



Queensland

*Transport Infrastructure Act 1994*

# **Transport Infrastructure (Sunshine Coast Waterways) Management Plan 2000**

**Reprinted as in force on 1 December 2009**

**Reprint No. 2D**

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The reprint includes a reference to the law by which each amendment was made—see list of legislation and list of annotations in endnotes. Also see list of legislation for any uncommenced amendments.

This page is specific to this reprint. See previous reprints for information about earlier changes made under the Reprints Act 1992. A table of reprints is included in the endnotes.

**Also see endnotes for information about—**

- **when provisions commenced**
- **editorial changes made in earlier reprints.**

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Queensland

# Transport Infrastructure (Sunshine Coast Waterways) Management Plan 2000

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# Transport Infrastructure (Sunshine Coast Waterways) Management Plan 2000

[as amended by all amendments that commenced on or before 1 December 2009]

## Part 1 Preliminary

### 1 Short title

This waterway transport management plan (the *plan*) may be cited as the *Transport Infrastructure (Sunshine Coast Waterways) Management Plan 2000*.

### 2 Commencement

This plan commences on 1 January 2001.

### 3 Definitions

The dictionary in schedule 5 defines particular words used in this plan.

## Part 2 Application of plan

### 4 Waters to which plan applies

This plan applies to waters, other than waters within a national park that are below high water mark within the area described in schedule 1 (*Sunshine Coast waters*).

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## **5 Watercraft to which plan does not apply**

This plan applies to either of the following watercraft in Sunshine Coast waters only if the watercraft is being used for educational activities or research—

- (a) a watercraft owned by the State;
- (b) a watercraft being used for official duty by the State, the Commonwealth or a local government.

## **Part 3 Anchoring and mooring**

### **6 Part does not apply to certain watercraft**

This part does not apply to a watercraft—

- (a) being used to carry out construction, dredging or maintenance works, if the carrying out of the works at the particular location is approved under an Act; or
- (b) moored to an approved structure with the consent of the owner of the approved structure; or
- (c) moored to an authorised buoy mooring with the consent of the owner of the mooring.

### **7 Waters where anchoring or mooring prohibited or aground watercraft prohibited from being kept**

- (1) This section applies to Sunshine Coast waters within 30m of—
  - (a) an authorised buoy mooring; or
  - (b) an approved structure; or
  - (c) a watercraft moored to an authorised buoy mooring or approved structure.
- (2) The owner or operator of a watercraft must not cause or allow the watercraft—

- (a) to be anchored or moored in the waters; or
- (b) if it is aground at a place—to be kept at the place.

Maximum penalty—40 penalty units.

## **8 Currumundi Lake and adjoining waters**

- (1) This section applies to the waters of Currumundi Lake and adjoining waters.
- (2) The owner or operator of a watercraft must not cause or allow the watercraft—
  - (a) to be moored in the waters; or
  - (b) if it is aground at a place—to be kept at the place.

Maximum penalty—20 penalty units.

## **9 Pumicestone Strait**

- (1) This section applies to the waters of Pumicestone Strait (commonly known as Pumicestone Passage) north of Bells Creek.
- (2) The owner or operator of a watercraft that is over 5m must not cause or allow the watercraft—
  - (a) if it is unoccupied—to be anchored in the waters; or
  - (b) if it is aground at a place—to be kept at the place.

Maximum penalty—20 penalty units.

# **Part 4 Living on watercraft**

## **10 Living on watercraft prohibited in certain waters**

- (1) This section applies to Sunshine Coast waters described in schedule 2.

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- (2) The owner or operator of a watercraft must not live on the watercraft in the waters or allow another person to live on the watercraft in the waters, whether temporarily, intermittently or permanently, in the waters.

Maximum penalty—20 penalty units.

- (3) Subsection (2) does not apply to a watercraft that has entered Sunshine Coast waters from seaward while on a genuine voyage along the coast or an international voyage if—
- (a) entry was made for the purpose of—
    - (i) taking shelter from adverse weather; or
    - (ii) making urgent repairs; and
  - (b) the living on board is for no more than 10 consecutive days.

