



New South Wales

# Ports and Maritime Administration Amendment Regulation 2016

under the

Ports and Maritime Administration Act 1995

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

This Regulation amends the *Ports and Maritime Administration Regulation 2012* as a consequence of the proposed commencement of Schedule 2 to the *Marine Legislation Amendment Act 2016* and Schedule 2 to the *Marine Safety Act 1998*. The objects of this Regulation are as follows:

- (a) to establish a commuter wharf permit scheme,
- (b) to establish a charter wharf booking system,
- (c) to make provision for traffic control at ports and wharves,
- (d) to establish a licensing scheme for the use of moorings by vessels,
- (e) to transfer a safety-related provision from the *Management of Waters and Waterside Lands Regulations—N.S.W.*

This Regulation is made under the *Ports and Maritime Administration Act 1995*, including sections 43E, 85G and 110 (the general regulation-making power).

## **Ports and Maritime Administration Amendment Regulation 2016**

under the

Ports and Maritime Administration Act 1995

### **1 Name of Regulation**

This Regulation is the *Ports and Maritime Administration Amendment Regulation 2016*.

### **2 Commencement**

This Regulation commences on 7 October 2016 and is required to be published on the NSW legislation website.

## **Schedule 1 Amendment of Ports and Maritime Administration Regulation 2012**

### **[1] Clause 3 Definitions**

Insert in alphabetical order:

*approved* means approved for the time being by the Authority.

### **[2] Clause 63 Membership of Maritime Advisory Council**

Omit “is also to” from clause 63 (2). Insert instead “may also”.

### **[3] Parts 6A–6D**

Omit Part 6A. Insert instead:

## **Part 6A Access to wharves**

### **Division 1 General**

#### **67A Definitions**

In this Part:

*charter wharf* means a wharf listed in Schedule 5.

*commuter wharf* means a wharf listed in Schedule 6.

*permit* means a commuter wharf permit granted under clause 67D.

#### **67B Exemptions**

This Part does not apply in relation to a vessel that accesses a charter or commuter wharf in accordance with:

- (a) the terms of a passenger service contract entered into by Transport for NSW under the *Passenger Transport Act 2014*, or
- (b) the terms of a wharf access agreement entered into by the Authority.

### **Division 2 Commuter wharf permit scheme**

#### **67C Permit applications**

- (1) An application for a permit to access a commuter wharf is to be made to the Authority.
- (2) An application for a permit must:
  - (a) be in the approved form and made in the approved manner, and
  - (b) be accompanied by any documents required by the Authority, and
  - (c) be accompanied by the fee for the permit set out in Schedule 3A.
- (3) The Authority may waive any requirement of this clause in relation to an application for a subsequent or additional permit by the same applicant.

#### **67D Grant of permit**

- (1) The Authority may determine an application for a permit by granting a permit to the applicant in relation to a commercial vessel.
- (2) A permit is to be in the approved form and must specify the name of the permit holder and the permit number.

- (3) A permit authorises the permit holder to access any commuter wharf to pick up and drop off passengers on a touch and go basis (with each berthing time not exceeding 5 minutes) in accordance with the conditions of the permit.
- (4) A permit confers no right of property and is incapable of being transferred, assigned or mortgaged, charged or otherwise encumbered.

**67E Refusal to grant permit**

- (1) An application for a permit may be refused if any information provided by the applicant is found to be false or misleading in a material particular or is, in the opinion of the Authority, inadequate to enable the application to be assessed properly.
- (2) If the Authority refuses to issue a permit, the Authority is to give notice in writing, served personally or by post, of the decision, and the reasons for the decision, to the applicant concerned.

**67F Permit conditions**

- (1) A permit may be granted subject to such conditions as may be specified in the permit.
- (2) A permit holder must comply with any conditions to which the permit is subject.  
Maximum penalty: 100 penalty units.

**67G Variation of permit**

- (1) The Authority may vary a permit by the imposition of new conditions on the permit, the substitution of a condition, or the omission or amendment of a condition.
- (2) The Authority may do so on application by the permit holder or on the Authority's own motion.
- (3) If the Authority decides to vary a permit, the Authority must notify the permit holder concerned in writing of the variation.
- (4) Any such variation takes effect on and from a date specified in the notice, being a date not earlier than 7 days after the notice is served on the permit holder.

