



Transport Infrastructure Act 1994

Transport Infrastructure (Public Marine Facilities) Regulation 2023

Current as at 1 September 2023

Warning—

Some provisions of this legislation are not in operation. These provisions are italicised. For details, see the List of legislation in the Legislative history.

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Queensland

Transport Infrastructure (Public Marine Facilities) Regulation 2023

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Transport Infrastructure (Public Marine Facilities) Regulation 2023

Part 1 Preliminary

1 Short title

This regulation may be cited as the *Transport Infrastructure (Public Marine Facilities) Regulation 2023*.

2 Commencement

- (1) This regulation, other than part 13, divisions 1 and 4, commences on 1 September 2023.
- (2) Part 13, division 1 commences on the commencement of the *Justice and Other Legislation Amendment Act 2023*, section 10.
- (3) Part 13, division 4 commences on 31 August 2023 at the end of the day.

3 Definitions

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

4 References to plan

A reference in schedule 1 to a particular plan by a number is a reference to the plan of that number held by the department and published on the department's website.

Part 2 Management of public marine facilities

Division 1 Appointment

5 Appointment of manager

- (1) For section 459(1) of the Act, a person mentioned in schedule 1 is appointed as the manager of the public marine facility stated opposite the person in the schedule.

Notes—

- 1 See also sections 461, 461A and 519 of the Act about persons taken to be the manager of a public marine facility.
 - 2 See also section 101 in relation to the appointment of particular persons.
- (2) If 2 or more persons are appointed as the manager of a public marine facility under schedule 1, the persons are appointed as joint managers of the facility.

Division 2 Conditions of appointment

6 Application of division

This division states for section 459(3) of the Act the conditions on which the appointment of a manager of a public marine facility is made.

7 Use of public marine facilities

- (1) The manager of a public marine facility must allow the facility to be used only in the following ways—
- (a) by the public, at all times and free of charge, for genuinely private or recreational boating unless the manager has a reasonable excuse;

- (b) for the purpose of investigating and responding to an emergency;

Examples for paragraph (b)—

- saving human life
- locating, or securing the safety of, an aircraft or vessel

- (c) for another purpose, including, for example, a commercial purpose, with—

- (i) the manager’s written approval; and
(ii) the written consent of the chief executive.

Examples for paragraph (c)—

- leaving a ship unattended at a public marine facility for the purpose of responding to potential emergencies
- disembarking passengers from a charter boat

- (2) The chief executive may give written consent under subsection (1)(c)(ii) only if the chief executive is satisfied the purpose for which the consent is being given will not unreasonably disrupt the use of the public marine facility for genuinely private or recreational boating.

8 Fees for moorings

- (1) The manager of a non-State managed boat harbour must pay to the chief executive the fee stated in schedule 2 for each mooring located in the boat harbour.
- (2) A fee payable under subsection (1) must be paid to the chief executive no later than 3 months after each due date.

9 Responsibilities

- (1) The manager of a public marine facility is responsible for all aspects of managing the facility unless otherwise agreed to by the chief executive, including, for example, the following—
- (a) replacing buoy moorings, pile moorings and dinghy racks in the facility;

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- (b) maintaining roads, parking areas, amenities and gardens in the facility;
 - (c) maintenance dredging in the facility other than dredging of channels to landings and boat ramps.
- (2) However, the manager of a public marine facility is not responsible for replacing the facility if the facility is—
- (a) a boat ramp; or
 - (b) a breakwater; or
 - (c) a landing; or
 - (d) a navigational aid; or
 - (e) a revetment wall.

Part 3 Matters relating to boat ramps and landings

Division 1 Control of access and use

10 Application of division

This division applies if the chief executive is the manager of a public marine facility that is a boat ramp or landing.

11 Control of boat ramps and landings by regulatory notice

- (1) The chief executive may display, or give to a person, a notice (a *regulatory notice*) to control access to, or the use of, the boat ramp or landing.

Note—

See part 8 for requirements about regulatory notices.

- (2) Without limiting subsection (1), the chief executive may display, or give to a person, a notice (also a *regulatory notice*) to control activities or conduct on the boat ramp or landing—

- (a) to maintain or improve the safe, secure or efficient operation of the boat ramp or landing; or
 - (b) to maintain or improve the convenience of users of the boat ramp or landing; or
 - (c) to prevent damage to the environment at the boat ramp or landing.
- (3) A person must comply with a regulatory notice under subsection (1) or (2).

Maximum penalty—30 penalty units.

12 Directions by authorised officers

- (1) An authorised officer may give a direction to a person at the boat ramp or landing if the authorised officer reasonably believes it is necessary to give the direction to ensure the safety and security of the boat ramp or landing, users of the boat ramp or landing or employees of the department.

Examples of directions that may be given for subsection (1)—

- a direction to limit or prohibit the use of the boat ramp or landing
 - a direction to control the movement or mooring of, or activities on or by, a ship
 - a direction to control the movement, handling or storage of goods that are loaded, waiting to be loaded, unloaded or being transhipped
 - a direction to control the movement of persons
 - a direction to control the movement, parking or stopping of vehicles
- (2) When giving the direction, the authorised officer must give the person an offence warning for the direction.
- (3) The person must comply with the direction unless the person has a reasonable excuse.

Maximum penalty—30 penalty units.

- (4) A person may not be convicted of an offence against subsection (3) if the person is not given an offence warning for the direction under subsection (2).

Division 2 Offences relating to use of boat ramps and landings

13 Application of division

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

14 Driving or parking vehicles on boat ramps

A person must not drive or park a vehicle on a boat ramp unless the person is using the vehicle to launch or retrieve a ship.

Maximum penalty—20 penalty units.

15 Launching or retrieving ships at boat ramps

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.

16 Obstructing person's use of boat ramps or landings

A person must not obstruct another person's use of a boat ramp or landing.

Maximum penalty—20 penalty units.

17 Anchoring, mooring or placing ships near boat ramps or landings

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

Maximum penalty—20 penalty units.

18 Maintenance or repairs to ships on boat ramps

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

Maximum penalty—20 penalty units.

19 Maintenance or repairs to ships near boat ramps or landings

A person must not carry out maintenance or repairs to a ship in water near a boat ramp or landing unless the person has a reasonable excuse.

Maximum penalty—20 penalty units.

20 Driving or parking vehicles on boat ramps or landings

(1) A person must not drive or park a vehicle on a boat ramp if the mass of the vehicle and its load is more than—

- (a) 5 tonne; or
- (b) if the manager of the boat ramp displays on or near the boat ramp a notice approved by the chief executive and displaying a greater mass—the greater mass.

Maximum penalty—30 penalty units.

(2) A person must not drive or park a vehicle on a landing.

Maximum penalty—20 penalty units.

(3) However, a person does not contravene subsection (2) if—

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- (a) the manager of the landing displays on or near the landing a notice that—
 - (i) is approved by the chief executive; and
 - (ii) authorises the driving or parking of a vehicle on the landing for a purpose mentioned in paragraph (b); and
 - (iii) states the maximum mass of the vehicle and its load that may be driven or parked on the landing; and
 - (b) the vehicle is driven or parked on the landing only to take goods or passengers to, or pick up goods or passengers from, a ship moored at the landing; and
 - (c) the person complies with the notice.
- (4) A person must not drive or park a vehicle on a boat ramp or landing unless the vehicle is fitted with pneumatic or rubber tyres.

Maximum penalty—20 penalty units.

- (5) In this section—

load, in relation to a vehicle, includes a trailer being towed by the vehicle and the trailer's load.

Part 4 **Control of State managed boat harbours**

21 Application of part

- (1) This part applies in relation to a State managed boat harbour other than to the extent the boat harbour includes land over which a person, other than the chief executive, has a tenure.
- (2) The provisions of this part are in addition to the provisions of part 3 for a boat ramp or landing that is a public marine facility in a State managed boat harbour.

22 Control of State managed boat harbours by regulatory notice

- (1) The chief executive may display, or give to a person, a notice (also a *regulatory notice*) to control access to, or the use of, a State managed boat harbour.

Note—

See part 8 for requirements about regulatory notices.

- (2) Without limiting subsection (1), the chief executive may display, or give to a person, a notice (also a *regulatory notice*) to control activities or conduct in a State managed boat harbour if the chief executive reasonably believes displaying or giving the regulatory notice is necessary—
- to maintain or improve the safe, secure or efficient operation of the boat harbour; or
 - to maintain or improve the convenience of users of the boat harbour; or
 - to prevent damage to the environment in the boat harbour.
- (3) Without limiting subsection (2), a regulatory notice displayed or given by the chief executive under that subsection may—
- control the movement or mooring of, or activities on or by, a ship; or
 - control the movement, handling or storage of goods that are loaded, waiting to be loaded, unloaded or being transhipped; or
 - control the movement of persons; or
 - control the movement, parking or stopping of vehicles.

Examples for paragraph (d)—

- fixing a maximum speed limit
- indicating a pedestrian crossing
- indicating a place where driving, parking or stopping of vehicles is restricted or prohibited

- (4) A person must comply with a regulatory notice under subsection (1) or (2).

Maximum penalty—30 penalty units.

23 Directions by authorised officers

- (1) An authorised officer may give a direction to a person in a State managed boat harbour if the authorised officer reasonably believes it is necessary to give the direction to ensure the safety and security of the boat harbour, users of the boat harbour or employees of the department.

Examples of directions that may be given for subsection (1)—

- a direction to limit or prohibit the use of a boat ramp or landing in a State managed boat harbour
 - a direction to control the movement or mooring of, or activities on or by, a ship
 - a direction to control the movement, handling or storage of goods that are loaded, waiting to be loaded, unloaded or being transhipped
 - a direction to control the movement of persons
 - a direction to control the movement, parking or stopping of vehicles
- (2) When giving the direction, the authorised officer must give the person an offence warning for the direction.
- (3) The person must comply with the direction unless the person has a reasonable excuse.

Maximum penalty—30 penalty units.

- (4) A person may not be convicted of an offence against subsection (3) if the person is not given an offence warning for the direction under subsection (2).

Part 5 Boat harbour approvals

Division 1 Preliminary

24 Types of boat harbour approvals

- (1) This regulation provides for the following 4 types of boat harbour approvals—
 - (a) a fish receival service approval;
 - (b) a fuelling service approval;
 - (c) a mooring approval;
 - (d) a transport service approval.
- (2) A ***fish receival service approval*** authorises the holder of the approval—
 - (a) to operate a service to receive fish into a fixed or mobile facility at a place in a State managed boat harbour stated in the approval; and
Example of a mobile facility—
a refrigerated van or truck
 - (b) if the approval is in relation to a fixed facility at the place—to permit another person to operate a service to receive fish into the facility at the place.
- (3) A ***fuelling service approval*** authorises the holder of the approval to operate a service to dispense fuel to a ship in a State managed boat harbour stated in the approval.
- (4) A ***mooring approval*** authorises the holder of the approval to moor a ship stated in the approval in a State managed boat harbour stated in the approval.
- (5) A ***transport service approval*** authorises the holder of the approval to operate a commercial ship stated in the approval in a State managed boat harbour stated in the approval to

provide a transport service in the course of carrying on a business.

Division 2 Applications for boat harbour approvals

25 Making applications

A person may apply, in the approved form, to the chief executive for a boat harbour approval.

Note—

See section 96 for when the fees payable in relation to a boat harbour approval must be paid.

26 Restrictions on grant

- (1) The chief executive must not grant a mooring approval in relation to land in a State managed boat harbour over which a person, other than the chief executive, has a tenure.
- (2) The chief executive must not grant a fish receival service approval for a place in a State managed boat harbour over which a person, other than the chief executive, has a tenure unless the proposed holder of the approval holds the tenure.
- (3) The chief executive must not grant a fuelling service approval for a service that is proposed to be operated at a place in a State managed boat harbour over which a person, other than the chief executive, has a tenure unless the proposed holder of the approval holds the tenure.
- (4) The chief executive must not grant a transport service approval for the Mooloolaba State managed boat harbour.

27 Request for further information

- (1) Before deciding an application for a boat harbour approval, the chief executive may, by written notice given to the

applicant, ask for further information the chief executive reasonably needs to decide the application.

- (2) The written notice must state—
 - (a) the information required; and
 - (b) the time, no earlier than 28 days after the day the notice is given, by which the information is required to be given to the chief executive; and
 - (c) that the chief executive may cancel the application if the applicant does not comply with the notice.
- (3) If the applicant does not comply with the written notice, the chief executive may give the applicant a written notice cancelling the application.
- (4) The cancellation takes effect on the later of the following days—
 - (a) the day written notice of the cancellation is given to the applicant;
 - (b) if a later day is stated in the written notice—the later day.

28 Deciding applications

- (1) The chief executive must consider an application for a boat harbour approval and decide—
 - (a) to grant the approval with or without conditions; or
 - (b) to refuse to grant the approval.
- (2) The chief executive may grant the boat harbour approval only if—
 - (a) the chief executive is satisfied the applicant is a suitable person to hold the approval; and
 - (b) the chief executive is not restricted from granting the approval under section 26.

- (3) Without limiting subsection (2)(a), in deciding whether the applicant is a suitable person to hold the boat harbour approval, the chief executive may have regard to whether the applicant has a conviction, other than a spent conviction, for—
- (a) an indictable offence; or
 - (b) an offence against this regulation; or
 - (c) an offence against the domestic commercial vessel national law; or
 - (d) an offence against the *Transport Infrastructure (Waterways Management) Regulation 2012*; or
 - (e) an offence against the *Transport Operations (Marine Pollution) Act 1995*; or
 - (f) an offence against the *Transport Operations (Marine Safety) Act 1994*.
- (4) In this section—
- spent conviction*** means a conviction—
- (a) for which the rehabilitation period under the *Criminal Law (Rehabilitation of Offenders) Act 1986* has expired under that Act; and
 - (b) that is not revived as prescribed by section 11 of that Act.

29 Notice of decision

- (1) As soon as practicable after deciding an application for a boat harbour approval, the chief executive must give the applicant written notice of the decision.
- (2) If the chief executive decides to refuse to grant the boat harbour approval, or to grant the approval with conditions, the chief executive must give the applicant an information notice for the decision.

- (3) Despite subsection (1), if the chief executive grants a boat harbour approval without conditions for a term of 1 month or less, the chief executive may instead tell the applicant of the decision orally.

30 Term of approval

A boat harbour approval—

- (a) is granted for the term stated in the approval; and
- (b) remains in effect for the term of the approval.

Notes—

- 1 For the cancellation of a boat harbour approval, see section 41.
- 2 For the surrender of a boat harbour approval, see section 42.

Division 3 Minor amendments of boat harbour approvals

31 Minor amendments

- (1) The chief executive may, by written notice given to the holder of a boat harbour approval, make a minor amendment to the approval.
- (2) The amendment takes effect on the later of the following days—
 - (a) the day written notice of the amendment is given to the holder;
 - (b) if a later day is stated in the written notice—the later day.
- (3) An amendment of a boat harbour approval is a *minor amendment* if—
 - (a) the amendment is for a formal or clerical reason; or
 - (b) the amendment does not adversely affect the interests of the holder of the approval; or

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- (c) the holder of the approval has agreed to the amendment.
- (4) However, an amendment of a condition of a boat harbour approval is not a *minor amendment* if—
 - (a) the amendment removes or substantially changes the condition; and
 - (b) the holder of the approval does not agree to the amendment.

Division 4 Amending boat harbour approvals by application

32 Applications to amend boat harbour approvals

The holder of a boat harbour approval may apply, in the approved form, to the chief executive to amend the approval.

33 Request for further information

- (1) Before deciding an application to amend a boat harbour approval, the chief executive may, by written notice given to the holder, ask for further information the chief executive reasonably needs to decide the application.
- (2) The written notice must state—
 - (a) the information required; and
 - (b) the time, no earlier than 28 days after the day the notice is given to the holder, by which the information is required to be given to the chief executive; and
 - (c) that the chief executive may cancel the application if the holder does not comply with the notice.
- (3) If the holder does not comply with the written notice, the chief executive may give the holder a written notice cancelling the application.

- (4) The cancellation takes effect on the later of the following days—
 - (a) the day written notice of the cancellation is given to the holder;
 - (b) if a later day is stated in the written notice—the later day.

