



Transport Infrastructure Act 1994

Transport Infrastructure (Ports) Regulation 2005

Reprinted as in force on 2 December 2010

Reprint No. 2B

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Also see endnotes for information about—

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

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Queensland

Transport Infrastructure (Ports) Regulation 2005

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Transport Infrastructure (Ports) Regulation 2005

[as amended by all amendments that commenced on or before 2 December 2010]

1 Short title

This regulation may be cited as the *Transport Infrastructure (Ports) Regulation 2005*.

2 Commencement

This regulation commences on 29 August 2005.

3 Definitions

The dictionary in schedule 3 defines particular words used in this regulation.

3A Transfer of management of a port—Act, s 271(1)

- (1) The management of the port of Bundaberg is transferred from Port of Brisbane Corporation Limited to Gladstone Ports Corporation Limited on the transfer day.

Note—

The management of the port of Bundaberg had previously been transferred from the Bundaberg Port Authority to the Port of Brisbane Corporation Limited by the *Transport Infrastructure (Ports) Amendment Regulation (No. 1) 2007*, section 4.

- (2) The management of the port of Lucinda is transferred from Ports Corporation of Queensland Limited to Port of Townsville Limited on the transfer day.
- (3) The management of the port of Mackay is transferred from Mackay Ports Limited to North Queensland Bulk Ports Corporation Limited on the transfer day.

Note—

Under the *Government Owned Corporations Amendment Regulation (No. 1) 2008*, section 5, the name of Mackay Port Authority changed to Mackay Ports. Mackay Ports was subsequently incorporated under the *Corporations Act 2001* (Cwlth) as Mackay Ports Limited.

- (4) The management of the following ports is transferred from Ports Corporation of Queensland Limited to North Queensland Bulk Ports Corporation Limited on the transfer day—
 - (a) port of Abbot Point;
 - (b) port of Hay Point;
 - (c) port of Maryborough;
 - (d) port of Weipa.
- (5) The management of the following ports is transferred from Ports Corporation of Queensland Limited to Cairns Ports Limited on the transfer day—
 - (a) port of Burketown;
 - (b) port of Cape Flattery;
 - (c) port of Cooktown;
 - (d) port of Karumba;
 - (e) port of Mourilyan;
 - (f) port of Port Kennedy;
 - (g) port of Quintell Beach;
 - (h) port of Skardon River.

Note—

Cairns Ports Limited ACN 131 836 014 changed its name to Far North Queensland Ports Corporation Limited on 2 July 2009.

4 Port limits—Act, s 274

Schedule 1 sets out the limits of the ports named in the schedule.

Editor's note—

Maps of the port limits may be inspected on the department's website on the internet <www.msq.qld.gov.au/Home/Waterways/Port-limits.aspx> or at the office of the port authority for a port.

4AA Declaration of an entity as a port authority—Act, s 274A(a)

North Queensland Bulk Ports Corporation Limited is declared a port authority on the commencement of this section.

4A Revocation of declaration of an entity as a port authority—Act, s 274A(c)

- (1) The declaration of Bundaberg Port Authority as a port authority is revoked on the transfer day.
- (2) The declaration of Mackay Ports Limited as a port authority is revoked on the transfer day.
- (3) The declaration of Ports Corporation of Queensland Limited as a port authority is revoked on the transfer day.

5 Port management

- (1) Schedule 2 lists existing ports and the port authority that manages each port.
- (2) Schedule 2 is included for information purposes only.

6 Protection from liability—Act, s 290(2)

An employee of a port authority or a person acting for the port authority, other than a director of its board, is not civilly liable for an act or omission done honestly and without negligence for the port authority.

7 Repeal

The following regulations are repealed—

- Transport Infrastructure (Airport Management) Regulation 1994 SL No. 254

[s 7]

- Transport Infrastructure (Ports) Regulation 1994 SL No. 252.

Schedule 1 Port limits

section 4

Port of Abbot Point

The Port of Abbot Point consists of the area covered by waters, including tidal waters, of the sea or waters connecting with the sea within the following boundary—

- from the high-water mark at longitude 147° 59.06' east on the mainland
- to latitude 19° 47.91' south, longitude 147° 59.06' east
- to latitude 19° 47.91' south, longitude 148° 08.06' east
- to the high-water mark at the northern extremity of Gloucester Head on Gloucester Island
- along the high-water mark of Gloucester Island, in a westerly then southerly direction, to the southern extremity of Gloucester Island
- to the high-water mark at the northern extremity of Cape Gloucester on the mainland
- along the high-water mark, initially in a southerly direction, to the intersection with the northern edge of the wharf at Bowen
- to the port entrance beacon to Bowen Boat Harbour
- to the high-water mark at the southern extremity of Dalrymple Point
- along the high-water mark, initially in a northerly direction, to longitude 147° 59.06' east on the mainland;

and includes the area covered by waters of navigable rivers and creeks flowing directly or indirectly into waters within the boundary.

