

1990—No. 772

MARITIME SERVICES ACT 1935—REGULATION

(Relating to fees for occupation licences)

NEW SOUTH WALES



[Published in Gazette No. 167 of 14 December 1990]

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, makes the following Regulation:

Commencement

1. This Regulation commences on 1 January 1991.

Amendments

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

(a) by inserting in Regulation 4 (1), in alphabetical order, the following definitions:

"Fore and aft mooring" means any mooring apparatus constructed and operated so as to enable the bow and the stem of a vessel to be secured simultaneously.

"Georges River locality" means those waters of Botany Bay, and all of its tidal rivers, creeks, bays and tributaries (including the Georges River and the Cooks River), that are situated west of a line drawn from the northernmost point of Sutherland Point to the southernmost point of Henry Head.

"Limited swing mooring" means any mooring apparatus constructed and operated so as to allow any vessel secured to the apparatus to turn through 360 degrees about the apparatus in a manner that reduces the area which would be occupied by the swing circle of the vessel if it were secured to a swing mooring.

"Lower Hawkesbury locality" means those waters of the Hawkesbury River, and all of its tidal rivers, creeks, bays and tributaries, that are situated upstream of a line drawn from the northernmost point of Flint and Steel Point to the southernmost point of Juno Point and downstream of a line drawn from the southernmost point of Bar Point to the easternmost point of Fishermans Point.

"Parramatta River locality" means those waters of Sydney Harbour, and all of its tidal rivers, creeks, bays and tributaries (including the Parramatta River and the Lane Cove River), that are situated upstream of a line drawn from the northernmost point of Long Nose Point to the southernmost point of Manns Point.

"Port Hacking locality" means those waters of Port Hacking, and all of its tidal rivers, creeks, bays and tributaries, that are situated upstream of a line drawn from the northernmost point of Port Hacking Point (Jibbon Head) to the easternmost point of Glaisher Point.

"Swing mooring" means any mooring apparatus constructed and operated so as to allow any vessel secured to the apparatus to turn through 360 degrees about the apparatus, but does not include a limited swing mooring.

- (b) by omitting Regulation 35 (2);
- (c) by inserting after Regulation 35 the following Regulations:

Fees for an existing 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 December 1990.

(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 - \$162; or
- (b) in respect of a class B, C, D, E, F, G, H, I, J or K licence - \$271.

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

- (a) in respect of a class A licence - \$108; or
- (b) in respect of a class B, C, D, E, F, G, H, I, J or K licence - \$216.

Fees for a new 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 locality, the Pittwater locality or the lower Hawkesbury locality is:

- (a) in respect of a class A licence:
 - (i) \$450 for a swing mooring; or
 - (ii) \$250 for a limited swing mooring; or
 - (iii) \$175 for a fore and aft mooring; or
- (b) in respect of a class B, C, D, E, F, G, H, I, J or K licence:
 - (i) \$650 for a swing mooring; or
 - (ii) \$400 for a limited swing mooring; or
 - (iii) \$275 for a fore and aft mooring.

(3) The fee payable for an occupation licence in the Georges River locality, the Port Hacking locality or the Parramatta River locality is:

- (a) in respect of a class A licence:
 - (i) \$250 for a swing mooring; or
 - (ii) \$150 for a limited swing mooring; or
 - (iii) \$100 for a fore and aft mooring; or
- (b) in respect of a class B, C, D, E, F, G, H, I, J or K licence:
 - (i) \$400 for a swing mooring; or
 - (ii) \$250 for a limited swing mooring; or
 - (iii) \$150 for a fore and aft mooring.

(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 A licence:
 - (i) \$125 for a swing mooring; or
 - (ii) \$100 for a limited swing mooring; or
 - (iii) \$65 for a fore and aft mooring; or

- (b) in respect of a class B, C, D, E, F, G, H, I, J or K licence:
 - (i) \$225 for a swing mooring: or
 - (ii) \$150 for a limited swing mooring; or
 - (iii) \$115 for a fore and aft mooring.
 - (d) by omitting Regulation 36 (3) and (4);
 - (e) by inserting after Regulation 36 the following Regulations:
- Fees for an existing 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 December 1990.
- (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 - \$162; or
 - (b) in respect of a class 2 licence - \$162, plus an additional \$54 for each metre or part of a metre by which the length of the vessel exceeds 7m; or
 - (c) in respect of a class 3 licence - \$379, plus an additional \$108 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 subclause (2) is:
- (a) in respect of a class 1 licence - \$108; or
 - (b) in respect of a class 2 licence - \$108, plus an additional \$22 for each metre or part of a metre by which the length of the vessel exceeds 7m; or
 - (c) in respect of a class 3 licence - \$216, plus an additional \$43 for each metre or part of a metre by which the length of the vessel exceeds 11m.