**67H Grounds for suspension or cancellation**

The Authority may, at the Authority's discretion, suspend or cancel a permit on any one or more of the following grounds:

- (a) the permit holder provides information to the Authority that is false or misleading,
- (b) the master of a vessel to which a permit applies fails to give berthing priority to a passenger transport service conducted according to regular routes and timetables or according to regular routes and at regular intervals or fails to vacate a wharf on the approach of such a service,
- (c) the permit holder fails to comply with the conditions specified in the permit,
- (d) the permit holder has committed an offence against any provision of the marine legislation or section 52B of the *Crimes Act 1900* (or a provision of a law of the Commonwealth or another State or Territory that substantially corresponds to a provisions of the marine legislation or that section),

- (e) the Authority is of the opinion that it is necessary to protect public safety or wharf infrastructure,
- (f) in relation to a cancellation of a permit—the permit holder fails to satisfy the requirements referred to in clause 67I (1) (b).

**67I Suspension or cancellation**

- (1) Before suspending a permit, the Authority:
  - (a) must cause written notice of the proposed suspension, and of the duration and grounds for the proposed suspension, to be served on the permit holder, and
  - (b) must identify any requirements that are to be fulfilled for the suspension to be lifted.
- (2) Before cancelling a permit (otherwise than at the request of its holder), the Authority must cause written notice of the proposed cancellation, and of the grounds for the proposed cancellation, to be served on the permit holder.
- (3) Suspension or cancellation of a permit takes effect on the date on which written notice of the suspension or cancellation is served on the holder or on such later date as is specified in the notice.
- (4) The Authority may, by a further notice in writing served on the holder of a permit that is suspended, revoke the suspension or vary the period of the suspension.

**67J Term of permit**

- (1) A permit is granted for 6 or 12 months as specified in the permit.
- (2) A permit continues in force from the date it is issued and for the period for which it is granted, unless it is sooner suspended or cancelled.

**67K Requirement to notify Authority of change in details**

A permit holder must notify the Authority in writing if any of the matters recorded on the permit are no longer correct.

Maximum penalty: 25 penalty units.

**67L Production of permit**

- (1) An authorised officer may require a permit holder to produce the permit within 24 hours or within a longer period approved by the authorised officer.
- (2) Failure to produce a permit in accordance with subclause (1) is an offence.  
Maximum penalty: 100 penalty units.

**67M Application for replacement permit**

- (1) The Authority may, on being satisfied that a permit has been lost, stolen, destroyed, defaced or mutilated or become illegible, and on payment of the fee determined by the Authority, issue a replacement permit.
- (2) An application for a replacement permit may be made by lodging an application in the approved form (or in such other manner as may be approved) with the Authority.

### **Division 3 Charter wharf booking system**

#### **67N Maintenance of system and bookings**

- (1) The Authority is to maintain a charter wharf booking system to enable the scheduling of access to charter wharves by commercial vessels.
- (2) The Authority may impose conditions on and make provision for the operation and use of the system including, but not limited to, administration, fees, payments, changes, cancellations of bookings and discounts for certain bookings or classes of bookings.
- (3) The Authority is to ensure the charter wharf booking system gives priority access:
  - (a) to a passenger transport service conducted according to regular routes and timetables or according to regular routes and at regular intervals, and
  - (b) to any other parties to wharf access agreements entered into by the Authority in relation to access to charter wharves, and
  - (c) for any wharf maintenance requirements.

#### **67O Use of wharves by person holding a booking**

The Authority may impose conditions on the use of wharves by persons holding bookings.

#### **67P Wharf booking fees**

The fees for bookings under the charter wharf booking system are set out in Schedule 3B.

## **Part 6B Traffic control at ports and wharves**

#### **67Q Definitions**

In this Part:

***prescribed traffic control device*** has the same meaning as in Part 5.3 of the *Road Transport Act 2013*.

***relevant land*** means land under the control or management of, or vested in, the Authority or the Port Authority of New South Wales that is in the vicinity of a port or wharf.

