



New South Wales

# Management of Waters and Waterside Lands Amendment (Fees and Classification of Licences) Regulation 2016

under the

Maritime Services Act 1935

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Maritime Services Act 1935*.

DUNCAN GAY, MLC  
Minister for Roads, Maritime and Freight

## Explanatory note

Regulation 35 of the *Management of Waters and Waterside Lands Regulations—N.S.W.* deals with the classification of occupation licences under the *Maritime Services Act 1935* that are sought as incidental to:

- (a) the conduct in navigable waters of a boatshed or similar business activity, or
- (b) the accommodation of vessels of guests or other persons, or
- (c) the handling of floating timber or other cargo or goods.

That provision states that an application may be made for a Class A or Class F occupation licence in respect of any vessel that is the subject of an aquatic licence under the *Marine Safety (General) Regulation 2009* and is connected with any such business or activity.

The object of Schedule 1 [1] and [2] to this Regulation is to provide that a Class A or Class F occupation licence may no longer be issued in such circumstances.

The object of the remainder of this Regulation is to increase the fees payable under the *Maritime Services Act 1935*. The fee increases are generally in line with movements in the Consumer Price Index.

This Regulation is made under the *Maritime Services Act 1935*, including section 38 (the general regulation-making power).

## **Management of Waters and Waterside Lands Amendment (Fees and Classification of Licences) Regulation 2016**

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### **1 Name of Regulation**

This Regulation is the *Management of Waters and Waterside Lands Amendment (Fees and Classification of Licences) Regulation 2016*.

### **2 Commencement**

This Regulation commences on 1 July 2016 and is required to be published on the NSW legislation website.

## **Schedule 1      Amendment of Management of Waters and Waterside Lands Regulations—N.S.W.**

**[1] Regulation 35 Classification of occupation licences and fees—boatshed or similar business activity etc**

Omit “or” from regulation 35 (1) (a) (ii) and (f) (ii) wherever occurring.

**[2] Regulation 35 (1) (a) (iii) and (f) (iii)**

Omit the subparagraphs.

**[3] Regulation 35A Fee for occupation licence for boatshed or similar business activity**

Omit “\$291” from Regulation 35A (1) (a). Insert instead “\$297”.

**[4] Regulation 35A (1) (b)**

Omit “\$485”. Insert instead “\$494”.

**[5] Regulation 35A (2) (a)**

Omit “\$196”. Insert instead “\$200”.

**[6] Regulation 35A (2) (b)**

Omit “\$387”. Insert instead “\$394”.

**[7] Regulation 36A**

Omit the Regulation. Insert instead:

**36A Fee for occupation licence—other than for boatshed or similar business activity**

- (1) The annual 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—\$324, or
  - (b) in respect of a class 2 licence—\$324, plus an additional \$111 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—\$768, plus an additional \$217 for each metre or part of a metre by which the length of the vessel exceeds 11m.
- (2) The annual fee payable for an occupation licence in the Sydney Harbour (Eastern) locality is:
  - (a) in respect of a class 1 licence—\$506, or
  - (b) in respect of a class 2 licence—\$506, plus an additional \$170 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—\$1,186, plus an additional \$337 for each metre or part of a metre by which the length of the vessel exceeds 11m.
- (3) The annual fee payable for an occupation licence in a locality other than a locality referred to in clause (1) or (2) is:
  - (a) in respect of a class 1 licence—\$217, or
  - (b) in respect of a class 2 licence—\$217, plus an additional \$47 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—\$405, plus an additional \$86 for each metre or part of a metre by which the length of the vessel exceeds 11m.

**[8] Regulations 37 (3B) (b) and (6), 39 (3), 46 and 49 (4)**

Omit "\$121" wherever occurring. Insert instead "\$123".