34 Deciding applications

- (1) The chief executive must consider an application to amend a boat harbour approval and decide—
 - (a) to approve the application; or
 - (b) if the holder agrees in writing to another amendment—to approve the agreed amendment; or
 - (c) to refuse to approve the application.
- (2) The chief executive must give the holder written notice of the decision.
- (3) If the chief executive decides to refuse to approve the application, the chief executive must give the holder an information notice for the decision.
- (4) The decision takes effect on the later of the following days—
 - (a) the day written notice of the decision is given to the holder;
 - (b) if a later day is stated in the written notice—the later day.

Division 5 **Amending, suspending or cancelling boat harbour approvals by chief executive**

35 **Application of division**

This division does not apply in relation to a minor amendment of a boat harbour approval.

36 **Definitions for division**

In this division—

proposed action see section 38(1).

show cause notice see section 38(1).

show cause period, in relation to a show cause notice, means—

- (a) the period stated in the show cause notice for making representations; or
- (b) if the period for making representations is extended under section 38(4)—the period as extended.

37 **Grounds for amending, suspending or cancelling boat harbour approvals**

Each of the following is a ground for amending, suspending or cancelling a boat harbour approval—

- (a) the approval was obtained because of false or misleading information;
- (b) the approval was given in error;
- (c) the holder of the approval has failed to comply with a condition of the approval;
- (d) the holder of the approval is not, or is no longer, a suitable person to hold the approval;

- (e) the holder of the approval has failed to pay a fee payable under the Act in relation to the approval by the date or within the period during which the fee must be paid;
- (f) there has been a material change of circumstances since the approval was granted and, had the changed circumstances existed when the approval was granted, the approval would not have been granted.

38 Show cause notices

- (1) If the chief executive considers a ground exists to amend, suspend or cancel a boat harbour approval (the *proposed action*), the chief executive may give the holder of the approval a written notice (a *show cause notice*).
- (2) The show cause notice must—
 - (a) state the proposed action; and
 - (b) state the grounds for the proposed action; and
 - (c) outline the facts and circumstances forming the basis for the grounds; and
 - (d) if the proposed action is to amend the approval—state the proposed amendment; and
 - (e) if the proposed action is to suspend the approval—state the proposed suspension period of not longer than 2 years; and
 - (f) state the holder may, within a stated period, make written representations to the chief executive to show why the proposed action should not be taken.
- (3) For subsection (2)(f), the stated period must end at least 28 days after the day the holder is given the show cause notice.
- (4) The chief executive may, by written notice given to the holder, extend the period under subsection (2)(f) before or after the end of the period.

39 Representations about show cause notices

- (1) The holder of the boat harbour approval may make representations about the show cause notice to the chief executive within the show cause period.
- (2) The chief executive must consider any representations made to the chief executive within the show cause period.

40 Ending show cause process without further action

If, after considering any representations made to the chief executive within the show cause period, the chief executive no longer considers a ground exists to take the proposed action, the chief executive must—

- (a) take no further action about the show cause notice; and
- (b) give the holder of the boat harbour approval written notice that no further action is to be taken about the show cause notice.

41 Decision on proposed action

- (1) If, after considering any representations made within the show cause period, the chief executive still considers a ground exists to take the proposed action, the chief executive may—
 - (a) if the proposed action is to amend the boat harbour approval—
 - (i) amend the approval in the way stated in the show cause notice; or
 - (ii) amend the approval in another way the chief executive considers appropriate having regard to the representations; or
 - (b) if the proposed action is to suspend the approval—
 - (i) suspend the approval for a period not longer than the suspension period stated in the show cause notice; or

- (ii) amend the approval in a way the chief executive considers appropriate having regard to the representations; or
- (c) if the proposed action is to cancel the approval—
 - (i) cancel the approval; or
 - (ii) suspend the approval for a period of not longer than 2 years; or
 - (iii) amend the approval in a way the chief executive considers appropriate having regard to the representations.
- (2) If the chief executive decides to act under subsection (1), the chief executive must give the holder of the boat harbour approval—
 - (a) written notice of the decision; and
 - (b) an information notice for the decision.
- (3) The decision takes effect on the later of the following days—
 - (a) the day written notice of the decision is given to the holder;
 - (b) if a later day is stated in the written notice—the later day.

Division 6 Surrender of boat harbour approvals

42 Surrender

- (1) The holder of a boat harbour approval may, by written notice given to the chief executive, surrender the approval.
- (2) The surrender takes effect on the later of the following days—
 - (a) the day written notice of the surrender is given to the chief executive;

- (b) if a later day is stated in the written notice—the later day.

Part 6 **Dealing with property in State managed boat harbours**

Division 1 **Contravening property**

43 **Definitions for division**

In this division—

contravening property means a ship, a vehicle or goods that has been moored, parked or left in a State managed boat harbour in contravention of—

- (a) a requirement of a regulatory notice displayed or given by the chief executive under section 22; or
- (b) a direction given by an authorised officer under section 23.

person in charge, of contravening property, means—

- (a) for contravening property that is a ship—the ship’s master or another person in charge of the ship; or
- (b) for contravening property that is a vehicle—the driver of the vehicle or another person in charge of the vehicle; or
- (c) for contravening property that is property in the form of goods—the owner of the goods or another person in charge of the goods.

44 **Moving contravening property**

- (1) This section applies if—

- (a) an authorised officer reasonably believes a ship, vehicle or goods in a State managed boat harbour are contravening property; and
 - (b) the authorised officer reasonably believes it is necessary to move the contravening property having regard to—
 - (i) the efficient operation of the boat harbour; or
 - (ii) the safety and security of the boat harbour, users of the boat harbour or employees of the department.
- (2) The authorised officer must take reasonable steps to locate the person in charge of the contravening property.
- (3) Subsection (4) applies if, after taking reasonable steps under subsection (2), the authorised officer—
- (a) can not locate the person in charge of the contravening property; or
 - (b) reasonably believes the person in charge of the contravening property is not able or willing to move the contravening property.
- (4) The authorised officer may take steps necessary and reasonable to have the contravening property moved.
- (5) If the contravening property is property in the form of goods that are of insufficient value or perishable, the goods may be dealt with under division 2 as if they were abandoned property.
- (6) As soon as practicable after moving the contravening property, the authorised officer must give the person in charge of the contravening property a written notice that—
- (a) states the contravening property has been moved; and
 - (b) explains how the contravening property may be recovered; and
 - (c) states the contravening property may be considered to be abandoned property and sold or disposed of by the chief executive if the contravening property is not recovered.

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- (7) If the authorised officer was unable to locate the person in charge of the contravening property, the written notice may be given by displaying the notice in a prominent position at or near the location from which the contravening property was moved.
- (8) The expenses reasonably incurred by the authorised officer in dealing with the contravening property under this section are a debt payable by the person in charge of the contravening property to the State.

Division 2 Abandoned property

Subdivision 1 Preliminary

45 Definitions for division

In this division—

abandoned property means property the chief executive reasonably believes has been abandoned in a State managed boat harbour including, for example, a ship, a vehicle or a thing attached to, or contained in, a ship or a vehicle.

detention notice, for abandoned property, means a written notice that—

- (a) describes the abandoned property; and
- (b) states the abandoned property has been found; and
- (c) explains how the abandoned property may be recovered; and
- (d) states the abandoned property may be sold or disposed of if it is not recovered; and
- (e) states the period after which the abandoned property may be sold or disposed of by the chief executive.

Subdivision 2 Dealing with particular abandoned property

46 Application of subdivision

This subdivision applies to abandoned property other than—

- (a) abandoned property that is of insufficient value; and
- (b) abandoned property that is perishable if it would be impracticable for the chief executive to keep the abandoned property having regard to its nature or condition.

47 Reasonable steps must be taken to find owner

- (1) The chief executive—
 - (a) must take reasonable steps to locate the owner of the abandoned property; and
 - (b) may have the abandoned property moved to a place the chief executive considers appropriate.
- (2) If the chief executive locates the owner of the abandoned property within 14 days after the chief executive reasonably believes the abandoned property has been abandoned, the chief executive must give the owner a detention notice for the abandoned property.
- (3) If the chief executive does not locate the owner of the abandoned property within the 14 days, the chief executive must—
 - (a) display a detention notice for the abandoned property in a prominent position at or near the location where the abandoned property was found; and
 - (b) publish the detention notice on the department's website.

48 Claiming abandoned property

- (1) This section applies if a person, within 28 days after a detention notice for the abandoned property is given or displayed under section 47—
 - (a) satisfies the chief executive that the person is the owner of the abandoned property; and
 - (b) pays the expenses reasonably incurred by the chief executive in dealing with the abandoned property under this subdivision.
- (2) The chief executive must return the abandoned property to the person.

49 If abandoned property is not claimed

If a person does not claim the abandoned property under section 48, the chief executive may sell the abandoned property.

50 Application of proceeds of sale of abandoned property

- (1) If the chief executive sells the abandoned property, the proceeds of the sale must be applied in the following order—
 - (a) in payment of the expenses reasonably incurred by the chief executive in selling the abandoned property;
 - (b) in payment of the expenses reasonably incurred by the chief executive in dealing with the abandoned property under this subdivision;
 - (c) in payment of charges, interest and other expenses owing to the chief executive in relation to selling or dealing with the abandoned property under this subdivision;
 - (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.
- (2) If the proceeds of the sale of the abandoned property are less than the total of the expenses mentioned in subsection (1)(a), (b) and (c), the difference is a debt payable by the owner of the abandoned property to the State.
- (3) Compensation may not be recovered against the State in relation to a payment made under this section.

Subdivision 3 Sale or disposal of abandoned property of insufficient value or that is perishable

51 Disposal of abandoned property of insufficient value

- (1) The chief executive may dispose of abandoned property that is of insufficient value in the way the chief executive considers appropriate.
- (2) Compensation may not be recovered against the State in relation to the disposal of the abandoned property.

52 Sale or disposal of perishable abandoned property

- (1) The chief executive may sell or dispose of abandoned property that is perishable if it would be impracticable for the chief executive to keep the abandoned property having regard to its nature or condition.
- (2) If the chief executive sells abandoned property that is perishable, the proceeds of the sale must be applied in the following order—
 - (a) in payment of the expenses reasonably incurred by the chief executive in selling the abandoned property;

- (b) in payment of the expenses reasonably incurred by the chief executive in dealing with the abandoned property under this subdivision;
 - (c) in payment of charges, interest and other expenses owing to the chief executive in relation to selling or dealing with the abandoned property under this subdivision;
 - (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.
- (3) If the proceeds of the sale of the abandoned property are less than the total of the expenses mentioned in subsection (2)(a), (b) and (c), the difference is a debt payable by the owner of the abandoned property to the State.
- (4) Compensation may not be recovered against the State in relation to a payment made under this section.

Part 7 Investigation and enforcement

Division 1 General provisions about authorised officers

53 Authorised officers under part

This part includes provision for the appointment of authorised officers, and gives authorised officers particular powers.

54 Appointment

The chief executive may, by instrument in writing, appoint an appropriately qualified public service officer employed in the department as an authorised officer for this regulation.

55 Appointment conditions and limit on powers

- (1) An authorised officer 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 written notice signed by the chief executive.

56 When office ends

- (1) The office of a person as an authorised officer ends if any of the following happens—
 - (a) the term of office stated in a condition of office ends;
 - (b) under another condition of office, the office ends;
 - (c) the authorised officer's resignation under section 57 takes effect.
- (2) Subsection (1) does not limit the ways the office of a person as an authorised officer ends.
- (3) In this section—

condition of office means a condition under which the authorised officer holds office.

57 Resignation

An authorised officer may resign by signed written notice given to the chief executive.

58 Issue of identity card

- (1) The chief executive must issue an identity card to each authorised officer.
- (2) The identity card must—
 - (a) contain a recent photo 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 this regulation; 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 this regulation and other purposes.

59 Production or display of identity card

- (1) In exercising a power in relation to a person in the person's presence, an authorised officer 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.
- (3) For subsection (1), an authorised officer does not exercise a power in relation to a person only because the authorised officer has entered a place as mentioned in section 63(1)(b) or (c).

60 Return of identity card

If the office of a person as an authorised officer 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—20 penalty units.

61 References to exercise of powers

A reference in this part to the exercise of a power by an authorised officer, other than a reference to the exercise of a specific power, is a reference to the exercise of all or any of an authorised officer's powers under this part, to the extent the powers are relevant.

62 Reference to document includes reference to reproductions from electronic document

- (1) 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 anything else.
- (2) In this section—

electronic document means a document of a type under the *Acts Interpretation Act 1954*, schedule 1, definition *document*, paragraph (c).

Division 2 Entry of places by authorised officers

Subdivision 1 Power to enter

63 General power to enter places

- (1) An authorised officer may enter a place if—
 - (a) an occupier at the place consents under subdivision 2 to the entry and section 66 has been complied with for the occupier; or
 - (b) the place is a public place and the entry is made when the place is open to the public; or
 - (c) the place is a place of business stated in a relevant approval and is—
 - (i) open for carrying on business; or
 - (ii) otherwise open for entry; or
 - (iii) required to be open for inspection under the approval.
- (2) For subsection (1)(c), a *place of business* does not include a part of the place where a person resides.
- (3) If the power to enter arose only because an occupier of the place consented to the entry, the power is subject to any conditions of the consent and ceases if the consent is withdrawn.
- (4) In this section—

public place means a place, or part of a place—

 - (a) that the public is entitled to use, that is open to members of the public or that is used by the public, whether or not on payment of money; or

Examples of places that may be a public place under paragraph (a)—

a beach, a park, a road

- (b) the occupier of which allows, whether or not on payment of money, members of the public to enter.

Examples of places that may be a public place under paragraph (b)—

a saleyard, a showground

relevant approval means—

- (a) a fuelling service approval; or
(b) a transport service approval.

Subdivision 2 Entry by consent

64 Application of subdivision

This subdivision applies if an authorised officer intends to ask an occupier of a place to consent to the authorised officer or another authorised officer entering the place under section 63(1)(a).

65 Incidental entry to ask for access

For the purpose of asking the occupier for the consent, an authorised officer may, without the occupier's consent—

- (a) enter land around premises at the place to an extent that is reasonable to contact the occupier; or
(b) enter a part of the place the authorised officer considers members of the public ordinarily are allowed to enter when they wish to contact an occupier of the place.

66 Matters authorised officer must tell occupier

Before asking for the consent, the authorised officer must—

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- (a) explain to the occupier the purpose of the entry, including the powers intended to be exercised; and
- (b) tell the occupier that—
 - (i) the occupier is not required to consent; and
 - (ii) the consent may be given subject to conditions and may be withdrawn at any time.

67 Consent acknowledgement

- (1) If the consent is given, the authorised officer may ask the occupier to sign an acknowledgement of the consent.
- (2) The acknowledgement must state—
 - (a) the purpose of the entry, including the powers to be exercised; and
 - (b) that the occupier has been given an explanation about the purpose of the entry, including the powers intended to be exercised; and
 - (c) that the occupier has been told—
 - (i) that the occupier is not required to consent; and
 - (ii) that the consent may be given subject to conditions and may be withdrawn at any time; and
 - (d) that the occupier gives the authorised officer or another authorised officer consent to enter the place and exercise the powers; and
 - (e) the day and time the consent was given; and
 - (f) any conditions of the consent.
- (3) If the occupier signs the acknowledgement, the authorised officer must immediately give a copy to the occupier.
- (4) If—
 - (a) an issue arises in a proceeding about whether the occupier consented to the entry; and

- (b) a signed acknowledgement complying with subsection (2) for the entry is not produced in evidence; the onus of proof is on the person relying on the lawfulness of the entry to prove the occupier consented.

Subdivision 3 Entry of place of business

68 Entry of a place of business under s 63

- (1) This section applies if an authorised officer intends to enter a place under section 63(1)(c).
- (2) The authorised officer must, before entering the place, make a reasonable attempt to locate an occupier of the place and obtain the occupier's consent to the entry.

Note—

See subdivision 2 in relation to entry by consent.

