adjacent to Trinity Point Marina.

Duration

8.30pm to 9.30pm – Sunday 31 December 2023

Detail

A fireworks display will be conducted over the navigable waters of Bardens Bay at the location specified above. Fireworks will be launched from a moored firing barge at the above location. The area directly around this firing position may be dangerous and hazardous to other waterway users while fireworks are being launched.

An **EXCLUSION ZONE** is specified during the event, extending 150 metres around the moored barge. This Zone will be indicated by the presence of control vessels which will be stationed on the boundary.

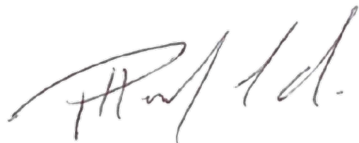
Unauthorised vessels and persons are strictly prohibited from entering the Exclusion Zone.

Penalties may apply (Section 12(5) – *Marine Safety Act 1998*).

For full details visit the Transport for NSW website – <https://www.nsw.gov.au/driving-boating-and-transport/using-waterways-boating-and-transport-information/restrictions-and-closures-on-nsw-waterways/marine-notices>

Marine Notice: NH23100

Date: 8 December 2023



Paul Hearfield

Manager Waterways Operations Hunter

Delegate

MARINE SAFETY ACT 1998

MARINE NOTICE

Section 12(2)

REGULATION OF VESSELS – EXCLUSION ZONE

Location

Hastings River, Port Macquarie – between Lady Nelson Wharf and Pelican Island.

Duration

- 9:00pm to 9:15pm – Sunday 31 December 2023
- 12:00am to 12:15am – Monday 1 January 2024

Detail

Fireworks displays will be conducted over the navigable waters of Hastings River, Port Macquarie at the location specified above. Fireworks will be launched from a moored firing barge at the above location. The area directly around this firing position may be dangerous and hazardous to other waterway users while fireworks are being launched.

An **EXCLUSION ZONE** is specified during the events, extending 150 metres around the firing barge moored near the inter-tidal flats to the southeast of Pelican Island. This Zone will be indicated by the presence of control vessels which will be stationed on the boundary.

Unauthorised vessels and persons are strictly prohibited from entering the Exclusion Zone.

Penalties may apply (Section 12(5) – *Marine Safety Act 1998*).

For full details visit the Transport for NSW website – <https://www.nsw.gov.au/driving-boating-and-transport/using-waterways-boating-and-transport-information/restrictions-and-closures-on-nsw-waterways/marine-notices>

Marine Notice: NH2403

Date: 11 December 2023



Andre Uljee

A/Manager Waterways Operations North

Delegate

ROADS ACT 1993

PROCLAMATION

I, the Honourable Margaret Beazley AC KC, Governor of the State of New South Wales, with the advice of the Executive Council, and pursuant to the powers vested in me under section 13(1) of the *Roads Act 1993*, do, on the recommendation of the Minister administering the *National Parks and Wildlife Act 1974*, by this proclamation dedicate the land described in Schedules 1 and 2 below a Public Road.

The Public Road dedicated in Schedule 1 is vested in Port Macquarie-Hastings Council and the Public Road dedicated in Schedule 2 is vested in Kempsey Shire Council.

Dated this 13th day of December 2023.

MARGARET BEAZLEY
Governor,
By Her Excellency's Command,

PENNY SHARPE
Minister for the Environment

Schedule 1

Land District – Port Macquarie LGA – Port Macquarie-Hastings

County Macquarie, Parish Torrens, 2.3 hectares being the land shown in the table below

Lot	DP	Lot	DP	Lot	DP
1	1292059	11	1292059	24	1292059
2	1292059	12	1292059	25	1292059
4	1292059	13	1292059	26	1292059
5	1292059	14	1292059	28	1292059
6	1292059	15	1292059	29	1292059
7	1292059	16	1292059	30	1292059
8	1292059	18	1292059	31	1292059
9	1292059	20	1292059	37	1292059
10	1292059	22	1292059		

Schedule 2

Land District – Port Macquarie LGA – Kempsey

County Macquarie, Parish Torrens, 0.05 hectares being the land shown in the table below

Lot	DP
33	1292059
34	1292059
35	1292059

Papers NPWS EF21/11603

MIDWESTERN REGIONAL COUNCIL

Roads Act 1993

ROAD CLOSURE

NOTICE is hereby given by Mid-Western Regional Council in pursuance of section 38D, Division 3 of Part 4 of the *Roads Act 1993*, that the road hereunder described is closed and the lands comprised therein cease to be public road and the rights of passage and access that previously existed in relation to the road is extinguished. Upon closing, title to the land, comprising the former public road, will vest in Mid-Western Regional Council as operational land for the purposes of the *Local Government Act 1993*.