Port of Brisbane

1 The Port of Brisbane consists of the area covered by waters, including tidal waters, of the sea or waters connecting with the sea within the following boundary—

- from the high-water mark at the northern extremity of Point Cartwright at approximately latitude $26^{\circ} 40.765'$ south, longitude $153^{\circ} 08.341'$ east
- then generally north-easterly to latitude $26^{\circ} 38.327'$ south, longitude $153^{\circ} 15.830'$ east
- then south to latitude $26^{\circ} 49.000'$ south, longitude $153^{\circ} 15.830'$ east
- then generally south-westerly to latitude $26^{\circ} 50.383'$ south, longitude $153^{\circ} 11.261'$ east
- then generally south-easterly to latitude $27^{\circ} 07.221'$ south, longitude $153^{\circ} 21.670'$ east
- then generally southerly to latitude $27^{\circ} 14.557'$ south, longitude $153^{\circ} 21.160'$ east
- then generally south-easterly to latitude $27^{\circ} 15.547'$ south, longitude $153^{\circ} 22.642'$ east
- then generally south-south-westerly to latitude $27^{\circ} 20.486'$ south, longitude $153^{\circ} 20.816'$ east
- then generally west-south-westerly to the mangroves on the eastern side of Fisherman Islands at latitude $27^{\circ} 22.826'$ south, longitude $153^{\circ} 10.977'$ east
- then generally south-westerly passing through mangrove islands to the east of Fisherman Islands to latitude $27^{\circ} 23.980'$ south, longitude $153^{\circ} 10.171'$ east
- then generally easterly to latitude $27^{\circ} 23.914'$ south, longitude $153^{\circ} 10.568'$ east
- then generally south-easterly to latitude $27^{\circ} 25.012'$ south, longitude $153^{\circ} 11.442'$ east

-
- then generally southerly to latitude $27^{\circ} 25.172'$ south, longitude $153^{\circ} 11.488'$ east
 - then generally west-south-westerly to the high-water mark at approximately latitude $27^{\circ} 25.543'$ south, longitude $153^{\circ} 10.069'$ east on the mainland near Lytton
 - then generally northerly and then westerly along the high-water mark of the southern bank of the Brisbane River to the north-western extremity of Bulimba Point at approximately latitude $27^{\circ} 26.615'$ south, longitude $153^{\circ} 03.064'$ east
 - then generally north-westerly across the Brisbane River to the high-water mark of the Brisbane River at the eastern extremity of Newstead Park at approximately latitude $27^{\circ} 26.539'$ south, longitude $153^{\circ} 02.855'$ east
 - then generally easterly along the high-water mark of the northern bank of the Brisbane River to approximately latitude $27^{\circ} 23.675'$ south, longitude $153^{\circ} 08.848'$ east on the south bank of Boggy Creek
 - then generally north-westerly across Boggy Creek to the high-water mark on the north bank of Boggy Creek at approximately latitude $27^{\circ} 23.497'$ south, longitude $153^{\circ} 08.571'$ east
 - then generally north-easterly along the high-water mark to approximately latitude $27^{\circ} 22.681'$ south, longitude $153^{\circ} 09.611'$ east at the eastern extremity of Luggage Point
 - then generally north-easterly to latitude $27^{\circ} 22.484'$ south, longitude $153^{\circ} 09.765'$ east
 - then generally northerly to latitude $27^{\circ} 11.659'$ south, longitude $153^{\circ} 10.808'$ east
 - then generally east-north-easterly to latitude $27^{\circ} 09.690'$ south, longitude $153^{\circ} 18.706'$ east

Schedule 1

- then generally north-north-westerly to latitude $26^{\circ} 51.833'$ south, longitude $153^{\circ} 08.631'$ east
- then generally northerly to latitude $26^{\circ} 49.485'$ south, longitude $153^{\circ} 08.227'$ east
- then generally north-easterly to latitude $26^{\circ} 48.232'$ south, longitude $153^{\circ} 09.849'$ east off Caloundra Head
- then generally northerly to latitude $26^{\circ} 44.957'$ south, longitude $153^{\circ} 09.844'$ east
- then generally westerly to the high-water mark on the mainland at approximately latitude $26^{\circ} 44.816'$ south, longitude $153^{\circ} 08.173'$ east
- then generally northerly along the high-water mark on the mainland to the northern extremity of Point Cartwright at approximately latitude $26^{\circ} 40.765'$ south, longitude $153^{\circ} 08.341'$ east;

and excludes the area covered by waters of navigable rivers and creeks flowing directly or indirectly into waters within the boundary.