Fees for a new 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 locality, the Pittwater locality or the lower Hawkesbury locality is:

- (a) in respect of a class 1 licence:
 - (i) \$450 for a swing mooring; or
 - (ii) \$250 for a limited swing mooring; or
 - (iii) \$175 for a fore and aft mooring; or
 - (b) in respect of a class 2 licence:
 - (i) \$450, plus an additional \$100 for each metre or part of a metre by which the length of the vessel exceeds 7m, for a swing mooring; or
 - (ii) \$250, plus an additional \$75 for each metre or part of a metre by which the length of the vessel exceeds 7m, for a limited swing mooring; or
 - (iii) \$175, plus an additional \$50 for each metre or part of a metre by which the length of the vessel exceeds 7m, for a fore and aft mooring; or
 - (c) in respect of a class 3 licence:
 - (i) \$450, plus an additional \$200 for each metre or part of a metre by which the length of the vessel exceeds 11m, for a swing mooring; or
 - (ii) \$250, plus an additional \$150 for each metre or part of a metre by which the length of the vessel exceeds 11m, for a limited swing mooring; or
 - (iii) \$175, plus an additional \$100 for each metre or part of a metre by which the length of the vessel exceeds 11m, for a fore and aft mooring.
- (3) The fee payable for an occupation licence in the Georges River locality, the Port Hacking locality or the Parramatta River locality is:
- (a) in respect of a class 1 licence:
 - (i) \$250 for a swing mooring; or
 - (ii) \$150 for a limited swing mooring; or
 - (iii) \$100 for a fore and aft mooring; or
 - (b) in respect of a class 2 licence:
 - (i) \$250, plus an additional \$75 for each metre or part of a metre by which the length of the vessel exceeds 7m, for a swing mooring; or
 - (ii) \$150, plus an additional \$50 for each metre or part of a metre by which the length of the vessel exceeds 7m, for a limited swing mooring; or

- (iii) \$100, plus an additional \$25 for each metre or part of a metre by which the length of the vessel exceeds 7m, for a fore and aft mooring; or
- (c) in respect of a class 3 licence:
 - (i) \$250, plus an additional \$150 for each metre or part of a metre by which the length of the vessel exceeds 11m, for a swing mooring; or
 - (ii) \$150, plus an additional \$100 for each metre or part of a metre by which the length of the vessel exceeds 11m, for a limited swing mooring; or
 - (iii) \$100, plus an additional \$50 for each metre or part of a metre by which the length of the vessel exceeds 11m, for a fore and aft mooring.
- (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:
 - (i) \$125 for a swing mooring; or
 - (ii) \$100 for a limited swing mooring; or
 - (iii) \$65 for a fore and aft mooring; or
 - (b) in respect of a class 2 licence:
 - (i) \$125, plus an additional \$50 for each metre or part of a metre by which the length of the vessel exceeds 11m, for a swing mooring; or
 - (ii) \$100, plus an additional \$25 for each metre or part of a metre by which the length of the vessel exceeds 11m, for a limited swing mooring; or
 - (iii) \$65, plus an additional \$25 for each metre or part of a metre by which the length of the vessel exceeds 11m, for a fore and aft mooring; or
 - (c) in respect of a class 3 licence:
 - (i) \$125, plus an additional \$100 for each metre or part of a metre by which the length of the vessel exceeds 11m, for a swing mooring; or
 - (ii) \$100, plus an additional \$50 for each metre or part of a metre by which the length of the vessel exceeds 11m, for a limited swing mooring; or
 - (iii) \$65, plus an additional \$50 for each metre or part of a metre by which the length of the vessel exceeds 11m, for a fore and aft mooring.

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- (f) by omitting from Regulations 37 (3B) (b) and (6), 39 (2), 46 and 49 (4) the matter "\$50" wherever occurring and by inserting instead the matter "\$54".

DATED this tenth day of December, 1990.

The *COMMON SEAL* of the *MARITIME SERVICES BOARD OF NEW SOUTH WALES* was duly affixed in the presence of the Chief Executive of the Board: } M. MOORE-WILTON

EXPLANATORY NOTE

The objects of this Regulation are:

- (a) to increase, by approximately 8 per cent, the fees payable in relation to:
- occupation licences for vessels where application for a licence 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
 - attendance outside normal business hours, in relation to applications for certain licences, of officers of the Maritime Services Board; and
- (b) to provide for a new scale of fees relating to occupation licences for vessels where application for a licence is made by a person who is not the holder of a current occupation licence in respect of the vessel and mooring to which the application relates. The new scale of fees differentiates between classes of licences, types of moorings and localities.
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