



New South Wales

Ports and Maritime Administration Amendment (Wharf Access) Regulation 2015

under the

Ports and Maritime Administration Act 1995

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Ports and Maritime Administration Act 1995*.

DUNCAN GAY, MLC
Minister for Roads, Maritime and Freight

Explanatory note

The object of this Regulation is to create an offence to prohibit commercial vessels accessing Roads and Maritime Services wharves in Sydney Harbour without authorisation. The amendment gives effect to the *Wharf Access Policy* of Transport for NSW.

This Regulation is made under the *Ports and Maritime Administration Act 1995*, including sections 99B and 110 (the general regulation-making power).

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1 Name of Regulation

This Regulation is the *Ports and Maritime Administration Amendment (Wharf Access) Regulation 2015*.

2 Commencement

This Regulation commences on 1 September 2015 and is required to be published on the NSW legislation website.

Schedule 1 Amendment of Ports and Maritime Administration Regulation 2012

[1] Part 6A

Insert after Part 6:

Part 6A Wharf access in Sydney Harbour

67A Definitions

In this Part:

TfNSW means Transport for NSW constituted under the *Transport Administration Act 1988*.

wharf authorisation means an authorisation (however described) given by the Authority or TfNSW that permits a person to secure a vessel to a wharf of the Authority.

Note. A wharf authorisation includes the following:

- (a) a contract or agreement between a person and the Authority or TfNSW that authorises the person to secure a commercial vessel to a wharf,
- (b) a permit issued under the Commuter Wharf Permit Scheme administered by the Authority,
- (c) a booking made through the Charter Wharf Booking System administered by the Authority.

wharf of the Authority means a wharf, pier, jetty, landing stage or dock owned by the Authority within Sydney Harbour or its tributaries.

67B Access to wharves

A person must not secure a commercial vessel, or cause a commercial vessel to be secured, to a wharf of the Authority unless the person:

- (a) is authorised to do so by a wharf authorisation, and
- (b) complies with the conditions of the wharf authorisation (if any).

Maximum penalty: 100 penalty units.

[2] Schedule 4 Penalty notices

Insert in appropriate order:

Clause 67B

\$5000