- 2 However, at the mouth of a waterway the bank of which at the high-water mark forms part of that boundary, the boundary runs in a direct line between the heads at the mouth.

Port of Bundaberg

The Port of Bundaberg consists of the area covered by waters, including tidal waters, of the sea or waters connecting with the sea within the following boundary—

- from the high-water mark at latitude $24^{\circ} 45.6'$ south, approximately longitude $152^{\circ} 24.8'$ east on the eastern side of South Head
- to latitude $24^{\circ} 45.6'$ south, longitude $152^{\circ} 30'$ east
- to latitude $24^{\circ} 40'$ south, longitude $152^{\circ} 30'$ east
- to latitude $24^{\circ} 40'$ south, longitude $152^{\circ} 22'$ east

-
- to the high-water mark on the mainland at latitude $24^{\circ} 44.42'$ south (approximately), longitude $152^{\circ} 22'$ east, directly crossing over all islands and any other land
 - along the high-water mark on the mainland, initially in an easterly direction, to the downstream side of the barrage crossing the Burnett River
 - along the high-water mark of the downstream side of the barrage to the high-water mark on the opposite bank of the Burnett River
 - along the high-water mark of the bank of the Burnett River to latitude $24^{\circ} 45.6'$ south, approximately longitude $152^{\circ} 24.8'$ east on the eastern side of South Head;

and includes the area covered by waters of navigable rivers and creeks flowing directly or indirectly into waters within the boundary.

Port of Burketown

The Port of Burketown consists of the area covered by waters, including tidal waters, of the sea or waters connecting with the sea within the following boundary—

- from the high-water mark at latitude $17^{\circ} 33.81'$ south, longitude $139^{\circ} 44.97'$ east in the vicinity of Stokes Point
- to latitude $17^{\circ} 26.83'$ south, longitude $139^{\circ} 48.31'$ east
- to latitude $17^{\circ} 27.38'$ south, longitude $139^{\circ} 49.33'$ east
- to the high-water mark at latitude $17^{\circ} 34.55'$ south, longitude $139^{\circ} 45.89'$ east in the vicinity of Kangaroo Point
- along the high-water mark of the east bank of the Albert River to the head of navigation
- to the high-water mark on the west bank of the Albert River at the head of navigation

- along the high-water mark on the west bank of the Albert River to latitude $17^{\circ} 33.81'$ south, longitude $139^{\circ} 44.97'$ east in the vicinity of Stokes Point;

but does not include the area covered by waters of rivers and creeks within the boundary, other than the Albert River, that are upstream from the mouths of the rivers or creeks.

Port of Cairns

The Port of Cairns consists of the area covered by waters, including tidal waters, of the sea or waters connecting with the sea within the following boundary—

- from the high-water mark at the northern extremity of Taylor Point
- to the low-water mark at the northern extremity of the coral reef surrounding Green Island (approximate latitude $16^{\circ} 45.62'$ south, longitude $145^{\circ} 58.00'$ east)
- along the low-water mark of the coral reef, initially in an easterly direction, to the eastern extremity of the coral reef surrounding Green Island (approximate latitude $16^{\circ} 45.89'$ south, longitude $145^{\circ} 59.91'$ east)
- to the high-water mark on the northern shore of Fitzroy Island (latitude $16^{\circ} 55.33'$ south, longitude $145^{\circ} 59.91'$ east)
- along the high-water mark of Fitzroy Island, initially in a south-westerly direction, to latitude $16^{\circ} 56.32'$ south, longitude $145^{\circ} 59.91'$ east on the southern shore
- to latitude $17^{\circ} 00.45'$ south, longitude $145^{\circ} 59.91'$ east
- to the high-water mark at the eastern extremity of the northern bank of Buddabadoo Creek on the mainland
- along the high-water mark, initially in a northerly direction, to the northern extremity of Taylor Point;

and includes the area covered by waters of navigable rivers and creeks flowing directly or indirectly into waters within the boundary.

