



Queensland

Transport Infrastructure Act 1994

Transport Infrastructure (Public Marine Facilities) Regulation 2011

Current as at 1 July 2013

Information about this reprint

This reprint shows the legislation current as at the date on the cover and is authorised by the Parliamentary Counsel.

A new reprint of the legislation will be prepared by the Office of the Queensland Parliamentary Counsel when any change to the legislation takes effect. This change may be because a provision of the original legislation, or an amendment to it, commences or because a particular provision of the legislation expires or is repealed.

When a new reprint is prepared, this reprint will become a historical reprint. Also, if it is necessary to replace this reprint before a new reprint is prepared, for example, to include amendments with a retrospective commencement, an appropriate note would be included on the cover of the replacement reprint and on the copy of this reprint at www.legislation.qld.gov.au.

The endnotes to this reprint contain detailed information about the legislation and reprint. For example—

- The table of reprints endnote lists any previous reprints and, for this reprint, gives details of any discretionary editorial powers under the *Reprints Act 1992* used by the Office of the Queensland Parliamentary Counsel in preparing it.
- The list of legislation endnote gives historical information about the original legislation and the legislation which amended it. It also gives details of uncommenced amendments to this legislation. For information about possible amendments to the legislation by Bills introduced in Parliament, see the Queensland Legislation Current Annotations at www.legislation.qld.gov.au/information.
- The list of annotations endnote gives historical information at section level.

All Queensland reprints are dated and authorised by the Parliamentary Counsel. The previous numbering system and distinctions between printed and electronic reprints are not continued.



Queensland

Transport Infrastructure (Public Marine Facilities) Regulation 2011

Contents

		Page
Part 1	Preliminary	
1	Short title	7
2	Commencement	7
3	Definitions	7
4	Reference to plan	7
Part 2	Public marine facilities management	
Division 1	Management	
5	Manager	8
6	Condition of appointment	8
7	Manager's responsibilities for managing public marine facility	8
Division 2	Use of, and safety at, particular public marine facilities	
8	Application of div 2	9
9	Using boat ramp or landing	9
10	Activities controlled by regulatory notice at boat ramp or landing managed by chief executive	11
11	Activities controlled by authorised officers at boat ramp or landing managed by chief executive	11
Part 3	State managed boat harbours	
Division 1	Preliminary	
12	Application of pt 3	12
Division 2	Control of activities in State managed boat harbour	
Subdivision 1	Activities controlled by regulatory notice	
13	General control of activities	13
14	Movement or mooring of ships	13
15	Movement, handling or storage of goods	14
16	Movement of passengers	14

Contents

17	Movement, stopping or parking of vehicles	14
18	Noncompliance with regulatory notice	14
Subdivision 2	Activities controlled by authorised officer’s direction	
19	Safety and security	15
20	Movement or mooring of ships	15
21	Movement, handling or storage of goods	15
22	Movement of passengers	16
23	Movement, stopping or parking of vehicles	16
24	Noncompliance with directions	16
Subdivision 3	Moving illegally moored ships, illegally left goods and illegally parked vehicles	
25	Moving illegally moored ships	17
26	Moving illegally left goods	17
27	Moving illegally parked vehicles	18
Division 3	Liability for expenses	
28	Liability for movement of ships, goods, vehicles	19
Division 4	Disposal of abandoned property	
29	Definitions for div 4	19
30	Locating owner of, and moving, abandoned property	20
31	Detention notice for abandoned property	20
32	Returning claimed abandoned property	21
33	Selling or disposing of unclaimed abandoned property	21
34	Application of proceeds of sale of abandoned property	22
35	Disposal of valueless abandoned property	22
36	Compensation not recoverable	22
Division 5	Approvals	
37	Application for approval	23
38	Mooring approval	23
39	Transport service approval	24
40	Fuelling service approval	24
41	Fish receival service approval	25
42	Procedure if approval refused or granted on condition	26
Division 6	Amending, suspending or cancelling approvals and reviews	
Subdivision 1	Amending, suspending or cancelling approvals	
43	Amending, suspending or cancelling approval on application by holder	27

44	Amending, suspending or cancelling approval without application	27
Subdivision 2	Internal and external review	
45	Internal and external review of decisions	28
Division 7	Other provisions about State managed boat harbour management	
46	Conduct causing public nuisance	29
47	Ship to be securely moored	29
48	Prohibition on anchoring.	29
49	Head and stern mooring for ship at pile or buoy mooring.	30
50	Prohibition on unloading fish	30
Part 4	Enforcement by authorised officers	
Division 1	Appointment	
51	Appointment and qualifications	31
52	Appointment conditions and limit on powers	31
53	When office ends	31
54	Resignation	32
Division 2	Identity cards	
55	Issue of identity card	32
56	Production or display of authorised officer's identity card	33
57	Return of identity card	33
Division 3	Miscellaneous provisions	
58	References to exercise of powers	33
59	Reference to document includes reference to reproductions from electronic document	34
Division 4	Powers	
60	Power to require name and address.	34
61	Offence to contravene personal details requirement	35
62	Power to require production of documents.	35
63	Offence to contravene document production requirement	36
64	Offence to contravene document certification requirement	37
65	Entry and inspection of loading place.	38
66	Obstructing authorised officer	39
67	Impersonating inspector.	40
Division 5	Miscellaneous provisions	
Subdivision 1	Damage	
68	Duty to avoid inconvenience and minimise damage.	40

Contents

69	Notice of damage	40
Subdivision 2	Compensation	
70	Compensation	41
Subdivision 3	Other provisions	
71	Evidential immunity for individuals complying with particular requirements	42
Part 5	Regulatory notices	
72	What is a regulatory notice	43
73	What is a regulatory notice provision	43
74	Regulatory notices generally	43
75	Regulatory notices erected or displayed	43
76	Regulatory notice may refer to documents held by chief executive	44
Part 6	General	
Division 1	Fees	
77	Fees in State managed boat harbour	45
78	Extended liability for payment of approval fees	45
79	Fees in non-State managed boat harbour	46
80	When fees payable	46
81	Arrangement for paying approval fees	46
Division 2	Offences	
82	Definition for div 2	47
83	False or misleading statements to official	47
84	False or misleading documents to official	48
Division 3	Other provisions	
85	Protection from liability	48
Part 7	Repeal and transitional provisions	
Division 1	Repeal	
86	Repeal	49
Division 2	Transitional provisions	
87	Definitions for div 2	49
88	Liability for movement of ships, goods, vehicles	49
89	Detention notice for abandoned property	49
90	Applications for approvals	50
91	Applications for amending, suspending or cancelling approval	50
92	Internal review of decisions	50

93	External review of decisions	50
94	Authorised officers	51
95	Regulatory notice	51
96	Payment date for particular fees	51
97	Arrangement for paying approval fees	51
98	References to repealed regulation	52
Schedule 1	Appointment of manager of public marine facility	53
Schedule 2	Fees for State managed boat harbours	78
Schedule 3	Fees for non-State managed boat harbours	85
Schedule 4	Dictionary	86
 Endnotes		
1	Index to endnotes	91
2	Date to which amendments incorporated	91
3	Key	92
4	Table of reprints	92
5	List of legislation	93
6	List of annotations	93

Transport Infrastructure (Public Marine Facilities) Regulation 2011

[as amended by all amendments that commenced on or before 1 July 2013]

Part 1 Preliminary

1 Short title

This regulation may be cited as the *Transport Infrastructure (Public Marine Facilities) Regulation 2011*.

2 Commencement

This regulation commences on 1 September 2011.

3 Definitions

The dictionary in schedule 4 defines particular words used in this regulation.

4 Reference to plan

A reference to a plan in this regulation is a reference to a plan held by the department.

Note—

Plans held by the department are available for inspection at the department's Brisbane office during normal office hours.

Editor's note—

The department's Brisbane office is located at 85 George Street, Brisbane.

[s 5]

Part 2 Public marine facilities management

Division 1 Management

5 Manager

An entity mentioned in schedule 1 is the manager of the public marine facility stated opposite the entity in the schedule.

Note—

Under the Act, section 519(2), a person mentioned in that section is taken to be appointed under the Act, section 459 as the manager of a public marine facility constituted by a wharf or other harbour work mentioned in section 519(1).

6 Condition of appointment

The appointment of a manager is on condition that the manager allow the public marine facility for which the manager is appointed to be used only—

- (a) for a genuine, private, recreational boating purpose; or
- (b) for a commercial purpose with—
 - (i) the manager's written approval; and
 - (ii) the written consent of the chief executive.

7 Manager's responsibilities for managing public marine facility

- (1) The responsibilities of a manager in managing a public marine facility include—
 - (a) replacing buoy moorings, pile moorings and dinghy racks in the facility; and
 - (b) maintaining roads, parking areas, amenities and gardens in the facility; and

- (c) maintenance dredging in the facility other than dredging of channels to landings and boat ramps; and
 - (d) all other aspects of managing the facility, including funding of maintenance unless otherwise agreed to by the chief executive.
- (2) The responsibilities do not include replacing a public marine facility that is—
- (a) a boat ramp; or
 - (b) a breakwater; or
 - (c) a landing; or
 - (d) a navigational aid; or
 - (e) a revetment wall.

Division 2 Use of, and safety at, particular public marine facilities

8 Application of div 2

This division applies only to a public marine facility that is a boat ramp or landing.

9 Using boat ramp or landing

- (1) A person must not drive or stand a vehicle on a boat ramp other than to launch or retrieve a ship.
Maximum penalty—20 penalty units.
- (2) A person launching or retrieving a ship at a boat ramp must do so as quickly as is reasonably possible.
Maximum penalty—20 penalty units.
- (3) A person must not obstruct another person's use of a boat ramp or landing.
Maximum penalty—20 penalty units.

[s 9]

- (4) A person must not anchor, moor or place a ship in the water around a boat ramp or landing if it is likely to obstruct another person's use of the boat ramp or landing.

Maximum penalty—20 penalty units.

- (5) A person must not carry out maintenance or repairs to a ship on a boat ramp.

Maximum penalty—20 penalty units.

- (6) A person must not carry out maintenance or repairs to a ship in the water around a boat ramp or landing, unless the person has a reasonable excuse.

Maximum penalty—20 penalty units.

- (7) A person must not take or drive a vehicle on to a boat ramp if the mass of the vehicle and its load, if any, together with any trailer that the vehicle is towing and its load, if any, is more than—

(a) 5t; or

(b) if the manager of the boat ramp erects on or near the ramp a notice approved by the chief executive and displaying a greater mass—the greater mass.

Maximum penalty—20 penalty units.

- (8) A person must not take or drive a vehicle on to a landing.

Maximum penalty—20 penalty units.

- (9) However, a person does not contravene subsection (8) if—

(a) the manager of the landing erects on or near the landing a notice that—

(i) is approved by the chief executive; and

(ii) authorises the taking or driving of a vehicle on to the landing for the purpose mentioned in paragraph (b); and

(iii) states the maximum mass of the vehicle and its load, if any, together with any trailer that the

vehicle is towing and its load, if any, that may be taken or driven on to the landing; and

- (b) the vehicle is taken or driven on to the landing only to take goods or passengers to, or pick up goods or passengers from, a ship moored at the landing.
- (10) A person must not take or drive on to a boat ramp or landing a vehicle, other than a vehicle that moves on wheels fitted with pneumatic or rubber tyres.

Maximum penalty for subsection (10)—20 penalty units.

10 Activities controlled by regulatory notice at boat ramp or landing managed by chief executive

- (1) This section applies if the chief executive is the manager of a public marine facility that is a boat ramp or landing.
- (2) The chief executive may, by a regulatory notice, control access to, or the use of, the boat ramp or landing.
- (3) Without limiting subsection (2), the chief executive may, by a regulatory notice, control activities or conduct on the boat ramp or landing for—
 - (a) maintaining or improving the safe, secure or efficient operation of the boat ramp or landing; or
 - (b) maintaining or improving the convenience of users of the boat ramp or landing; or
 - (c) protecting the environment at the boat ramp or landing.
- (4) A person must comply with a regulatory notice under subsection (2) or (3).

Maximum penalty for subsection (4)—40 penalty units.

11 Activities controlled by authorised officers at boat ramp or landing managed by chief executive

- (1) This section applies if the chief executive is the manager of a public marine facility that is a boat ramp or landing.

[s 12]

- (2) An authorised officer may give a direction to a person on or near the boat ramp or landing, if the direction is reasonably necessary for ensuring the safety and security of the boat ramp or landing, its users or the department's employees.
- (3) The person must comply with the direction, unless the person has a reasonable excuse.

Maximum penalty for subsection (3)—40 penalty units.

- (4) If the person fails to comply with the direction, the authorised officer must warn the person it is an offence not to comply with the direction unless the person has a reasonable excuse.
- (5) The authorised officer must give the person a further reasonable opportunity to comply with the direction.

Part 3 State managed boat harbours

Division 1 Preliminary

12 Application of pt 3

- (1) This part applies only to a State managed boat harbour.
- (2) The provisions of this part are in addition to the provisions of part 2, division 2 for a boat ramp or landing that is a public marine facility in a State managed boat harbour.