- (3) Subsection (4) applies if—
- (a) after being unable to locate an occupier, the authorised officer subsequently finds an occupier present at the place; or
- (b) an occupier refuses to consent to the entry.
- (4) The authorised officer must make reasonable attempts to—
- (a) produce the authorised officer's identity card for the occupier's inspection; and
- (b) inform the occupier—
- (i) of the reason for entering the place; and
- (ii) that the authorised officer is authorised under this regulation to enter the place without the occupier's consent.

Note—

See, however, the restrictions on entry under section 63(1)(c) and (2).

- (5) Also, if the authorised officer enters the place after being unable to locate an occupier, the authorised officer must leave a written notice in a conspicuous position and in a reasonably secure way stating—
 - (a) the date and time of the entry; and
 - (b) information addressing the matters mentioned in subsection (4)(b).

Division 3 General powers of authorised officers after entering places

69 Application of division

- (1) The powers under this division may be exercised if an authorised officer enters a place under section 63(1)(a) or (c).
- (2) However, if the authorised officer enters a place under section 63(1)(a), the powers under this division are subject to any conditions of the consent.

70 General powers

- (1) The authorised officer may do any of the following—
 - (a) inspect, examine or film any part of the place or anything at the place;
 - (b) take a sample of, or from, a thing at the place;
 - (c) take to, into or onto the place and use any person, equipment and materials the authorised officer requires for exercising the authorised officer's powers under this part.
- (2) The authorised officer may do anything necessary to exercise a power under subsection (1).
- (3) In this section—

examine includes analyse, test, account for, measure, weigh, grade, gauge and identify.

film includes photograph, videotape and record an image in another way.

inspect, a thing, includes open the thing and examine its contents.

Division 4 Other information-obtaining powers of authorised officers

71 Power to require personal details

- (1) This section applies if an authorised officer—
 - (a) finds a person committing an offence against this regulation; or
 - (b) finds a person in circumstances that lead the authorised officer to reasonably suspect the person has just committed an offence against this regulation; or
 - (c) has information that leads the authorised officer to reasonably suspect a person has just committed an offence against this regulation.
- (2) The authorised officer may require the person to state the person's name and—
 - (a) residential or 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 the authorised officer reasonably suspects the stated name or address is false.
- (4) When making a requirement under this section, the authorised officer must give the person an offence warning for the requirement.

72 Offence to contravene personal details requirement

- (1) A person of whom a requirement is made under section 71 must comply with the requirement unless the person has a reasonable excuse.

Maximum penalty—40 penalty units.

- (2) A person may not be convicted of an offence against subsection (1) unless the person is convicted of the offence in relation to which the requirement under section 71 was made.
- (3) Also, a person may not be convicted of an offence against subsection (1) if the person is not given an offence warning for the requirement under section 71(4).

73 Power to require production of document or certification of copy

- (1) An authorised officer may require a person to make available for inspection by an authorised officer, or to produce to the authorised officer for inspection, at a reasonable time and place nominated by the authorised officer—
 - (a) a document required to be kept by the person under a boat harbour approval; or
 - (b) if a document mentioned in paragraph (a) is kept, stored or recorded electronically—a document that is a clear written reproduction of the document that is kept, stored or recorded electronically.
- (2) The authorised officer may copy the document or an entry in the document.
- (3) 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.
- (4) The authorised officer must not keep the document after copying the document or an entry in the document.

- (5) However, if a requirement is made of a person under subsection (3), the authorised officer may keep the document until the person complies with the requirement.

74 Offence to contravene production requirement

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

Maximum penalty—20 penalty units.

- (2) It is a reasonable excuse for an individual not to comply with a production requirement if complying might tend to incriminate the individual or expose the individual to a penalty.
- (3) When making a production requirement, the authorised officer must give the person an offence warning for the requirement.
- (4) If a person fails to comply with a production requirement when the authorised officer has failed to give the person an offence warning for the requirement under subsection (3), the person may 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 production requirement.

- (6) In this section—

production requirement means a requirement under section 73(1).

75 Offence to contravene certification requirement

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

Maximum penalty—20 penalty units.

- (2) It is a reasonable excuse for an individual not to comply with a certification requirement if complying might tend to incriminate the individual or expose the individual to a penalty.
- (3) When making a certification requirement, the authorised officer must give the person an offence warning for the requirement.
- (4) If a person fails to comply with a certification requirement when the authorised officer has failed to give the person an offence warning for the requirement under subsection (3), the person may not be convicted of the offence against subsection (1).
- (5) In this section—

certification requirement means a requirement under section 73(3).

Division 5 Damage

76 Duty to avoid inconvenience and minimise damage

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

Note—

See also section 78.

77 Notice of damage

- (1) This section applies if—
 - (a) an authorised officer damages something when exercising, or purporting to exercise, a power; or
 - (b) a person (the *assistant*) acting under the direction or authority of an authorised officer damages something.

- (2) However, this section does not apply to damage the authorised officer 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, as soon as possible, give written notice of the damage to a 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 written notice at the place where the damage happened; and
 - (b) ensure the written notice 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 where the thing was damaged to keep the thing or place under observation.
- (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 or the assistant, the authorised officer may state the belief in the written notice.
- (8) The written notice must state—
 - (a) the particulars of the damage; and
 - (b) that the person who suffered the damage may claim compensation under section 78.
- (9) In this section—

person in control—

- (a) of a vehicle, includes—
 - (i) the vehicle’s driver or rider; and
 - (ii) any person who reasonably appears to be, claims to be, or acts as if the person is, the vehicle’s driver or rider or the person in control of the vehicle; or
- (b) of a ship, includes—
 - (i) the ship’s master; and
 - (ii) any person who reasonably appears to be, claims to be, or acts as if the person is, the ship’s master or the person in control of the ship; or
- (c) of another thing, includes any person who reasonably appears to be, claims to be, or acts as if the person is, the person in possession or control of the thing.

Division 6 Compensation

78 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 or for an authorised officer, including a loss arising from compliance with a requirement made of the person under division 4.
- (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
 - (b) for an alleged offence against this regulation 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) Section 76 does not provide for a statutory right of compensation other than as provided by this section.
- (5) In this section—
loss includes costs and damage.

Division 7 Other offences relating to authorised officers

79 Giving authorised officer false or misleading information

- (1) A person must not, in relation to the administration of this regulation, give an authorised officer 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 if the person, when giving information in a document—
 - (a) tells the authorised officer, to the best of the person’s ability, how the document is false or misleading; and
 - (b) if the person has, or can reasonably obtain, the correct information—gives the correct information.

80 Obstructing authorised officer

- (1) A person must not obstruct an authorised officer exercising a power, or someone helping an authorised officer exercising a power, unless the person has a reasonable excuse.

Maximum penalty—20 penalty units.

- (2) If a person has obstructed an authorised officer, or someone helping an authorised officer, and the authorised officer

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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) If a person obstructs an authorised officer, or someone helping the authorised officer, when the authorised officer has failed to give the person a warning under subsection (2), the person may not be convicted of the offence against subsection (1).

Part 8 Regulatory notices

81 Regulatory notices generally

- (1) A regulatory notice must, unless it is in the form of an official traffic sign, state—
 - (a) the public marine facility to which the regulatory notice relates; and
 - (b) that contravention of the regulatory notice is an offence; and
 - (c) the maximum penalty for the offence.
- (2) A regulatory notice may be in the form of an official traffic sign.
- (3) If a regulatory notice is in the form of an official traffic sign, the regulatory notice is taken to contain the indication given by the corresponding official traffic sign.
- (4) In this section—

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

82 Display of regulatory notices

- (1) To have effect, a regulatory notice, other than a regulatory notice given to a person, must be displayed in a way that the regulatory notice is clearly visible to passers-by—
 - (a) at or near an entrance commonly used by a person to gain access to the public marine facility to which the notice relates; or
 - (b) on or near the public marine facility to which the notice relates.
- (2) A regulatory notice displayed under subsection (1) may include a direction, instruction, indication, condition or other provision in the regulatory notice.
- (3) Evidence that a regulatory notice was displayed in accordance with this section is evidence that the regulatory notice was displayed by the chief executive.

83 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.
- (2) However, the requirement must be able to be made by the regulatory notice.
- (3) If the document is a standard, the regulatory notice must state that a copy of the standard is available during normal business hours for inspection, or for purchase at a reasonable cost, at a stated office of the department.
- (4) If the document is not a standard, the regulatory notice must—
 - (a) include a copy of the document; or
 - (b) do both of the following—
 - (i) include a summary of the requirement;

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- (ii) state that a copy of the document is available during normal business hours, free of charge, at a stated office of the department.
- (5) The office of the department stated in the regulatory notice must be in, or nearest to, the area to which the regulatory notice relates.
- (6) 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 2016*, schedule 9, definition *dangerous cargo code*.

Part 9 Other offences

84 Application of part

The provisions of this part are in addition to the provisions of part 3 for a boat ramp or landing that is a public marine facility in a State managed boat harbour.

85 Anchoring ship in State managed boat harbour

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

Maximum penalty—20 penalty units.
- (2) In this section—

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

86 Operating fish receival service in State managed boat harbour

- (1) A person must not operate a service to receive fish at a place in a State managed boat harbour unless the person holds a fish receival service approval for the place.

Maximum penalty—20 penalty units.

- (2) However, a person does not commit an offence against subsection (1) if the person—
- (a) operates, at a place in a State managed boat harbour, a service to receive fish into a fixed facility provided by the holder of a fish receival service approval for the place; and
 - (b) has the holder's prior permission to operate the service at the place; and
 - (c) complies with the conditions of the fish receival service approval for the place when operating the service.

87 Unloading fish in State managed boat harbour

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

Maximum penalty—20 penalty units.

- (2) However, the operator does not commit an offence against subsection (1) if—
- (a) the operator unloads fish, at the place—
 - (i) into a fixed facility provided by the holder of a fish receival service approval for the place; and
 - (ii) in accordance with the holder's approval; and

[s 88]

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

88 Operating fuelling service in State managed boat harbour

A person must not operate a service to dispense fuel to a ship in a State managed boat harbour unless the person holds a fuelling service approval for the boat harbour.

Maximum penalty—40 penalty units.

89 Mooring ship in State managed boat harbour

- (1) A person must not moor a ship in a State managed boat harbour unless the person holds a mooring approval for the ship for the boat harbour.

Maximum penalty—30 penalty units.

- (2) In this section—

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

90 Securely fastening ship in State managed boat harbour

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

- (a) the ship is securely fastened at the 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—30 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.

91 Mooring ship at pile or buoy mooring in State managed boat harbour

- (1) A person who moors a ship in a State managed boat harbour to a pile or buoy mooring must ensure that 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.

92 Offence of operating commercial ship to provide transport service in State managed boat harbour

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 unless the person holds a transport service approval for the ship for the boat harbour.

Maximum penalty—30 penalty units.

93 Compliance with conditions of boat harbour approval

The holder of a boat harbour approval must comply with the conditions of the approval applying to the holder unless the holder has a reasonable excuse.

Maximum penalty—

- (a) for failure to comply with a fish receival service approval—20 penalty units; or
(b) for failure to comply with a fuelling service approval—40 penalty units; or

- (c) for failure to comply with a mooring approval or transport service approval—30 penalty units.

Part 10 Review of decisions

94 Internal and external review of decisions

- (1) Sections 485 and 485A of the Act apply to an original decision as if—
 - (a) the original decision was mentioned in schedule 3 of the Act; and
 - (b) QCAT were stated opposite the original decision in that schedule.
- (2) In this section—

original decision means a decision of the chief executive to do any of the following—

- (a) grant a boat harbour approval with conditions under section 28(1)(a); or
- (b) refuse to grant a boat harbour approval under section 28(1)(b); or
- (c) refuse to approve an application to amend a boat harbour approval under section 34(1)(c); or
- (d) amend, suspend or cancel a boat harbour approval under section 41; or
- (e) approve a payment arrangement with conditions under section 99(1)(a); or
- (f) refuse to approve an application for a payment arrangement under section 99(1)(b).

Part 11 Fees

95 Fees in State managed boat harbours—Act, s 466

- (1) This section prescribes, for section 466(4)(a) of the Act, the fees payable to the chief executive for the use of a State managed boat harbour.
- (2) The fees payable in relation to a boat harbour approval are prescribed in schedule 3, part 1.
- (3) The fees payable by a lessee, other than the chief executive, of land in a State managed boat harbour for each mooring in the leased land are prescribed in schedule 3, part 2.

96 When fees payable

- (1) Subject to subsection (2), a fee payable in relation to a boat harbour approval under section 95(2) must be paid in the way, and on or before the day, stated in the approval.
- (2) A fee payable under section 95(2) for a mooring approval to moor a ship in the Bowen State managed boat harbour or the Rosslyn Bay State managed boat harbour for a period of 6 months or less must be paid at the time the application for the approval is made.
- (3) A fee payable by a lessee under section 95(3) must be paid no later than 3 months after each due date.

97 Application for payment arrangement

- (1) The holder of a boat harbour approval may apply, in the approved form, to the chief executive to approve an arrangement (a *payment arrangement*) to pay a fee mentioned in schedule 3, part 1 in relation to the approval on the grounds of financial hardship.
- (2) The application must—
 - (a) state how the fees are to be paid; and

- (b) include documents demonstrating the holder's financial hardship.

Examples of documents that may demonstrate financial hardship—
bank statements, pay slips, Centrelink statements

98 Request for further information

- (1) Before deciding an application made under section 97 in relation to a boat harbour approval, the chief executive may, by written notice given to the holder, ask for further information the chief executive reasonably needs to decide the application.
- (2) The written notice must state—
 - (a) the information required; and
 - (b) the time, no earlier than 28 days after the day the notice is given to the holder, by which the information is required to be given; and
 - (c) that the chief executive may cancel the application if the holder does not comply with the notice.
- (3) If the holder does not comply with the written notice, the chief executive may give the holder a written notice cancelling the application.
- (4) The cancellation takes effect on the later of the following days—
 - (a) the day written notice of the cancellation is given to the holder;
 - (b) if a later day is stated in the written notice—the later day.

99 Deciding applications

- (1) The chief executive must consider an application made under section 97 in relation to a boat harbour approval and decide—

- (a) to approve the payment arrangement with or without conditions; or
 - (b) to refuse to approve the application.
- (2) The chief executive may approve the payment arrangement only if satisfied payment of the fee would cause, or would be likely to cause, financial hardship to the holder of the boat harbour approval.
 - (3) The chief executive must give the holder written notice of the decision.
 - (4) If the chief executive decides to refuse to approve the application, or to approve the payment arrangement with conditions, the chief executive must give the holder an information notice for the decision.
 - (5) If the chief executive approves the payment arrangement, the fees stated in the arrangement must be paid in the way and on or before the day stated in the arrangement.
 - (6) Subsection (5) applies despite section 96(1) and (2).

Part 12 Transitional provisions

100 Definitions for part

In this part—

expired regulation means the expired *Transport Infrastructure (Public Marine Facilities) Regulation 2011*.

former approval means an approval under the expired regulation, section 38, 39, 40 or 41.

101 Continuing appointments

- (1) This section applies if—
 - (a) immediately before the commencement—

[s 102]

- (i) a person was mentioned in the expired regulation, schedule 1 as the manager of a public marine facility for section 459(1) of the Act; and
 - (ii) the person's consent to the appointment was in effect; and
 - (b) on the commencement, the person is mentioned in schedule 1 of this regulation as the manager of the same public marine facility.
- (2) From the commencement, the person's appointment as the manager of the public marine facility for section 459(1) of the Act, and the person's consent to the appointment, continue under this regulation.

102 Existing former approvals taken to be boat harbour approvals

- (1) This section applies to—
- (a) a former approval in effect immediately before the commencement; or
 - (b) a former approval that has been suspended under the expired regulation if the period of the suspension had not ended immediately before the commencement.
- (2) From the commencement, the former approval is taken to be a boat harbour approval of the same type granted under section 28.
- (3) The boat harbour approval—
- (a) has effect for the remaining term of the former approval; and
 - (b) is subject to any conditions imposed on the former approval under the expired regulation, part 3, division 5 that applied to the former approval immediately before the commencement.
- (4) If the former approval has been suspended under the expired regulation, the boat harbour approval is taken to be suspended

until the end of the period of the suspension of the former approval.