Port of Cape Flattery

The Port of Cape Flattery consists of the area covered by waters, including tidal waters, of the sea or waters connecting with the sea within the following boundary—

- from the high-water mark at the north-eastern extremity of Lookout Point
- to latitude 14° 49.91' south, longitude 145° 15.87' east
- to latitude 14° 55.11' south, longitude 145° 22.17' east
- to latitude 14° 59.91' south, longitude 145° 23.07' east
- to the high-water mark on the mainland at latitude 14° 59.91' south
- along the high-water mark, initially in a northerly direction, to the north-eastern extremity of Lookout Point;

and includes the area covered by waters of navigable rivers and creeks flowing directly or indirectly into waters within the boundary.

Port of Cooktown

The Port of Cooktown consists of the area covered by waters, including tidal waters, of the sea or waters connecting with the sea within the following boundary—

- from the high-water mark at the eastern extremity of Monkhouse Point
- to a point on the mainland bearing 348° magnetic from the eastern extremity of Monkhouse Point
- along the high-water mark, initially in a southerly direction, to the eastern extremity of Monkhouse Point;

and includes the area covered by waters of navigable rivers and creeks flowing directly or indirectly into waters within the boundary.

Port of Gladstone

The Port of Gladstone consists of the area covered by waters, including tidal waters, of the sea or waters connecting with the sea within the following boundary—

- from the high-water mark at the most eastern extremity of Connor Bluff on Curtis Island
- to latitude 23° 53.80' south, longitude 151° 32.60' east
- to latitude 23° 57.12' south, longitude 151° 32.60' east
- to the high-water mark at the most northern extremity of Tiber Point on Hummock Hill Island
- then due west across Colosseum Inlet to the high-water mark of Wild Cattle Island
- along the high-water mark of Wild Cattle Island, in a north-westerly direction, to the northern extremity of Wild Cattle Island
- then due west to the high-water mark on the mainland
- along the high-water mark, initially in a northerly direction, to the north bank of Munduran Creek at its junction with The Narrows
- to the high-water mark on the north bank of Monte Christo Creek on Curtis Island at its junction with The Narrows
- along the high-water mark, initially in a south-easterly direction, to the most eastern extremity of Connor Bluff on Curtis Island;

and includes the area covered by waters of navigable rivers and creeks flowing directly or indirectly into waters within the boundary.

Port of Hay Point

The Port of Hay Point consists of the area covered by waters, including tidal waters, of the sea or waters connecting with the sea within the following boundary—

-
- starting at the high-water mark at the southern extremity of the north head of Bakers Creek entrance
 - then generally north-easterly along the geodesic to latitude 21°10.76' south, longitude 149° 17.73' east
 - then generally north-easterly along the geodesic to latitude 21°09.91' south, longitude 149° 20.06' east
 - then east along the parallel to latitude 21°09.91' south, longitude 149°30.06' east
 - then south along the meridian to latitude 21°17.91' south, longitude 149°30.06' east
 - then west along the parallel to the intersection of the high-water mark on the mainland with latitude 21°17.91' south
 - then generally northerly along the high-water mark on the mainland to the starting point;

and includes the area covered by waters of navigable rivers and creeks flowing directly or indirectly into waters within the boundary.

Port of Karumba

The Port of Karumba consists of the area covered by waters, including tidal waters, of the sea or waters connecting with the sea within the following boundary—

- from the high-water mark at the northern extremity of the west bank of the mouth of the Norman River
- along the high-water mark, initially in a south-westerly direction, to latitude 17° 30.0' south
- to latitude 17° 24.0' south, longitude 140° 41.0' east
- to latitude 17° 20.2' south, longitude 140° 47.9' east
- to the high-water mark on the mainland at latitude 17° 25.5' south

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- along the high-water mark, initially in a south-westerly direction, to longitude $140^{\circ} 52.0'$ east on the north bank of the Norman River
- to the high-water mark on the south bank of the Norman River at longitude $140^{\circ} 52.0'$ east
- along the high-water mark, initially in a north-westerly direction, to the northern extremity of the west bank of the mouth of the Norman River;

but does not include the waters of rivers and creeks within the boundary, other than the Norman River, that are upstream from the mouths of the rivers or creeks.

