

1991—No. 454

**MARITIME SERVICES ACT 1935—REGULATION**

(Relating to the repeal of the Port of Sydney Regulations)

NEW SOUTH WALES



*[Published in Gazette No. 121 of 30 August 1991]*

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.

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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 September 1991.

**Amendments**

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

- (a) by omitting Regulations 2 and 3;
- (b) by omitting from Regulation 4 (1) the definition of “Port of Sydney Regulations”;
- (c) by inserting in Regulation 4 (1) after the definition of “Visiting small craft permit” the following definition:  
“**wharf**” includes pier, jetty, landing stage, dock, slip and platform.

(d) by omitting Regulation 19 (6) (b) and by inserting instead the following paragraph:

(b) any construction or any works in progress.

(e) by inserting after Regulation 65 the following Regulation:

**Erection of or alteration or addition to wharf or other structure in the Port of Sydney**

65A. (1) A person must not, except with the prior written consent of the Board:

(a) erect any wharf or structure in the Port of Sydney; or

(b) alter or add to any wharf or structure in that Port.

(2) An application for the consent of the Board must be in the form approved by the Board and accompanied by such plans, specifications, calculations, certificates and fees as the Board may require.

(3) The Board may determine an application:

(a) by granting consent, either unconditionally or subject to conditions; or

(b) by refusing consent.

(f) by omitting Regulations 71, 72 and 116;

(g) by omitting the First Schedule;

(h) by omitting item (1) from the Second Schedule;

(i) by omitting the Third and Fourth Schedules;

(j) by inserting in the Fifth Schedule in the appropriate columns and order the following matter:

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Dated this 23rd day of August 1991.

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:

J. C. Hayes.

**EXPLANATORY NOTE**

The objects of this Regulation are:

- (a) to insert in the Management of Waters and Waterside Lands Regulations—N.S.W. certain provisions of the Port of Sydney Regulations following the repeal of those Regulations; and
- (b) to repeal certain provisions of the Management of Waters and Waterside Lands Regulations—N.S.W. which are no longer required; and
- (c) to amend certain other provisions of those Regulations.

This Regulation is made as a result of a review of the Port of Sydney Regulations by the Maritime Services Board.

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