Petroleum Safety Zones and the Area To Be Avoided

Key Points

This guidance note is primarily targeted at owners and operators of commercial fishing vessels working in the Bass Strait and other offshore areas which contain petroleum infrastructure including production facilities and mobile offshore drilling units (MODUs). There are two types of areas that require NOPSEMA’s permission to enter as follows:

Petroleum Safety Zones

- For the purposes of protecting a petroleum well, structure or any equipment in an offshore area NOPSEMA can prohibit vessels from entering or being present in a specified area (the petroleum safety zone).
- Unauthorised entry or presence in a petroleum safety zone is an offence with a maximum penalty of 12.5 years imprisonment.
- A petroleum safety zone can extend up to 500m from the outer edge of the well, structure or equipment.
- Petroleum safety zones are established via a notice published in the Gazette.
- A notice establishing a petroleum safety zone can prohibit all vessels, or all vessels other than specified vessels, or all vessels other than vessels included in specified classes of vessels from entering or being present in the petroleum safety zone without the written consent of NOPSEMA.
- Applications for consent for a vessel(s) to enter and be present in a petroleum safety zone must be made via the relevant titleholder or operator (of the facility as defined in OPGGS Act Schedule 3 Clause 4(1)(b)(i)) associated with the well(s), structure(s), and/or equipment being protected by a petroleum safety zone.
- Current notices are published on NOPSEMA’s website:
- There are a number of gazetted petroleum safety zones in and around the area to be avoided in the Bass Strait (title IDs commencing VIC/ and T/).

The Area To Be Avoided

- A flowchart on the following pages is intended to assist owners and operators of vessels determine if they are required to have authorisation from NOPSEMA to enter and be present in the area to be avoided.
- The area to be avoided is defined in Schedule 2 of the Commonwealth Offshore Petroleum and Greenhouse Gas Storage Act 2006 as being an area off the coast of Victoria covering approximately 5,650 square kilometres.
- Details of the area to be avoided are contained on page 3 of this document.
- Unauthorised entry or presence in the area to be avoided is an offence with a maximum penalty of 7.5 years imprisonment.
- The owner of a vessel may apply to NOPSEMA for the grant of an authorisation for the vessel to enter and be present in the area to be avoided. See form FM0912 available at:
- An authorisation from NOPSEMA is subject to such conditions as are specified in the notice of authorisation including conditions that seek to assist with ensuring the safety of personnel on vessels and petroleum facilities in the area to be avoided.
- Current authorisations are published on NOPSEMA’s website:
**Note 1**

**Government vessel means:**

(a) a vessel that is beneficially owned by a government body; or

(b) a vessel the whole possession and control of which is for the time being vested in a government body.

**government body means:**

(a) the Commonwealth, a State or a Territory; or

(b) a body corporate established for a public purpose by or under a law of the Commonwealth or of a State or Territory, other than:

(i) the Western Australian Coastal Shipping Commission; or

(ii) the Transport Commission established under the Transport Act 1983 of Tasmania; or

(iii) a body corporate that is declared by regulations made under the Shipping Registrations Act 1983 not to be a Government authority for the purposes of that Act.

(OPPGGS Act 2006 s614)

**Note 2**

**Gross tonnage**

The gross tonnage (GT) of a ship shall be determined by the following formula:

$$GT = K \times V$$

where: $V$ = Total volume of all enclosed spaces of the ship in cubic metres, $K = 0.3 + 0.015\rho V$ or as tabulated in Appendix 2.

(IC TMS 1960 Appendix 1, reg 3)

**Note 3**

**foreign flag vessel** means a vessel that:

(a) under the law of a foreign country, is entitled to fly the flag of that country; and

(b) is flying that flag.

(OPPGGS Act 2006 s614)

**Note 4**

**Tonnage length means:**

(1) For the purposes of subsection 10(1) of the Shipping Registration Act, the tonnage length of a ship is:

(a) a length equal to 96 per cent of the total length of the ship measured on a waterline that is at a distance, from the top of the keel, equal to 85 per cent of the least moulded depth of the ship; or

(b) if the length of the ship measured from the fore side of the stem to the axis of the rudder stock on that waterline is greater than the length ascertained in accordance with paragraph (a) — that greater length.

(2) In the case of a ship designed with a rake of keel, the waterline on which the total length of the ship is to be measured for the purposes of subregulation (1) must be parallel to the designed waterline.

(3) In this regulation, *least moulded depth of a ship* means the shortest measurable moulded depth of the ship.

[SIR Regs 1981 reg 6A]

**moulded depth** of a part of a ship, means the vertical distance measured at that part of the ship from the top of the keel to the underside of the upper deck at side, except that:

(a) if the ship is constructed of woof or composite material, the distance is measured from the lower edge of the keel raft; and

(b) if the form of the lower part of the midship section of the ship is of a hollow character or if thick garboards are fitted, the distance is measured from the point at which the line of the flat of the bottom continued upwards intersects the side of the keel; and

(c) if the ship has rounded garboards, the distance is measured to the point of intersection of the moulded line of the deck and side shell plating, the lines extending as though the garboards were of angular design; and

(d) if the upper deck of the ship is stepped and the raised part of the deck extends over the point at which the moulded depth is to be determined, the distance is measured to a line of reference extending from the lower part of the deck along a line parallel with the raised part.

[SIR Regs 1981 reg 2]