***traffic control device*** means a sign, signal, marking or other device that:

- (a) is in the form of, or is in similar form to, a prescribed traffic control device, and
- (b) is erected, displayed or marked on relevant land by order of the Authority, Transport for NSW or the Port Authority of New South Wales.

#### **67R Powers of authorised officers and duties of drivers**

- (1) The driver of a vehicle on relevant land must give to an authorised officer such information regarding the standing or parking of the vehicle on the land as the officer requires.  
Maximum penalty: 5 penalty units.
- (2) An authorised officer may give one or more of the following directions to the driver of a vehicle standing or parking on relevant land:

- (a) to not stand or park the vehicle on the land or a part of the land,
  - (b) to remove the vehicle from the land or a part of the land,
  - (c) to move the vehicle to a particular position or so as to join a particular line of vehicles on the land or to stand or park the vehicle in a particular location,
  - (d) to not proceed into an area beyond a particular point,
  - (e) to carry out a particular operation involving a vehicle only at a specified time or in a specified manner,
  - (f) any other direction relating to the movement, standing, waiting or parking of the vehicle on the land.
- (3) The driver of a vehicle to whom a direction under this clause is given must not fail to comply with the direction.  
Maximum penalty (subclause (3)): 5 penalty units.

**67S Parking of vehicles only in parking areas**

- (1) A person must not cause a vehicle to stand or be parked on relevant land unless there is:
- (a) a traffic control device erected, displayed or marked, or
  - (b) another sign erected, displayed or marked by order of the Authority, Transport for NSW or the Port Authority of New South Wales,
- that permits the standing or parking of vehicles, as the case requires.  
Maximum penalty: 5 penalty units.
- (2) This clause does not prohibit:
- (a) the standing of a vehicle while it is actually engaged in taking up or setting down goods or while any person is actually entering or alighting from it, or
  - (b) the standing or parking of a vehicle as directed or authorised by an authorised officer.

**67T Parking contrary to traffic control devices**

- (1) A person must not, on relevant land, cause a vehicle to stand or be parked in contravention of the direction appearing on, or represented by, any traffic control device that is erected, displayed or marked on that land.  
Maximum penalty: 5 penalty units.
- (2) This clause does not prohibit the standing or parking of a vehicle as directed or authorised by an authorised officer.

**67U False representation**

A person must not falsely represent:

- (a) that the person or any other person is an authorised officer exercising the powers of an authorised officer under this Regulation, or
- (b) that a notice or sign is, by order of the Authority, Transport for NSW or the Port Authority of New South Wales, erected, displayed or marked on relevant land, or
- (c) that a direction relating to the standing or parking of a vehicle on relevant land has been given by an authorised officer.

Maximum penalty: 2 penalty units.

## **Part 6C Mooring licences**

### **67V Application for licence**

- (1) A person may apply to the Authority for a mooring licence.
- (2) An application for a licence must:
  - (a) be in the approved form and made in the approved manner, and
  - (b) provide proof of the identity of the applicant for the licence, and
  - (c) contain such other particulars as may be requested by the Authority or as are required by the approved form, and
  - (d) be accompanied by the fee for the licence specified in Schedule 3C.

### **67W Classes of licences**

- (1) Any mooring licence issued is to belong to one of the following 4 classes:
  - (a) private mooring licence,
  - (b) commercial mooring licence,
  - (c) courtesy mooring licence,
  - (d) emergency mooring licence.
- (2) The class of a licence and the licence conditions that apply to that licence are to be endorsed on the licence.

### **67X Eligibility for licence**

- (1) A private mooring licence may only be granted to a natural person.
- (2) Any other class of licence may be issued to any person.

### **67Y Grant of licence**

- (1) The Authority may determine an application for a mooring licence by granting a licence to the applicant.
- (2) The mooring licence is to specify the location of the mooring.
- (3) A licence is to be in the approved form and must specify the name of the licensee and the licence number.
- (4) A private mooring licence authorises the licensee to cause the vessel specified in the licence to occupy a mooring specified in the licence.
- (5) A commercial mooring licence authorises the licensee to cause a specified vessel or vessels, or any vessel connected with the licensee's business, to occupy a mooring specified in the licence provided the vessel is an appropriate size for the mooring.
- (6) A courtesy mooring licence authorises the licensee to cause or permit any vessel to occupy a mooring specified in the licence.
- (7) An emergency mooring licence authorises the licensee to cause or permit any vessel to occupy a mooring specified in the licence in emergency circumstances.
- (8) A licence confers no right of property and is incapable of being transferred, assigned or mortgaged, charged or otherwise encumbered.