Port of Lucinda

The Port of Lucinda consists of the area covered by waters, including tidal waters, of the sea or waters connecting with the sea within the following boundary—

- from the high-water mark at latitude $18^{\circ} 28.71'$ south on the eastern side of Hinchinbrook Island
- to latitude $18^{\circ} 28.71'$ south, longitude $146^{\circ} 25.97'$ east
- to latitude $18^{\circ} 34.71'$ south, longitude $146^{\circ} 25.97'$ east
- to the high-water mark on the mainland at latitude $18^{\circ} 34.71'$ south
- along the high-water mark, initially in a northerly direction, to the northern extremity of the east bank of the mouth of Post Office Creek
- to the high-water mark on the eastern side of Hinchinbrook Island at longitude $146^{\circ} 19.52'$ east
- along the high-water mark of Hinchinbrook Island, initially in an easterly direction, to latitude $18^{\circ} 28.71'$ south on the eastern side of Hinchinbrook Island;

and includes the area covered by waters of navigable rivers and creeks flowing directly or indirectly into waters within the boundary.

Port of Mackay

The Port of Mackay consists of the area covered by waters, including tidal waters, of the sea or waters connecting with the sea within the following boundary—

- starting at the high-water mark at the northern extremity of Slade Point
- then generally easterly along the geodesic to latitude $21^{\circ}03.81'$ south, longitude $149^{\circ}22.06'$ east
- then south along the meridian to latitude $21^{\circ}09.91'$ south, longitude $149^{\circ}22.06'$ east
- then west along the parallel to latitude $21^{\circ}09.91'$ south, longitude $149^{\circ}20.06'$ east
- then generally south-westerly along the geodesic to latitude $21^{\circ}10.76'$ south, longitude $149^{\circ}17.73'$ east
- then generally north-westerly along the geodesic to the intersection of the high-water mark on the mainland with the parallel of latitude $21^{\circ}07.14'$ south
- then generally northerly along the high-water mark on the mainland to the starting point;

and includes the area covered by waters of navigable rivers and creeks flowing directly or indirectly into waters within the boundary.

Port of Maryborough

The Port of Maryborough consists of the area covered by waters, including tidal waters, of the sea or waters connecting with the sea within the following boundary—

- from the high-water mark at latitude $25^{\circ} 06.91'$ south on the mainland
- to the high-water mark at latitude $25^{\circ} 06.91'$ south on Fraser Island
- along the high-water mark of Fraser Island, initially in a southerly direction, to the eastern extremity of Hook Point on Fraser Island

- to the high-water mark at the eastern extremity of Inskip Point on the mainland
- along the high-water mark, initially in a north-westerly direction, to latitude 25° 06.91' south on the mainland;

and includes the area covered by waters of navigable rivers and creeks flowing directly or indirectly into waters within the boundary.

Port of Mourilyan

The Port of Mourilyan consists of the area covered by waters, including tidal waters, of the sea or waters connecting with the sea within the following boundary—

- from the intersection of the high-water mark and latitude 17° 39.009' south in the vicinity of the eastern side of Double Point
- to latitude 17° 39.009' south, longitude 146° 11.565' east
- to latitude 17° 34.909' south, longitude 146° 10.264' east
- to the high-water mark on the mainland at latitude 17° 34.909' south
- along the high-water mark, in a southerly direction, to latitude 17° 39.009' south in the vicinity of the eastern side of Double Point;

and includes the area covered by waters of navigable rivers and creeks flowing directly or indirectly into waters within the boundary.

Port of Port Kennedy (Thursday Island)

The Port of Port Kennedy consists of the area covered by waters, including tidal waters, of the sea or waters connecting with the sea within the following boundary—

- from the high-water mark at the western extremity of Smith Point on Horn Island

-
- to the high-water mark at the northern extremity of Heath Point on Prince of Wales Island
 - to the high-water mark at the eastern extremity of Webb Point on Friday Island
 - along the high-water mark of Friday Island, initially in a westerly direction, to the western extremity of Pott Point on Friday Island
 - to the high-water mark at the western extremity of Tucker Point on Goode Island
 - along the high-water mark of Goode Island, initially in a south-easterly direction, to the eastern extremity of Tessa Head on Goode Island
 - to the high-water mark at the western extremity of Hammond Island (known as Diamond Point)
 - along the high-water mark of Hammond Island, initially in a south-easterly direction, to the eastern extremity of Menmuir Point on Hammond Island
 - to the high-water mark at the northern extremity of King Point on Horn Island
 - along the high-water mark of Horn Island, initially in a westerly direction, to the western extremity of Smith Point on Horn Island.