## **11 Living on watercraft prohibited in certain waters without approval**

- (1) This section applies to a watercraft that is being used in Sunshine Coast waters, other than waters described in schedule 2, for living on board, whether temporarily, intermittently or permanently.
- (2) However, this section does not apply if the watercraft is mentioned in section 10(3).
- (3) Also, this section does not apply if the watercraft is a commercial houseboat.
- (4) The owner or operator of the watercraft must not cause or allow the watercraft to remain in the waters for more than 48 hours, unless the living on board is authorised under a living on board approval.

Maximum penalty—20 penalty units.

## **12 Living on board approval**

- (1) The owner or operator of a watercraft to which section 11 applies may apply to the chief executive for an approval (a



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*living on board approval*) for the watercraft to remain in the waters to which section 11(1) applies for more than 48 hours while being used for living on board.

- (2) The procedure for obtaining the approval is in part 10.

### **13 Watercraft used for living on board to have waste holding system**

- (1) This section applies—
- (a) if a watercraft is being used for living on board, whether temporarily, intermittently or permanently; and
  - (b) whether or not the watercraft is occupied.
- (2) The owner and the operator of the watercraft must ensure that the watercraft has a waste holding system while the watercraft is in waters described in schedule 3.

Maximum penalty—20 penalty units.

- (3) The operator of the watercraft must ensure that none of the contents of the waste holding system is discharged into Sunshine Coast waters.

Maximum penalty—20 penalty units.

- (4) The operator of the watercraft must ensure that a fixed or mobile pump-out facility is used to empty the contents of the waste holding system while the watercraft is in Sunshine Coast waters.

Maximum penalty—20 penalty units.

- (5) The owner or operator of the watercraft must, for each discharge of the waste holding system while the watercraft is in Sunshine Coast waters, keep a written record of the date when, and the place where, the contents of the system were discharged and the quantity discharged.

Maximum penalty—20 penalty units.

- (6) Subsections (2), (4) and (5) do not apply if the watercraft is mentioned in section 10(3).

- (7) In this section—

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*waste holding system* means a waste holding tank connected to each source of sewerage or waste water on the watercraft.

## **Part 5 Aquatic events**

### **14 Aquatic events**

- (1) This section applies if a consent to hold an aquatic event under the *Transport Operations (Marine Safety) Regulation 2004*, section 218 states an area for the holding of the event.
- (2) An authorised person may direct the owner or operator of a watercraft that is not engaged in the event not to cause or allow the watercraft—
  - (a) to enter the area during the event; or
  - (b) to remain in the area during the event; or
  - (c) to anchor or moor in the area during the event.
- (3) The direction may only be given for an event that is for no more than 48 hours.
- (4) The owner or operator must comply with the direction, unless the owner or operator has a reasonable excuse.

Maximum penalty for subsection (4)—20 penalty units.

## **Part 6 Watercraft under construction etc.**

### **15 Watercraft under construction etc.**

- (1) A person must not cause or allow a watercraft to anchor or moor in or otherwise use Sunshine Coast waters if the watercraft—

- 
- (a) is under construction; or
  - (b) is undergoing reconstruction; or
  - (c) is being refitted; or
  - (d) is undergoing structural repairs.

Maximum penalty—20 penalty units.

- (2) Subsection (1) does not apply if the construction, reconstruction, repairs or refitting is done under a watercraft works approval.
- (3) This section does not apply to a construction, reconstruction, refit or repairs carried out at a commercial facility for the building or repair of watercraft.
- (4) Also, this section does not apply to a watercraft mentioned in section 10(3).

## 16 Watercraft works approval

- (1) A person may apply to the chief executive for an approval (a *watercraft works approval*) to construct, reconstruct, refit or do structural repairs to a watercraft in Sunshine Coast waters.
- (2) The procedure for obtaining the approval is in part 10.

## Part 7 Waterskiing

### 17 Restrictions on waterskiing

A person must not waterski in Sunshine Coast waters if the chief executive has stated, by gazette notice under the *Transport Operations (Marine Safety) Regulation 2004*, section 221(4) that conducting waterskiing in the waters endangers marine safety.