**67Z Refusal to grant licence**

- (1) An application for a mooring licence may be refused in any of the following circumstances:
  - (a) if any information provided by the applicant is found to be false or misleading in a material particular or is, in the opinion of the Authority, inadequate to enable the application to be assessed properly,
  - (b) if the applicant is not, in the opinion of the Authority, a fit and proper person to hold the licence,
  - (c) if the applicant has been issued with a penalty notice in relation to an offence against the marine legislation and that penalty notice has not been withdrawn or a court has not dismissed the relevant charges,
  - (d) if the applicant has been found guilty of an offence against the marine legislation,
  - (e) in the case of an application for a further licence, if the applicant has failed to comply with any condition of a current or previous licence,
  - (f) in the case of an application for a further licence, if any fees for, or in connection with, a current or previous licence are overdue and have been overdue for a period of at least 14 days,
  - (g) if the vessel in question is not in a seaworthy condition or presents a risk to the environment or property,
  - (h) if the Authority determines that it is in the public interest to do so,
  - (i) if the applicant is not eligible for the licence under this Regulation.
- (2) If the Authority refuses to issue a mooring licence, the Authority is to give notice in writing of the decision, and the reasons for the decision, to the applicant concerned.

**67ZA Licence conditions**

- (1) A mooring licence may be granted subject to such conditions as may be specified in the licence.
- (2) In addition to the conditions specified in a licence, a licence is subject to the following conditions:
  - (a) the equipment used to secure a vessel to the mooring must be suitable to secure the vessel occupying the mooring in that location and meet the standards set by the Authority,
  - (b) a vessel occupying a mooring must be registered under the *Marine Safety Act 1998* or have a certificate of operation or identification number issued under the National law,
  - (c) the mooring licence number must be displayed on the buoy attached to the mooring in characters not less than 50mm high and must not be obscured,
  - (d) the licensee is to ensure that any vessel secured to the mooring is appropriate to the type of mooring concerned.
- (3) A licensee must comply with any conditions to which the licence is subject. Maximum penalty (subsection (3)): 50 penalty units.

**67ZB Variation of licence**

- (1) The Authority may amend a mooring licence by the imposition of new conditions on the licence, the substitution of a condition, or the omission or amendment of a condition.
- (2) The Authority may do so on application by the licensee or on the Authority's own motion.
- (3) If the Authority decides to vary the licence, the Authority must notify the licensee concerned in writing of the variation.
- (4) Any such variation takes effect on and from a date specified in the notice, being a date not earlier than 7 days after the notice is served on the licensee.
- (5) The Authority may not vary or omit a condition referred to in section 67ZA (2).

**67ZC Grounds for suspension or cancellation**

The Authority may, at the Authority's discretion, suspend or cancel a mooring licence on any one or more of the following grounds:

- (a) the licensee provides information to the Authority that is false or misleading,
- (b) any fees payable in relation to the licence are overdue by more than 14 days,
- (c) the licensee fails to comply with a condition of the licence,
- (d) the licensee is not, in the opinion of the Authority, a fit and proper person to hold a licence,
- (e) the licensee has committed an offence against any provision of the marine legislation or section 52B of the *Crimes Act 1900* (or a provision of a law of the Commonwealth or another State or Territory that substantially corresponds to a provision of the marine legislation or that section),
- (f) the Minister determines that it is in the public interest to do so,
- (g) the licensee requests that the licence be suspended or cancelled,
- (h) the Minister is of the opinion that the vessel to which the licence relates may cause damage to any property or the environment,
- (i) the licensee ceases to own the vessel to which the licence relates,
- (j) the mooring to which the licence relates is unoccupied for more than 28 days and the Authority has not been notified of the absence,
- (k) the licensee has attempted to sell or invited an offer to purchase the licence, entered into an arrangement for another party to use the mooring to which the licence relates or attempted to transfer the licence for money or some other benefit,
- (l) the death of the licensee,
- (m) the vessel to which the licence relates is not maintained in a seaworthy condition or the vessel presents a risk to the environment or property,
- (n) the licensee fails to comply with a direction of an authorised officer under section 67ZL.