Port of Quintell Beach

The Port of Quintell Beach consists of the area covered by waters, including tidal waters, of the sea or waters connecting with the sea within the following boundary—

- from the high-water mark at the eastern extremity of the south bank of Quintell Creek
- to latitude 12° 46.81' south, longitude 143° 22.73' east
- to latitude 12° 50.26' south, longitude 143° 22.73' east
- to the high-water mark at the eastern extremity of the north bank of the Claudie River

- along the high-water mark, initially in a northerly direction, to the eastern extremity of the south bank of Quintell Creek;

and includes the area covered by waters of navigable rivers and creeks flowing directly or indirectly into waters within the boundary.

Port of Rockhampton

The Port of Rockhampton consists of the area covered by waters, including tidal waters, of the sea or waters connecting with the sea within the following boundary—

- from the high-water mark at the eastern extremity of Cattle Point
- to the high-water mark at the southern extremity of Arch Rock
- to the high-water mark at the northern extremity of Cape Keppel on Curtis Island
- along the high-water mark, in a westerly then southerly direction, to the north bank of Monte Christo Creek at its junction with The Narrows
- to the high-water mark on the north bank of Munduran Creek at its junction with The Narrows
- along the high-water mark, in a northerly direction, to the northern extremity of Division Point
- to latitude 23° 33' south, longitude 150° 58' east
- to the high-water mark at latitude 23° 33' south on Balaclava Island
- along the high-water mark of Balaclava Island, in a northerly then westerly direction, to the western extremity of Kazatch Point
- to the high-water mark at the northern extremity of Chersonese Point
- along the high-water mark on the east bank of Raglan Creek to latitude 23° 36.9' south

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- to the high-water mark at latitude $23^{\circ} 36.9'$ south on the west bank of Raglan Creek
 - along the high-water mark, in a northerly then westerly direction, to longitude $150^{\circ} 50'$ east on the south bank of Casuarina Creek
 - to the high-water mark at longitude $150^{\circ} 50'$ east on the north bank of Casuarina Creek
 - along the high-water mark, in an easterly direction, to the eastern extremity of Shell Point on Casuarina Island
 - to the high-water mark at the eastern extremity of Cattle Point.

Port of Skardon River

The Port of Skardon River consists of the area covered by waters, including tidal waters, of the sea or waters connecting with the sea within the following boundary—

- from the high-water mark at approximately latitude $11^{\circ} 44.50'$ south, longitude $142^{\circ} 00.12'$ east on the mainland
- along the high-water mark, initially in a southerly and easterly direction to approximately latitude $11^{\circ} 44.39'$ south, longitude $142^{\circ} 05.00'$ east on the north bank of the northern arm of the Skardon River
- to the high-water mark at approximately latitude $11^{\circ} 44.74'$ south, longitude $142^{\circ} 05.00'$ east on the south bank of the northern arm of the Skardon River
- along the high-water mark, initially in a westerly and southerly direction, to approximately latitude $11^{\circ} 46.00'$ south, longitude $142^{\circ} 04.90'$ east on the east bank of the southern arm of the Skardon River
- to the high-water mark at approximately latitude $11^{\circ} 46.00'$ south, longitude $142^{\circ} 04.70'$ east on the west bank of the southern arm of the Skardon River
- along the high-water mark, initially in a westerly and northerly direction, to approximately latitude $11^{\circ} 47.00'$ south, longitude $141^{\circ} 58.54'$ east on the mainland

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- to latitude $11^{\circ} 47.00'$ south, longitude $141^{\circ} 57.00'$ east
- to latitude $11^{\circ} 44.50'$ south, longitude $141^{\circ} 57.00'$ east
- to the high-water mark at approximately latitude $11^{\circ} 44.50'$ south, longitude $142^{\circ} 00.12'$ east on the mainland;

but does not include the waters of rivers and creeks within the boundary, other than the Skardon River, that are upstream from the mouths of the rivers or creeks.

Port of Townsville

The Port of Townsville consists of the area covered by waters, including tidal waters, of the sea or waters connecting with the sea within the following boundary—

- from the high-water mark at the northern extremity of Cape Cleveland
- to latitude $19^{\circ} 05.41'$ south, longitude $146^{\circ} 52.06'$ east
- to latitude $19^{\circ} 05.41'$ south, longitude $146^{\circ} 45.06'$ east
- to the high-water mark on the mainland at longitude $146^{\circ} 45.06'$ east
- along the high-water mark, initially in an easterly direction, to the northern extremity of Cape Cleveland;

and includes the area covered by waters of navigable rivers and creeks flowing directly or indirectly into waters within the boundary.