BRAD CAM

General Manager

Mid-Western Regional Council

PO Box 156 MUDGEE NSW 2850

DESCRIPTION

Parish – GUNTAWANG

LGA – Mid-Western Regional Council

Road Closed: Lot 500 DP 1293559

MARINE SAFETY REGULATION 2016

EXEMPTION ORDER

HIRE AND DRIVE PERSONAL WATERCRAFT – LICENCE EXEMPTION FOR CERTAIN ACTIVITIES CONDUCTED ON THE HAWKESBURY RIVER, NSW

Clause 140(1)

I, Cherrie Ashford, Director Insights and Operations, NSW Maritime, a delegate of Transport for NSW, pursuant to clause 140(1) of the Marine Safety Regulation 2016 (the Regulation), hereby EXEMPT the operators of hire and drive personal watercraft used in conjunction with regulated tour activities and conducted within the area of operations set out in Schedule 1 of this Order, from the requirements of clause 103(1) of the Regulation - being the requirement to hold a personal watercraft driving licence – SUBJECT TO the conditions set out in Schedules 2 and 3 of this Order.

Object

The object of this Exemption Order is to allow unlicensed persons to operate personal watercraft in the context of a supervised ‘tour’ operation in a safe and responsible way, and where the operation is subject to a Certificate of Operation under the *Marine Safety (Domestic Commercial Vessel) National Law Act 2012* of the Commonwealth for the hiring out of personal watercraft.

Definition

In this Notice, “regulated tour activities” means unlicensed personal watercraft hire and drive tour activities under the supervision of tour guides conducted by Richie’s Events Pty Ltd T/A Jet Ski Safaris NSW in accordance with the Certificate of Operation COO-39922-003 issued by the Australian Maritime Safety Authority.

SCHEDULE 1

REGULATED TOUR ACTIVITIES – AREA OF OPERATIONS

This Exemption applies only to operators of personal watercraft participating in regulated tour activities conducted on the waters of the Hawkesbury River and connected tributaries bounded by a line drawn from the eastern extremity of Flat Rock Point in an easterly direction to the western extremity of Croppy Point and the Wisemans Ferry vehicular ferry cables of the Hawkesbury River.

SCHEDULE 2

Jetski Safaris Brooklyn - November 2023 Operating Conditions and Areas

Description	Approved 2023-2024	Conditions
Ratio of Guides to PWC	1:1, 1:2, 1:3 2:4, 2:5, 2:6, 3:7, 3:8, *3:9, *3:10	*Groups greater than 8 Monday-Friday only not on Public Holidays (PH)
Maximum Number of Hire PWC on tours	20 weekdays (not PH) 18 weekends & PH	20 Hire PWC on tours at any one time, combinations of group sizes at operator discretion within approved ratios. Maximum 5 simultaneous tours at any one time.
Maximum size of any one hire group	8 on weekends and PH, 10 on weekdays.	Up to 8 on weekends and PH when waterways more congested 3 guides required when more than 6 hire PWC in any group.
Safety vessels and masters	Minimum 1, Maximum required 2	1 safety vessel and master required for up to 3 tours conducted simultaneously, additional safety vessel and master required for 4th and 5th simultaneous tour.
Departing tours	Northern Channel	Departing tours use northern channel obeying all speed limits, not to impede ferry and other commercial operations.
Returning tours		Returning tours use Brooklyn Channel, minimum separation 5 minutes between tours, not to impede ferry and other commercial operations.
Areas of Operation	Brooklyn to Wisemans Ferry	Minimum 2 guides at all times upstream of Spencer. Not into Mangrove Creek, not beyond Wisemans Ferry vehicular ferry. Max. 20kn past Rosedale ski park.
	Berowra Waters	Downstream of a line between Berowra Point and Coba Point. Not into Coba Bay or No wash zone. Maximum 6 hire PWC in any group.
	Mooney Mooney Creek	Downstream of Cheero Point only. Maximum 6 hire PWC in any group.
	Mullet Creek	Maximum 6 hire PWC in any one group.

Increases in ratios and operating areas will be trialled for 12 months and reviewed prior to reissue of future Notices.

SCHEDULE 3
GENERAL CONDITIONS

1. This Order does not apply to:
 - a) Any person who is ineligible to hold a boat driving licence or is the subject of a boat driving licence suspension or disqualification under the *Marine Safety Act 1998*, or an equivalent disqualification in any other State or Territory; or
 - b) A person who is the subject of a written notice from Transport for NSW specifying that this Order does not apply to the person.
2. This Order applies only to the operator of a hire and drive personal watercraft who is:
 - a) operating a personal watercraft in accordance with the terms and conditions of a hire agreement with Richie's Events Pty Ltd T/A Jet Ski Safaris NSW; and
 - b) operating in accordance with specified waterway management rules as required by the tour operator; and
 - c) wearing an appropriate lifejacket within the meaning of Part 6 of the Regulation; and
 - d) not operating the vessel at a speed exceeding 30 knots; and
 - e) a minimum of 16 years of age.
3. This Order ceases to apply in the event that the regulated tour activities are no longer subject to a Certificate of Operation issued by the Australian Maritime Safety Authority.

Note:

Failure to comply with a condition of this Order by a personal watercraft operator means that the Exemption ceases to apply and if the operator does not hold a personal watercraft driving licence, both the vessel owner and the operator may be liable for an offence under State and National laws.

Publication

Pursuant to clause 140(3)(b) of the Regulation, this Order is published in the NSW Government Gazette.

This Notice takes effect on **12 December 2023** and will be in force for a period of 12 months from this date, unless revoked. This Order may be revoked at any time by Transport for NSW.



Date: 12 December 2023

Cherrie Ashford
Director Insights and Operations
NSW Maritime