103 Existing applications for former approvals

- (1) This section applies if—
 - (a) before the commencement, a person made an application to the chief executive under the expired regulation, section 37 for a former approval; and
 - (b) immediately before the commencement, the application had not been decided.
- (2) The application—
 - (a) is taken to have been made under section 25 for a boat harbour approval of the same type; and
 - (b) must be dealt with under part 5, division 2.
- (3) Anything done in relation to the application under the expired regulation is taken to have been done in relation to the application under part 5, division 2.

104 Existing applications to amend former approvals

- (1) This section applies if—
 - (a) before the commencement, a person made an application to the chief executive to amend a former approval under the expired regulation, section 43; and
 - (b) immediately before the commencement, the application had not been decided.
- (2) The application—
 - (a) is taken to have been made under section 32 for the amendment of the former approval that is taken to be a boat harbour approval of the same type under section 102; and
 - (b) must be dealt with under part 5, division 4.

- (3) Anything done in relation to the application under the expired regulation is taken to have been done in relation to the application under part 5, division 4.

105 Existing detention notices

- (1) This section applies if—
 - (a) before the commencement, the chief executive—
 - (i) gave a person a detention notice under the expired regulation, section 31(1) in relation to abandoned property under the expired regulation; or
 - (ii) published a detention notice under the expired regulation, section 31(2) in relation to abandoned property under the expired regulation; and
 - (b) immediately before the commencement—
 - (i) the period mentioned in the expired regulation, section 32 within which a person may claim the abandoned property has not ended; or
 - (ii) the abandoned property has not been sold or disposed of by the chief executive under the expired regulation, section 33.
- (2) The expired regulation, part 3, division 4 continues to apply in relation to the abandoned property as if that regulation had not expired.

106 Existing applications for review of decisions

- (1) Subsection (2) applies to a review of a decision in relation to a former approval mentioned in the expired regulation, section 45(1) started under section 485 or 485A of the Act.
- (2) The expired regulation continues to apply in relation to the review as if that regulation had not expired.

- (3) However, the decision on the review is taken to be a decision made under this regulation in relation to a boat harbour approval of the same type as the former approval.
- (4) Subsection (5) applies if, immediately before the commencement—
 - (a) a person could have, but had not, applied under section 485 or 485A of the Act for a review of a decision in relation to a former approval mentioned in the expired regulation, section 45(1); and
 - (b) the period within which the person could apply for the review had not ended.
- (5) Section 94 applies in relation to the review for the period mentioned in subsection (4)(b) as if the decision were an original decision mentioned in section 94 in relation to a boat harbour approval of the same type as the former approval.
- (6) Subsection (5) does not apply to a decision of the chief executive under the expired regulation to refuse to grant a suspension or cancellation of a former approval applied for by the holder.

107 Authorised officers

- (1) This section applies to a person who, immediately before the commencement, held an appointment as an authorised officer under the expired regulation, section 51.
- (2) The person continues to be an authorised officer under this regulation on the same conditions that applied to the person immediately before the commencement.
- (3) The identity card held by the person under the expired regulation, section 55 is taken to be an identity card issued under section 58.

108 Existing regulatory notices given to a person

- (1) This section applies if—

[s 109]

- (a) before the commencement, the chief executive gave a person a regulatory notice under—
 - (i) the expired regulation, section 10; or
 - (ii) the expired regulation, part 3, division 2, subdivision 1; and
 - (b) immediately before the commencement—
 - (i) the person had not complied with the regulatory notice; and
 - (ii) the period for complying with the regulatory notice had not ended.
- (2) The regulatory notice—
- (a) is taken to have been given by the chief executive—
 - (i) for a regulatory notice given under the expired regulation, section 10—under section 11; or
 - (ii) for a regulatory notice given under the expired regulation, part 3, division 2, subdivision 1—under section 22; and
 - (b) must be complied with before the period mentioned in subsection (1)(b)(ii) ends.

109 Existing regulatory notices displayed by chief executive

- (1) This section applies if—
 - (a) before the commencement, the chief executive erected or displayed a regulatory notice under—
 - (i) the expired regulation, section 10; or
 - (ii) the expired regulation, part 3, division 2, subdivision 1; and
 - (b) immediately before the commencement, the chief executive had not removed the regulatory notice.
- (2) The regulatory notice is taken to be a regulatory notice displayed by the chief executive—

- (a) for a regulatory notice erected or displayed under the expired regulation, section 10—under section 11; or
- (b) for a regulatory notice erected or displayed under the expired regulation, part 3, division 2, subdivision 1—under section 22.

110 Existing directions

- (1) This section applies if—
 - (a) before the commencement, an authorised officer gave a person a direction under—
 - (i) the expired regulation, section 11; or
 - (ii) the expired regulation, part 3, division 2, subdivision 2; and
 - (b) immediately before the commencement—
 - (i) the person had not complied with the direction; and
 - (ii) the period for complying with the direction had not ended.
- (2) The direction—
 - (a) is taken to have been given by an authorised officer—
 - (i) for a direction given under the expired regulation, section 11—under section 12; or
 - (ii) for a direction given under the expired regulation, part 3, division 2, subdivision 2—under section 23; and
 - (b) must be complied with before the period mentioned in subsection (1)(b)(ii) ends.

111 Payment of particular fees

- (1) This section applies if—

[s 112]

- (a) before the commencement, the due date under the expired regulation for a fee payable under the expired regulation, section 77(2) or 79 was 30 June 2023; and
 - (b) immediately before the commencement, the fee had not been paid to the chief executive.
- (2) The fee must be paid to the chief executive on or before 30 September 2023.

112 Existing arrangements for paying fees

- (1) This section applies if—
- (a) before the commencement, a person entered into an arrangement for the payment of a fee under the expired regulation, section 81; and
 - (b) immediately before the commencement, the arrangement was in force.
- (2) The arrangement is taken to be a payment arrangement approved by the chief executive under section 99 in relation to the fee.

113 Existing applications for arrangements for paying fees

- (1) This section applies if—
- (a) before the commencement, a person made a request to the chief executive to enter into an arrangement for the payment of a fee under the expired regulation, section 81; and
 - (b) immediately before the commencement, the request had not been decided.
- (2) The expired regulation continues to apply in relation to the application as if the expired regulation had not expired.
- (3) If the chief executive enters into the arrangement under the expired regulation, the arrangement is taken to be a payment

arrangement approved by the chief executive under section 99 in relation to the fee.

114 References to expired regulation

In an instrument a reference to the expired regulation may, if the context permits, be taken to be a reference to this regulation.

Part 13 Amendment of legislation

Division 1 Amendment of this regulation

115 Regulation amended

This division amends this regulation.

116 Amendment of s 28 (Deciding applications)

Section 28(4)—

omit.

117 Amendment of s 62 (Reference to document includes reference to reproductions from electronic document)

Section 62(2)—

omit.

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 shown as facility BL11 on Plan No. L-2-7-1A
	pontoon at Bowen Street, St George shown as facility BL12 on Plan No. L-2-7-1A
	boat ramp at Charles Street, Dirranbandi shown as facility BL20 on Plan No. L-2-7-2
	pontoon at Charles Street, Dirranbandi shown as facility BL21 on Plan No. L-2-7-2
Banana Shire Council	boat ramp at Glebe Weir Dam, Glebe Weir Road, north-east of Taroom shown as facility TM11 on Plan No. L-2-116-1A
	boat ramp at Callide Dam, Calvale Road, 17km east of Biloela shown as facility BA11 on Plan No. L-3-8-1A
	boat ramp at Callide Dam, Calvale Road, 17km east of Biloela shown as facility BA12 on Plan No. L-3-8-1A
Barcaldine Regional Council	boat ramp at Thomson River, Broadwater Road, Muttaborra shown as facility AR10 on Plan No. L-3-205-1A

Manager	Public marine facility
Brisbane City Council	boat ramp at Colmslie Reserve, Lytton Road, Colmslie shown as facility BC16 on Plan No. L-1-140-12B
	floating walkway at Colmslie Reserve, Lytton Road, Colmslie shown as facility BC48 on Plan No. L-1-140-12B
	boat ramp at Barungwarra Bushland Reserve, Bald Hills shown as facility BC94 on Plan No. L-1-201-1B
	boat ramp at Deep Water Bend Reserve, Wyampa Road, Bald Hills shown as facility BC96 on Plan No. L-1-140-22A
	pontoon at Deep Water Bend Reserve, Wyampa Road, Bald Hills shown as facility BC95 on Plan No. L-1-140-22A
	boat ramp at Jetty Street, Shorncliffe shown as facility BC72 on Plan No. L-1-140-24B
	boat ramp at Glenora Street, Wynnum shown as facility BB11 on Plan No. L-1-140-25A
	boat ramp at Kirra Street, Pinkenba shown as facility BC11 on Plan No. L-1-140-10A
	boat ramp at Sir John Chandler Park, Meiers Road, Indooroopilly shown as facility BC51 on Plan No. L-1-140-3A
	boat ramp at Fig Tree Pocket Road, Fig Tree Pocket shown as facility BC61 on Plan No. L-1-140-2A

Manager	Public marine facility
	boat ramp at Nudgee Road, Nudgee Beach shown as facility BB31 on Plan No. L-1-140-20B
	floating walkway at Nudgee Road, Nudgee Beach shown as facility BB35 on Plan No. L-1-140-20B
	pontoon at Hamilton Reach, MacArthur Avenue, Hamilton shown as facility BC22 on Plan No. L-1-140-27A
Bundaberg Regional Council	boat ramp at Ferry Street, Bundaberg shown as facility BU22 on Plan No. L-2-141-1C
	boat ramp at Winfield Road, south bank of Baffle Creek, Winfield shown as facility GO11 on Plan No. L-2-60-11A
	boat ramp at Boat Ramp Road, Miara shown as facility GO21 on Plan No. L-2-60-10A
	boat ramp at Baillies Road, Moore Park Beach shown as facility GO31 on Plan No. L-2-60-9A
	boat ramp at Walkers Point, Manley Smith Drive, Woodgate shown as facility IS11 on Plan No. L-2-64-2A
	boat ramp at First Avenue, Woodgate shown as facility IS21 on Plan No. L-2-64-3A
	boat ramp at Wharf Street, Buxton shown as facility IS31 on Plan No. L-2-64-1B
	pontoon at Wharf Street, Buxton shown as facility IS32 on Plan No. L-2-64-1B

Manager	Public marine facility
	<p>boat ramp at Sandy Hook Road, Sandy Hook shown as facility WO65 on Plan No. L-2-60-5A</p> <p>boat ramp at Sandy Hook Park, Sandy Hook shown as facility WO66 on Plan No. L-2-60-5A</p> <p>boat ramp at Fred Haigh Dam, Lake Monduran, 24km north-east of Gin Gin shown as facility KL11 on Plan No. L-2-74-1A</p> <p>boat ramp at McGills Road, Kalkie shown as facility BU24 on Plan No. L-2-211-2</p> <p>boat ramp at Peagam Street, Riverview shown as facility WO11 on Plan No. L-2-60-1A</p> <p>pontoon at Peagam Street, Riverview shown as facility WO12 on Plan No. L-2-60-1A</p> <p>boat ramp at Rustic Road, Sharon shown as facility WO64 on Plan No. L-2-211-5</p> <p>boat ramp at Baffle Creek, Rocky Point Road, Winfield shown as facility BT10 on Plan No. L-2-60-12B</p>
Burdekin Shire Council	<p>boat ramp at Wallace Landing, Peak Road, Inkerman shown as facility BN11 on Plan No. L-4-5-1A</p> <p>boat ramp at Hinkson Esplanade, Groper Creek shown as facility BN23 on Plan No. L-4-5-2B</p> <p>boat ramp at Hinkson Esplanade, Groper Creek shown as facility BN27 on Plan No. L-4-5-2B</p>

Manager

Public marine facility

jetty at Hinkson Esplanade, Groper Creek shown as facility BN22 on Plan No. L-4-5-2B

boat ramp at Plantation Creek, Old Wharf Road, Airdmillan shown as facility BN31 on Plan No. L-4-5-3A

boat ramp at Plantation Creek, Old Wharf Road, Airdmillan shown as facility BN33 on Plan No. L-4-5-3A

boat ramp at Ocean Creek, Peggy Bog Road, Airdmillan shown as facility BN41 on Plan No. L-4-5-4A

boat ramp at Hell Hole Landing, Hodder Road, Rita Island shown as facility BN51 on Plan No. L-4-5-5A

boat ramp at Barramundi Creek, Morris Creek Road, Giru shown as facility BN71 on Plan No. L-4-5-6B

floating walkway at Barramundi Creek, Morris Creek Road, Giru shown as facility BN75 on Plan No. L-4-5-6B

pontoon at Barramundi Creek, Morris Creek Road, Giru shown as facility BN72 on Plan No. L-4-5-6B

boat ramp at Cromarty Creek, Cromarty Creek Boat Ramp Road, Giru shown as facility TH31 on Plan No. L-4-5-8A

Burke Shire Council

boat ramp at Truganini Landing, Truganini Road, Burketown shown as facility BK12 on Plan No. L-4-23-1A

Manager	Public marine facility
	jetty at Truganini Landing, Truganini Road, Burketown shown as facility BK11 on Plan No. L-4-23-1A
Burnett Water Pty Ltd ACN 097 206 614	boat ramp at Lake Paradise, Campbells Road, Coringa shown as facility BG10 on Plan No. L-2-248-1B
Cairns Regional Council	boat ramp at Buckley Street, Yorkeys Knob shown as facility MG91 on Plan No. L-5-158-15C
	floating walkway at Buckley Street, Yorkeys Knob shown as facility MG94 on Plan No. L-5-158-15C
	boat ramp at Joyce Creek, Bramston Beach shown as facility MG12 on Plan No. L-5-158-1A
	fixed sloping walkway at Joyce Creek, Bramston Beach shown as facility MG13 on Plan No. L-5-158-1A
	boat ramp at Ross Road, Deeral Landing shown as facility MG21 on Plan No. L-5-158-3B
	fixed sloping walkway at Ross Road, Deeral Landing shown as facility MG26 on Plan No. L-5-158-3B
	boat ramp at Russell River Road, Bellenden Ker shown as facility MG31 on Plan No. L-5-158-2A
	fixed sloping walkway at Russell River Road, Bellenden Ker shown as facility MG38 on Plan No. L-5-158-2A

Manager

Public marine facility

boat ramp at Redbank Road, Packers Camp, Cairns shown as facility MG41 on Plan No. L-5-158-5A

floating walkway at Redbank Road, Packers Camp, Cairns shown as facility MG40 on Plan No. L-5-158-5A

jetty at Cedar Road, Palm Cove shown as facility MG99 on Plan No. L-5-158-11A

boat ramp at Pine Creek Yarrabah Road, Second Beach shown as facility MG42 on Plan No. L-5-158-14A

boat ramp at Greenbank Road, Stratford shown as facility MG51 on Plan No. L-5-158-8B

floating walkway at Greenbank Road, Stratford shown as facility MG53 on Plan No. L-5-158-8B

boat ramp at Barron River Esplanade, Machans Beach shown as facility MG52 on Plan No. L-5-158-19A

boat ramp at Fisherman Road, Edmonton shown as facility MG63 on Plan No. L-5-158-4B

floating walkway at Fisherman Road, Edmonton shown as facility MG64 on Plan No. L-5-158-4B

boat ramp at Acacia Street, Holloways Beach shown as facility MG81 on Plan No. L-5-158-9A

boat ramp at Schooner Road, Trinity Park shown as facility MG80 on Plan No. L-5-214-1A