Maximum penalty—40 penalty units.

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## **Part 8 Freestyling, surfing and wave jumping**

### **18 No freestyling, surfing or wave jumping in certain areas**

A person must not use a watercraft to freestyle, surf or wave jump in Sunshine Coast waters if the freestyling, surfing or wave jumping is prohibited under schedule 4.

Maximum penalty—40 penalty units.

### **19 No freestyling, surfing or wave jumping near person or watercraft**

- (1) A person must not use a watercraft to freestyle, surf or wave jump in Sunshine Coast waters within 30m of another watercraft.

Maximum penalty—40 penalty units.

- (2) A person must not use a personal watercraft to freestyle, surf or wave jump in Sunshine Coast waters within 60m of a person in the water.

Maximum penalty—40 penalty units.

- (3) A person must not use a watercraft, other than a personal watercraft, to freestyle, surf or wave jump in Sunshine Coast waters within 30m of a person in the water.

Maximum penalty—40 penalty units.

## **Part 9 Aircraft**

### **20 No take off or landing without an approval**

- (1) This section applies only to an aircraft engaged in commercial operations.

- (2) The pilot of an aircraft must not take off from Sunshine Coast waters unless the take off is authorised under a take off and landing approval.

Maximum penalty—40 penalty units.

- (3) The pilot of an aircraft must not land on Sunshine Coast waters unless the landing is authorised under a take off and landing approval.

Maximum penalty—40 penalty units.

## **21 Take off and landing approval**

- (1) A person may apply to the chief executive for an approval (a *take off and landing approval*) for a particular aircraft to take off from a stated area, or land in a stated area, in Sunshine Coast waters.
- (2) The procedure for obtaining the approval is in part 10.

# **Part 10 Approvals**

## **22 Approvals**

- (1) The chief executive may issue the following—
- (a) a living on board approval;
  - (b) a watercraft works approval;
  - (c) a take off and landing approval.
- (2) An application for an approval must be—
- (a) in the approved form; and
  - (b) for a take off and landing approval, accompanied by the fee of \$77.05.

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## **23 Granting or refusing application for approval**

- (1) The chief executive must consider an application for an approval and either—
  - (a) grant the application, with or without conditions; or
  - (b) refuse to grant the application.
- (2) In deciding an application for a take off and landing approval, the chief executive must consider—
  - (a) whether the proposed area for take off or landing is appropriate; and
  - (b) the applicant's proposed safety procedures; and
  - (c) the interests of other waterway users; and
  - (d) aircraft noise.
- (3) If the chief executive decides to refuse to grant an application for an approval, the chief executive must give the applicant written notice of the refusal and the reasons for the refusal.
- (4) If the chief executive decides to grant an application for an approval on conditions, the chief executive must give the applicant written notice of the conditions.
- (5) If the approval is subject to conditions, the holder of the approval must comply with the conditions, unless the holder has a reasonable excuse.

Maximum penalty—40 penalty units.

- (6) A notice under subsection (3) or (4) must also state the prescribed review information for the decision.
- (7) An approval is for the term stated in the approval.

## **24 Amending, suspending or cancelling approval**

The chief executive may amend, suspend or cancel a person's approval on any of the following grounds—

- (a) the approval was obtained because of false or misleading information;

- 
- (b) the person has failed to comply with a condition of the approval;
  - (c) it is necessary for public safety.

## **25 Procedure for amending, suspending or cancelling approval**

- (1) This section applies if the chief executive considers there is a ground to amend, suspend or cancel an approval (the *proposed action*).
- (2) Before taking the proposed action, the chief executive must give the approval holder a written notice stating—
  - (a) the proposed action; and
  - (b) the grounds for the proposed action; and
  - (c) an outline of the facts and circumstances that are the basis of the grounds; and
  - (d) if the proposed action is suspension of the approval, the proposed suspension period; and
  - (e) that the approval holder may show, within a stated reasonable time (of at least 14 days after the notice is given)—why the proposed action should not be taken.
- (3) If, after considering all representations made within the stated time, the chief executive still considers there is a ground to take the proposed action, the chief executive may—
  - (a) if the proposed action was to amend the approval—amend the approval; or
  - (b) if the proposed action was to suspend the approval—suspend the approval for no longer than the period stated in the notice; or
  - (c) if the proposed action was to cancel the approval—amend the approval, suspend it for a period or cancel it.
- (4) The chief executive must inform the approval holder of the decision by written notice.