Port of Weipa

The Port of Weipa consists of the area covered by waters, including tidal waters, of the sea or waters connecting with the sea within the following boundary—

- from the high-water mark at the northern extremity of Boyd Point
- to the high-water mark at the western extremity of Jantz Point (west of Duyfken Point)

-
- along the high-water mark, initially in a south-easterly direction, to latitude $12^{\circ} 29.0'$ south on the west bank of Pine River Bay
 - to the high-water mark at latitude $12^{\circ} 29.0'$ south on the east bank of Pine River Bay
 - along the high-water mark, initially in a southerly direction, to longitude $141^{\circ} 57.0'$ east on the north bank of the Mission River
 - to the high-water mark at longitude $141^{\circ} 57.0'$ east on the south bank of the Mission River
 - along the high-water mark, initially in a westerly direction, to longitude $141^{\circ} 57.0'$ east on the north bank of the Embley River
 - to the high-water mark at longitude $141^{\circ} 57.0'$ east on the south bank of the Embley River
 - along the high-water mark, initially in a westerly direction, to latitude $12^{\circ} 51.0'$ south on the east bank of the Hey River
 - to the high-water mark at latitude $12^{\circ} 51.0'$ south on the west bank of the Hey River
 - along the high-water mark, initially in a northerly direction, to the northern extremity of Boyd Point;

but does not include the waters of rivers and creeks within the boundary, other than the Mission, Embley and Hey Rivers, that are upstream from the mouths of the rivers or creeks.

Schedule 2 Port management

section 5

Port	Port authority
Abbot Point	North Queensland Bulk Ports Corporation Limited
Bundaberg	Gladstone Ports Corporation Limited
Burketown	Far North Queensland Ports Corporation Limited
Cairns	Far North Queensland Ports Corporation Limited
Cape Flattery	Far North Queensland Ports Corporation Limited
Cooktown	Far North Queensland Ports Corporation Limited
Gladstone	Gladstone Ports Corporation Limited
Hay Point	North Queensland Bulk Ports Corporation Limited
Karumba	Far North Queensland Ports Corporation Limited
Lucinda	Port of Townsville Limited
Mackay	North Queensland Bulk Ports Corporation Limited
Maryborough	North Queensland Bulk Ports Corporation Limited
Mourilyan	Far North Queensland Ports Corporation Limited
Port Kennedy	Far North Queensland Ports Corporation Limited
Quintell Beach	Far North Queensland Ports Corporation Limited
Rockhampton	Gladstone Ports Corporation Limited
Skardon River	Far North Queensland Ports Corporation Limited
Townsville	Port of Townsville Limited
Weipa	North Queensland Bulk Ports Corporation Limited

Schedule 3 Dictionary

section 3

Far North Queensland Ports Corporation Limited means Far North Queensland Ports Corporation Limited ACN 131 836 014.

Gladstone Ports Corporation Limited means Gladstone Ports Corporation Limited ACN 131 965 896.

high-water mark means ordinary high-water mark at spring tides.

latitude means a reference to latitude using the coordinate framework known as Geocentric Datum of Australia (GDA94).

longitude means a reference to longitude using the coordinate framework known as Geocentric Datum of Australia (GDA94).

low-water mark means ordinary low-water mark at spring tides.

Mackay Ports Limited means Mackay Ports Limited ACN 131 965 707.

North Queensland Bulk Ports Corporation Limited means North Queensland Bulk Ports Corporation Limited ACN 136 880 218.

Port of Brisbane Corporation Limited means Port of Brisbane Corporation Limited ACN 124 048 522.

Port of Townsville Limited means Port of Townsville Limited ACN 130 077 673.

Ports Corporation of Queensland Limited means Ports Corporation of Queensland Limited ACN 126 302 994.

transfer day means the following—

- (a) for section 3A(1)—1 October 2009;
- (b) for section 4A(1)—1 October 2007;

- (c) for sections 3A(2) to (5) and 4A(2) and (3)—1 July 2009.