Manager	Public marine facility
	<p>floating walkway at Schooner Road, Trinity Park shown as facility MG82 on Plan No. L-5-214-1A</p> <p>boat ramp at Fearnley Street, Portsmouth shown as facility CN21 on Plan No. L-5-158-6B</p> <p>floating walkway at Fearnley Street, Portsmouth shown as facility CN27 on Plan No. L-5-158-6B</p> <p>boat ramp at Tingira Street, Portsmouth shown as facility CN22 on Plan No. L-5-214-2B</p> <p>floating walkway at Tingira Street, Portsmouth shown as facility CN24 on Plan No. L-5-214-2B</p> <p>pontoon at Tingira Street, Portsmouth shown as facility CN23 on Plan No. L-5-214-2B</p>
<p>Carpentaria Shire Council</p>	<p>boat ramp at Gilbert Street, Karumba shown as facility CA21 on Plan No. L-4-31-1A</p> <p>boat ramp at Palmer Street, Karumba shown as facility CA41 on Plan No. L-4-31-3A</p>
<p>Cassowary Coast Regional Council</p>	<p>boat ramp at Clump Point, Clump Point Road, Mission Beach shown as facility JS22 on Plan No. L-5-66-2B</p> <p>boat ramp at Clump Point, Clump Point Road, Mission Beach shown as facility JS30 on Plan No. L-5-66-2B</p>

Manager

Public marine facility

floating walkway at Clump Point, Clump Point Road, Mission Beach shown as facility JS25 on Plan No. L-5-66-2B

floating walkway at Clump Point, Clump Point Road, Mission Beach shown as facility JS26 on Plan No. L-5-66-2B

jetty at Clump Point, Clump Point Road, Mission Beach shown as facility JS27 on Plan No. L-5-66-2B

pontoon at Clump Point, Clump Point Road, Mission Beach shown as facility JS28 on Plan No. L-5-66-2B

pontoon at Clump Point, Clump Point Road, Mission Beach shown as facility JS29 on Plan No. L-5-66-2B

boat ramp at Edith Street, Innisfail shown as facility JS71 on Plan No. L-5-66-7B

jetty at Edith Street, Innisfail shown as facility JS81 on Plan No. L-5-66-7B

boat ramp at Sheridan Street, Cardwell shown as facility CW17 on Plan No. L-4-30-2B

boat ramp at Hull Heads Road, Hull Heads shown as facility CW33 on Plan No. L-4-30-5B

boat ramp at Kennedy Esplanade, South Mission Beach shown as facility CW41 on Plan No. L-4-30-6A

boat ramp at Kurrimine Beach, Bramble Street, Kurrimine shown as facility JS31 on Plan No. L-5-66-4A

Manager	Public marine facility
	boat ramp at Maria Creek, Haydon Road, Kurrimine Beach, Kurrimine shown as facility JS32 on Plan No. L-5-216-4
	boat ramp at Bambarook Road, Cowley Beach shown as facility JS36 on Plan No. L-5-66-5
	boat ramp at Flying Fish Point Road, Flying Fish Point shown as facility JS51 on Plan No. L-5-66-9
	boat ramp at Coconut Point, Fern Avenue, Coconuts shown as facility JS56 on Plan No. L-5-66-8A
	floating walkway at Coconut Point, Fern Avenue, Coconuts shown as facility JS57 on Plan No. L-5-66-8A
	jetty at Grace Street, Innisfail shown as facility JS76 on Plan No. L-5-66-10
	boat ramp at The Esplanade, Tully Heads shown as facility CW22 on Plan No. L-4-30-9A
	boat ramp at South Hull River, Hull Drive, Carmoo shown as facility CW25 on Plan No. L-5-216-1
	boat ramp at Fisher Creek, Rungoo shown as facility CW61 on Plan No. L-5-216-2
Charters Towers Regional Council	boat ramp at Charters Towers Weir, Weir Road, Breddan shown as facility CT10 on Plan No. L-4-217-1
chief executive	Bowen State managed boat harbour Cabbage Tree Creek State managed boat harbour

Manager

Public marine facility

Cook Shire Council

Manly State managed boat harbour, other than a public marine facility within the boat harbour for which another person is appointed as manager under this schedule

Mooloolaba State managed boat harbour

Rosslyn Bay State managed boat harbour

Scarborough State managed boat harbour

Snapper Creek State managed boat harbour

Urgan State managed boat harbour

boat ramp at Port Stewart Road, Port Stewart shown as facility CO32 on Plan No. L-5-37-5A

boat ramp at Annan River, Mulligan Highway, Cooktown shown as facility CO41 on Plan No. L-5-37-6A

boat ramp at Charlotte Street, Cooktown shown as facility CO14 on Plan No. L-5-37-4D

floating walkway at Charlotte Street, Cooktown shown as facility CO13 on Plan No. L-5-37-4D

boat ramp at Rossville Bloomfield Road, Ayton shown as facility CO31 on Plan No. L-5-37-1A

boat ramp at Annie River, Marina Plains shown as facility CO29 on Plan No. L-5-220-1

Manager	Public marine facility
Darling Point Sailing Squadron Inc. IA35763	boat ramp at Starcke River, Starcke River National Park, 77km north of Cooktown shown as facility CO30 on Plan No. L-5-220-2A
Douglas Shire Council	<p data-bbox="584 465 1126 602">pontoon in the Manly State managed boat harbour commonly known as Sporting Pontoon, Trafalgar Street, Manly shown as facility BB84 on Plan No. L-1-201-2B</p> <p data-bbox="584 627 1126 784">Port Douglas boat harbour</p> <p data-bbox="584 684 1126 784">boat ramp at Port of Mossman, Rankin Street, Newell shown as facility DS12 on Plan No. L-5-45-2B</p> <p data-bbox="584 809 1126 910">boat ramp at Stewart Street, Daintree shown as facility DS34 on Plan No. L-5-45-8B</p> <p data-bbox="584 935 1126 1006">jetty at Stewart Street, Daintree shown as facility DS33 on Plan No. L-5-45-8B</p> <p data-bbox="584 1031 1126 1132">boat ramp at Daintree River, Cape Tribulation Road, Lower Daintree shown as facility DS43 on Plan No. L-5-45-7B</p> <p data-bbox="584 1157 1126 1257">floating walkway at Daintree River, Cape Tribulation Road, Lower Daintree shown as facility DS44 on Plan No. L-5-45-7B</p> <p data-bbox="584 1283 1126 1383">pontoon at Daintree River, Cape Tribulation Road, Lower Daintree shown as facility DS42 on Plan No. L-5-45-7B</p> <p data-bbox="584 1408 1126 1508">boat ramp at Dayman Point (Rocky Point), Mossman Daintree Road shown as facility DS48 on Plan No. L-5-45-3A</p> <p data-bbox="584 1534 1126 1634">boat ramp at Ashford Avenue, Port Douglas shown as facility DS71 on Plan No. L-5-45-1B</p>

Manager	Public marine facility
	floating walkway at Ashford Avenue, Port Douglas shown as facility DS72 on Plan No. L-5-45-1B
	pontoon at Ashford Avenue, Port Douglas shown as facility DS76 on Plan No. L-5-45-1B
Far North Queensland Ports Corporation Limited ACN 131 836 014	pontoon at Engineers Jetty, Victoria Parade, Thursday Island shown as facility TO15 on Plan No. L-5-170-3C
	pontoon at Engineers Jetty, Victoria Parade, Thursday Island shown as facility TO18 on Plan No. L-5-170-3C
	jetty at Green Island shown as facility CN91 on Plan No. L-5-158-12B
	jetty at Fitzroy Island shown as facility MG43 on Plan No. L-5-158-13A
	boat ramp at Mourilyan Harbour Road, Mourilyan Harbour shown as facility JS47 on Plan No. L-5-216-3A
	floating walkway at Mourilyan Harbour Road, Mourilyan Harbour shown as facility JS45 on Plan No. L-5-216-3A
Fraser Coast Regional Council	boat ramp at Pleasant View Road, Yengarie shown as facility WC11 on Plan No. L-2-131-1B
	boat ramp at Mary River, North Esplanade, River Heads shown as facility HB11 on Plan No. L-2-24-1B
	boat ramp at Mary River, North Esplanade, River Heads shown as facility HB12 on Plan No. L-2-24-1B

Manager**Public marine facility**

floating walkway at Mary River, North Esplanade, River Heads shown as facility HB17 on Plan No. L-2-24-1B

boat ramp at Toogoom Road, Toogoom shown as facility HB41 on Plan No. L-2-24-8A

boat ramp at Burrum Heads Road, Burrum Heads shown as facility HB51 on Plan No. L-2-24-10A

boat ramp at Lions Park, Burrum Street, Burrum Heads shown as facility HB58 on Plan No. L-2-228-3A

floating walkway at Lions Park, Burrum Street, Burrum Heads shown as facility HB59 on Plan No. L-2-228-3A

boat ramp at Ross Street, Burrum Heads shown as facility HB56 on Plan No. L-2-24-9A

pontoon at Ross Street, Burrum Heads shown as facility HB74 on Plan No. L-2-24-9A

boat ramp at Raglan Street, Maryborough shown as facility MB11 on Plan No. L-2-146-1A

boat ramp at South Street, Maryborough shown as facility MB21 on Plan No. L-2-146-2A

floating walkway at South Street, Maryborough shown as facility MB22 on Plan No. L-2-146-2A

Manager

Public marine facility

boat ramp at Beaver Rock Road, south bank of Mary River, Beaver Rock shown as facility MB31 on Plan No. L-2-146-3A

boat ramp at Granville Road, Maaroom shown as facility MB51 on Plan No. L-2-146-5B

floating walkway at Granville Road, Maaroom shown as facility MB52 on Plan No. L-2-146-5B

boat ramp at Owen Cox Street, Poona shown as facility MB61 on Plan No. L-2-146-6A

boat ramp at Corfield Street, Point Vernon shown as facility HB38 on Plan No. L-2-228-1

boat ramp at Power House Road, Howard shown as facility HB62 on Plan No. L-2-24-7A

boat ramp at Bottlebrush Road, Tuan shown as facility MB40 on Plan No. L-2-146-4B

boat ramp at Bottlebrush Road, Tuan shown as facility MB41 on Plan No. L-2-146-4B

floating walkway at Bottlebrush Road, Tuan shown as facility MB42 on Plan No. L-2-146-4B

Gladstone Ports Corporation
Limited ACN 131 965 896

Burnett Heads boat harbour

boat ramp at Morgan Street, Gladstone shown as facility GL86 on Plan No. L-3-161-2A

Manager	Public marine facility
	boat ramp at Goondoon Street, Gladstone shown as facility GL81 on Plan No. L-3-161-7A
	boat ramp at Southend, Curtis Island shown as facility GL21 on Plan No. L-3-161-4A
	boat ramp at Burnett River, Strathdees Road, Rubyanna shown as facility WO61 on Plan No. L-2-60-6B
	boat ramp at Calliope River, Hanson Road, Callemondah shown as facility GL31 on Plan No. L-3-161-6C
	floating walkway at Calliope River, Hanson Road, Callemondah shown as facility GL34 on Plan No. L-3-161-6C
	boat ramp at Burnett Heads boat harbour shown as facility WO71 on Plan No. L-2-60-8A
	floating walkway at Burnett Heads boat harbour shown as facility WO73 on Plan No. L-2-60-8A
	jetty at Burnett Heads boat harbour shown as facility WO72 on Plan No. L-2-60-8A
Gladstone Regional Council	boat ramp at Wild Cattle Creek Road, Tannum Sands shown as facility CP11 on Plan No. L-3-27-1A
	boat ramp at Tiller Street, Tannum Sands shown as facility CP12 on Plan No. L-3-229-1
	boat ramp at Bray Park, Wyndham Avenue, Boyne Island shown as facility CP21 on Plan No. L-3-27-3B

Manager

Public marine facility

boat ramp at Alexander Street, Boyne Island shown as facility CP26 on Plan No. L-3-27-2A

boat ramp at Calliope River, Old Bruce Highway, River Ranch shown as facility CP41 on Plan No. L-3-27-4A

boat ramp at The Narrows, south of Ramsay Crossing shown as facility CP51 on Plan No. L-3-27-5A

boat ramp at The Narrows, Ramsay Crossing shown as facility CP52 on Plan No. L-3-27-6A

boat ramp at South Trees Inlet, Gladstone-Benaraby Road, Toolooa shown as facility GL11 on Plan No. L-3-161-1B

floating walkway at South Trees Inlet, Gladstone-Benaraby Road, Toolooa shown as facility GL12 on Plan No. L-3-161-1B

boat ramp at Baffle Creek, Ferry Road, Rosedale shown as facility MV11 on Plan No. L-3-83-1A

boat ramp at Baffle Creek, Boat Ramp Road, Wartburg shown as facility MV15 on Plan No. L-3-83-4A

boat ramp at Captain Cook Drive, Seventeen Seventy shown as facility MV21 on Plan No. L-3-83-2

boat ramp at Hancock Street, Turkey Beach shown as facility MV31 on Plan No. L-3-83-3A

Manager	Public marine facility
Gold Coast City Council	floating walkway at Hancock Street, Turkey Beach shown as facility MV32 on Plan No. L-3-83-3A
	boat ramp at Arthur Earle Park, Nerang Connection Road, Nerang shown as facility AC22 on Plan No. L-1-160-9A
	boat ramp at Waterways Drive, Main Beach shown as facility GB11 on Plan No. L-1-160-30B
	floating walkway at Waterways Drive, Main Beach shown as facility GB15 on Plan No. L-1-160-30B
	pontoon at Waterways Drive, Main Beach shown as facility GB14 on Plan No. L-1-160-30B
	boat ramp at The Broadwater, Muriel Henchman Drive, Main Beach, shown as GB21 on Plan No. L-1-160-31C
	boat ramp at The Broadwater, Muriel Henchman Drive, Main Beach, shown as GB22 on Plan No. L-1-160-31C
	pontoon at The Broadwater, Muriel Henchman Drive, Main Beach, shown as GB23 on Plan No. L-1-160-31C
	boat ramp at Broad Street, Labrador shown as facility GB62 on Plan No. L-1-160-13A
	pontoon at Marine Parade, Labrador shown as facility GB61 on Plan No. L-1-160-13A

Manager

Public marine facility

jetty (commonly known as Imperial Jetty) at Whiting Street, Labrador shown as facility GB51 on Plan No. L-1-160-14A

boat ramp at Loders Creek, Marine Parade, Labrador shown as facility GB41 on Plan No. L-1-160-12A

boat ramp at Gold Coast Aquatic Centre, Marine Parade and Welch Street, Southport shown as facility GB31 on Plan No. L-1-160-11A

pontoon at Broadwater Parklands, Nerang Street, Southport shown as facility GC65 on Plan No. L-1-230-6

boat ramp at Broadwater Parklands, Marine Parade, Southport shown as facility GC70 on Plan No. L-1-230-8

3 floating walkways attached to the boat ramp at Broadwater Parklands, Marine Parade, Southport shown as facility GC71 on Plan No. L-1-230-8

pontoon at Broadwater Parklands, Marine Parade, Southport shown as facility GC73 on Plan No. L-1-230-8

boat ramp at Bert Hood Street, Boykambil shown as facility AB11 on Plan No. L-1-160-21A

jetty at Bert Hood Street, Boykambil shown as facility AB13 on Plan No. L-1-160-21A

boat ramp at Jacobs Well Tourist Park, Pimpama Jacobs Well Road, Jacobs Well shown as facility AB23 on Plan No. L-1-160-23C

Manager**Public marine facility**

floating walkway at Jacobs Well Tourist Park, Pimpama Jacobs Well Road, Jacobs Well shown as facility AB25 on Plan No. L-1-160-23C

jetty at Jacobs Well Tourist Park, Pimpama Jacobs Well Road, Jacobs Well shown as facility AB21 on Plan No. L-1-160-23C

pontoon at Jacobs Well Tourist Park, Pimpama Jacobs Well Road, Jacobs Well shown as facility AB24 on Plan No. L-1-160-23C

pontoon at Tipplers Passage, South Stradbroke Island shown as facility AB20 on Plan No. L-1-160-27A

boat ramp at T E Peters Drive, Broadbeach Waters shown as facility GB16 on Plan No. L-1-160-29B

boat ramp at Ray Street, Runaway Bay shown as facility GB71 on Plan No. L-1-160-15B

boat ramp at Drake Avenue, Paradise Point shown as facility GB91 on Plan No. L-1-160-18B

floating walkway at Drake Avenue, Paradise Point shown as facility GB90 on Plan No. L-1-160-18B

boat ramp at Turana Street, Paradise Point shown as facility GB92 on Plan No. L-1-160-16A

pontoon at Bruce Avenue, Paradise Point shown as facility GB94 on Plan No. L-1-230-4