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- (5) If the chief executive decides to amend, suspend or cancel the approval, the notice must state—
  - (a) the reasons for the decision; and
  - (b) the prescribed review information for the decision.
- (6) The decision takes effect on the day the notice is given to the approval holder, or if a later day of effect is stated in the notice, the later day.

## **26 Procedure for urgent suspension of approval of take off and landing approval**

- (1) Despite section 25, if the chief executive considers it is necessary for public safety, the chief executive may, by written notice to a holder of a take off and landing approval, immediately suspend the approval until the earlier of the following—
  - (a) the chief executive informs the holder of the chief executive's decision given after complying with section 25;
  - (b) the end of 56 days after the notice is given to the holder.
- (2) The notice must state—
  - (a) the reasons for the decision; and
  - (b) the prescribed review information for the decision.

## **27 Act, ss 485 and 485A apply for reviews**

- (1) Sections 485 and 485A of the Act apply to a decision mentioned in subsection (2) as if—
  - (a) the decision were mentioned in schedule 3 of the Act; and
  - (b) QCAT were stated opposite the decision in that schedule.
- (2) For subsection (1) the decisions are as follows—
  - (a) a decision to grant an approval on conditions;



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- (b) a decision to refuse an application for an approval;
- (c) a decision to amend, suspend or cancel an approval.

## **Schedule 1      Sunshine Coast waters**

### section 4

- 1 The Maroochy River, Mooloolah River, Noosa River, Currumundi Lake and adjoining waters.
- 2 Pumicestone Strait (commonly known as Pumicestone Passage), and adjoining waters, north of a line from latitude 27°06' south on the mainland shore to South Point on Bribie Island.
- 3 Waters on the mainland flowing into the sea between the mouth of the Noosa River and latitude 27°06' south.
- 4 Waters adjoining waters mentioned in item 2 or 3.

## **Schedule 2      Waters where living on watercraft is prohibited**

section 10(1) and 11(1)

- 1 Currumundi Lake and adjoining waters.
- 2 Maroochy River and adjoining waters.
- 3 Mooloolah River and adjoining waters, other than commercial marinas and waters of the State owned boat harbour at Mooloolaba.
- 4 Noosa River, and adjoining waters, downstream of a line running 333° True from Munna Point.
- 5 Lake Doonella and the waters of Noosa River Canal Estate.
- 6 Tooway Creek.

## **Schedule 3      Waters where waste holding system is required**

section 13(2)

- 1 Pumicestone Strait (commonly known as Pumicestone Passage) and adjoining waters.
- 2 Noosa River upstream of a line running 333° True from Munna Point and adjoining waters.

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## **Schedule 4      Prohibited freestyling, surfing and wave jumping of watercraft**

section 18

### **1      Maroochy River**

- (1) Freestyling, surfing and wave jumping are prohibited within 50m of the southern shore of the Maroochy River downstream of the Sunshine Motorway Bridge.
- (2) Freestyling, surfing and wave jumping are prohibited within 50m of the northern shore of the Maroochy River downstream of where Nojoor Road would intersect with the Maroochy River if it were to extend to the river.

### **2      Noosa River**

- (1) Freestyling, surfing and wave jumping are prohibited on the Noosa River between the downstream tip of Sheep Island and the boat ramp at the end of Thomas Street, Noosaville.
- (2) Freestyling, surfing and wave jumping are prohibited on Noosa Sound, Noosa Woods, Weyba Creek and Keyser Channel.
- (3) Freestyling, surfing and wave jumping are prohibited within 50m of the northern or southern shore of the Noosa River downstream of the boat ramp at the end of Thomas Street, Noosaville, other than on Noosa Sound or Noosa Woods.
- (4) However, subsections (1) and (3) do not apply to the commercial operation of a personal watercraft by a person who was operating personal watercraft commercially in the area covered by subsection (3) before the commencement of this plan.