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 2 December 2010. Future amendments of the Transport Infrastructure (Ports) Regulation 2005 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 included	Effective	Notes
1	none	29 August 2005	
1A	2007 SL No. 109	15 June 2007	
1B	2007 SL No. 238	1 October 2007	
1C	2008 SL No. 56	14 March 2008	
1D	2009 SL No. 93	20 June 2009	
1E	2009 SL No. 93	1 July 2009	
1F	2009 SL No. 199	1 October 2009	
1G	2010 SL No. 23	26 February 2010	R1G withdrawn, see R2
2	—	26 February 2010	
2A	2010 SL No. 222	27 August 2010	
2B	2010 Act No. 19	2 December 2010	

5 List of legislation

Transport Infrastructure (Ports) Regulation 2005 SL No. 185

made by the Governor in Council on 11 August 2005
 notfd gaz 12 August 2005 pp 1297–1303
 ss 1–2 commenced on date of notification
 remaining provisions commenced 29 August 2005 (see s 2)
exp 1 September 2015 (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. 1) 2007 SL No. 109 pts 1–2

notfd gaz 15 June 2007 pp 892–5
 commenced on date of notification

Transport Infrastructure (Ports) Amendment Regulation (No. 1) 2007 SL No. 238

notfd gaz 28 September 2007 pp 595–6
 ss 1–2 commenced on date of notification
 remaining provisions commenced 1 October 2007 (see s 2)

Government Owned Corporations Amendment Regulation (No. 1) 2008 SL No. 56 pts 1, 3

notfd gaz 14 March 2008 pp 1469–72
 commenced on date of notification

Transport and Other Legislation Amendment Regulation (No. 1) 2009 SL No. 93 pts 1, 3

notfd gaz 19 June 2009 pp 707–11
 ss 1–2 commenced on date of notification
 s 7 commenced 20 June 2009 (see s 2(1))
 remaining provisions commenced 1 July 2009 (see s 2(2))

Transport Infrastructure Legislation Amendment Regulation (No. 1) 2009 SL No. 199 pts 1–2

notfd gaz 18 September 2009 pp 215–6
 ss 1–2 commenced on date of notification
 remaining provisions commenced 1 October 2009 (see s 2)

Transport Legislation Amendment Regulation (No. 1) 2010 SL No. 23 s 1, pt 2

notfd gaz 26 February 2010 pp 465–7
 commenced on date of notification

Transport and Other Legislation Amendment Act (No. 2) 2010 No. 19 ss 1, 2(3)(b), ch 2 pt 19

date of assent 23 May 2010
 ss 1–2 commenced on date of assent
 remaining provisions commenced 2 December 2010 (see s 2(3)(b) and gazette notice pubd Queensland Government Gazette No. 98, 2 December 2010 p 973)

Transport Infrastructure (Ports) Amendment Regulation (No. 1) 2010 SL No. 222

notfd gaz 27 August 2010 pp 1520–4
 commenced on date of notification

6 List of annotations

Transfer of management of a port—Act, s 271(1)

s 3A ins 2007 SL No. 238 s 4
 amd 2009 SL No. 93 s 6; 2009 SL No. 199 s 4

Declaration of an entity as a port authority—Act, s 274A(a)

s 4AA ins 2009 SL No. 93 s 7

Revocation of declaration of an entity as a port authority—Act, s 274A(c)

prov hdg amd 2009 SL No. 93 s 8(1)
 s 4A ins 2007 SL No. 238 s 5
 amd 2009 SL No. 93 s 8(2)

Amendment of State Penalties Enforcement Regulation 2000

s 8 om R1 (see RA s 40)

SCHEDULE 1—PORT LIMITS

amd 2007 SL No. 109 s 3; 2010 SL No. 222 s 3

SCHEDULE 2—PORT MANAGEMENT

amd 2007 SL No. 238 s 6; 2008 SL No. 56 s 8

Endnotes

sub 2009 SL No. 93 s 9
amd 2009 SL No. 199 s 5; 2010 SL No. 23 s 4; 2010 Act No. 19 s 129

SCHEDULE 3—DICTIONARY

def **“Cairns Ports Limited”** ins 2009 SL No. 93 s 10(2)
om 2009 SL No. 199 s 6(1)
def **“Far North Queensland Ports Corporation Limited”** ins 2009 SL No.
199 s 6(2)
def **“Gladstone Ports Corporation Limited”** ins 2009 SL No. 93 s 10(2)
def **“Mackay Ports Limited”** ins 2009 SL No. 93 s 10(2)
def **“North Queensland Bulk Ports Corporation Limited”** ins 2009 SL No.
93 s 10(2)
def **“Port of Brisbane Corporation Limited”** ins 2007 SL No. 238 s 7
def **“Port of Townsville Limited”** ins 2009 SL No. 93 s 10(2)
def **“Ports Corporation of Queensland Limited”** ins 2007 SL No. 238 s 7
def **“transfer day”** ins 2007 SL No. 238 s 7
sub 2009 SL No. 93 s 10
amd 2009 SL No. 199 s 6(3)–(4)

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