Division 2 Control of activities in State managed boat harbour

Subdivision 1 Activities controlled by regulatory notice

13 General control of activities

- (1) The chief executive may, by a regulatory notice, control access to, or the use of, a State managed boat harbour.
- (2) Without limiting subsection (1), the chief executive may, by a regulatory notice, control activities or conduct in the boat harbour for—
 - (a) maintaining or improving the safe, secure or efficient operation of the boat harbour; or
 - (b) maintaining or improving the convenience of users of the boat harbour; or
 - (c) protecting the environment at or in the boat harbour.
- (3) The power conferred by another provision of this subdivision to control by a regulatory notice does not limit the power conferred by this section.

14 Movement or mooring of ships

- (1) The chief executive may, by a regulatory notice, control the movement or mooring of ships at a public marine facility in a State managed boat harbour.
- (2) Also, the chief executive may, by a regulatory notice, control the movement or mooring of ships in a State managed boat harbour if the movement or mooring may affect the boat harbour's operation.
- (3) In addition, the chief executive may, by a regulatory notice, control activities on or by ships moored in a State managed boat harbour if the activities may affect the boat harbour's operation.

[s 15]

15 Movement, handling or storage of goods

The chief executive may, by a regulatory notice, control the movement, handling or storage of goods loaded, unloaded or transhipped to or from ships using a public marine facility in a State managed boat harbour.

16 Movement of passengers

The chief executive may, by a regulatory notice, control the movement of passengers to or from ships using a public marine facility in a State managed boat harbour.

17 Movement, stopping or parking of vehicles

(1) The chief executive may, by a regulatory notice, control the movement, stopping or parking of vehicles in a State managed boat harbour, including, for example the following—

- (a) fixing a maximum speed limit;
- (b) indicating a pedestrian crossing;
- (c) indicating a place where driving, parking or standing of vehicles is restricted or prohibited.

(2) In this section—

State managed boat harbour does not include land in the boat harbour over which a person, other than the chief executive, has a tenure.

18 Noncompliance with regulatory notice

A person must comply with a regulatory notice under this subdivision.

Maximum penalty—

- (a) for contravention of a requirement of a regulatory notice under section 13, 16 or 17—20 penalty units; or
- (b) for contravention of a requirement of a regulatory notice under section 14 or 15—40 penalty units.

Subdivision 2 Activities controlled by authorised officer's direction

19 Safety and security

- (1) An authorised officer may give directions to persons in a State managed boat harbour if the directions are reasonably necessary for ensuring the safety or security of the boat harbour, its users or the department's employees.
- (2) The power conferred on an authorised officer by another provision of this regulation does not limit the power conferred on an authorised officer by this section.

20 Movement or mooring of ships

- (1) An authorised officer may control the movement or mooring of ships at a public marine facility in a State managed boat harbour and, for the purpose, may give directions to persons apparently in charge of ships.
- (2) Also, an authorised officer may control the movement or mooring of ships in a State managed boat harbour if the movement or mooring may affect the boat harbour's operation and, for the purpose, may give directions to persons apparently in charge of ships.
- (3) In addition, an authorised officer may control activities on or by ships moored in a State managed boat harbour if the activities may affect the boat harbour's operation and, for the purpose, may give directions to persons apparently in charge of ships.

21 Movement, handling or storage of goods

An authorised officer may control the movement, handling or storage of goods loaded, unloaded or transhipped to or from ships using a public marine facility in a State managed boat harbour and, for the purpose, may give directions to persons apparently in charge of goods in the boat harbour.

[s 22]

22 Movement of passengers

An authorised officer may control the movement of passengers to or from ships using a public marine facility in a State managed boat harbour and, for the purpose, may give directions to persons in the boat harbour.

23 Movement, stopping or parking of vehicles

(1) An authorised officer may control the movement, stopping or parking of vehicles in a State managed boat harbour and, for the purpose, may give directions to drivers of vehicles and other persons in the boat harbour.

(2) In this section—

State managed boat harbour does not include land in the boat harbour over which a person, other than the chief executive, has a tenure.

24 Noncompliance with directions

(1) A person must comply with a direction given to the person by an authorised officer under this subdivision, unless the person has a reasonable excuse.

Maximum penalty—

(a) for contravention of a direction under section 19, 22 or 23—20 penalty units; or

(b) for contravention of a direction under section 20 or 21—40 penalty units.

(2) If the person fails to comply with the direction, the authorised officer must warn the person it is an offence not to comply with the direction unless the person has a reasonable excuse.

(3) The authorised officer must give the person a further reasonable opportunity to comply with the direction.

Subdivision 3 Moving illegally moored ships, illegally left goods and illegally parked vehicles

25 Moving illegally moored ships

- (1) This section applies if—
 - (a) an authorised officer reasonably believes—
 - (i) a ship is moored in a State managed boat harbour in contravention of a requirement of a regulatory notice or a direction of an authorised officer; and
 - (ii) it is necessary to move the ship having regard to—
 - (A) the convenience of ships or persons using the boat harbour; or
 - (B) the safety or security of the boat harbour, its users or the department’s employees; and
 - (b) the authorised officer—
 - (i) can not immediately find the ship’s master or another person in charge of the ship; or
 - (ii) reasonably believes neither the ship’s master, nor any other person in charge of the ship, is able or willing to move the ship immediately.
- (2) The authorised officer may take steps that are necessary and reasonable to have the ship moved.

26 Moving illegally left goods

- (1) This section applies if—
 - (a) an authorised officer reasonably believes—
 - (i) goods have been left in a State managed boat harbour in contravention of a requirement of a regulatory notice or a direction of an authorised officer; and

[s 27]

- (ii) it is necessary to move the goods having regard to—
 - (A) the efficient operation of the boat harbour; or
 - (B) the safety or security of the boat harbour, its users or the department's employees; and
- (b) the authorised officer—
 - (i) can not immediately find the owner of the goods or another person in charge of the goods; or
 - (ii) reasonably believes neither the owner, nor any other person in charge of the goods, is able or willing to move the goods immediately.
- (2) The authorised officer may—
 - (a) take steps that are necessary and reasonable to have the goods moved; or
 - (b) if the goods are perishable or of little or no value—treat the goods as abandoned property under part 3, division 4.

27 Moving illegally parked vehicles

- (1) This section applies if—
 - (a) an authorised officer reasonably believes—
 - (i) a vehicle is parked in a State managed boat harbour in contravention of a requirement of a regulatory notice or a direction of an authorised officer; and
 - (ii) it is necessary to move the vehicle having regard to—
 - (A) the convenience of persons using the boat harbour; or
 - (B) the safety or security of the boat harbour, its users or the department's employees; and
 - (b) the authorised officer—

-
- (i) can not immediately find the driver of the vehicle or another person in charge of the vehicle; or
 - (ii) reasonably believes neither the driver of the vehicle, nor any other person in charge of the vehicle, is able or willing to move the vehicle immediately.
- (2) The authorised officer may take steps that are necessary and reasonable to have the vehicle moved.

Division 3 Liability for expenses

28 Liability for movement of ships, goods, vehicles

- (1) If the chief executive reasonably incurs expenses because an authorised officer takes steps under this part to have a ship or goods moved, the amount of the expenses is a debt payable jointly and severally to the State by the persons who would be liable under section 78 as if the expenses were fees for, or under, an approval mentioned in section 38 or 39 in relation to a ship or goods.
- (2) If the chief executive reasonably incurs expenses because an authorised officer takes steps under this part to have a vehicle moved, the amount of the expenses is a debt payable jointly and severally to the State by the owner and driver of the vehicle.

Division 4 Disposal of abandoned property

29 Definitions for div 4

In this division—

abandoned property means property that—

- (a) the chief executive reasonably believes has been abandoned in a State managed boat harbour; and

[s 30]

- (b) includes a ship, vehicle and anything attached to, or contained in, a ship or vehicle.

detention notice see section 31(1).

30 Locating owner of, and moving, abandoned property

- (1) This section applies if the chief executive—
 - (a) finds abandoned property; and
 - (b) intends to take action under this division.
- (2) The chief executive—
 - (a) must take reasonable steps to locate the owner of the property; and
 - (b) may have the property moved to a place the chief executive considers appropriate.

31 Detention notice for abandoned property

- (1) As soon as practicable, but within 14 days, after finding the abandoned property and deciding to take the action, the chief executive must give the owner of the property, if known, a written notice (*detention notice*)—
 - (a) describing the property; and
 - (b) stating the property has been found; and
 - (c) explaining how the property may be recovered; and
 - (d) stating the property may be sold or disposed of if it is not recovered.
- (2) If the owner of the property is not known or can not be located within the 14 days, the detention notice may be given by publishing it in a newspaper circulating generally in the State.

32 Returning claimed abandoned property

If a person claims the abandoned property within 1 month after the detention notice is given, the chief executive must return the property to the person if the person—

- (a) satisfies the chief executive the person is the owner of the property; and
- (b) pays the expenses reasonably incurred by the chief executive in dealing with the property under this division.

33 Selling or disposing of unclaimed abandoned property

(1) If no person claims the abandoned property within 1 month after the detention notice is given, the chief executive may—

- (a) sell the property; or
 - (b) dispose of the property in the way the chief executive considers appropriate, if the proceeds of sale of the property are not likely to cover the total of—
 - (i) the expenses reasonably incurred by the chief executive in selling the property; and
 - (ii) the expenses reasonably incurred by the chief executive in dealing with the property under this division; and
 - (iii) any fees and other expenses owing to the chief executive in relation to the property.
- (2) Despite anything else in this division, if the abandoned property is perishable, the chief executive may sell the property immediately if it is impracticable, having regard to the nature and condition of the property, for it to be detained by the chief executive.

[s 34]

34 Application of proceeds of sale of abandoned property

- (1) If the chief executive sells abandoned property, the chief executive must apply the proceeds of the sale in the following order—
 - (a) in payment of the expenses reasonably incurred by the chief executive in selling the property;
 - (b) in payment of the expenses reasonably incurred by the chief executive in dealing with the property under this division;
 - (c) in payment of any fees and other expenses owing to the chief executive in relation to the property;
 - (d) if there is an amount owing to an entity under a security interest registered for the abandoned property under the *Personal Property Securities Act 2009* (Cwlth)—in payment of the amount owing under the security interest;
 - (e) the balance to the owner of the abandoned property or, if the owner can not be found, to the consolidated fund.
- (2) If the proceeds of the sale are less than the total of the expenses mentioned in subsection (1)(a), (b) and (c), the difference is a debt payable to the State by the owner.

35 Disposal of valueless abandoned property

Despite anything else in this division, if the chief executive reasonably considers abandoned property has no value or insufficient value to justify its sale, the chief executive may dispose of the property in the way the chief executive considers appropriate.

36 Compensation not recoverable

If the chief executive sells or disposes of abandoned property under this division, no compensation is recoverable against the State for the sale or disposal of the property.

Division 5 Approvals

37 Application for approval

A person may apply to the chief executive for an approval.

38 Mooring approval

- (1) The chief executive may grant, or refuse to grant, a person an approval to moor a ship in a relevant State managed boat harbour.
- (2) The approval—
 - (a) is subject to the standard conditions; and
 - (b) may be subject to other reasonable and relevant conditions.
- (3) The standard conditions and any other conditions must be stated in, or attached to, the approval.
- (4) A person must not moor a ship in a relevant State managed boat harbour—
 - (a) without an approval; or
 - (b) otherwise than in accordance with an approval granted to the person.

Maximum penalty for subsection (4)—40 penalty units.

- (5) This section does not limit another provision of this regulation about mooring a ship.
- (6) In this section—

relevant State managed boat harbour does not include land in the boat harbour—

 - (a) over which a person, other than the chief executive, has a tenure; or
 - (b) for which a person has a development approval under the *Sustainable Planning Act 2009* to construct works below the high-water mark, for a private purpose.

[s 39]

39 Transport service approval

- (1) The chief executive may grant, or refuse to grant, a person an approval to operate a commercial ship in a State managed boat harbour to provide a transport service in the course of carrying on a business.
- (2) The approval—
 - (a) is subject to the standard conditions; and
 - (b) may be subject to other reasonable and relevant conditions.
- (3) The standard conditions and any other conditions must be stated in, or attached to, the approval.
- (4) A person must not operate a commercial ship in a State managed boat harbour to provide a transport service in the course of carrying on a business—
 - (a) without an approval; or
 - (b) otherwise than in accordance with an approval granted to the person.

Maximum penalty for subsection (4)—40 penalty units.

- (5) In this section—

State managed boat harbour does not include Mooloolaba Harbour.

40 Fuelling service approval

- (1) The chief executive may grant, or refuse to grant, a person an approval to operate a service to dispense fuel to a ship (a *fuelling service*) in a State managed boat harbour.
- (2) If the place where a fuelling service is to be operated is a place over which a person other than the chief executive has a tenure, the chief executive may grant the approval only to the holder of the tenure.
- (3) The approval—
 - (a) is subject to the standard conditions; and

-
- (b) may be subject to other reasonable and relevant conditions.
 - (4) The standard conditions and any other conditions must be stated in, or attached to, the approval.
 - (5) A person must not operate a fuelling service in a State managed boat harbour—
 - (a) without an approval; or
 - (b) otherwise than in accordance with an approval granted to the person.