### **3      Pumicestone Strait**

Freestyling, surfing and wave jumping are prohibited on

Schedule 4

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Pumicestone Strait (commonly known as Pumicestone Passage)—

- between Bells Creek and a line running 200° True to Bribie Island from where Knox Avenue, Caloundra would meet the shore of Pumicestone Strait if Knox Avenue were to continue to the shore
- within 100m of the mainland shore, between Glass House Mountains Creek and Bribie Island Bridge
- within 100m of the shore of Bribie Island south of Wrights Creek on Bribie Island.

#### **4 Tooway Creek**

Freestyling, surfing and wave jumping are prohibited on Tooway Creek.

#### **5 If waterskiing is prohibited**

- (1) Freestyling, surfing and wave jumping are prohibited in Sunshine Coast waters if the chief executive has stated, by gazette notice under the *Transport Operations (Marine Safety) Regulation 2004*, section 221(4) that conducting waterskiing in the waters endangers marine safety.
- (2) However, freestyling, surfing and wave jumping are not prohibited in the following waters, if the waters are not mentioned in sections 1 to 3—
  - upstream of the David Low Bridge at Bli Bli on the Maroochy River
  - downstream of the Sunshine Motorway bridge on the Maroochy River
  - downstream of the boat ramp at the end of Thomas Street, Noosaville
  - upstream of where the Mooloolah river joins Mountain Creek.

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## Schedule 5 Dictionary

### section 3

**adjoining** waters include waters connected to each other by other waters.

**anchoring** does not include genuine transient anchoring.

*Examples of genuine transient anchoring—*

- 1 anchoring to fish from a watercraft
- 2 anchoring for 15 minutes to buy bait or unload gear

**approval** means—

- (a) a living on board approval; or
- (b) a watercraft works approval; or
- (c) a take off and landing approval.

**approved structure** means—

- (a) a structure constructed with the sanction of the Governor in Council under the repealed *Harbours Act 1955*, section 86; or
- (b) a navigation aid or sign installed under the *Transport Operations (Marine Safety) Act 1994*.

**authorised buoy mooring** means a buoy mooring established under an approval under the *Transport Operations (Marine Safety) Regulation 2004*, section 209.

**freestyle**, using a watercraft, means drive the watercraft in a way that its course or speed is insufficiently predictable to allow masters of other watercraft to readily decide what course and speed to take to avoid a collision with the watercraft.

**living on board approval** see section 12.

**national park** means an area dedicated under the *Nature Conservation Act 1992* as a national park.

***prescribed review information***, for a decision, means information that a person to whom a notice about the decision is given under section 23(3) or (4), 25(4) or 26(1) may—

- (a) under section 485 of the Act, as applied under section 27—ask for the decision to be reviewed by the chief executive; and
- (b) under the *Transport Planning and Coordination Act 1994*, part 5, division 2—apply to QCAT for the decision to be stayed; and
- (c) under section 485A of the Act, as applied under section 27—ask for the chief executive’s decision on the review (the ***reviewed decision***) to be reviewed by QCAT; and
- (d) under the QCAT Act—apply for the reviewed decision to be stayed.

***shore*** means the shore at low water mark.

***Sunshine Coast waters*** see section 4.

***surf***, using a watercraft, means drive the watercraft down a breaking wave, wake or swell.

***take off and landing approval*** see section 21.

***watercraft works approval*** see section 16.

***waterski*** means tow a person by a line attached to a watercraft, including, for example, a person riding on a toboggan or tube.

***wave jump***, using a watercraft, means drive the watercraft over a breaking wave, wake or swell for the purpose of making the watercraft airborne, other than in the ordinary course of navigation.



