

MARITIME SERVICES ACT 1935—REGULATION

(Relating to fees for occupation licences)

NEW SOUTH WALES



[Published in Gazette No. 89 of 17 July 1992]

HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Maritime Services Act 1935, has been pleased to approve the Regulation made by the Maritime Services Board of New South Wales and set forth hereunder.

BRUCE BAIRD,
Minister for Transport.

The Maritime Services Board of New South Wales, in pursuance of the Maritime Services Act 1935, hereby makes the following Regulation:

Commencement

1. This Regulation commences on 1 August 1992.

Amendments

2. The Management of Waters and Waterside Lands Regulations—N.S.W. are amended:

- (a) by omitting from Regulation 4 (1) the definitions of “Fore and aft mooring”, “Georges River locality”, “Limited swing mooring”, “Lower Hawkesbury locality”, “Parramatta River locality”, “Port Hacking locality” and “Swing mooring”;
- (b) by inserting in Regulation 4 (1), in alphabetical order, the following definitions:

“**Sydney Harbour (Eastern) locality**” means all those parts of Sydney, North and Middle Harbours, commencing at the southernmost point of North Head, then southerly, by an imaginary line to the northernmost point of South Head, then

generally southerly by mean high water mark to, and then along in a northerly direction the line of the face of the eastern side of the Sydney Harbour Bridge, to the mean high water mark at Kirribilli, then generally easterly and northerly, by mean high water mark, to, and then along in a northerly direction the line of the eastern face of the Spit Bridge to the mean high water mark at Seaforth, then by mean high water mark, generally easterly, to the point of commencement.

“Sydney Harbour (Western) locality” means:

- (a) all those parts of Middle Harbour below mean high water mark which lie upstream of the line of the face of the eastern side of the Spit Bridge; and
 - (b) all those parts of Sydney Harbour which lie below mean high water mark, together with the Parramatta, Lane Cove and Duck Rivers and all of the tidal rivers, creeks, bays and tributaries of those rivers, which lie upstream of the line of the eastern face of the Sydney Harbour Bridge.
- (c) by omitting Regulations 35A and 35B and by inserting instead the following Regulations:

Fees for an existing occupation licence holder for boatshed or similar business activity

35A. (1) This Regulation applies to any application for an occupation licence that is made by a person who is the holder of a current occupation licence, in respect of the vessel and mooring to which the application relates, and who was the holder of such a licence as at 31 July 1992.

(2) The fee payable for an occupation licence in the Sydney Harbour locality or the Pittwater locality is:

- (a) in respect of a class A licence—\$170; or
- (b) in respect of a class B, C, D, E, F, G, H, I, J or K licence—\$284.

(3) The fee payable for an occupation licence in a locality other than a locality referred to in clause (2) is:

- (a) in respect of a class A licence—\$113; or
- (b) in respect of a class B, C, D, E, F, G, H, I, J or K Licence—\$226.

Fees for a new occupation licence holder for boatshed or similar business activity

35B. (1) This Regulation applies to any application for an occupation licence other than an application to which Regulation 35A applies.

(2) The fee payable for an occupation licence in the Sydney Harbour (Eastern) locality, the Sydney Harbour (Western) locality or the Pittwater locality is:

- (a) in respect of a class A licence—\$170; or
- (b) in respect of a class B, C, D, E, F, G, H, I, J or K licence—\$284.

(3) The fee payable for an occupation licence in a locality other than a locality referred to in clause (2) is:

- (a) in respect of a class A licence—\$113; or
- (b) in respect of a class B, C, D, E, F, G, H, I, J or K licence—\$226.

- (d) by omitting Regulations 36A and 36B and by inserting instead the following Regulations:

Fees for an existing occupation licence holder—otherwise than for boatshed or similar business activity

36A. (1) This Regulation applies to any application for an occupation licence that is made by a person who is the holder of a current occupation licence, in respect of the vessel and mooring to which the application relates, and who was the holder of such a licence as at 31 July 1992.