Maximum penalty for subsection (5)—40 penalty units.

41 Fish receival service approval

- (1) The chief executive may grant, or refuse to grant, a person a fish receival service approval for a place in a relevant State managed boat harbour.
- (2) Subsection (1) applies whether the fish are received into a fixed or mobile facility.

Example of a mobile facility—
a refrigerated van or truck
- (3) Subsection (4) applies if the place where a fish receival service is to be operated under the approval is a place over which a person other than the chief executive has a tenure.
- (4) The chief executive may grant the approval only to the holder of the tenure.
- (5) The approval—
 - (a) is subject to the standard conditions; and
 - (b) may be subject to other reasonable and relevant conditions.
- (6) The standard conditions and any other conditions must be stated in, or attached to, the approval.
- (7) A person must not operate a fish receival service at a place in a relevant State managed boat harbour—

[s 42]

- (a) without a fish receival service approval for the place; or
- (b) otherwise than in accordance with a fish receival service approval granted to the person for the place.

Maximum penalty for subsection (7)—40 penalty units.

- (8) However, a person does not contravene subsection (7)(a) if the person—
 - (a) operates, at a place, a fish receival service at a fixed facility—
 - (i) provided by the holder of a fish receival service approval for the place; and
 - (ii) in accordance with the approval of the holder; and
 - (b) has the holder's permission to receive fish at the place.

42 Procedure if approval refused or granted on condition

- (1) This section applies if the chief executive decides to—
 - (a) refuse to grant an approval; or
 - (b) grant an approval subject to a condition, other than a standard condition.
- (2) The chief executive must give the applicant for the approval written notice of the decision.
- (3) The written notice must—
 - (a) include the reasons for the decision; and
 - (b) be accompanied by an information notice for the decision.
- (4) Despite subsection (2), if the application is for a short-term approval, the chief executive may tell the applicant of the decision and the reasons for it orally.
- (5) In this section—

short-term approval means an approval for 1 month or less.

Division 6 **Amending, suspending or
cancelling approvals and reviews**

Subdivision 1 **Amending, suspending or
cancelling approvals**

43 **Amending, suspending or cancelling approval on
application by holder**

The chief executive may, on the application of the holder of an approval, amend, suspend or cancel the approval.

44 **Amending, suspending or cancelling approval without
application**

- (1) This section applies if—
- (a) an approval was obtained because of incorrect or misleading information; or
 - (b) the holder of an approval contravenes—
 - (i) the approval, including a condition on which it is granted; or
 - (ii) this regulation; or
 - (c) after an approval is granted, there is a material change in the circumstances relevant to the granting of the approval.

Example for paragraph (b)(i)—

The holder does not pay the fees for the approval when they are due.

Example for paragraph (c)—

The holder of a mooring approval replaces the ship for which the mooring approval was granted with a smaller size ship that is inappropriate for the size of mooring and effective management and use of the boat harbour.

- (2) The chief executive may decide to amend, suspend or cancel the approval.

[s 45]

- (3) If the chief executive decides to amend, suspend or cancel the approval, the chief executive must give the holder at least 14 days written notice of when the decision takes effect.
- (4) The written notice must include—
 - (a) a statement of reasons for the chief executive’s decision; and
 - (b) be accompanied by an information notice for the decision.

Subdivision 2 Internal and external review

45 Internal and external review of decisions

- (1) This section applies to a decision of the chief executive to—
 - (a) refuse to grant an approval; or
 - (b) refuse to grant an amendment, suspension or cancellation of an approval applied for by the holder; or
 - (c) grant an approval subject to a condition, other than a standard condition; or
 - (d) amend, suspend or cancel an approval without the holder’s request.
- (2) Sections 485 and 485A of the Act apply to a decision mentioned in subsection (1) as if—
 - (a) the decision were mentioned in schedule 3 of the Act; and
 - (b) QCAT were stated opposite the decision in that schedule.

Division 7 Other provisions about State managed boat harbour management

46 Conduct causing public nuisance

A person in a State managed boat harbour must not be disorderly or create a disturbance.

Maximum penalty—20 penalty units.

47 Ship to be securely moored

(1) A person who moors a ship in a State managed boat harbour must ensure that—

- (a) the ship is securely fastened at its mooring; and
- (b) all the ship's mooring lines are appropriate for—
 - (i) the ship; and
 - (ii) the prevailing and reasonably foreseeable wind, tide and weather conditions while the ship is at the mooring.

Maximum penalty—40 penalty units.

(2) In this section—

mooring lines includes cables, chains, ropes, wires, shackles and all other fittings and equipment used for mooring a ship.

48 Prohibition on anchoring

(1) A person must not anchor a ship in a State managed boat harbour.

Maximum penalty—40 penalty units.

(2) In this section—

State managed boat harbour does not include land in the boat harbour over which a person, other than the chief executive has a tenure.

[s 49]

49 Head and stern mooring for ship at pile or buoy mooring

- (1) A person who moors a ship in a State managed boat harbour to a pile or buoy mooring must ensure the ship is moored head and stern.

Maximum penalty—40 penalty units.

- (2) In this section—

State managed boat harbour does not include land in the boat harbour over which a person, other than the chief executive has a tenure.

50 Prohibition on unloading fish

- (1) A person who is the owner, master or apparently in charge of a fishing ship (*operator*) in a relevant State managed boat harbour must not unload fish from the ship, at a place in the boat harbour, to a person who is not the holder of a current fish receival service approval for the place.

Maximum penalty—40 penalty units.

- (2) However, the operator does not contravene subsection (1) if—

- (a) the operator unloads fish, at the place, at a fixed facility—

(i) provided by the holder of a fish receival service approval for the place; and

(ii) in accordance with the approval of the holder; and

- (b) the person receiving the fish at the facility has the approval holder's prior permission to receive fish at the place.

Part 4 Enforcement by authorised officers

Division 1 Appointment

51 Appointment and qualifications

- (1) The chief executive may, by instrument in writing, appoint an officer of the department as an authorised officer for a public marine facility managed by the chief executive.
- (2) However, the chief executive may appoint a person as an authorised officer for a public marine facility only if the chief executive is satisfied the person is qualified for appointment because the person has the necessary expertise or experience.

52 Appointment conditions and limit on powers

- (1) An authorised officer for a public marine facility holds office on any conditions stated in—
 - (a) the authorised officer’s instrument of appointment; or
 - (b) a signed notice given to the authorised officer; or
 - (c) this regulation.
- (2) The instrument of appointment, a signed notice given to the authorised officer or this regulation may limit the authorised officer’s powers.
- (3) In this section—
signed notice means a notice signed by the chief executive.

53 When office ends

- (1) The office of a person as an authorised officer for a public marine facility ends if any of the following happens—
 - (a) the term of office stated in a condition of office ends;

[s 54]

- (b) under another condition of office, the office ends;
 - (c) the authorised officer's resignation under section 54 takes effect.
- (2) Subsection (1) does not limit the ways the office of a person as an authorised officer for a public marine facility ends.
- (3) In this section—
- condition of office* means a condition under which the authorised officer holds office.

54 Resignation

An authorised officer for a public marine facility may resign by signed notice given to the chief executive.

Division 2 Identity cards

55 Issue of identity card

- (1) The chief executive must issue an identity card to each authorised officer for a public marine facility.
- (2) The identity card must—
- (a) contain a recent photograph of the authorised officer; and
 - (b) contain a copy of the authorised officer's signature; and
 - (c) identify the person as an authorised officer under the Act; and
 - (d) state an expiry date for the card.
- (3) This section does not prevent the issue of a single identity card to a person for the Act and other purposes.

56 Production or display of authorised officer’s identity card

- (1) In exercising a power in relation to a person in the person’s presence, an authorised officer for a public marine facility must—
- (a) produce the authorised officer’s identity card for the person’s inspection before exercising the power; or
 - (b) have the identity card displayed so it is clearly visible to the person when exercising the power.
- (2) However, if it is not practicable to comply with subsection (1), the authorised officer must produce the identity card for the person’s inspection at the first reasonable opportunity.

57 Return of identity card

If the office of a person as an authorised officer for a public marine facility ends, the person must return the person’s identity card to the chief executive within 21 days after the office ends unless the person has a reasonable excuse.

Maximum penalty—10 penalty units.

Division 3 Miscellaneous provisions

58 References to exercise of powers

If—

- (a) a provision of this part refers to the exercise of a power by an authorised officer for a public marine facility; and
- (b) there is no reference to a specific power;

the reference is to the exercise of all or any of the authorised officer’s powers under this part, to the extent the powers are relevant.

[s 59]

59 Reference to document includes reference to reproductions from electronic document

A reference in this part to a document includes a reference to an image or writing—

- (a) produced from an electronic document; or
- (b) not yet produced, but reasonably capable of being produced, from an electronic document, with or without the aid of another article or device.

Division 4 Powers

60 Power to require name and address

- (1) This section applies if an authorised officer for a public marine facility—
 - (a) finds a person committing an offence against this Act; or
 - (b) finds a person in circumstances that lead the authorised officer to reasonably suspect the person has just committed an offence against this Act; or
 - (c) has information that leads the authorised officer to reasonably suspect a person has just committed an offence against this Act.
- (2) The authorised officer may require the person to state the person's name and—
 - (a) a business address; or
 - (b) if the person is temporarily in the State—an address for the person in the State.
- (3) The authorised officer may also require the person to give evidence of the correctness of the stated name or address if, in the circumstances, it would be reasonable to expect the person to—

-
- (a) be in possession of evidence of the correctness of the stated name or address; or
 - (b) otherwise be able to give the evidence.
- (4) When making a personal details requirement, the authorised officer must give the person an offence warning for the requirement.
- (5) A requirement under this section is a *personal details requirement*.
- (6) In this section—
- offence warning*, for a personal details requirement, means a warning that, without a reasonable excuse, it is an offence for the person to whom the requirement is made not to comply with it.

61 Offence to contravene personal details requirement

- (1) A person of whom a personal details requirement has been made must comply with the requirement unless the person has a reasonable excuse.
- Maximum penalty—10 penalty units.
- (2) A person may not be convicted of an offence under subsection (1) unless the person is found guilty of the offence in relation to which the personal details requirement was made.

62 Power to require production of documents

- (1) An authorised officer for a public marine facility may require a person to make available for inspection by an authorised officer for a public marine facility, or to produce to an authorised officer for a public marine facility for inspection, at a reasonable time and place nominated by the officer—
- (a) a document issued to the person under this regulation; or
 - (b) a document required to be kept by the person under an approval; or

[s 63]

- (c) if a document or information required to be kept by the person under this regulation is stored or recorded by means of a device—a document that is a clear written reproduction of the stored or recorded document or information.
- (2) A requirement under subsection (1) is a *document production requirement*.
- (3) For an electronic document, compliance with the document production requirement requires the making available or production of a clear written reproduction of the electronic document.
- (4) The authorised officer may keep the document to copy it.
- (5) If the authorised officer copies the document, or an entry in the document, the authorised officer may require the person responsible for keeping the document to certify the copy as a true copy of the document or entry.
- (6) A requirement under subsection (5) is a *document certification requirement*.
- (7) The authorised officer must return the document to the person as soon as practicable after copying it.
- (8) However, if a document certification requirement is made of a person, the authorised officer may keep the document until the person complies with the requirement.

63 Offence to contravene document production requirement

- (1) A person of whom a document production requirement has been made must comply with the requirement unless the person has a reasonable excuse.

Maximum penalty—20 penalty units.

- (2) It is not a reasonable excuse for a person to fail to comply with a document production requirement on the basis that complying with the requirement might tend to incriminate the person or expose the person to a penalty.

Note—

See, however, section 71.

- (3) The authorised officer must inform the person, in a way that is reasonable in the circumstances—
 - (a) that the person must comply with the document production requirement even though complying might tend to incriminate the person or expose the person to a penalty; and
 - (b) that, under section 71, there is a limited immunity against the future use of the information or document given in compliance with the requirement.
- (4) If the person fails to comply with the document production requirement when the authorised officer has failed to comply with subsection (3), the person can not be convicted of the offence against subsection (1).
- (5) If a court convicts a person of an offence against subsection (1), the court may, as well as imposing a penalty for the offence, order the person to comply with the document production requirement.

64 Offence to contravene document certification requirement

- (1) A person of whom a document certification requirement has been made must comply with the requirement unless the person has a reasonable excuse.

Maximum penalty—20 penalty units.

- (2) It is not a reasonable excuse for a person to fail to comply with a document certification requirement on the basis that complying with the requirement might tend to incriminate the person or expose the person to a penalty.

Note—

See, however, section 71.