## Endnotes

### 1 Index to endnotes

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### 2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 1 December 2009. Future amendments of the Transport Infrastructure (Sunshine Coast Waterways) Management Plan 2000 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

### 3 Key

Key to abbreviations in list of legislation and annotations

Key	Explanation	Key	Explanation
AIA	= Acts Interpretation Act 1954	(prev)	= previously
amd	= amended	proc	= proclamation
amdt	= amendment	prov	= provision
ch	= chapter	pt	= part
def	= definition	pubd	= published
div	= division	R[X]	= Reprint No. [X]
exp	= expires/expired	RA	= Reprints Act 1992
gaz	= gazette	reloc	= relocated
hdg	= heading	renum	= renumbered
ins	= inserted	rep	= repealed
lap	= lapsed	(retro)	= retrospectively
notfd	= notified	rv	= revised edition
num	= numbered	s	= section
o in c	= order in council	sch	= schedule
om	= omitted	sdiv	= subdivision
orig	= original	SIA	= Statutory Instruments Act 1992
p	= page	SIR	= Statutory Instruments Regulation 2002
para	= paragraph	SL	= subordinate legislation
prec	= preceding	sub	= substituted
pres	= present	unnum	= unnumbered
prev	= previous		

### 4 Table of reprints

Reprints are issued for both future and past effective dates. For the most up-to-date table of reprints, see the reprint with the latest effective date.

If a reprint number includes a letter of the alphabet, the reprint was released in unauthorised, electronic form only.

Reprint No.	Amendments to	Effective	Reprint date
1	none	1 January 2001	19 January 2001

  

Reprint No.	Amendments included	Effective	Notes
1A	2002 SL No. 112	1 July 2002	
1B	2003 SL No. 106	1 July 2003	
1C	2004 SL No. 54	1 July 2004	
1D	2005 SL No. 91	1 July 2005	
1E	2006 Act No. 21	17 May 2006	
1F	2006 SL No. 90	1 July 2006	
1G	2007 SL No. 83	1 July 2007	R1G withdrawn, see R2
2	—	1 July 2007	
2A	2008 SL No. 131	1 July 2008	
2B	2009 SL No. 64	1 July 2009	

Reprint No.	Amendments included	Effective	Notes
2C	2009 Act No. 47	19 November 2009	
2D	2009 Act No. 24	1 December 2009	

## 5 List of legislation

### **Transport Infrastructure (Sunshine Coast Waterways) Management Plan 2000 SL No. 342**

made by the Minister on 4 December 2000  
 notfd gaz 15 December 2000 pp 1478–83  
 ss 1–2 commenced on date of notification  
 remaining provisions commenced 1 January 2001 (see s 2)  
exp 1 September 2011 (see SIA s 54)

Note—The expiry date may have changed since this reprint was published. See the latest reprint of the SIR for any change.

amending legislation—

### **Transport Legislation Amendment Regulation (No. 2) 2002 SL No. 112 pts 1, 7**

notfd gaz 24 May 2002 pp 308–10  
 ss 1–2 commenced on date of notification  
 remaining provisions commenced 1 July 2002 (see s 2)

### **Transport Legislation Amendment Regulation (No. 2) 2003 SL No. 106 pts 1, 7**

notfd gaz 30 May 2003 pp 371–6  
 ss 1–2 commenced on date of notification  
 remaining provisions commenced 1 July 2003 (see s 2)

### **Transport Legislation Amendment Regulation (No. 1) 2004 SL No. 54 pts 1, 7**

notfd gaz 14 May 2004 pp 112–14  
 ss 1–2 commenced on date of notification  
 remaining provisions commenced 1 July 2004 (see s 2)

### **Transport Legislation Amendment Regulation (No. 1) 2005 SL No. 91 pts 1, 7**

notfd gaz 20 May 2005 pp 224–6  
 ss 1–2 commenced on date of notification  
 remaining provisions commenced 1 July 2005 (see s 2)

### **Maritime and Other Legislation Amendment Act 2006 No. 21 ss 1, 150(2) sch 2**

date of assent 17 May 2006  
 commenced on date of assent

### **Transport Legislation and Another Regulation Amendment Regulation (No. 1) 2006 SL No. 90 ss 1, 2(1), pt 8**

notfd gaz 19 May 2006 pp 252–4  
 ss 1–2 commenced on date of notification  
 remaining provisions commenced 1 July 2006 (see s 2(1))