**67ZD Suspension or cancellation**

- (1) Before suspending or cancelling a mooring licence (otherwise than at the request of its holder), the Authority:

- (a) must cause written notice of the proposed suspension or cancellation, and of the grounds for the proposed suspension or cancellation and duration of the proposed suspension, to be served on the licensee, and
  - (b) must identify any requirements that are to be fulfilled for the suspension to be lifted.
- (2) Suspension or cancellation of a mooring licence takes effect on the date on which written notice of the suspension or cancellation is served on its holder or on such later date as is specified in the notice.
- (3) The Authority may, by a further notice in writing served on the holder of a licence that is suspended, revoke the suspension or vary the period of the suspension.

**67ZE Transfer of mooring licence**

- (1) A licensee may apply to the Authority in writing requesting that the mooring licence be transferred to another person.
- (2) In determining whether or not a licence is to be transferred, the Authority may require the licensee and the other person to furnish such particulars and produce such evidence as the Authority considers necessary.
- (3) On receipt of notification in writing from the Authority of its consent to the transfer of a permit, the other person is required to pay the fee set out in Schedule 3C.
- (4) On receipt of the fee, the Authority may issue a licence to the other person for the unexpired term of the licence requested to be transferred.

**67ZF Licence fees—additional provisions**

- (1) The fees in relation to mooring licences are set out in Schedule 3C.
- (2) The Authority may reduce, or waive payment of, a fee payable for the granting of a licence where it considers it appropriate to do so.
- (3) In Schedule 3C:

***Pittwater locality*** means the body of water lying south of a line commencing at the northernmost point of Barrenjoey Head and running west to a point on the eastern shore of the Lambert Peninsula in the vicinity of West Head, including the waters of all tidal bays, rivers and their tributaries connected or leading to that body of water bounded by mean high water mark.

***Sydney Harbour (Eastern) locality*** means all those parts of Sydney, North and Middle Harbours bounded by a line commencing at the southernmost point of North Head, then south 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 locality*** means the waters of Sydney Harbour, including the waters of all tidal bays, rivers and their tributaries connected or leading to the Harbour bounded by mean high water mark and lying to the west of a line commencing at the southernmost point of North Head and running to the northernmost point of South Head.

***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.

**67ZG Term of licence**

- (1) A mooring licence is granted for the period specified in the licence (if any).
- (2) A licence continues in force:
  - (a) if there is no term specified in the licence—until it is suspended, cancelled or surrendered, or
  - (b) if there is a term specified in the licence—for the period for which it is granted unless it is sooner suspended or cancelled.

**67ZH Renewal of licence**

A licence for a specified period may be renewed from time to time by making an application for a subsequent licence in accordance with this Part.

**67ZI Requirement to notify Authority of proposed changes in particulars**

- (1) A licensee must notify the Authority in writing of any proposed change in the particulars specified in the licence or licence conditions at least 7 days before the proposed change occurs.  
Maximum penalty: 25 penalty units.
- (2) The Authority may approve the proposed change of particulars by varying the licence.
- (3) The Authority may charge an approved fee in relation to the approval of a variation referred to in this clause.

**67ZJ Application for replacement licence**

- (1) The Authority may, on being satisfied that a licence has been lost, stolen, destroyed, defaced or mutilated or become illegible, and on payment of the fee determined by the Authority, issue a replacement licence.
- (2) An application for a replacement licence may be made by lodging an application in the approved form (or in such other manner as may be approved) with the Authority.

**67ZK Requirement to notify Authority of sale or absence of vessel**

- (1) A licensee must notify the Authority in writing of the sale of a vessel specified in the licence within 14 days of the sale.  
Maximum penalty: 25 penalty units.
- (2) A licensee must notify the Authority in writing if the vessel specified in the licence vacates the mooring or will be absent from the mooring for more than 28 days. The notification must be made within 7 days of the vacation or absence.  
Maximum penalty: 25 penalty units.