- (3) The authorised officer must inform the person, in a way that is reasonable in the circumstances—

[s 65]

- (a) that the person must comply with the document certification requirement even though complying might tend to incriminate the person or expose the person to a penalty; and
 - (b) that, under section 71, there is a limited immunity against the future use of the information or document given in compliance with the requirement.
- (4) If the person fails to comply with the document certification requirement when the authorised officer has failed to comply with subsection (3), the person can not be convicted of the offence against subsection (1).

65 Entry and inspection of loading place

- (1) An authorised officer for a public marine facility may enter a loading place, when the loading place is open for the carrying on of business or otherwise open for entry, to decide—
- (a) whether fees are payable for a commercial ship or goods that are at the loading place; and
 - (b) if fees are payable under paragraph (a), the amount of the fees.
- (2) The authorised officer may—
- (a) inspect the loading place, including any goods at the loading place; or
 - (b) board and inspect a commercial ship at the loading place, and inspect any goods on the ship.

Example for paragraph (a) of how an officer may inspect a loading place—

The officer may stand in a part of the loading place near the gangway to a commercial ship moored at the loading place and count passengers being loaded to or unloaded from the ship.

- (3) The officer may, if necessary, enter a loading place by passing over relevant land for carrying on a business if the relevant land is—
- (a) open for carrying on the business; or

(b) otherwise open for entry.

(4) In this section—

loading place—

(a) means a place in a State managed boat harbour where goods or passengers are loaded, unloaded or transhipped to or from a commercial ship; but

(b) does not include a part of the place where a person resides.

relevant land, for carrying on a business—

(a) means land or facilities—

(i) in a State managed boat harbour under the control of someone other than the chief executive; and

(ii) used for carrying on the business; but

(b) does not include a part of land or facilities where a person resides.

66 Obstructing authorised officer

(1) A person must not obstruct an authorised officer for a public marine facility in the exercise of a power, unless the person has a reasonable excuse.

Maximum penalty—20 penalty units.

(2) If a person has obstructed an authorised officer for a public marine facility and the authorised officer decides to proceed with the exercise of the power, the authorised officer must warn the person that—

(a) it is an offence to cause an obstruction unless the person has a reasonable excuse; and

(b) the authorised officer considers the person's conduct an obstruction.

(3) In this section—

obstruct includes assault, hinder, resist, attempt to obstruct and threaten to obstruct.

[s 67]

67 Impersonating inspector

A person must not impersonate an authorised officer for a public marine facility.

Maximum penalty—20 penalty units.

Division 5 Miscellaneous provisions

Subdivision 1 Damage

68 Duty to avoid inconvenience and minimise damage

In exercising a power, an authorised officer for a public marine facility must take all reasonable steps to cause as little inconvenience, and do as little damage, as possible.

Note—

See also section 70.

69 Notice of damage

- (1) This section applies if an authorised officer for a public marine facility damages something when exercising, or purporting to exercise, a power.
- (2) However, this section does not apply to damage the authorised officer reasonably considers is trivial or if the authorised officer reasonably believes—
 - (a) there is no-one apparently in possession of the thing; or
 - (b) the thing has been abandoned.
- (3) The authorised officer must give notice of the damage to the person who appears to the authorised officer to be an owner, or person in control, of the thing.
- (4) However, if for any reason it is not practicable to comply with subsection (3), the authorised officer must—

-
- (a) leave the notice at the place where the damage happened; and
 - (b) ensure it is left in a conspicuous position and in a reasonably secure way.
- (5) The authorised officer may delay complying with subsection (3) or (4) if the authorised officer reasonably suspects complying with the subsection may frustrate or otherwise hinder the performance of the authorised officer's functions.
 - (6) The delay may be only for so long as the authorised officer continues to have the reasonable suspicion and remains in the vicinity of the place.
 - (7) If the authorised officer believes the damage was caused by a latent defect in the thing or other circumstances beyond the control of the authorised officer, the authorised officer may state the belief in the notice.
 - (8) The notice must state—
 - (a) particulars of the damage; and
 - (b) that the person who suffered the damage may claim compensation under section 70.

Subdivision 2 Compensation

70 Compensation

- (1) A person may claim compensation from the State if the person incurs loss because of the exercise, or purported exercise, of a power by an authorised officer for a public marine facility including a loss arising from compliance with a requirement made of the person under this part.
- (2) The compensation may be claimed and ordered in a proceeding—
 - (a) brought in a court with jurisdiction for the recovery of the amount of compensation claimed; or

[s 71]

- (b) for an alleged offence against this Act the investigation of which gave rise to the claim for compensation.
- (3) A court may order the payment of compensation only if it is satisfied it is just to make the order in the circumstances of the particular case.
- (4) In considering whether it is just to order compensation, the court must have regard to any relevant offence committed by the claimant.
- (5) Section 68 does not provide for a statutory right of compensation other than is provided by this section.
- (6) In this section—
loss includes costs and damage.

Subdivision 3 Other provisions

71 Evidential immunity for individuals complying with particular requirements

- (1) Subsection (2) applies if an individual gives or produces information or a document to an authorised officer for a public marine facility under section 62.
- (2) Evidence of the information or document, and other evidence directly or indirectly derived from the information or document, is not admissible against the individual in any proceeding to the extent it tends to incriminate the individual, or expose the individual to a penalty, in the proceeding.
- (3) Subsection (2) does not apply to a proceeding about the false or misleading nature of the information or anything in the document or in which the false or misleading nature of the information or document is relevant evidence.

Part 5 Regulatory notices

72 What is a *regulatory notice*

- (1) A *regulatory notice* for a public marine facility is a notice by the chief executive under a regulatory notice provision.
- (2) A regulatory notice for a public marine facility may be—
 - (a) erected or displayed as required by section 75; or
 - (b) a document given to a person having access to, or using, the facility.

73 What is a *regulatory notice provision*

Each of the following provisions is a *regulatory notice provision*—

- (a) section 10;
- (b) sections 13 to 17.

74 Regulatory notices generally

A regulatory notice must—

- (a) indicate the public marine facility to which the notice applies; and
- (b) state that contravention of the notice is an offence and the maximum penalty for the offence.

75 Regulatory notices erected or displayed

- (1) Without limiting section 74, a regulatory notice for a public marine facility—
 - (a) must be erected or displayed—
 - (i) at or near an entrance commonly used by persons to gain access to the facility; or
 - (ii) on or near the facility; and

[s 76]

- (b) may be in the form of an official traffic sign and, if it is, is taken to contain the indication given by the corresponding official traffic sign.
- (2) Evidence that the notice was erected or displayed at or near an entrance to a public marine facility, or on or near the facility is evidence that the notice was erected or displayed by the chief executive.
- (3) A notice erected or displayed at or near an entrance to a public marine facility or on or near the facility must be clearly visible to passers by.
- (4) In this section—
official traffic sign see the *Transport Operations (Road Use Management) Act 1995*, schedule 4.

76 Regulatory notice may refer to documents held by chief executive

- (1) A regulatory notice may require a person to comply, in whole or in part, with a requirement of a stated document held by the chief executive.
- Examples of things a document may be about—*
- the movement or mooring of ships
 - the movement, handling or storage of goods
 - fire or hazard protection
 - emergency procedures
- (2) However, the requirement must be able to be made by a regulatory notice.
- (3) The regulatory notice must—
- (a) if the document is a standard—state that a copy of the standard is available for inspection, or for purchase, at reasonable cost at a stated office of the department during normal business hours; or
- (b) if the document is not a standard—
- (i) include a copy of the document; or

-
- (ii) include a summary of the requirement or a table of the document's provisions that concern the requirement and state that a copy of the document is available free of charge at a stated office of the department during normal business hours.
- (4) In this section—
- standard* means a code, guide, rule, specification or standard—
- (a) adopted, made or published by Standards Australia; or
- (b) mentioned in the *Transport Operations (Marine Safety) Regulation 2004*, schedule 15, definition *dangerous cargo code*.

Part 6 General

Division 1 Fees

77 Fees in State managed boat harbour

- (1) The fees payable to the chief executive for an approval in relation to a relevant State managed boat harbour are stated in schedule 2, part 1.
- (2) A lessee, other than the chief executive, under the *Land Act 1994* of land in a State managed boat harbour must pay to the chief executive the fees stated in schedule 2, part 2 for each mooring in the leased land.

78 Extended liability for payment of approval fees

- (1) This section applies if fees are payable for, or under, an approval mentioned in section 38 or 39 in relation to a ship or goods or passengers carried on it.

[s 79]

- (2) The liability for the fees falls jointly and severally on the following—
- (a) the owner of the ship;
 - (b) the master of the ship;
 - (c) the agent of the owner of the ship;
 - (d) any other person who has made himself or herself liable for the fees.

79 Fees in non-State managed boat harbour

The manager of a non-State managed boat harbour must pay to the chief executive the fees stated in schedule 3 for each mooring in the boat harbour.

80 When fees payable

- (1) The fees payable for, or under, an approval must be paid to the chief executive—
- (a) before the chief executive grants the approval; or
 - (b) if the approval states a later time for the payment of fees, before or at the later time.
- (2) The fees payable under section 77(2) or 79 must be paid to the chief executive no later than 3 months after each due date.
- (3) In this section—

due date means 30 June or 31 December in each year.

81 Arrangement for paying approval fees

- (1) This section applies despite section 80(1).
- (2) A person liable to pay fees for, or under, an approval may ask the chief executive to enter into another arrangement with the person for the payment of the fees.

Example—

An arrangement may be for the payment of fees in arrears.

-
- (3) The request must—
 - (a) be in writing; and
 - (b) state how and when the fees are to be paid (the *proposed arrangement*).
 - (4) The chief executive must refuse the request if it is not made in a reasonable time before the fees are payable for the chief executive to properly decide the request.
 - (5) The chief executive may, by signed notice, require the person to give, within the reasonable time stated in the notice, the additional documents or information the chief executive considers necessary to decide the request.
 - (6) The chief executive may refuse to consider the request until the person supplies the requested documents or information.
 - (7) If the chief executive agrees to the proposed arrangement, the person must pay the fees as required under the arrangement.

Division 2 Offences

82 Definition for div 2

In this division—

official means—

- (a) the chief executive; or
- (b) an authorised officer for a public marine facility; or
- (c) another person in the department in which the Act is administered.

83 False or misleading statements to official

A person must not state anything to an official the person knows is false or misleading in a material particular.

Maximum penalty—20 penalty units.

[s 84]

84 False or misleading documents to official

- (1) A person must not give an official a document containing information the person knows is false or misleading in a material particular.

Maximum penalty—20 penalty units.

- (2) Subsection (1) does not apply to a person who when giving the document—
- (a) tells the official, to the best of the person's ability, how the information is false or misleading; and
 - (b) if the person has, or can get, the correct information, gives the correct information to the official.

Division 3 Other provisions

85 Protection from liability

- (1) An authorised officer for a public marine facility is not civilly liable for an act done, or omission made, honestly and without negligence under this regulation.
- (2) If subsection (1) prevents a civil liability attaching to an authorised officer for a public marine facility, the liability attaches instead to the State.

Part 7 **Repeal and transitional provisions**

Division 1 **Repeal**

86 **Repeal**

The *Transport Infrastructure (Public Marine Facilities) Regulation 2000* SL No. 339 is repealed.

Division 2 **Transitional provisions**

87 **Definitions for div 2**

In this division—

commencement means 1 September 2011.

repealed, in relation to the *Transport Infrastructure (Public Marine Facilities) Regulation 2000* or a provision of the regulation, means the regulation or provision as it was in force from time to time before the commencement.

88 **Liability for movement of ships, goods, vehicles**

- (1) A debt payable immediately before the commencement under repealed section 28(1) is taken to be a debt payable under section 28(1).
- (2) A debt payable immediately before the commencement under repealed section 28(2) is taken to be a debt payable under section 28(2).

89 **Detention notice for abandoned property**

- (1) A detention notice given under repealed section 31(1) immediately before the commencement is taken to be a detention notice given under section 31(1).

[s 90]

- (2) A detention notice given under repealed section 31(2) immediately before the commencement is taken to be a detention notice given under section 31(2).

90 Applications for approvals

An application for an approval not finally dealt with immediately before the commencement is taken to be an application under section 37.

91 Applications for amending, suspending or cancelling approval

An application under repealed section 42 that has not been finally dealt with before the commencement is taken to be an application under section 43.

92 Internal review of decisions

An application for an internal review of a decision, requested under section 485 of the Act as applied by repealed section 44(2), that is not dealt with before the commencement is taken to be an application for an internal review of a decision requested under section 485 of the Act as applied by section 45(2).

93 External review of decisions

- (1) An information notice given to an applicant under section 485A(2) of the Act as applied by repealed section 44(2) is taken to be an information notice given to the applicant under section 485A of the Act as applied by section 45(2).
- (2) An application for an external review of a decision under section 485A(3) of the Act as applied by repealed section 44(2) that is not dealt with before the commencement is taken to be an application for an external review of a decision under section 485A of the Act as applied by section 45(2).