Manager

Public marine facility

boat ramp at Jasmine Street, Hollywell
shown as facility GB81 on Plan No.
L-1-160-17A

boat ramp at Holly Avenue, Hollywell
shown as facility GB84 on Plan No.
L-1-160-17A

boat ramp at Oxley Drive, Jabiru Island
shown as facility GB93 on Plan No.
L-1-160-19A

boat ramp at Coomera River, Michael
Shelley Way, Oxenford shown as facility
GC28 on Plan No. L-1-230-2B

boat ramp at Alberton Road, Alberton
shown as facility AB72 on Plan No.
L-1-160-26B

pontoon at Alberton Road, Alberton
shown as facility AB73 on Plan No.
L-1-160-26B

boat ramp at Thrower Drive, Palm Beach
shown as facility GC15 on Plan No.
L-1-160-1B

boat ramp at Murlong Crescent, Palm
Beach shown as facility GC21 on Plan
No. L-1-160-2A

floating walkway at Murlong Crescent,
Palm Beach shown as facility GC22 on
Plan No. L-1-160-2A

canoe ramp at Tallebudgera Creek,
Loman Lane, Burleigh Heads shown as
facility GC19 on Plan No. L-1-160-38A

Manager**Public marine facility**

boat ramp at Awoonga Avenue, Burleigh Heads shown as facility GC25 on Plan No. L-1-160-3A

boat ramp at Naples Avenue and St Andrews Avenue, Surfers Paradise shown as facility GC41 on Plan No. L-1-160-6A

boat ramp at Birt Avenue, Surfers Paradise shown as facility GC61 on Plan No. L-1-160-7A

pontoon at Cavill Avenue, Surfers Paradise shown as facility GC52 on Plan No. L-1-230-5

pontoon at Appel Park, Ferny Avenue, Surfers Paradise shown as facility GC55 on Plan No. L-1-160-39A

boat ramp at Pinnaroo Street, Santa Barbara shown as facility AB12 on Plan No. L-1-160-22A

boat ramp at Cabbage Tree Point Road, Cabbage Tree Point, Steiglitz shown as facility AB32 on Plan No. L-1-160-24A

boat ramp at Colman Road, Coomera shown as facility AB17 on Plan No. L-1-160-40A

boat ramp at Winders Park, Duringan Street, Currumbin shown as facility GC16 on Plan No. L-1-160-35

pontoon at Winders Park, Duringan Street, Currumbin shown as facility GC17 on Plan No. L-1-160-35

Schedule 1

Manager	Public marine facility
	pontoon at Preston Park, Michel Drive, Currumbin Waters shown as facility GC18 on Plan No. L-1-160-37A
Goondiwindi Regional Council	boat ramp at Marshall Street, Goondiwindi shown as facility GW11 on Plan No. L-2-162-1A
	pontoon at Marshall Street, Goondiwindi shown as facility GW12 on Plan No. L-2-162-1A
	boat ramp at Lake Coolmunda, 10km east of Inglewood shown as facility ID11 on Plan No. L-2-63-1A
Gympie Regional Council	boat ramp at Toolara Road, Toolara shown as facility WI21 on Plan No. L-1-128-2A
	boat ramp at Carlo Point, Carlo Road, Rainbow Beach shown as facility WI31 on Plan No. L-1-128-5B
	floating walkway at Carlo Point, Carlo Road, Rainbow Beach shown as facility WI30 on Plan No. L-1-128-5B
	barge (also commonly known as a boat ramp) at Bullock Point, Bullock Point Road, Inskip shown as facility WI50 on Plan No. L-1-128-6
	floating walkway at Bullock Point, Bullock Point Road, Inskip shown as facility WI55 on Plan No. L-1-128-6
Hinchinbrook Shire Council	boat ramp at She Oak Street, Forrest Beach shown as facility HI11 on Plan No. L-4-61-1A

Manager	Public marine facility
	<p>boat ramp at Boat Ramp Road, Taylors Beach shown as facility HI21 on Plan No. L-4-61-2A</p> <p>boat ramp at Dungeness Road, Dungeness shown as facility HI32 on Plan No. L-4-61-3A</p> <p>floating walkway at Dungeness Road, Dungeness shown as facility HI31 on Plan No. L-4-61-3A</p> <p>pontoon at Dungeness Road, Dungeness shown as facility HI33 on Plan No. L-4-61-4A</p>
Ipswich City Council	boat ramp at Richardson Park, Noel Kelly Drive, Goodna shown as facility IP11 on Plan No. L-1-148-1A
Isaac Regional Council	boat ramp at Bund Creek, Settlement Road, Newport shown as facility BD11 on Plan No. L-3-20-3A
	boat ramp at Clairview Beach, Colonial Drive, Clairview shown as facility BD16 on Plan No. L-3-20-1A
	boat ramp at Carmila Creek, Carmila Beach Road, Carmila Beach shown as facility BD21 on Plan No. L-3-20-2A
Livingstone Shire Council	boat ramp at Limpus Avenue, Keppel Sands shown as facility LV11 on Plan No. L-3-77-1B
	boat ramp at Limpus Avenue, Keppel Sands shown as facility LV15 on Plan No. L-3-77-1B

Manager

Public marine facility

boat ramp at Taylor Street, Keppel Sands shown as facility LV16 on Plan No. L-3-77-11A

boat ramp at St Christophers Chapel Road, Nerimbera shown as facility LV12 on Plan No. L-3-77-10B

boat ramp at Coorooman Creek, Svendsen Road, Zilzie shown as facility LV21 on Plan No. L-3-77-2A

floating walkway at Coorooman Creek, Svendsen Road, Zilzie shown as facility LV22 on Plan No. L-3-77-2A

boat ramp at Hill Street, Emu Park shown as facility LV31 on Plan No. L-3-77-3A

boat ramp at Resada Esplanade, Mulambin shown as facility LV41 on Plan No. L-3-77-4A

boat ramp at Fig Tree Creek, Scenic Highway, Yeppoon shown as facility LV61 on Plan No. L-3-77-7A

boat ramp at Water Park Creek, Corbetts Landing Road, Byfield shown as facility LV66 on Plan No. L-3-77-8D

boat ramp at Water Park Creek, Corbetts Landing Road, Byfield shown as facility LV70 on Plan No. L-3-77-8D

boat ramp at Banksia Road, Stanage shown as facility LV67 on Plan No. L-3-77-9B

boat ramp at Fitzroy River, Thompsons Point Road, Thompsons Point shown as facility LV51 on Plan No. L-3-77-13

Manager	Public marine facility
Lockhart River Aboriginal Shire Council	boat ramp at Claudie River, Lockhart River Community shown as facility CO33 on Plan No. L-5-220-3
Lockyer Valley Regional Council	boat ramp at Lake Dyer, Laidley shown as facility LA11 on Plan No. L-2-239-1A
Logan City Council	boat ramp at Tansey Park, Tanah Merah shown as facility LO21 on Plan No. L-1-240-2
	boat ramp at Henderson Park, Henderson Road, Logan Reserve shown as facility BE21 on Plan No. L-1-13-1B
	boat ramp at Logan River Parklands, Logan Boat Ramp Lane, Eagleby shown as facility GC27 on Plan No. L-1-240-1B
	boat ramp at Larry Story Park, Albert Street, Waterford shown as facility AB61 on Plan No. L-1-160-25B
	boat ramp at Federation Drive, Bethania shown as facility AB65 on Plan No. L-1-160-28A
	boat ramp at Riedel Road, Carbrook shown as facility LO31 on Plan No. L-1-240-3
	floating walkway at Riedel Road, Carbrook shown as facility LO32 on Plan No. L-1-240-3
	boat ramp at Skinners Park, Skinners Road, Carbrook shown as facility LO11 on Plan No. L-1-70-1A
Mackay Regional Council	boat ramp at Murray Creek, Landing Road, Mount Pelion shown as facility MK51 on Plan No. L-3-120-10B

Manager

Public marine facility

boat ramp at Mackay Marina, Mulherin Drive, Mackay Harbour shown as facility MK20 on Plan No. L-3-120-12C

floating walkway at Mackay Marina, Mulherin Drive, Mackay Harbour shown as facility MK21 on Plan No. L-3-120-12C

floating walkway at Mackay Marina, Mulherin Drive, Mackay Harbour shown as facility MK25 on Plan No. L-3-120-12C

boat ramp at River Street, Mackay shown as facility MK11 on Plan No. L-3-120-1A

floating walkway at River Street, Mackay shown as facility MK15 on Plan No. L-3-120-1A

boat ramp at Sunset Bay, Sunset Boulevard, Eimeo shown as facility PI11 on Plan No. L-3-120-3A

boat ramp at Victor Creek, Port Newry Road, Seaforth shown as facility PI21 on Plan No. L-3-120-5A

boat ramp at Carpet Snake Point, Ramp Road, St Helens Beach shown as facility PI31 on Plan No. L-3-120-6A

boat ramp at Constant Creek, Howells Road, Mount Jukes shown as facility PI45 on Plan No. L-3-242-5

boat ramp at Sunset Drive, Sarina Beach shown as facility SA11 on Plan No. L-3-107-1B

Manager	Public marine facility
	boat ramp at Sunset Drive, Sarina Beach shown as facility SA12 on Plan No. L-3-107-1B
	boat ramp at Campwin Beach Boat Ramp Road, Campwin Beach shown as facility SA21 on Plan No. L-3-107-2C
	boat ramp at Apsley Way, Andergrove shown as facility MK41 on Plan No. L-3-242-1
	boat ramp at Miran Khan Drive, Freshwater Point shown as facility MR31 on Plan No. L-3-242-3
	boat ramp at Sandy Creek, Dunnrock Road, Dunnrock shown as facility PI14 on Plan No. L-3-120-9A
	boat ramp at Rocky Dam Creek, Daniell Street, Koumala shown as facility SA14 on Plan No. L-3-242-2
	boat ramp at Bucasia Esplanade, Bucasia shown as facility PI12 on Plan No. L-3-242-4A
	boat ramp at Zelma Street, Grasree Beach shown as facility SA22 on Plan No. L-3-107-6
	floating walkway at Zelma Street, Grasree Beach shown as facility SA23 on Plan No. L-3-107-6
Maranoa Regional Council	boat ramp at Balonne River, Carnarvon Highway, Surat shown as facility WR10 on Plan No. L-2-126-1B

Manager	Public marine facility
Moreton Bay City Council	pontoon at Balonne River, Carnarvon Highway, Surat shown as facility WR11 on Plan No. L-2-126-1B
	boat ramp at Saint Smith Road, Beachmere shown as facility CB21 on Plan No. L-1-25-2B
	boat ramp at Saint Smith Road, Beachmere shown as facility CB22 on Plan No. L-1-25-2B
	floating walkway at Saint Smith Road, Beachmere shown as facility CB25 on Plan No. L-1-25-2B
	boat ramp at Fifth Avenue, Bongaree, Bribie Island shown as facility CB32 on Plan No. L-1-25-4A
	boat ramp at Fifth Avenue, Bongaree, Bribie Island shown as facility CB33 on Plan No. L-1-25-4A
	boat ramp at Marine Parade, Bellara, Bribie Island shown as facility CB40 on Plan No. L-1-25-6D
	boat ramp at Marine Parade, Bellara, Bribie Island shown as facility CB41 on Plan No. L-1-25-6D
	floating walkway at Marine Parade, Bellara, Bribie Island shown as facility CB42 on Plan No. L-1-25-6D
	boat ramp at Moffatt Esplanade, Toorbul shown as facility CB61 on Plan No. L-1-25-7A
	boat ramp at First Avenue, Toorbul shown as facility CB66 on Plan No. L-1-25-8B

Manager**Public marine facility**

boat ramp at Freeman Road, Toorbul shown as facility CB67 on Plan No. L-1-25-8B

floating walkway at Freeman Road, Toorbul shown as facility CB68 on Plan No. L-1-25-8B

boat ramp at Grant Lane, Donnybrook shown as facility CB71 on Plan No. L-1-25-9A

boat ramp at Clontarf Beach, Thomas Street, Clontarf shown as facility RF12 on Plan No. L-1-165-1C

floating walkway at Clontarf Beach, Thomas Street, Clontarf shown as facility RF15 on Plan No. L-1-165-1C

boat ramp at Oxley Avenue, Woody Point shown as facility RF21 on Plan No. L-1-165-2A

boat ramp at Queens Beach North, Flinders Parade, opposite Griffith Road, Scarborough shown as facility RF41 on Plan No. L-1-165-4A

boat ramp at Mabel Street, Margate shown as facility RF51 on Plan No. L-1-165-5A

boat ramp at Kal Ma Kuta Drive, Sandstone Point shown as facility CB52 on Plan No. L-1-25-12A

boat ramp at Uhlmann Road, Burpengary East shown as facility CB23 on Plan No. L-1-244-3B

Manager	Public marine facility
	floating walkway at Uhlmann Road, Burpengary East shown as facility CB24 on Plan No. L-1-244-3B
	boat ramp at Dohles Rocks Road, Griffin shown as facility PR12 on Plan No. L-1-244-1B
	floating walkway at Dohles Rocks Road, Griffin shown as facility PR14 on Plan No. L-1-244-1B
	boat ramp at Learmonth Street, Strathpine shown as facility PR16 on Plan No. L-1-244-2A
Mount Isa City Council	boat ramp at Lake Julius, 106km south-east of Mount Isa shown as facility MI11 on Plan No. L-4-10-1A
Murweh Shire Council	boat ramp at Ward River, Diamantina Developmental Road, 20km south-west of Charleville shown as facility MW10 on Plan No. L-2-247-1
Noosa Shire Council	boat ramp at Thomas Street, Noosaville shown as facility NS12 on Plan No. L-1-92-1B
	boat ramp at Albert Street, Noosaville shown as facility NS11 on Plan No. L-1-92-1B
	floating walkway at Albert Street, Noosaville shown as facility NS15 on Plan No. L-1-92-1B
	jetty at Pelican Beach Park, Albert Street, Noosaville shown as facility NS21 on Plan No. L-1-92-1B

Manager	Public marine facility
	boat ramp at Parkyn Court, Tewantin shown as facility NS32 on Plan No. L-1-92-2A
	boat ramp at Boreen Point, Orchard Avenue, Boreen shown as facility NS71 on Plan No. L-1-92-3A
North Burnett Regional Council	boat ramp at Gayndah Mount Perry Road, Mingo shown as facility PY10 on Plan No. L-2-248-2A
	boat ramp at Kerles Lane, Mundubbera shown as facility MD11 on Plan No. L-2-248-4
	boat ramp at Claude Wharton Weir, Gayndah shown as facility GH51 on Plan No. L-2-102-1A
	boat ramp at Lake Wuruma, Boat Ramp Road, 19km west of Abercorn shown as facility ED11 on Plan No. L-2-49-1B
	boat ramp at Lake Cania, True Blue Road, 37km north of Monto, shown as facility MO51 on Plan No. L-2-248-5A
Northern Peninsula Area Regional Council	boat ramp at Cowal Creek, Injinoo shown as facility IJ20 on Plan No. L-5-251-2A
	boat ramp at Fishbone (Inhang Apudtha) Creek, tributary off Jackey Jackey Creek, 13km south-east of Bamaga shown as facility IJ10 on Plan No. L-5-251-1B
	boat ramp at Seisia Road, Seisia shown as facility CO34 on Plan No. L-5-249-1
North Queensland Bulk Ports Corporation Limited ACN 136 880 218	boat ramp at Hay Point Tug Harbour, Highwater Islet Drive, Hay Point shown as facility SA31 on Plan No. L-3-107-3B