**67ZL Directions by authorised officers**

- (1) An authorised officer may give directions verbally or in writing with respect to the following:
  - (a) moving a mooring to a specified location within a specified time,
  - (b) removing a vessel from an emergency mooring or a courtesy mooring,
  - (c) requiring the equipment securing the vessel to the mooring to be modified or replaced.
- (2) A person must not fail to comply with a direction given to the person under this clause.  
Maximum penalty: 50 penalty units.

**67ZM Exemptions**

- (1) **Moorings under Marine Estate Management Act 2014**  
This Part and section 85B of the Act do not apply in respect of moorings approved under the *Marine Estate Management Act 2014*.
- (2) **Vessels subject to an authorised commercial or private berth**  
This Part and section 85B of the Act do not apply in respect of vessels subject to a commercial or private berth authorised by the Authority, Transport for NSW or the Port Authority of New South Wales or a direction of the harbour master.
- (3) **Exemptions**  
The Authority may exempt any person or class of persons or any vessel or class of vessels from any specified provision or provisions of this Part or section 85B of the Act.
- (4) **Conditions of exemption**  
The Authority may grant an exemption subject to conditions. The persons exempted or the owner or master of the vessel exempted must comply with those conditions.  
Maximum penalty: 50 penalty units.
- (5) **Making of exemption**  
An exemption granted by the Authority:
  - (a) is to be made by order in writing and given to the person concerned or the owner or master of the vessel concerned, and
  - (b) in the case of an exemption relating to a class of persons or vessels, is to be published in the Gazette, and
  - (c) has effect for the period specified in the order.

## **Part 6D General safety provision**

**67ZN Disturbance of bed of port**

A person must not use drags, grapplings, or other apparatus for lifting any object or material from the bed of a port described in Schedule 1, or otherwise disturb any such bed in any way, except with the written permission of the relevant harbour master and in accordance with the conditions attaching to such permission.

Maximum penalty: 50 penalty units.

**[4] Clause 68 Definition of “marine legislation”**

Omit the clause.

**[5] Clause 69 Penalty notice offences**

Insert “the Act or” after “provision of” in clause 69 (a).

**[6] Schedules 3A–3C**

Insert after Schedule 3:

**Schedule 3A Commuter wharf permit fees**

(Clause 67C (2) (c))

Permit type	Vessel passenger capacity	Permit fee (6 months)	Permit fee (12 months)
Unlimited use	Up to (and including) 50	\$153	\$306
Unlimited use	More than 50	\$20,382	\$40,764
Up to 10 berthings	Up to (and including) 80	No permit issued	\$112
Up to 10 berthings	81–150	No permit issued	\$224
Up to 10 berthings	More than 150	No permit issued	\$336

**Schedule 3B Charter wharf booking system fees**

(Clause 67P)

Booking type	Fee per booking (vessel capacity up to 80 passengers)	Fee per booking (vessel capacity 81–150 passengers)	Fee per booking (vessel capacity more than 150 passengers)
Ad-hoc	\$16.10	\$32.10	\$48.20
Regular bulk bookings	\$11.30	\$22.50	\$33.70

**Schedule 3C Mooring licence fees**

(Clause 67ZF)

Description	Annual fee
<b>Commercial moorings Sydney Harbour locality or Pittwater locality</b>	
Vessel under 5m in length	\$297
All other vessels	\$494
<b>Commercial moorings all other areas</b>	
Vessel under 5m in length	\$200
All other vessels	\$394

<b>Description</b>	<b>Annual fee</b>
<b>Private moorings Sydney Harbour (Eastern) locality</b>	
For vessel under 7m	\$506
7m to <11m	\$506 plus \$170/m over 7m
11m or more	\$1186 plus \$337/m over 11m
<b>Private moorings Sydney Harbour (Western) locality or Pittwater locality</b>	
For vessel under 7m	\$324
7m to <11m	\$324 plus \$111/m or part metre over 7m
11m or more	\$768 plus \$217/m or part metre over 11m
<b>Private mooring all other areas</b>	
For vessel under 7m	\$217
7m to <11m	\$217 plus \$47/m or part metre over 7m
11m or more	\$405 plus \$86/m or part metre over 11m
<b>General mooring fees</b>	
Initial inspection fee	\$123
Relocation fee	\$123
Change vessel on mooring fee	\$123
Transfer mooring licence	\$123
Fee for RMS attendance outside business hours, per hour	\$123