94 Authorised officers

- (1) An authorised officer for a public marine facility appointed immediately before the commencement under repealed section 50 is taken to be appointed under section 51.
- (2) A direction given under repealed part 3, division 2, subdivision 2, and not complied with, immediately before the commencement is taken to be a direction given under part 3, division 2, subdivision 2.

95 Regulatory notice

- (1) A regulatory notice by the chief executive, under a repealed regulatory notice provision, that is in effect immediately before the commencement is taken to be a regulatory notice, by the chief executive, under a regulatory provision notice.

- (2) In this section—

repealed regulatory notice provision means a regulatory notice provision under repealed section 59.

96 Payment date for particular fees

- (1) A fee prescribed under the repealed regulation, schedule 2, (*repealed provision*) for the period 1 July 2011 to 31 December 2011 is payable no later than 30 March 2012.
- (2) This section does not limit a person's liability that arose before 1 July 2011 to pay fees prescribed under the repealed provision.

97 Arrangement for paying approval fees

An arrangement, entered into under repealed section 67 between the chief executive and a person, that is in force immediately before the commencement is taken to be an arrangement under section 81.

[s 98]

98 References to repealed regulation

- (1) In a document a reference to the repealed regulation may, if the context permits, be taken to be a reference to this regulation.
- (2) Subsection (1) does not limit the application of the *Acts Interpretation Act 1954*, section 14H.

Schedule 1 **Appointment of manager of public marine facility**

section 5

Manager	Public marine facility
Balonne Shire Council	boat ramp at Bowen Street, St George as shown on Plan No. L-2-7-1
Banana Shire Council	boat ramp at Glebe Weir (32km north-east of Taroom on the Dawson River) as shown on Plan No. L-2-116-1
	boat ramp at Calvale Road, Biloela (Lake Callide, lower ramp) as shown on Plan No. L-3-8-1
	boat ramp at Calvale Road, Biloela (Lake Callide, upper ramp) as shown on Plan No. L-3-8-1
Brisbane City Council	boat ramp at Colmslie Reserve (Lytton Road) as shown on Plan No. L-1-140-9
	floating walkway at Colmslie Reserve (Lytton Road) as shown on Plan No. L-1-140-12
	boat ramp and pontoon at Deep Water Bend Reserve, Bald Hills as shown on Plan No. L-1-140-22
	boat ramp at Yundah Street, Shorncliffe (Cabbage Tree Creek) as shown on Plan No. L-1-140-23
	boat ramp at Sunday Street, Shorncliffe (Cabbage Tree Creek) as shown on Plan No. L-1-140-24

Manager

Public marine facility

boat ramp at Glenora Street, Wynnum (Wynnum Creek) as shown on Plan No. L-1-140-25

jetty at Davies Park, West End (south bank of the Brisbane River) as shown on Plan No. L-1-140-11

boat ramp at Kirra Street, Pinkenba as shown on Plan No. L-1-140-10

boat ramp at Ross Street, Newstead (south bank of Breakfast Creek) as shown on Plan No. L-1-140-7

boat ramp at Meiers Road, Long Pocket (north bank of the Brisbane River) as shown on Plan No. L-1-140-3

boat ramp at Fig Tree Pocket Road, Fig Tree Pocket (north bank of the Brisbane River) as shown on Plan No. L-1-140-2

Bundaberg Regional Council

boat ramp at Queen Street, Bundaberg (north bank of the Burnett River, downstream) as shown on Plan No. L-2-141-1A

boat ramp at Queen Street, Bundaberg (north bank of the Burnett River, upstream) as shown on Plan No. L-2-141-1A

boat ramp at Winfield Road, Winfield (south bank of Baffle Creek) as shown on Plan No. L-2-60-11

boat ramp at Miara Road, Miara (north bank of the Kolan River) as shown on Plan No. L-2-60-10

boat ramp at Baillies Road, Booyan (south bank of Kolan River) as shown on Plan No. L-2-60-9

Manager	Public marine facility
	boat ramp at Walkers Point (north bank of the Burrum River) as shown on Plan No. L-2-64-2
	boat ramp at First Avenue, Woodgate as shown on Plan No. L-2-64-3
	boat ramp at Powers Street, Buxton (north bank of the Burrum River) as shown on Plan No. L-2-64-1
	boat ramp at Dublo Park (north bank of the Elliott River) as shown on Plan No. L-2-60-1
	boat ramp at Esplanade, Innes Park (north side of Palmer Creek) as shown on Plan No. L-2-60-3
	boat ramp at Sandy Hook (south bank of the Burnett River) as shown on Plan No. L-2-60-5
	boat ramp at Lake Monduran, Gin Gin (Fred Haig Dam) as shown on Plan No. L-2-74-1
Burdekin Shire Council	boat ramp at the place commonly known as Middle Landing near Yellow Gin Creek as shown on Plan No. L-4-5-1
	boat ramp at Hinkson Esplanade, Groper Creek (upstream of jetty) as shown on Plan No. L-4-5-2
	boat ramp at Hinkson Esplanade, Groper Creek (downstream of jetty) as shown on Plan No. L-4-5-2
	jetty at Hinkson Esplanade (south bank of Groper Creek) as shown on Plan No. L-4-5-2

Manager

Public marine facility

	<p>boat ramp at Old Wharf Road, Plantation Creek as shown on Plan No. L-4-5-3</p> <p>boat ramp at the place commonly known as Hell Hole Landing as shown on Plan No. L-4-5-5</p> <p>boat ramp at Morris Creek Road, Barramundi Creek as shown on Plan No. L-4-5-6</p> <p>boat ramp at the place commonly known as Cromarty Creek Landing as shown on Plan No. L-4-5-8</p>
Burke Shire Council	<p>jetty at the place commonly known as Truganini Landing near the north bank of the Albert River as shown on Plan No. L-4-23-1</p> <p>boat ramp at the place commonly known as Truganini Landing near the north bank of the Albert River as shown on Plan No. L-4-23-1</p>
Cairns Regional Council	<p>pontoon at Buckley Street, Yorkeys Knob as shown on Plan No. L-5-158-15A</p> <p>boat ramp at Rankin Street, Newell (north bank of the Mossman River) as shown on Plan No. L-5-45-2</p> <p>jetty at Rankin Street, Newell (north bank of the Mossman River) as shown on Plan No. L-5-45-2</p> <p>jetty at Stewart Street, Daintree (south bank of the Daintree River) as shown on Plan No. L-5-45-4</p> <p>boat ramp at Stewart Street, Daintree (the Daintree River) as shown on Plan No. L-5-45-8</p>

Manager**Public marine facility**

pontoon at Bailey Creek Road, Daintree (south bank of the Daintree River) as shown on Plan No. L-5-45-5

boat ramp at Bailey Creek Road, Daintree (south bank of the Daintree River) as shown on Plan No. L-5-45-7

boat ramp at Daintree Road, Dayman Point as shown on Plan No. L-5-45-3

boat ramp at Ashford Avenue, Port Douglas (Dicksons Inlet) as shown on Plan No. L-5-45-1A

pontoon at Ashford Avenue, Port Douglas as shown on Plan No. L-5-45-1A

boat ramp at Bramston Beach, Rocky Point (north bank of Joyce Creek) as shown on Plan No. L-5-158-1

boat ramp at the place commonly known as Deeral Landing near the south bank of the Mulgrave River as shown on Plan No. L-5-158-3

boat ramp at Russell River Road, Bellenden Ker (north bank of the Russell River) as shown on Plan No. L-5-158-2

boat ramp at Pine Creek Road, Redbank Creek as shown on Plan No. L-5-158-5

boat ramp at Yarrabah Road, Second Beach (Brown Bay) as shown on Plan No. L-5-158-14

boat ramp at Greenbank Road, East Stratford (south bank of the Barron River) as shown on Plan No. L-5-158-8

Manager

Public marine facility

boat ramp at Christensen Street, Machans Beach (north bank of the Barron River) as shown on Plan No. L-5-158-19

boat ramp at Thompson Road, Edmonton (southern ramp) as shown on Plan No. L-5-158-4

boat ramp at Thompson Road, Edmonton (northern ramp) as shown on Plan No. L-5-158-4

boat ramp at Acacia Street, Holloways Beach (south bank of Richter Creek) as shown on Plan No. L-5-158-9

boat ramp at Buckley Street, Yorkeys Knob as shown on Plan No. L-5-158-10

boat ramp at Cedar Road, Palm Cove (northern end of Williams Esplanade) as shown on Plan No. L-5-158-11

jetty at Cedar Road, Palm Cove (northern end of Williams Esplanade) as shown on Plan No. L-5-158-11

Carpentaria Shire Council

boat ramp at Gilbert Street, Karumba (Norman River) as shown on Plan No. L-4-31-1

Cassowary Coast Regional Council

boat ramp at Clump Point, Mission Beach as shown on Plan No. L-5-66-2A

boat ramp and jetty at Edith Street, Innisfail (Johnstone River) as shown on Plan No. L-5-66-7A

boat ramp at Sheridan Street, Cardwell (Hinchinbrook Channel) as shown on Plan No. L-4-30-2

Manager	Public marine facility
	boat ramp at Tully Hull Road, Hull Heads (south bank of the Hull River) as shown on Plan No. L-4-30-5
	boat ramp at southern end of Kennedy Esplanade, South Mission Beach as shown on Plan No. L-4-30-6
	boat ramp at Porter Promenade, Mission Beach as shown on Plan No. L-5-66-1
	boat ramp at Bramble Street, Kurrimine Beach as shown on Plan No. L-5-66-4
	boat ramp at Bambarook Road, Inarlinga (Cowley Beach) as shown on Plan No. L-5-66-5
	boat ramp at Flying Fish Point Road, Flying Fish Point (north bank of the Johnstone River) as shown on Plan No. L-5-66-9
	boat ramp at Fern Avenue, Coconut Point (north bank of the Johnstone River) as shown on Plan No. L-5-66-8
	jetty between Grace and Alice Streets, Innisfail (west bank of the Johnstone River) as shown on Plan No. L-5-66-10
chief executive	Bowen boat harbour
	Cabbage Tree Creek boat harbour
	Manly Boat Harbour
	Mooloolaba Harbour
	Rosslyn Bay boat harbour
	Scarborough Boat Harbour
	Snapper Creek boat harbour
	Urangan boat harbour

Manager	Public marine facility
Cook Shire Council	boat ramp at Port Stewart (Port Stewart River) as shown on Plan No. L-5-37-5
	boat ramp at the Annan River as shown on Plan No. L-5-37-6
	boat ramp at Charlotte Street, Cooktown (south bank of the Endeavour River) as shown on Plan No. L-5-37-4
	boat ramp at Ayton (north bank of the Bloomfield River) as shown on Plan No. L-5-37-1
Dalby Regional Council	boat ramp at Caliguel Lagoons, Condamine as shown on Plan No. L-2-87-1A
	boat ramp at Chinchilla South Road (Chinchilla Weir) as shown on Plan No. L-2-33-1
Far North Queensland Ports Corporation Limited	pontoon at Thursday Island (Engineers Wharf) as shown on Plan No. L-5-170-3A
	jetty at Mourilyn Harbour Road, Mourilyn Harbour (northern side) as shown on Plan No. L-5-66-6
	boat ramp at Mourilyn Harbour Road, Mourilyn Harbour (western side) as shown on Plan No. L-5-66-6
	jetty at Green Island as shown on Plan No. L-5-158-12
	jetty at Fitzroy Island as shown on Plan No. L-5-158-13
Fraser Coast Regional Council	boat ramp at Pleasant View Road, Yengarie as shown on Plan No. L-2-131-1A
	boat ramp at North Head, Bingham (north bank of the Mary River, eastern side) as shown on Plan No. L-2-24-1

Manager**Public marine facility**

boat ramp at North Head, Bingham (north bank of the Mary River, western side) as shown on Plan No. L-2-24-1

boat ramp at Corfield Street, Gatakers Bay (western side of Point Vernon) as shown on Plan No. L-2-24-6

boat ramp at Toogoom Road, Toogoom (Beelbi Creek) as shown on Plan No. L-2-24-8

boat ramp at Burrum Heads Road, Burrum Heads (south bank of the Burrum River) as shown on Plan No. L-2-24-10

boat ramp at Ross Street, Burrum Heads (south bank of the Burrum River) as shown on Plan No. L-2-24-9

boat ramp at Bruce Highway, Howard (north bank of the Burrum River) as shown on Plan No. L-2-24-7

boat ramp at Raglan Street, Maryborough (south bank of the Mary River) as shown on Plan No. L-2-146-1

jetty at March Street, Maryborough (north bank of the Mary River) as shown on Plan No. L-2-146-8

boat ramp at South Street, Maryborough (north bank of the Mary River) as shown on Plan No. L-2-146-2

boat ramp upstream from Beaver Rock on the Mary River, Maryborough (south bank of the Mary River) as shown on Plan No. L-2-146-3