Manager	Public marine facility
Paroo Shire Council	boat ramp at Warrego River, Burrenbilla Road, Cunnamulla shown as facility PA11 on Plan No. L-2-94-1C
	pontoon at Warrego River, Burrenbilla Road, Cunnamulla shown as facility PA12 on Plan No. L-2-94-1C
Pormpuraaw Aboriginal Shire Council	boat ramp at north bank at mouth of Chapman River, Pormpuraaw shown as facility PO11 on Plan No. L-5-253-1
Port of Brisbane Pty Ltd ACN 143 384 749	boat ramp at Port Drive, Whyte Island shown as facility BB25 on Plan No. L-1-140-16A
	floating walkway at Port Drive, Whyte Island shown as facility BB26 on Plan No. L-1-140-16A
Port of Townsville Limited ACN 130 077 673	boat ramp at Sir Leslie Thiess Drive, Townsville shown as facility TV71 on Plan No. L-4-150-3B
	boat ramp at Sir Leslie Thiess Drive, Townsville shown as facility TV72 on Plan No. L-4-150-3B
	floating walkway at Sir Leslie Thiess Drive, Townsville shown as facility TV73 on Plan No. L-4-150-3B
	floating walkway at Sir Leslie Thiess Drive, Townsville shown as facility TV74 on Plan No. L-4-150-3B
Queensland Bulk Water Supply Authority established under the <i>South East Queensland Water (Restructuring) Act 2007</i> , section 6 trading as Seqwater	boat ramp at Lake MacDonald, Collwood Road, Lake MacDonald shown as facility NS41 on Plan No. L-1-263-3A

Manager	Public marine facility
Redland City Council	boat ramp at Wahine Drive, Russell Island shown as facility RB13 on Plan No. L-1-34-20B
	boat ramp at Jock Kennedy Park, Alice Street, Russell Island shown as facility RB15 on Plan No. L-1-255-1
	boat ramp at Toondah Harbour, Emmett Drive, Cleveland shown as facility RD45 on Plan No. L-1-34-10B
	barge ramp at Junner Street, Dunwich, North Stradbroke Island shown as facility RB73 on Plan No. L-1-34-17B
	jetty at Junner Street, Dunwich, North Stradbroke Island shown as facility RB71 on Plan No. L-1-34-17B
	boat ramp at Yabby Street, Dunwich, North Stradbroke Island shown as facility RB82 on Plan No. L-1-34-18A
	jetty at Yabby Street, Dunwich, North Stradbroke Island shown as facility RB81 on Plan No. L-1-34-18A
	pontoon at Yabby Street, Dunwich, North Stradbroke Island shown as facility RB83 on Plan No. L-1-34-18A
	boat ramp at Claytons Road, Amity Point, Amity, North Stradbroke Island shown as facility RB92 on Plan No. L-1-34-19A
	jetty at Claytons Road, Amity Point, Amity, North Stradbroke Island shown as facility RB91 on Plan No. L-1-34-19A

Manager

Public marine facility

boat ramp at Moores Road, Redland Bay
shown as facility RD11 on Plan No.
L-1-34-1A

jetty at Weinam Street, Redland Bay
shown as facility RD21 on Plan No.
L-1-34-2A

boat ramp at Masters Avenue, Victoria
Point shown as facility RD35 on Plan No.
L-1-34-3A

boat ramp at Colburn Avenue, Victoria
Point shown as facility RD36 on Plan No.
L-1-34-4A

boat ramp at Main Road, Wellington Point
shown as facility RD61 on Plan No.
L-1-34-7A

boat ramp at Main Road, Wellington Point
shown as facility RD62 on Plan No.
L-1-34-7A

jetty at Main Road, Wellington Point
shown as facility RD66 on Plan No.
L-1-34-7A

boat ramp at Helen Street, Thorneside
shown as facility RD71 on Plan No.
L-1-34-8A

boat ramp at Russell Terrace, MacLeay
Island shown as facility RB45 on Plan No.
L-1-34-21A

floating walkway at Russell Terrace,
MacLeay Island shown as facility RB43
on Plan No. L-1-34-21A

Manager	Public marine facility
Rockhampton Regional Council	pontoon at Russell Terrace, MacLeay Island shown as facility RB46 on Plan No. L-1-34-21A
	boat ramp at Robert Clark Drive, North Rockhampton shown as facility RK15 on Plan No. L-3-147-5A
	floating walkway at Robert Clark Drive, North Rockhampton shown as facility RK17 on Plan No. L-3-147-5A
	boat ramp at Fitzroy River, Larcombe Street, Park Avenue shown as facility RK21 on Plan No. L-3-147-1A
	boat ramp at Quay Street, Rockhampton shown as facility RK32 on Plan No. L-3-257-1
	floating walkway at Quay Street, Rockhampton shown as facility RK33 on Plan No. L-3-257-1
	boat ramp near Luck Avenue, Rockhampton shown as facility RK31 on Plan No. L-3-147-2A
	jetty at Derby Street, Rockhampton shown as facility RK41 on Plan No. L-3-147-4A
	boat ramp at Bajool-Port Alma Road, Port Alma shown as facility FY10 on Plan No. L-3-147-6
RTA Weipa Pty Ltd ACN 137 266 285	boat ramp at Rocky Point, Marina Road, Weipa shown as facility WP53 on Plan No. L-5-37-8B

Manager	Public marine facility
	boat ramp at Evans Landing, Weipa shown as facility WP55 on Plan No. L-5-37-3D
	pontoon at Evans Landing, Weipa shown as facility WP56 on Plan No. L-5-37-3D
South Burnett Regional Council	boat ramp at Yallakool Tourist Park, Lake Barambah shown as facility MN52 on Plan No. L-2-261-1A
	boat ramp at Bjelke-Petersen Dam, Access Road off Haager Drive, Lake Barambah shown as facility MN51 on Plan No. L-2-86-1B
	boat ramp at Lake Boondooma Caravan and Recreation Park, Lake Boondooma shown as facility WN11 on Plan No. L-2-261-3
	boat ramp at Bushcamp Road, Lake Boondooma shown as facility WN12 on Plan No. L-2-261-2A
Southern Downs Regional Council	boat ramp at Storm King Dam, Storm King Access, Storm King shown as facility ST11 on Plan No. L-2-109-1A
	boat ramp at Lake Leslie, Saddledam Road, Leslie Dam shown as facility WK10 on Plan No. L-2-262-1D
	boat ramp at Lake Leslie, Saddledam Road, Leslie Dam shown as facility WK11 on Plan No. L-2-262-1D
	boat ramp at Lake Leslie, Saddledam Road, Leslie Dam shown as facility WK12 on Plan No. L-2-262-1D

Manager	Public marine facility
	boat ramp at Lake Leslie, Saddledam Road, Leslie Dam shown as facility WK13 on Plan No. L-2-262-1D
Southport Yacht Club Inc. IA02764 and The Corporation of the Synod of the Diocese of Brisbane trading as The Southport School	pontoon at Dux Anchorage, Southport Yacht Club, South Stradbroke Island shown as facility AB40 on Plan No. L-1-160-33
Sunshine Coast Regional Council	boat ramp at June Street, Golden Beach shown as facility LB11 on Plan No. L-1-76-1A
	boat ramp at Raleigh Street, Golden Beach shown as facility LB21 on Plan No. L-1-76-2A
	boat ramp at Raleigh Street, Golden Beach shown as facility LB22 on Plan No. L-1-76-2A
	boat ramp at Churchill Street, Golden Beach shown as facility LB31 on Plan No. L-1-76-3A
	floating walkway at Churchill Street, Golden Beach shown as facility LB32 on Plan No. L-1-76-3A
	boat ramp at Westaway Parade, Currimundi shown as facility LB71 on Plan No. L-1-76-7A
	boat ramp at Bradman Avenue, Maroochydore shown as facility MA11 on Plan No. L-1-80-3A
	floating walkway at Bradman Avenue, Maroochydore shown as facility MA13 on Plan No. L-1-80-3A

Manager

Public marine facility

boat ramp at Fishermans Road,
Maroochydore shown as facility MA14 on
Plan No. L-1-80-4A

floating walkway at Fishermans Road,
Maroochydore shown as facility MA22 on
Plan No. L-1-80-4A

boat ramp at Muller Park, Muller Park
Road, Bli Bli shown as facility MA21 on
Plan No. L-1-80-5A

boat ramp at Lake Dunethin, Lake
Dunethin Road, Maroochy River shown
as facility MA31 on Plan No. L-1-80-6A

boat ramp at Adaluma Avenue, Buddina
shown as facility LB82 on Plan No.
L-1-263-4

boat ramp at Outrigger Park, Nicklin Way,
Minyama shown as facility LB75 on Plan
No. L-1-263-2

pontoon at Penny Lane, Mooloolaba
shown as facility MA87 on Plan No.
L-1-80-7A

boat ramp at Roys Road, Coochin Creek
shown as facility LB55 on Plan No.
L-1-263-1

boat ramp at Nojoor Road, Twin Waters
shown as facility MA15 on Plan No.
L-1-263-6A

floating walkway at Nojoor Road, Twin
Waters shown as facility MA16 on Plan
No. L-1-263-6A

Manager	Public marine facility
Sunwater Limited ACN 131 034 985	boat ramp at Lake Eungella, Eungella Dam Road, Eungella shown as facility MR11 on Plan No. L-3-82-1B
Tablelands Regional Council	boat ramp at Lake Tinaroo, Church Street, Tinaroo Falls shown as facility AT11 on Plan No. L-5-119-1B
	boat ramp at Lake Tinaroo, Black Gully Road, Lake Tinaroo shown as facility AT31 on Plan No. L-5-264-2A
	boat ramp at Lake Tinaroo, Bruce Road, Barrine shown as facility AT21 on Plan No. L-5-264-1
	boat ramp at Lake Tinaroo, Tinaburra Drive, Yungaburra shown as facility EM11 on Plan No. L-5-48-1A
Torres Shire Council	boat ramp at Waiben Esplanade, Rose Hill, Thursday Island shown as facility TO22 on Plan No. L-5-170-4A
Townsville City Council	boat ramp at Nelly Bay Harbour, The Esplanade, Nelly Bay, Magnetic Island shown as facility TV53 on Plan No. L-4-268-1B
	pontoon at Nelly Bay Harbour, The Esplanade, Nelly Bay, Magnetic Island shown as facility TV60 on Plan No. L-4-268-1B
	boat ramp at Yule Street, Picnic Bay, Magnetic Island shown as facility TV51 on Plan No. L-4-150-4A
	boat ramp at Barnicle Street, Railway Estate shown as facility TV11 on Plan No. L-4-150-1B

Manager

Public marine facility

boat ramp at Barnicle Street, Railway Estate shown as facility TV14 on Plan No. L-4-150-1B

floating walkway at Barnicle Street, Railway Estate shown as facility TV15 on Plan No. L-4-150-1B

pontoon at Barnicle Street, Railway Estate shown as facility TV12 on Plan No. L-4-150-1B

boat ramp at Ross River, Illuta Street, Rasmussen shown as facility TH61 on Plan No. L-4-268-3A

boat ramp at Marlin Street, Balgal Beach shown as facility TH11 on Plan No. L-4-117-3A

boat ramp at Althaus Creek, Boat Ramp Road, Saunders Beach shown as facility TH21 on Plan No. L-4-117-2C

floating walkway at Althaus Creek, Boat Ramp Road, Saunders Beach shown as facility TH22 on Plan No. L-4-117-2C

boat ramp at Marlow Street, Pallarenda shown as facility TV91 on Plan No. L-4-150-6A

boat ramp at Saltwater Creek, Herald Street, Toomulla shown as facility TH35 on Plan No. L-4-268-2

boat ramp at Stoney Creek, Marina Drive, Bushland Beach shown as facility TH51 on Plan No. L-4-117-1C

Manager**Public marine facility**

floating walkway at Stoney Creek, Marina Drive, Bushland Beach shown as facility TH52 on Plan No. L-4-117-1C

jetty at Plume Street, South Townsville shown as facility TV81 on Plan No. L-4-150-2A

jetty at Dibbs Street, South Townsville shown as facility TV86 on Plan No. L-4-150-2A

boat ramp at Ramp A, Townsville Recreational Boating Park, Fifth Avenue, South Townsville shown as facility TV30 on Plan No. L-4-268-6A

floating walkway at Ramp A, Townsville Recreational Boating Park, Fifth Avenue, South Townsville shown as facility TV31 on Plan No. L-4-268-6A

boat ramp at Ramp B, Townsville Recreational Boating Park, Fifth Avenue, South Townsville shown as facility TV32 on Plan No. L-4-268-6A

floating walkway at Ramp B, Townsville Recreational Boating Park, Fifth Avenue, South Townsville shown as facility TV33 on Plan No. L-4-268-6A

pontoon between Ramp B and Ramp C, Townsville Recreational Boating Park, Seventh Avenue, South Townsville shown as facility TV39 on Plan No. L-4-268-6A

boat ramp at Ramp C, Townsville Recreational Boating Park, Seventh Avenue, South Townsville shown as facility TV34 on Plan No. L-4-268-6A

Manager

Public marine facility

floating walkway at Ramp C, Townsville Recreational Boating Park, Seventh Avenue, South Townsville shown as facility TV35 on Plan No. L-4-268-6A

pontoon between Ramp C and Ramp D, Townsville Recreational Boating Park, Seventh Avenue, South Townsville shown as facility TV38 on Plan No. L-4-268-6A

boat ramp at Ramp D, Townsville Recreational Boating Park, Seventh Avenue, South Townsville shown as facility TV36 on Plan No. L-4-268-6A

floating walkway at Ramp D, Townsville Recreational Boating Park, Seventh Avenue, South Townsville shown as facility TV37 on Plan No. L-4-268-6A

Western Downs Regional Council

boat ramp at Caliguel Lagoons, Condamine Meandarra Road, Condamine shown as facility ML11 on Plan No. L-2-87-1B

boat ramp at Chinchilla Weir, Chinchilla Tara Road, Chinchilla shown as facility CH11 on Plan No. L-2-33-1C

pontoon at Chinchilla Weir, Chinchilla Tara Road, Chinchilla shown as facility CH14 on Plan No. L-2-33-1C

boat ramp at Condamine River, Archers Crossing Road, Hopeland, 20km downstream from Chinchilla Weir shown as facility CH12 on Plan No. L-2-33-2B

Whitsunday Regional Council

boat ramp at Abel Point Marina, Shingley Drive, Airlie Beach shown as facility WT05 on Plan No. L-3-100-6C

Manager**Public marine facility**

floating walkway at Abel Point Marina, Shingley Drive, Airlie Beach shown as facility WT06 on Plan No. L-3-100-6C

pontoon at Abel Point Marina, Shingley Drive, Airlie Beach shown as facility WH33 on Plan No. L-3-100-6C

canoe ramp at Abel Point Marina, Shingley Drive, Airlie Beach shown as facility PP41 on Plan No. L-3-100-4A

boat ramp at Queens Bay, Horseshoe Bay Road, Bowen shown as facility BW11 on Plan No. L-4-125-2A

boat ramp at Proserpine River, Conway Road, 20km south-east of Proserpine shown as facility PP15 on Plan No. L-3-100-1B

floating walkway at Proserpine River, Conway Road, 20km south-east of Proserpine shown as facility PP10 on Plan No. L-3-100-1B

boat ramp at Shute Harbour, Shute Harbour Road, Shutehaven shown as facility PP21 on Plan No. L-3-100-2B

fixed sloping walkway at Shute Harbour, Shute Harbour Road, Shutehaven shown as facility PP34 on Plan No. L-3-100-2B

boat ramp at Bowen River Weir, 26km south of Collinsville shown as facility BW10 on Plan No. L-3-269-2A

boat ramp at Molongle Creek, Molongle Beach Road, Guthalungra shown as facility BW61 on Plan No. L-4-125-3B

Manager

Public marine facility

boat ramp at Molongle Creek, Molongle Beach Road, Guthalungra shown as facility BW64 on Plan No. L-4-125-3B

floating walkway at Molongle Creek, Molongle Beach Road, Guthalungra shown as facility BW62 on Plan No. L-4-125-3B

boat ramp at Deicke Crescent, Dingo Beach shown as facility PP71 on Plan No. L-3-100-7

**Schedule 2 Fees in non-State managed
boat harbours**

section 8

\$

Fee for each mooring in a non-State managed boat
harbour for 6 months—

- | | |
|---|--------|
| (a) for a mooring provided by the State | 386.79 |
| (b) for a mooring provided by anyone else | 234.34 |