Endnotes

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**Transport Legislation (Fees) Amendment Regulation (No. 1) 2007 SL No. 83 pts 1, 7**  
notfd gaz 18 May 2007 pp 345–8

ss 1–2 commenced on date of notification  
remaining provisions commenced 1 July 2007 (see s 2)

**Transport Legislation (Fees) Amendment Regulation (No. 1) 2008 SL No. 131 pts 1, 7**  
notfd gaz 23 May 2008 pp 543–5

ss 1–2 commenced on date of notification  
remaining provisions commenced 1 July 2008 (see s 2)

**Transport Legislation (Fees) Amendment Regulation (No. 1) 2009 SL No. 64 pts 1, 7**  
notfd gaz 22 May 2009 pp 331–3

ss 1–2 commenced on date of notification  
remaining provisions commenced 1 July 2009 (see s 2)

**Queensland Civil and Administrative Tribunal (Jurisdiction Provisions) Amendment Act 2009 No. 24 ss 1–2, ch 13 pt 8**

date of assent 26 June 2009  
ss 1–2 commenced on date of assent  
remaining provisions commenced 1 December 2009 (2009 SL No. 252)

**Transport and Other Legislation Amendment Act 2009 No. 47 ss 1, 40 sch**

date of assent 19 November 2009  
commenced on date of assent

## 6 List of annotations

### Aquatic events

s 14 amd 2006 Act No. 21 s 150(2) sch 2

### Restrictions on waterskiing

s 17 amd 2006 Act No. 21 s 150(2) sch 2

### Approvals

s 22 amd 2002 SL No. 112 s 14; 2003 SL No. 106 s 14; 2004 SL No. 54 s 14; 2005 SL No. 91 s 14; 2006 SL No. 90 s 16; 2007 SL No. 83 s 14; 2008 SL No. 131 s 14; 2009 SL No. 64 s 14

### Granting or refusing application for approval

s 23 amd 2009 Act No. 24 s 1742

### Procedure for amending, suspending or cancelling approval

s 25 amd 2009 Act No. 24 s 1743

### Procedure for urgent suspension of approval of take off and landing approval

s 26 amd 2009 Act No. 24 s 1744

### Act, ss 485 and 485A apply for reviews

s 27 sub 2009 Act No. 24 s 1745

## PART 11—APPOINTMENT OF AUTHORISED PERSONS

pt 11 (ss 28–30) om 2009 Act No. 47 s 40 sch

**PART 12—POWERS OF AUTHORISED PERSONS**

**pt hdg** om 2009 Act No. 47 s 40 sch

**Division 1—Entry to place or watercraft**

**div 1 (s 31)** om 2009 Act No. 47 s 40 sch

**Division 2—Procedure for entry**

**div 2 (ss 32–35)** om 2009 Act No. 47 s 40 sch

**Division 3—Powers after entry**

**div 3 (s 36)** om 2009 Act No. 47 s 40 sch

**Division 4—Removal of watercraft**

**div hdg** om 2009 Act No. 47 s 40 sch

**Notice of intention to remove watercraft**

**s 37** om 2009 Act No. 47 s 40 sch

**Removing illegally anchored or moored watercraft**

**s 38** om 2009 Act No. 47 s 40 sch

**Removing hazardous watercraft**

**s 39** amd 2006 Act No. 21 s 150(2) sch 2  
om 2009 Act No. 47 s 40 sch

**Dealing with removed watercraft**

**s 40** om 2009 Act No. 47 s 40 sch

**Division 5—General enforcement matters**

**div 5 (ss 41–48)** om 2009 Act No. 47 s 40 sch

**SCHEDULE 4—PROHIBITED FREESTYLING, SURFING AND WAVE  
JUMPING OF WATERCRAFT**

**If waterskiing is prohibited**

**s 5** amd 2006 Act No. 21 s 150(2) sch 2

**SCHEDULE 5—DICTIONARY**

def “**authorised buoy mooring**” sub 2006 Act No. 21 s 150(2) sch 2

def “**film**” om 2009 Act No. 47 s 40 sch

def “**photograph**” om 2009 Act No. 47 s 40 sch

def “**prescribed review information**” ins 2009 Act No. 24 s 1746