Manager	Public marine facility
	boat ramp at Granville Road, Maaroom (north bank of Maaroom Creek) as shown on Plan No. L-2-146-5
	boat ramp at Owen Cox Street, Poona Point (Great Sandy Strait) as shown on Plan No. L-2-146-6
Gladstone Ports Corporation Limited	boat ramp at Morgan Street, Gladstone (Auckland Inlet) as shown on Plan No. L-3-161-2
	boat ramp at Goondoon Street, Gladstone (Auckland Inlet) as shown on Plan No. L-3-161-7
	boat ramp at Southend, Curtis Island as shown on Plan No. L-3-161-4
	boat ramp at the Burnett River (upstream of boat harbour at Burnett Heads) as shown on Plan No. L-2-60-7
	boat ramp at Strathdees Road, Rubyanna (south bank of the Burnett River) as shown on Plan No. L-2-60-6
	boat ramp at Hanson Road, Calliope River as shown on Plan No. L-3-161-6
Gladstone Regional Council	boat ramp at Rocky Point Road, Winfield (Baffle Creek) as shown on Plan No. L-2-60-12A
	boat ramp at Tannum Sands (north bank of Wild Cattle Creek) as shown on Plan No. L-3-27-1
	boat ramp at David Bray Park, Boyne Island (north bank of the Boyne River) as shown on Plan No. L-3-27-3

Manager**Public marine facility**

boat ramp at Alexander Street, Boyne Island (north bank of the Boyne River) as shown on Plan No. L-3-27-2

boat ramp at Old Bruce Highway, Calliope Crossing (south bank of the Calliope River) as shown on Plan No. L-3-27-4

boat ramp at the Narrows (south of Ramsay Crossing) as shown on Plan No. L-3-27-5

boat ramp at the Narrows (Ramsay Crossing) as shown on Plan No. L-3-27-6

boat ramp at Benaraby Road, Toolooa (South Trees Inlet) as shown on Plan No. L-3-161-1

boat ramp at Ferry Road, Baffle Creek (south bank of Baffle Creek) as shown on Plan No. L-3-83-1

boat ramp at Wartburg (north bank of Baffle Creek) as shown on Plan No. L-3-83-4

boat ramp at Captain Cook Drive, Seventeen Seventy (Bustard Bay) as shown on Plan No. L-3-83-2

boat ramp at Hancock Street, Turkey Beach (Rodds Harbour) as shown on Plan No. L-3-83-3

boat ramp at Tiller Street, Tannum Sands (south bank of the Boyne River) as shown on Plan No. L-3-27-8

Gold Coast City Council

boat ramp at Arthur Earle Park, Nerang as shown on Plan No. L-1-160-9

pontoon at park commonly known as Proud Park (south bank of the Nerang River) as shown on Plan No. L-1-160-10A

Manager

Public marine facility

pontoon at Marine Parade, Labrador as shown on Plan No. L-1-160-13

jetty at Bert Hood Street, Boykambil as shown on Plan No. L-1-160-21

jetty at Jacobs Well Road, Jacobs Well as shown on Plan No. L-1-160-23

pontoon at South Stradbroke Island (Tiplers Passage) as shown on Plan No. L-1-160-27

floating walkway at park commonly known as Proud Park, Main Beach (southern end of Broadwater) as shown on Plan No. L-1-160-30A

boat ramp at T.E. Peters Drive, Broadbeach Waters as shown on Plan No. L-1-160-29A

boat ramp at Muriel Henschman Drive, Main Beach (The Spit) as shown on Plan No. L-1-160-31A

pontoon at Muriel Henschman Drive, Main Beach (The Spit) as shown on Plan No. L-1-230-1

boat ramp at Ray Street, Runaway Bay as shown on Plan No. L-1-160-15A

boat ramp at Drake Avenue, Paradise Point as shown on Plan No. L-1-160-18A

boat ramp at Oxenford (west of the Pacific Motorway) as shown on Plan No. L-1-230-2

pontoon at Jacobs Well Road, Jacobs Well as shown on Plan No. L-1-230-3

boat ramp at Alberton Road, Alberton as shown on Plan No. L-1-160-26A

Manager**Public marine facility**

boat ramp at Jacobs Well Road, Jacobs Well (approximately 20m south of jetty) as shown on Plan No. L-1-160-23

boat ramp at park commonly known as Proud Park (south bank of the Nerang River) as shown on Plan No. L-1-160-10

boat ramp at Marine Parade, Southport (Broadwater) as shown on Plan No. L-1-160-11

boat ramp at southern end of Marine Parade, Labrador (north bank of Lodgers Creek) as shown on Plan No. L-1-160-12

jetty at Marine Parade, Labrador (Broadwater) as shown on Plan No. L-1-160-14

boat ramp at Marine Parade, Labrador as shown on Plan No. L-1-160-13

boat ramp at Centenary Drive, Hollywell (Broadwater, opposite Jasmine Avenue) as shown on Plan No. L-1-160-17

boat ramp at Centenary Drive, Hollywell (Broadwater, opposite Holly Avenue) as shown on Plan No. L-1-160-17

boat ramp at Turana Street, Hollywell (south bank of Coombabah Creek) as shown on Plan No. L-1-160-16

boat ramp at Oxley Drive, Jabiru Island as shown on Plan No. L-1-160-19

boat ramp at Thrower Drive, Currumbin (north bank of Currumbin Creek) as shown on Plan No. L-1-160-1

Manager

Public marine facility

boat ramp at Murlong Crescent, Palm Beach (south bank of Tallebudgera Creek) as shown on Plan No. L-1-160-2

boat ramp at Awoonga Avenue, Burleigh Heads (north bank of Tallebudgera Creek) as shown on Plan No. L-1-160-3

boat ramp at Naples Avenue, Surfers Paradise (the Nerang River) as shown on Plan No. L-1-160-6

boat ramp at Birt Avenue, Surfers Paradise (the Nerang River) as shown on Plan No. L-1-160-7

boat ramp at Pinnaroo Street, Santa Barbara (the Coomera River) as shown on Plan No. L-1-160-22

boat ramp at Cabbage Tree Point Road, Cabbage Tree Point (Pimpama Island) as shown on Plan No. L-1-160-24

Goondiwindi Regional Council

boat ramp at Marshall Street, Goondiwindi (north bank of the MacIntyre River) as shown on Plan No. L-2-162-1

Gympie Regional Council

boat ramp at Toolara Road, Toolara (Teewah Creek, Tin Can Inlet) as shown on Plan No. L-1-128-2

boat ramp at Carlo Road, Carlo Point (eastern side of Tin Can Inlet) as shown on Plan No. L-1-128-5

boat ramp at Borumba Dam as shown on Plan No. L-1-128-1

Hinchinbrook Shire Council

boat ramp at She-Oak Street, Forrest Beach as shown on Plan No. L-4-61-1

boat ramp at Boat Ramp Road, Taylors Beach as shown on Plan No. L-4-61-2

Manager	Public marine facility
Ipswich City Council	boat ramp at Dungeness Lucinda Road, Dungeness (the Herbert River) as shown on Plan No. L-4-61-3
Isaac Regional Council	boat ramp at Richardson Park, Goodna (south bank of the Brisbane River) as shown on Plan No. L-1-148-1
Logan City Council	boat ramp at Waverley Creek, St Lawrence (north bank of Bund Creek) as shown on Plan No. L-3-20-3
	boat ramp at Colonial Drive, Clairview as shown on Plan No. L-3-20-1
	boat ramp at Tansey Park, Tanah Merah as shown on Plan No. L-1-70-2A
	boat ramp at Henderson Road, Logan Reserve as shown on Plan No. L-1-13-1A
	boat ramp near Pacific Highway, Beenleigh (south bank of the Logan River) as shown on Plan No. L-1-160-32
	boat ramp at Albert Street, Bethania (south bank of the Logan River) as shown on Plan No. L-1-160-25
	boat ramp at Federation Drive, Bethania (southern side of the Logan River) as shown on Plan No. L-1-160-28
	boat ramp at Skinners Road, Carbrook (north bank of the Logan River) as shown on Plan No. L-1-70-1
Mackay Regional Council	boat ramp at Murray Creek, Mackay as shown on Plan No. L-3-120-10A
	floating walkway at Port Binnli, Mackay as shown on Plan No. L-3-120-12A

Manager

Public marine facility

boat ramp at Port Binnli, Mackay as shown on Plan No. L-3-120-11A

boat ramp at River Street, Mackay (south bank of the Pioneer River) as shown on Plan No. L-3-120-1

boat ramp at Sunset Boulevard, Eimeo Creek (Sunset Bay) as shown on Plan No. L-3-120-3

boat ramp at Seaforth-Port Newry Road, Seaforth (Victor Creek) as shown on Plan No. L-3-120-5

boat ramp at Ramp Road, Carpet Snake Point, St Helens Bay as shown on Plan No. L-3-120-6

boat ramp at Howells Road, Constant Creek as shown on Plan No. L-3-120-4

boat ramp at Sunset Drive, Sarina Beach as shown on Plan No. L-3-107-1A

boat ramp at Boat Ramp Road, Campwin Beach (Castrades Inlet) as shown on Plan No. L-3-107-2

Moreton Bay Regional Council

boat ramp at Saint Smith Road, Beachmere (north bank of the Caboolture River) as shown on Plan No. L-1-25-2

boat ramp at Fourth Avenue, Bongaree (northern ramp at Welsby Parade) as shown on Plan No. L-1-25-4

boat ramp at Fourth Avenue, Bongaree (southern ramp at Welsby Parade) as shown on Plan No. L-1-25-4

jetty at First Avenue, Bongaree (Pumicestone Passage) as shown on Plan No. L-1-25-3

Manager	Public marine facility
	boat ramp at Bibimuyla Street, Bellara, (western side of Bribie Island) as shown on Plan No. L-1-25-6
	boat ramp at Moffat Esplanade, Toorbul (north bank of Ningi Creek) as shown on Plan No. L-1-25-7
	boat ramp at First Avenue, Toorbul (Pumicestone Passage) as shown on Plan No. L-1-25-8
	boat ramp at Freeman Road, Toorbul (Pumicestone Passage) as shown on Plan No. L-1-25-8
	boat ramp at Donnybrook (Pumicestone Passage) as shown on Plan No. L-1-25-9
	boat ramp at Thomas Street, Clontarf (Bramble Bay) as shown on Plan No. L-1-165-1
	boat ramp at Oxley Avenue, Woody Point (Bramble Bay) as shown on Plan No. L-1-165-2
	boat ramp at Flinders Parade, Scarborough (north Queens Beach, opposite Griffith Road) as shown on Plan No. L-1-165-4
	boat ramp at Mabel Street, Margate as shown on Plan No. L-1-165-5
	boat ramp at Kal-Ma-Kuta Drive, Sandstone Point (Pumicestone Passage) as shown on Plan No. L-1-25-12
Mount Isa City Council	boat ramp at Lake Julius, Mount Isa as shown on Plan No. L-4-10-1
North Burnett Regional Council	boat ramp at Grays Road, Gayndah as shown on Plan No. L-2-102-2A

Manager	Public marine facility
	boat ramp at Main Dam, Lake Paradise (approximately 500m upstream from the visitors centre) as shown on Plan No. L-2-43-1A
	boat ramp at Mingo Crossing, Lake Paradise as shown on Plan No. L-2-96-1A
	boat ramp at Kerles Lane, Mundubbera (upstream of Jones Weir) as shown on Plan No. L-2-4-1A
	boat ramp adjacent to Claude Wharton Weir, Gayndah (north bank of the Burnett River) as shown on Plan No. L-2-102-1
	boat ramp at Wuruma Dam as shown on Plan No. L-2-49-1
Northern Peninsula Regional Council	boat ramp at Ware Street, Injinoo (Cowl Creek) as shown on Plan No. L-5-251-2
	boat ramp at Seisia Road, Inang Apudra (Fishbone Creek) as shown on Plan No. L-5-251-1
North Queensland Bulk Ports Corporation Limited	boat ramp at Hay Point Road, Half Tide as shown on Plan No. L-3-107-3
	boat ramp at Evans Landing, Weipa (north bank of the Embley River) as shown on Plan No. L-5-37-3
Parro Shire Council	boat ramp at Burrenbilla Road, Cunnamulla (the Warrego River) as shown on Plan No. L-2-94-1A
Port of Brisbane Pty Ltd	boat ramp at Port Drive, Lytton as shown on Plan No. L-1-140-16
Port of Townsville Limited	boat ramp at Sir Leslie Thiess Drive, Townsville (Ross Creek, southern ramp) as shown on Plan No. L-4-150-3

Manager	Public marine facility
Redland City Council	boat ramp at Sir Leslie Thiess Drive, Townsville (Ross Creek, northern ramp) as shown on Plan No. L-4-150-3
	jetty at Dibbs Street and Tomlin Street, South Townsville (south bank of Ross Creek) as shown on Plan No. L-4-150-2
	jetty at Yule Street, Picnic Bay (Magnetic Island) as shown on Plan No. L-4-150-7
	tourist jetty at Plume Street and Tomlin Street, South Townsville (south bank of Ross Creek) as shown on Plan No. L-4-150-2
	boat ramp at Wahine Drive, Russell Island as shown on Plan No. L-1-34-20A
	boat ramp at Toondah Harbour, Cleveland as shown on Plan No. L-1-34-10A
	jetty at High Street, Russell Island as shown on Plan No. L-1-34-11
	jetty at Junner Street, Dunwich (between the barge ramps at North Stradbroke Island) as shown on Plan No. L-1-34-17
	boat ramp and jetty at Yabby Street, Dunwich (North Stradbroke Island) as shown on Plan No. L-1-34-18
	jetty at Clayton Road, Amity Point (North Stradbroke Island) as shown on Plan No. L-1-34-19
boat ramp at Moores Road, Redland Bay as shown on Plan No. L-1-34-1	
jetty at Weinam Street, Redland Bay as shown on Plan No. L-1-34-2	