Schedule 3 Fees in State managed boat harbours

section 95

Part 1 Boat harbour approvals

Bowen State managed boat harbour

	\$
1 Fuelling service approval for 1 year	41.95
2 Mooring approval to moor a ship at a pile mooring or buoy mooring or a combination pile and buoy mooring—the total of the following for the period of the approval—	
(a) for 1 year—	
(i) for a mooring of 12.192m in length or less	871.45
(ii) for a mooring of more than 12.192m in length but not more than 18m in length, the greater of the following—	
(A) the minimum fee	1,089.62
(B) for each metre, or part of a metre, of the distance between the centres of the 2 moorings	71.16
(iii) for a mooring of more than 18m in length—for each metre, or part of a metre, of the distance between the centres of the 2 moorings	71.16
(b) for 6 months—for each metre, or part of a metre, of the distance between the centres of the 2 moorings	45.09
(c) for each week—	

	\$
(i) for the first week	117.92
(ii) for each subsequent week	84.31
(d) for each day, or part of a day	16.84
3 Mooring approval to moor a ship at a landing—	
(a) for the first hour	nil
(b) for each subsequent hour or part of an hour	6.34
4 Transport service approval to provide a transport service for carrying passengers, other than a ferry service, for 1 year if, under the domestic commercial vessel national law or the <i>Transport Operations (Marine Safety) Regulation 2016</i> , the ship may carry in partially smooth waters—	
(a) not more than 25 passengers	217.98
(b) more than 25 passengers but not more than 55 passengers	435.85
5 Transport service approval to provide a transport service that is a ferry service, the total of the following—	
(a) for each passenger, other than an exempt passenger or a passenger to whom paragraph (b) applies	2.24
(b) for each passenger who is a student on a genuine school educational trip, if the school principal gives the holder of the approval a statutory declaration declaring the number of students on the trip	0.36
6 Transport service approval for a transport service for carrying goods—	
(a) for 1 year	8,716.56
(b) for 6 months	4,358.10

Mooloolaba State managed boat harbour

	\$
7 Fuelling service approval for 1 year	217.98
8 Mooring approval to moor a ship at a pile mooring or buoy mooring or a combination pile and buoy mooring—the total of the following for the period of the approval—	
(a) for 1 year—for each metre, or part of a metre, of the ship’s length	141.58
(b) for 6 months—for each metre, or part of a metre, of the ship’s length	70.92
(c) for each week, irrespective of the ship’s length	94.87
(d) for each day, or part of a day, irrespective of the ship’s length	14.67
9 Mooring approval to moor a ship at a maintenance berth, for each day or part of a day	21.19

Rosslyn Bay State managed boat harbour

	\$
10 Fish receipt service approval for a place in the boat harbour, the total of the following—	
(a) for each kilogram of prawns, fillets of fish or shucked scallops received by the service at the place	0.06
(b) for each kilogram of fish, other than fillets of fish, received by the service at the place	0.02
(c) for each kilogram of unshucked scallops received by the service at the place	0.01

	\$
(d) 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	5,448.02
11 Fuelling service approval for 1 year	544.60
12 Mooring approval to moor a ship at a pile mooring or buoy mooring or a combination pile and buoy mooring—the total of the following for the period of the approval—	
(a) for 1 year—for each metre, or part of a metre, of the ship's length	141.58
(b) for 6 months—for each metre, or part of a metre, of the ship's length	70.92
(c) for each week, irrespective of the ship's length	94.87
(d) for each day, or part of a day, irrespective of the ship's length	14.67
13 Mooring approval to moor a ship at a maintenance berth, for each day or part of a day	21.19
14 Mooring approval to moor a commercial ship or fishing ship at a landing, for each hour or part of an hour	21.19
15 Mooring approval to moor a recreational ship at a landing—	
(a) for the first hour	nil
(b) for each subsequent hour or part of an hour	21.19
16 Transport service approval to provide a transport service for carrying passengers, other than a ferry service, for 1 year if, under the domestic commercial vessel national law or the <i>Transport Operations (Marine Safety) Regulation 2016</i> , the ship may carry in partially smooth waters—	
(a) not more than 25 passengers	217.98

Schedule 3

	\$
(b) more than 25 passengers but not more than 55 passengers	435.85
17 Transport service approval to provide a transport service that is a ferry service, the total of the following—	
(a) if the service is operated to or from boat harbour land over which a person other than the chief executive has a tenure—for each passenger, other than an exempt passenger or a passenger to whom paragraph (c) applies	2.24
(b) if the service is operated using a landing on boat harbour land over which only the chief executive has a tenure, the total of the following—	
(i) for each passenger, other than an exempt passenger or a passenger to whom paragraph (c) applies	6.46
(ii) for use of the landing for 1 year	5,488.02
(c) for each passenger who is a student on a genuine school educational trip, if the school principal gives the holder of the approval a statutory declaration declaring the number of students on the trip—	
(i) for a service mentioned in paragraph (a)	0.36
(ii) for a service mentioned in paragraph (b)	1.69
18 Transport service approval to provide a transport service for carrying goods—	
(a) for 1 year	8,716.56
(b) for 6 months	4,358.10
(c) for 1 month	726.32
(d) in addition to the fee stated in 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	5,448.02
(ii) for 6 months	2,724.01
(iii) for 1 month	453.90

Snapper Creek State managed boat harbour

	\$
19 Fuelling service approval for 1 year	217.98
20 Mooring approval to moor a ship at a pile mooring or buoy mooring or a combination pile and buoy mooring—the total of the following for the period of the approval—	
(a) for 1 year—for each metre, or part of a metre, of the ship's length	141.58
(b) for 6 months—for each metre, or part of a metre, of the ship's length	70.92
(c) for each week, irrespective of the ship's length	94.87
(d) for each day, or part of a day, irrespective of the ship's length	14.67
21 Transport service approval to provide a transport service for carrying passengers for 1 year if, under the domestic commercial vessel national law or the <i>Transport Operations (Marine Safety) Regulation 2016</i> , the ship may carry in partially smooth waters—	
(a) not more than 25 passengers	119.68
(b) more than 25 passengers but not more than 55 passengers	239.59

Urangan State managed boat harbour

	\$
22 Fuelling service approval for 1 year	217.98
23 Mooring approval to moor a ship at a pile mooring or buoy mooring or a combination pile and buoy mooring—the total of the following for the period of the approval—	
(a) for 1 year—for each metre, or part of a metre, of the ship's length	141.58
(b) for 6 months—for each metre, or part of a metre, of the ship's length	70.92
(c) for each week, irrespective of the ship's length	94.87
(d) for each day, or part of a day, irrespective of the ship's length	14.67
24 Transport service approval to provide a transport service for carrying passengers, other than a ferry service or whale watching service, for 1 year if, under the domestic commercial vessel national law or the <i>Transport Operations (Marine Safety) Regulation 2016</i> , the ship may carry in partially smooth waters—	
(a) not more than 25 passengers	119.68
(b) more than 25 passengers but not more than 55 passengers	239.59
(c) more than 55 passengers but not more than 150 passengers	359.56
(d) more than 150 passengers	479.48
25 Transport service approval to provide a transport service that is a whale watching service—for each passenger	0.31

	\$
26 Transport service approval to provide a transport service that is a ferry service, if no more than 2 ships are used to provide the service, for 3 months	16,343.33
27 Transport service approval to provide a transport service that is a combined ferry service and a service for carrying goods, for each ship—	
(a) for 3 months	2,179.18
(b) in addition to the fee stated in 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 barge ramp for 3 months	1,634.15
28 Transport service approval to provide a transport service for carrying goods, 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 a transport service approval to use the ramp not more than 24 times in a 12-month period	435.85
(b) for a transport service approval to use the ramp more than 24 times but not more than 52 times in a 12-month period	871.45
(c) for a transport service approval to use the ramp more than 52 times but not more than 104 times in a 12-month period	1,634.15
(d) for a transport service approval to use the ramp more than 104 times in a 12-month period	6,537.33

Part 2 Other fee

	\$
29 For each mooring located on leased land in a State managed boat harbour, for 6 months	234.34

Schedule 4 Dictionary

section 3

abandoned property, for part 6, division 2, see section 45.

anchor, a ship, means secure the ship to the seabed using 1 or more anchors.

authorised officer means a person appointed as an authorised officer under section 54.

boat harbour approval means—

- (a) a fish receival service approval; or
- (b) a fuelling service approval; or
- (c) a mooring approval; or
- (d) a transport service approval.

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

Bowen State managed boat harbour means the Bowen Boat Harbour shown as lot 310 on SP198022.

Notes—

- 1 To help users of this regulation, an indicative map showing the boundaries of the boat harbour is published on the department's website.
- 2 The indicative map is not applied, adopted or incorporated by this regulation.

Burnett Heads boat harbour means the Burnett Heads Boat Harbour shown as lots 2 and 3 on SP324116 and lot 4 on SP190481.

Notes—

- 1 To help users of this regulation, an indicative map showing the boundaries of the boat harbour is published on the department's website.
- 2 The indicative map is not applied, adopted or incorporated by this regulation.

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

Notes—

- 1 To help users of this regulation, an indicative map showing the boundaries of the boat harbour is published on the department's website.
- 2 The indicative map is not applied, adopted or incorporated by this regulation.

commercial ship means—

- (a) a domestic commercial vessel with a certificate of operation issued, or taken to be issued, under the domestic commercial vessel national law stating it is a class 1 or 2 vessel; or
- (b) an other Queensland regulated ship registered under the *Transport Operations (Marine Safety) Regulation 2016*.

contravening property, for part 6, division 1, see section 43.

detention notice, for abandoned property, for part 6, division 2, see section 45.

domestic commercial vessel see the domestic commercial vessel national law, section 7.

domestic commercial vessel national law see the *Transport Operations (Marine Safety—Domestic Commercial Vessel National Law Application) Act 2016*, section 20.

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

exempt passenger, for a commercial ship operating under a transport service approval, means a passenger for the ship—

- (a) who is under 6 years; or
- (b) if both of the following apply in relation to the passenger—
 - (i) the passenger is travelling on the ship on a ticket for the trip given to the person by a recognised charitable organisation; and
 - (ii) the organisation—

- (A) obtains the ticket without charge; and
- (B) gives the holder of the approval a statutory declaration declaring the number of tickets the organisation received without charge.

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 2016*, schedule 9.

fish receival service approval see section 24(2).

fuelling service approval see section 24(3).

identity card, for a provision about an authorised officer, means an identity card issued under section 58.

indication, given by an official traffic sign, see the *Transport Operations (Road Use Management) Act 1995*, schedule 4.

insufficient value, in relation to property, means—

- (a) no value; or
- (b) if sold by the chief executive, a value that is not likely to return sufficient proceeds of sale to cover the total of the following amounts—
 - (i) the expenses reasonably incurred by the chief executive in selling the property;
 - (ii) the expenses reasonably incurred by the chief executive in dealing with the property under part 6;
 - (iii) the charges, interest and other expenses owing to the chief executive in relation to selling or dealing with the property under part 6.

landing includes a jetty, pontoon, wharf, floating walkway or fixed sloping walkway.

leased land, in relation to a State managed boat harbour, means land in the State managed boat harbour leased by a lessee, other than the chief executive.

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

lessee has the meaning given by the *Land Act 1994*, schedule 6.

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

manager see section 459(1) of the Act.

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

Notes—

- 1 To help users of this regulation, an indicative map showing the boundaries of the boat harbour is published on the department's website.
- 2 The indicative map is not applied, adopted or incorporated by this regulation.

master, of a ship, see the *Transport Operations (Marine Safety) Act 1994*, section 7.

minor amendment, of a boat harbour approval, see section 31(3) and (4).

Mooloolaba State managed boat harbour means the Mooloolaba Harbour shown as lot 1 on SP143293.

Notes—

- 1 To help users of this regulation, an indicative map showing the boundaries of the boat harbour is published on the department's website.
- 2 The indicative map is not applied, adopted or incorporated by this regulation.

mooring approval see section 24(4).

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

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

occupier, of a place, includes the following—

- (a) if there is more than 1 person who apparently occupies the place—any 1 of the persons;
- (b) any person at the place who is apparently acting with the authority of a person who apparently occupies the place;
- (c) if no-one apparently occupies the place—any person who is an owner of the place.

of, a place, includes at or on the place.

offence warning, for a direction or requirement by an authorised officer, means a warning that, without a reasonable excuse, it is an offence for the person to whom the direction is given, or of whom the requirement is made, not to comply with the direction or requirement.

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

owner, of a ship, see the *Transport Operations (Marine Safety) Act 1994*, section 9.

partially smooth waters see the *Transport Operations (Marine Safety) Regulation 2016*, schedule 9.

passenger, for a commercial ship, means—

- (a) for a domestic commercial vessel—any person on the ship, other than the ship’s master and crew required under the domestic commercial vessel national law to operate the ship; or
- (b) for an other Queensland regulated ship, any person on the ship, other than the following—
 - (i) the master of the ship;
 - (ii) any of the crew of the ship;
 - (iii) the pilot of the ship under the *Transport Operations (Marine Safety) Act 1994*, schedule 1.

payment arrangement see section 97(1).

person in charge, of contravening property, for part 6, division 1, see section 43.

place includes the following—

- (a) premises;
- (b) vacant land;
- (c) a place in Queensland waters;
- (d) a place held under more than 1 title or by more than 1 owner;
- (e) the land or water on or in which a building or other structure, or a group of buildings or other structures, is situated.

Port Douglas boat harbour means the boat harbour at Port Douglas shown as lots 5 and 51 to 54 on SP288958 and lot 2 on SP262338.

Notes—

- 1 To help users of this regulation, an indicative map showing the boundaries of the boat harbour is published on the department's website.
- 2 The indicative map is not applied, adopted or incorporated by this regulation.

premises includes—

- (a) a building or other structure; and
- (b) a part of a building or other structure; and
- (c) a ship, caravan or vehicle; and
- (d) a cave or tent; and
- (e) premises held under more than 1 title or by more than 1 owner.

proposed action, for part 5, division 5, see section 38(1).

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

regulatory notice see sections 11 and 22.

Rosslyn Bay State managed boat harbour means the Rosslyn Bay Boat Harbour shown as lot 105 on SP161849, lot 129 on CP854911 and lot 155 on CP867785.

Schedule 4

Notes—

- 1 To help users of this regulation, an indicative map showing the boundaries of the boat harbour is published on the department's website.
- 2 The indicative map is not applied, adopted or incorporated by this regulation.

Scarborough State managed boat harbour means the Scarborough Boat Harbour shown as lots 858 and 859 on SP158152.

Notes—

- 1 To help users of this regulation, an indicative map showing the boundaries of the boat harbour is published on the department's website.
- 2 The indicative map is not applied, adopted or incorporated by this regulation.

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

show cause notice, for part 5, division 5, see section 38(1).

show cause period, for part 5, division 5, see section 36.

Snapper Creek State managed boat harbour means the boat harbour at Snapper Creek shown as lots 1 to 6 on SP297681.

Notes—

- 1 To help users of this regulation, an indicative map showing the boundaries of the boat harbour is published on the department's website.
- 2 The indicative map is not applied, adopted or incorporated by this regulation.

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

- (a) Bowen State managed boat harbour;
- (b) Cabbage Tree Creek State managed boat harbour;
- (c) Manly State managed boat harbour;
- (d) Mooloolaba State managed boat harbour;
- (e) Rosslyn Bay State managed boat harbour;

- (f) Scarborough State managed boat harbour;
- (g) Snapper Creek State managed boat harbour;
- (h) Urangan State managed boat harbour.

transport service means a service for carrying goods or passengers—

- (a) within a State managed boat harbour; or
- (b) that starts or ends in a State managed boat harbour.

Example—

a ferry service that starts in a State managed boat harbour and goes to an island outside the State managed boat harbour

transport service approval see section 24(5).

Urangan State managed boat harbour means the Urangan Boat Harbour shown as lot 253 on SP166261, lot 254 on SP150280 and lot 15 on SP171735.

Notes—

- 1 To help users of this regulation, an indicative map showing the boundaries of the boat harbour is published on the department's website.
- 2 The indicative map is not applied, adopted or incorporated by this regulation.

whale watching service means a transport service involving carrying passengers in a ship to watch whales.