(2) The fee payable for an occupation licence in the Sydney Harbour locality or the Pittwater locality is:

- (a) in respect of a class 1 licence—\$176; or
- (b) in respect of a class 2 licence—\$176, plus an additional \$59 for each metre or part of a metre by which the length of the vessel exceeds 7 m; or
- (c) in respect of a class 3 licence—\$412, plus an additional \$117 for each metre or part of a metre by which the length of the vessel exceeds 11m.

(3) The fee payable for an occupation licence in a locality other than a locality referred to in clause (2) is:

- (a) in respect of a class 1 licence—\$117; or
- (b) in respect of a class 2 licence—\$117, plus an additional \$24 for each metre or part of a metre by which the length of the vessel exceeds 7 m; or

- (c) in respect of a class 3 licence—\$234, plus an additional \$47 for each metre or part of a metre by which the length of the vessel exceeds 11 m.

Fees for a new occupation licence holder—otherwise than for boatshed or similar business activity

36B. (1) This Regulation applies to any application for an occupation licence other than an application to which Regulation 36A applies.

(2) The fee payable for an occupation licence in the Sydney Harbour (Western) locality or the Pittwater locality is:

- (a) in respect of a class 1 licence—\$176, or
- (b) in respect of a class 2 licence—\$176, plus an additional \$59 for each metre or part of a metre by which the length of the vessel exceeds 7 m; or
- (c) in respect of a class 3 licence—\$412, plus an additional \$117 for each metre or part of a metre by which the length of the vessel exceeds 11 m.

(3) The fee payable for an occupation licence in the Sydney Harbour (Eastern) locality is:

- (a) in respect of a class 1 licence—\$220; or
- (b) in respect of a class 2 licence—\$220, plus an additional \$74 for each metre or part of a metre by which the length of the vessel exceeds 7 m; or
- (c) in respect of a class 3 licence—\$516, plus an additional \$146 for each metre or part of a metre by which the length of the vessel exceeds 11 .

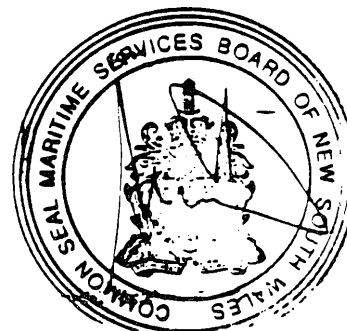
(4) The fee payable for an occupation licence in a locality other than a locality referred to in clause (2) or (3) is:

- (a) in respect of a class 1 licence—\$117, or
- (b) in respect of a class 2 licence—\$117, plus an additional \$24 for each metre or part of a metre by which the length of the vessel exceeds 7 m; or
- (c) in respect of a class 3 licence—\$234, plus an additional \$47 for each metre or part of a metre by which the length of the vessel exceeds 11 m.

- (e) by omitting from Regulation 37 (2), (3A), (3B) (c) and (6) the matter “35 or 36” wherever occurring and by inserting instead the matter “35A, 35B, 36A or 36B”;
- (f) by omitting from Regulations 37 (3B) (b) and (6), 39 (2), 46 and 49 (4) the matter “\$57” wherever occurring and by inserting instead the matter “\$59”.

DATED this 24th day of June, 1992.

The COMMON SEAL of the MARITIME SERVICES BOARD OF NEW SOUTH WALES was duly affixed in the presence of the Chief Executive: W. L. Gilbert



EXPLANATORY NOTE

The object of this Regulation is to amend the Management of Waters and Waterside Lands Regulations—N.S.W.:

- (a) to vary from 1 August 1992 the locality descriptions in respect of occupation licences, particularly the division of the Sydney Harbour locality into eastern and western localities; and
 - (b) in respect of occupation licences in all localities—to increase fees for licences otherwise than for boatsheds or other similar activities, for an initial inspection, for relocating of an applicant's mooring apparatus, for extension of a licence, for special attendance by an officer of the Maritime Services Board and for the transfer of a licence; and
 - (c) to abolish differential fees for occupation licences based on swing, limited swing and fore and aft moorings.
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