**[7] Schedule 4 Penalty notices**

Omit the Schedule. Insert instead:

**Schedule 4 Penalty notices**

(Clause 69)

<b>Column 1</b>	<b>Column 2</b>
<b>Provision</b>	<b>Penalty</b>
<b>The Act</b>	
Section 43G (1)	\$500
Section 85A (1)	\$5000
Section 85B	\$500
Section 85C (1) and (2)	\$5000
Section 85D (5)	\$5000
Section 85E (2)	\$500
Section 105A (2) and (9)	\$5000
Section 105C (3) and (4)	\$5000

<b>Column 1</b>	<b>Column 2</b>
<b>Provision</b>	<b>Penalty</b>
<b>This Regulation</b>	
Clause 23	\$5000
Clause 24	\$5000
Clause 25	\$5000
Clause 26	\$500
Clause 27 (2) and (3)	\$500
Clause 28 (2)	\$500
Clause 34 (4) and (5)	\$1000
Clause 35 (6) and (7)	\$1000
Clause 36 (4)	\$5000
Clause 36 (5)	\$1000
Clause 37 (2)	\$1000
Clause 38 (4)	\$5000
Clause 39 (2)	\$5000
Clause 67F	\$500
Clause 67K	\$100
Clause 67L	\$500
Clause 67R (1) and (3)	\$100
Clause 67S (1)	\$150
Clause 67T (1)	\$150
Clause 67ZA (3)	\$500
Clause 67ZI	\$100
Clause 67ZK (1) and (2)	\$100
Clause 67ZL	\$500
Clause 67ZM (4)	\$500

**[8] Schedules 5 and 6**

Insert after Schedule 4:

**Schedule 5 Charter wharves**

(Clause 67A)

Aquarium Wharf  
Campbells Cove  
Casino  
Commissioners Steps  
Eastern Pontoon



Eastern Pontoon North  
Eastern Pontoon South  
Harbourmasters Steps  
Ives Steps  
King St Wharves 6–9  
Manly Hotel Wharf  
Man-O-War East  
Man-O-War West  
Pier 26 Wharf 3  
Pyrmont Bay  
Towns Place East  
Towns Place West  
Walsh Bay, Wharf 2 Pontoon

## **Schedule 6     Commuter wharves**

(Clause 67A)

Abbotsford (Great North Road)  
Aquarium (Darling Harbour)  
Balmain (Thames St)  
Balmain East (Darling St)  
Balmain West (Elliot St)  
Barangaroo  
Bayview Park (Concord)  
Birchgrove (Louisa Rd)  
Birkenhead (Henley Marine Dr)  
Cabarita Point  
Chiswick (Bortfield Dr)  
Cremorne Point (Milson Rd)  
Darling Point (McKell Park)  
Double Bay (Bay St)  
Drummoyne (Wolseley St)  
Greenwich (Bay St)  
Greenwich Point (Mitchell St)  
Hunters Hill (Alexandra St)  
Huntleys Point  
Kirribilli (Beulah St)  
Kirribilli (Holbrook Ave)

Kirribilli (Jeffrey St)  
Kissing Point (Kissing Pt Park)  
Kurraba Point (Kurraba Rd)  
Longueville (Stuart St)  
McMahons Point (Henry Lawson Ave)  
Meadowbank  
Milsons Point (Luna Park)  
Mosman Bay (Avenue Rd)  
Mosman South (Musgrave St)  
Neutral Bay (Hayes St)  
North Sydney (High St)  
Northwood  
Old Cremorne (Green St)  
Parramatta  
Pyrmont Bay  
Rose Bay (Lyne Park)  
Rydalmere  
Sydney Olympic Park (Homebush Bay)  
Taronga Zoo  
Watsons Bay (Military Rd)  
Woolwich (Valentia St)