Manager

Public marine facility

boat ramp at Masters Avenue, Victoria Point (south of the jetty) as shown on Plan No. L-1-34-3

boat ramp at Colburn Avenue, northern side of Victoria Point (north west of the jetty) as shown on Plan No. L-1-34-4

boat ramp at Shore Street North, Cleveland as shown on Plan No. L-1-34-6

boat ramp at Main Road, Wellington Point (north of the jetty) as shown on Plan No. L-1-34-7

boat ramp at Main Road, Wellington Point (south of the jetty) as shown on Plan No. L-1-34-7

jetty at Main Road, Wellington Point (eastern side of Wellington Point) as shown on Plan No. L-1-34-7

boat ramp at Helen Street, Thorneside (Queens Esplanade, south bank of Tingalpa Creek) as shown on Plan No. L-1-34-8

Rockhampton Regional Council

boat ramp at the place commonly known as Corbetts Landing as shown on Plan No. L-3-77-8A

boat ramp at Banksia Road, Stanage Bay as shown on Plan No. L-3-77-9A

boat ramp at St Christopher's Chapel Road, Nerimbera as shown on Plan No. L-3-77-10A

boat ramp at Limpus Avenue, Keppel Sands (north bank of Pumpkin Creek, downstream of the local government reserve) as shown on Plan No. L-3-77-1A

Manager	Public marine facility
	boat ramp at Limpus Avenue, Keppel Sands (north bank of Pumpkin Creek, upstream of the local government reserve) as shown on Plan No. L-3-77-1
	boat ramp at Taylor Street, Keppel Sands as shown on Plan No. L-3-77-11
	boat ramp at Emu Park (north bank of Coorooman Creek) as shown on Plan No. L-3-77-2
	boat ramp at Hill Street, Emu Point as shown on Plan No. L-3-77-3
	boat ramp at Emu Park Road, Mulambin (Lake Causeway) as shown on Plan No. L-3-77-4
	boat ramp at Emu Park Road, Yeppoon (Fig Tree Creek, near Beak bridge) as shown on Plan No. L-3-77-7
	boat ramp at Reaney Street, Rockhampton (north bank of the Fitzroy River) as shown on Plan No. L-3-147-3
	boat ramp at Larcombe Street, Rockhampton (north bank of the Fitzroy River) as shown on Plan No. L-3-147-1
	boat ramp near Luck Avenue, Rockhampton (south bank of the Fitzroy River) as shown on Plan No. L-3-147-2
	jetty at Derby Street, Rockhampton (south bank of the Fitzroy River) as shown on Plan No. L-3-147-4
Roma Regional Council	boat ramp at Surat (north bank of the Balonne River) as shown on Plan No. L-2-126-1A

Schedule 1

Manager	Public marine facility
Scenic Rim Regional Council	boat ramp at Maroon Dam as shown on Plan No. L-1-58-1
	boat ramp at Muller Park, Lake Moogerah (northern ramp) as shown on Plan No. L-1-58-3
	boat ramp at Muller Park, Lake Moogerah (southern ramp) as shown on Plan No. L-1-58-2
Somerset Regional Council	boat ramp at Sir Harold Richter Drive, Atkinsons Dam as shown on Plan No. L-2-52-1
Southern Downs Regional Council	boat ramp at Storm King Dam, Stanthorpe as shown on Plan No. L-2-109-1
Sunshine Coast Regional Council	boat ramp at June Street, Golden Beach (north bank of Bells Creek) as shown on Plan No. L-1-76-1
	boat ramp at Raleigh Street, Golden Beach (approximately 300m south of the military jetty) as shown on Plan No. L-1-76-2
	boat ramp at Raleigh Street, Golden Beach (approximately 200m south of the military jetty) as shown on Plan No. L-1-76-2
	boat ramp at Churchill Street, Golden Beach as shown on Plan No. L-1-76-3
	boat ramp at Seaview Terrace, Caloundra (Moffat Beach) as shown on Plan No. L-1-76-6
	boat ramp at Lara Street, Currimundi (south bank of Currimundi Creek) as shown on Plan No. L-1-76-7

Manager**Public marine facility**

boat ramp at Bradman Avenue,
Maroochydore (south bank of the
Maroochy River) as shown on Plan No.
L-1-80-3

boat ramp at Fishermans Road,
Maroochydore (east bank of Eudlo Creek)
as shown on Plan No. L-1-80-4

boat ramp at Cooks Road, Bli Bli
(downstream of the David Low Bridge on
the Maroochy River) as shown on Plan No.
L-1-80-5

boat ramp at Lake Dunethin Road, Lake
Dunethin (the Maroochy River) as shown
on Plan No. L-1-80-6

boat ramp at Albert Street, Noosaville
(eastern ramp, south bank of the Noosa
River) as shown on Plan No. L-1-92-1

boat ramp at Thomas Street, Noosaville
(western ramp, south bank of the Noosa
River) as shown on Plan No. L-1-92-1

jetty between Albert Street and Edward
Street, Noosaville (south bank of the Noosa
River) as shown on Plan No. L-1-92-1

boat ramp at Lake Street, Tewantin (south
bank of the Noosa River) as shown on Plan
No. L-1-92-2

boat ramp at Orchard Avenue, Boreen
(Lake Cootharaba) as shown on Plan No.
L-1-92-3

jetty at Boreen Parade, Boreen Point (Lake
Cootharaba) as shown on Plan No.
L-1-92-3

Manager	Public marine facility
	boat ramp at Adaluma Avenue, Buddina (south bank of the Mooloolah River) as shown on Plan No. L-1-76-10
Tablelands Regional Council	boat ramp at Church Street, Tinaroo Falls (Tinaroo Falls Dam) as shown on Plan No. L-5-119-1
	boat ramp adjacent to the caravan park at Tinaroo Falls Dam as shown on Plan No. L-5-48-1
Torres Shire Council	boat ramp at the passage commonly known as Alpin Pass (south-western end of Thursday Island) as shown on Plan No. L-5-170-2
	boat ramp at Waiben Esplanade, Rose Hill (north-eastern end of Thursday Island) as shown on Plan No. L-5-170-4
Townsville City Council	boat ramp at Nelly Bay (Magnetic Island) as shown on Plan No. L-5-268-1
	pontoon at Barnicle Street, Railway Estate (north bank of the Ross River) as shown on Plan No. L-4-150-1A
	boat ramp at Santal Drive, Rasmussen as shown on Plan No. L-5-268-2
	boat ramp at Crabb Drive, Balgal (south bank of Rollingstone Creek) as shown on Plan No. L-4-117-3
	boat ramp at Saunders Beach (south bank of Althaus Creek) as shown on Plan No. L-4-117-2
	boat ramp at Yule Street, Magnetic Island (adjacent to the jetty at Picnic Bay) as shown on Plan No. L-4-150-4

Manager	Public marine facility
	boat ramp at Marlow Street, Pallarenda (northern end of Cleveland Bay) as shown on Plan No. L-4-150-6
Whitsunday Regional Council	pontoon at the marina commonly known as Abel Point Marina, Airlie Beach as shown on Plan No. L-3-100-6A
	boat ramp at Horseshoe Bay Road, Bowen (Greys Bay, Cape Edgecumbe) as shown on Plan No. L-4-125-2
	boat ramp at Conway Road, Proserpine River as shown on Plan No. L-3-100-1
	boat ramp at Shute Harbour Road, Shute Harbour as shown on Plan No. L-3-100-2
	boat ramp at Shute Harbour Road, Cannonvale (Shingley Beach) as shown on Plan No. L-3-100-4

Schedule 2 Fees for State managed boat harbours

section 77

Part 1 Fees for approvals for State managed boat harbours

Bowen boat harbour

	\$
1 For an approval to moor a ship at a pile mooring or buoy mooring or a combination pile and buoy mooring—	
(a) for each metre, or part of a metre, of the length between the centres of the 2 moorings, subject to the minimum fees stated in subparagraphs (i) and (ii), for 1 year	48.55
(i) minimum fee for a mooring not over 12.192m, for 1 year	594.55
(ii) minimum fee for a mooring over 12.192m but not over 15.24m, for 1 year	743.40
(b) for each metre, or part of a metre, of the length between the centres of the 2 moorings, for 6 months	30.75
(c) for each week, irrespective of the ship's length—	
(i) for the first week	80.45
(ii) for each subsequent week	57.50
(d) for each day, or part of a day, irrespective of the ship's length	11.50
2 For an approval to moor a ship at a landing, for each hour or part of an hour after the first hour	4.30
3 For an approval to operate a commercial ship to provide a passenger carrying transport service, other than a ferry service, if, under the ship's registration certificate under the <i>Transport Operations (Marine Safety) Regulation 2004</i> , the ship may carry in partially smooth waters—	

		\$
	(a) 25 persons or less, for 1 year	148.70
	(b) over 25, but not over 55, persons, for 1 year.	297.35
4	For an approval to operate a commercial ship to provide a passenger carrying transport service that is a ferry service—	
	(a) for each passenger, other than an exempt passenger or a passenger to whom paragraph (b) applies	1.55
	(b) for each passenger who is a student on a genuine school educational trip, if the school principal gives the approval holder a statutory declaration declaring the number of students on the trip	0.30
5	For an approval to operate a commercial ship to provide a goods carrying transport service—	
	(a) for 1 year.	5 946.70
	(b) for 6 months	2 973.25
6	For an approval to operate a fuelling service, for 1 year . .	28.60

Mooloolaba Harbour

		\$
1	For an approval to moor a ship at a pile mooring or buoy mooring or a combination pile and buoy mooring—	
	(a) for each metre, or part of a metre, of the ship's length, for 1 year.	96.60
	(b) for each metre, or part of a metre, of the ship's length, for 6 months	48.35
	(c) for each week, irrespective of the ship's length	64.70
	(d) for each day, or part of a day, irrespective of the ship's length	10.05
2	For an approval to moor a ship at a maintenance berth, for each day or part of a day	14.50
3	For an approval to operate a fuelling service, for 1 year . .	148.70

Rosslyn Bay boat harbour

	\$
1 For an approval to moor a ship at a pile mooring or buoy mooring or a combination pile and buoy mooring—	
(a) for each metre, or part of a metre, of the ship’s length, for 1 year	96.60
(b) for each metre, or part of a metre, of the ship’s length, for 6 months	48.35
(c) for each week, irrespective of the ship’s length	64.70
(d) for each day, or part of a day, irrespective of the ship’s length	10.05
2 For an approval to moor a ship at a maintenance berth, for each day or part of a day	14.50
3 For an approval to moor a commercial ship or a fishing ship at a landing, for each hour or part of an hour	14.50
4 For an approval to moor a recreational ship at a landing, for each hour or part of an hour after the first hour	14.50
5 For an approval to operate a commercial ship to provide a passenger carrying transport service, other than a ferry service, if, under the ship’s registration certificate under the <i>Transport Operations (Marine Safety) Regulation 2004</i> , the ship may carry in partially smooth waters—	
(a) 25 persons or less, for 1 year	148.70
(b) over 25, but not over 55, persons, for 1 year	297.35
6 For an approval to operate a commercial ship to provide a passenger carrying transport service that is a ferry service—	
(a) if the service is operated to or from boat harbour land under a tenure held by a person, other than the chief executive, for each passenger, other than an exempt passenger or a passenger to whom paragraph (c) applies	1.55
(b) if the service is operated using a landing on boat harbour land over which only the chief executive has a tenure—	
(i) for each passenger, other than an exempt passenger or a passenger to whom paragraph (c) applies	4.40

		\$
	(ii) for use of the landing, for 1 year.....	3 716.75
(c)	for each passenger who is a student on a genuine school educational trip, if the school principal gives the approval holder a statutory declaration declaring the number of students on the trip—	
	(i) for a service mentioned in paragraph (a)	0.30
	(ii) for a service mentioned in paragraph (b)	1.10
7	For an approval to operate a commercial ship to provide a goods carrying transport service—	
	(a) for 1 year	5 946.70
	(b) for 6 months.	2 973.25
	(c) for 1 month	495.50
	(d) in addition to the fee under paragraph (a), (b) or (c), if the service is operated using a boat ramp or landing on boat harbour land over which only the chief executive has a tenure, for use of the boat ramp or landing—	
	(i) for 1 year	3 716.75
	(ii) for 6 months.	1 858.40
	(iii) for 1 month	309.65
8	For a fish receival service approval—	
	(a) for each kilogram of prawns, fillets of fish or shucked scallops	0.04
	(b) for each kilogram of fish, other than fillets of fish . .	0.02
	(c) for each kilogram of unshucked scallops	0.01
	(d) in addition to the fee under paragraph (a), (b) or (c), if the service is operated using a boat ramp or landing on boat harbour land over which only the chief executive has a tenure, for use of the boat ramp or landing, for 1 year.	3 716.75
9	For an approval to operate a fuelling service, for 1 year . .	371.55

Snapper Creek boat harbour

	\$
1 For an approval to moor a ship at a pile mooring or buoy mooring or a combination pile and buoy mooring—	
(a) for each metre, or part of a metre, of the ship’s length, for 1 year	96.60
(b) for each metre, or part of a metre, of the ship’s length, for 6 months	48.35
(c) for each week, irrespective of the ship’s length	64.70
(d) for each day, or part of a day, irrespective of the ship’s length	10.05
2 For an approval to operate a commercial ship to provide a passenger carrying transport service if, under the ship’s registration certificate under the <i>Transport Operations (Marine Safety) Regulation 2004</i> , the ship may carry in partially smooth waters—	
(a) 25 persons or less, for 1 year	81.65
(b) over 25, but not over 55, persons, for 1 year	163.50
3 For an approval to operate a fuelling service, for 1 year . .	148.70

Urangan boat harbour

	\$
1 For an approval to moor a ship at a pile mooring or buoy mooring or a combination pile and buoy mooring—	
(a) for each metre, or part of a metre, of the ship’s length, for 1 year	96.60
(b) for each metre, or part of a metre, of the ship’s length, for 6 months	48.35
(c) for each week, irrespective of the ship’s length	64.70
(d) for each day, or part of a day, irrespective of the ship’s length	10.05

	\$
2 For an approval to operate a commercial ship to provide a passenger carrying transport service, other than a ferry or whale watching service, if, under the ship's registration certificate under the <i>Transport Operations (Marine Safety) Regulation 2004</i> , the ship may carry in partially smooth waters—	
(a) 25 persons or less, for 1 year	81.65
(b) over 25, but not over 55, persons, for 1 year.	163.50
(c) over 55, but not over 150, persons, for 1 year.	245.30
(d) over 150 persons, for 1 year	327.10
3 For an approval to operate a commercial ship to provide a passenger carrying transport service that is a ferry service, if no more than 2 ships are used to provide the service, for 3 months	11 149.90
4 For an approval to operate a commercial ship to provide a transport service that is a combined passenger ferry service and goods carrying service, for each ship—	
(a) for 3 months	1 486.65
(b) in addition to the fee under paragraph (a), if the service is operated using a barge ramp on boat harbour land over which only the chief executive has a tenure, for use of the ramp for 3 months	1 114.90
5 For an approval to operate a commercial ship to provide a goods carrying transport service, if the service is operated using a barge ramp on boat harbour land over which only the chief executive has a tenure, for each ship—	
(a) for using the ramp 24 times or less a year	297.35
(b) for using the ramp over 24, but not over 52, times a year	594.55
(c) for using the ramp over 52, but not over 104, times a year	1 114.90
(d) for using the ramp over 104 times a year	4 459.95
6 For an approval to operate a commercial ship to provide a passenger carrying transport service that is a whale watching service, for each passenger.	0.25
7 For an approval to operate a fuelling service, for 1 year . .	148.70

Part 2 Other fees

		\$
1	For each mooring in the leased land mentioned in section 77(2), for 6 months	159.85

**Schedule 3 Fees for non-State managed
boat harbours**

section 79

	\$
1 For each mooring in a non-State managed boat harbour, for 6 months—	
(a) for a mooring provided by the State	263.85
(b) for a mooring provided by anyone else.	159.85

Schedule 4 Dictionary

section 3

abandoned property, for part 3, division 4, see section 29.

anchor, a ship, when used as a verb, means secure the ship to the seabed using 1 or more anchors.

approval means—

- (a) an approval under section 38 to moor a ship; or
- (b) an approval under section 39 to operate a commercial ship to provide a transport service; or
- (c) an approval under section 40 to operate a fuelling service; or
- (d) a fish receival service approval.

authorised officer, for a public marine facility, means an authorised officer appointed under section 51(1).

boat harbour land means land in a State managed boat harbour.

Bowen boat harbour means the boat harbour at Bowen shown as lot 310 on SP198022.

Cabbage Tree Creek boat harbour means the boat harbour at Cabbage Tree Creek shown as lots 423 to 426 on SP158144.

commencement, for part 7, division 2, see section 87.

commercial hire ship see the *Transport Operations (Marine Safety) Regulation 2004*, section 146(5).

commercial ship see the *Transport Operations (Marine Safety) Regulation 2004*, schedule 15 but does not include a commercial hire ship.

detention notice, for part 3, division 4, see section 29.

document certification requirement see section 62(6).

document production requirement see section 62(2).

exempt passenger means a person travelling on a commercial ship for which, under an approval to operate the ship to provide a transport service, fees are payable for passengers carried on the ship, if the person is—

- (a) under 6 years; or
- (b) travelling on the ship on a ticket for the trip given to the person by a recognised charitable organisation, if the organisation—
 - (i) obtains the ticket without charge; and
 - (ii) gives the approval holder a statutory declaration declaring the number of tickets it received without charge.

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

ferry service see the *Transport Operations (Passenger Transport) Act 1994*, schedule 3.

fish see the *Fisheries Act 1994*, section 5.

fishing ship see the *Transport Operations (Marine Safety) Regulation 2004*, schedule 15.

fish receival service means a service for receiving fish.

fish receival service approval, for a place, means an approval to operate a fish receival service at the place.

fuelling service see section 40.

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

indication see the *Transport Operations (Road Use Management) Act 1995*, schedule 4.

landing includes jetty, pontoon and wharf.

length of a ship means its maximum overall length including all projections.

maintenance berth means a berth for temporarily berthing a ship that is being constructed, fitted out, repaired or maintained.

manager means the manager of a public marine facility under—

- (a) section 519 of the Act; or
- (b) section 5.

Manly Boat Harbour means the Manly Boat Harbour shown as lots 685 to 687 on SP172860 and lot 688 on SP172859.

Mooloolaba Harbour means the Mooloolaba Harbour shown as lot 1 on SP143293.

non-State managed boat harbour means a public marine facility that is a boat harbour, other than a State managed boat harbour.

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

obstruct includes hinder, resist, insult and attempt to obstruct.

official, for part 6, division 2, see section 82.

partially smooth waters see the *Transport Operations (Marine Safety) Regulation 2004*, schedule 15.

passenger, for a commercial ship, means any person on the ship, other than the ship's master and the crew required under the *Transport Operations (Marine Safety) Regulation 2004* to operate the ship.

personal details requirement see section 60(5).

Port of Brisbane Pty Ltd means Port of Brisbane Pty Ltd ACN 143 384 749.

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

recreational ship see the *Transport Operations (Marine Safety) Regulation 2004*, schedule 15.

regulatory notice see section 72(1).

regulatory notice provision see section 73.

relevant State managed boat harbour means—

- (a) Bowen boat harbour; or
- (b) Mooloolaba Harbour; or
- (c) Rosslyn Bay boat harbour; or
- (d) Snapper Creek boat harbour; or
- (e) Urangan boat harbour.

repealed, for part 7, division 2 see section 87.

requirement, of a regulatory notice, includes a direction, instruction, indication, condition or other provision contained in the notice.

Rosslyn Bay boat harbour means the boat harbour at Rosslyn Bay as shown on Plan No. H-339.

Scarborough Boat Harbour means the Scarborough Boat Harbour shown as lots 858 and 859 on SP158152.

ship see the *Transport Operations (Marine Safety) Act 1994*, section 10.

Snapper Creek boat harbour means the boat harbour at Snapper Creek shown as lot 111 on Plan No. MCH5138.

standard condition, for an approval, means a condition the chief executive imposes, or would impose, on every other approval of the same type as the approval.

State managed boat harbour means each of the following boat harbours that is a public marine facility managed by the chief executive for the State—

- (a) Bowen boat harbour;
- (b) Cabbage Tree Creek boat harbour;
- (c) Manly Boat Harbour;
- (d) Mooloolaba Harbour;
- (e) Rosslyn Bay boat harbour;
- (f) Scarborough Boat Harbour

(g) Snapper Creek boat harbour;

(h) Urangan boat harbour.

transport service means a service for carrying goods or passengers—

(a) within a boat harbour; or

(b) that starts or ends in a boat harbour.

Examples—

- a ferry service within the boat harbour or that starts from the boat harbour and goes to a resort island outside the boat harbour
- a fishing or dive charter to an off shore reef

Urangan boat harbour means the boat harbour at Urangan shown as lot 253 on SP166261, lot 254 on SP150280 and lot 15 on SP171735.

vehicle includes an air cushion vehicle.

Endnotes

1 Index to endnotes

	Page
2 Date to which amendments incorporated	91
3 Key	92
4 Table of reprints	92
5 List of legislation	93
6 List of annotations	93

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 July 2013. Future amendments of the *Transport Infrastructure (Public Marine Facilities) Regulation 2011* 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 version
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

A new reprint of the legislation is prepared by the Office of the Queensland Parliamentary Counsel each time a change to the legislation takes effect.

The notes column for this reprint gives details of any discretionary editorial powers under the *Reprints Act 1992* used by the Office of the Queensland Parliamentary Counsel in preparing it. Section 5(c) and (d) of the Act are not mentioned as they contain mandatory requirements that all amendments be included and all necessary consequential amendments be incorporated, whether of punctuation, numbering or another kind. Further details of the use of any discretionary editorial power noted in the table can be obtained by contacting the Office of the Queensland Parliamentary Counsel by telephone on 3237 0466 or email legislation.queries@oqpc.qld.gov.au.

From 29 January 2013, all Queensland reprints are dated and authorised by the Parliamentary Counsel. The previous numbering system and distinctions between printed and electronic reprints is not continued with the relevant details for historical reprints included in this table.

Reprint No.	Amendments included	Effective	Notes
1	none	1 September 2011	
1A	2012 SL No. 55	1 July 2012	
1B	2012 SL No. 179	19 October 2012	

Current as at 1 July 2013	Amendments included 2013 SL No. 75	Notes
------------------------------	---------------------------------------	-------

5 List of legislation

Regulatory impact statements

For subordinate legislation that has a regulatory impact statement, specific reference to the statement is included in this list.

Explanatory notes

All subordinate legislation made on or after 1 January 2011 has an explanatory note.

Transport Infrastructure (Public Marine Facilities) Regulation 2011 SL No. 161

made by the Governor in Council on 25 August 2011

notfd gaz 26 August 2011 pp 995–7

ss 1–2 commenced on date of notification

remaining provisions commenced 1 September 2011 (see s 2)

exp 1 September 2021 (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 (Fees) Amendment Regulation (No. 1) 2012 SL No. 55 pts 1, 7

notfd gaz 18 May 2012 pp 74–6

ss 1–2 commenced on date of notification

remaining provisions commenced 1 July 2012 (see s 2)

Transport Infrastructure (Public Marine Facilities) Amendment Regulation (No. 1) 2012 SL No. 179

notfd gaz 19 October 2012 pp 234–5

commenced on date of notification

Transport Legislation (Fees) Amendment Regulation (No. 1) 2013 SL No. 75 pts 1, 7

notfd gaz 31 May 2013 pp 160–5

ss 1–2 commenced on date of notification

remaining provisions commenced 1 July 2013 (see s 2)

6 List of annotations

Definition for div 2

s 82 def *official* amd 2012 SL No. 179 s 3

Definitions for div 2

s 87 amd 2012 SL No. 179 s 4

Endnotes

External review of decisions

s 93 amd 2012 SL No. 179 s 5

SCHEDULE 1—APPOINTMENT OF MANAGER OF PUBLIC MARINE FACILITY

amd 2012 SL No. 179 s 6

SCHEDULE 2—FEES FOR STATE MANAGED BOAT HARBOURS

sub 2012 SL No. 55 s 14; 2013 SL No. 75 s 14

SCHEDULE 3—FEES FOR NON-STATE MANAGED BOAT HARBOURS

sub 2012 SL No. 55 s 14; 2013 SL No. 75 s 14

SCHEDULE 4—DICTIONARY

def *document production requirement* ins 2012 SL No. 179 s 7(2)

def *Far North Queensland Ports Corporation Limited* ins 2012 SL No. 179 s 7(2)

def *Gladstone Ports Corporation Limited* ins 2012 SL No. 179 s 7(2)

def *North Queensland Bulk Ports Corporation Limited* ins 2012 SL No. 179 s 7(2)

def *Port of Brisbane Pty Ltd* ins 2012 SL No. 179 s 7(2)

def *Port of Townsville Limited* ins 2012 SL No. 179 s 7(2)

def *Rosslyn Bay boat harbour* sub 2012 SL No. 179 s 7(1)–(2)

© State of Queensland 2013

Authorised by the Parliamentary Counsel