

KINGBOROUGH COUNCIL

MARINE FACILITIES BY-LAW

BY-LAW No.1 OF 2011

BY-LAW MADE UNDER SECTION 145
OF THE LOCAL GOVERNMENT ACT 1993

FOR THE PURPOSE OF REGULATING CONDUCT ON MARINE FACILITIES IN
THE KINGBOROUGH MUNICIPAL AREA

PART 1 - PRELIMINARY

Short Title

- 1 — This By-law may be cited as the *Marine Facilities By-Law 2011*.

Application

- 2 — (1) This By-law applies to the municipal area of the Council.
- (2) This By-law does not apply to a councillor or an employee of the Council or a contractor or agent of the Council where such person is carrying out activities on the marine facility in the course of their duties for and on behalf of the Council.
- (3) This By-law does not apply to any marine facility which is the subject of a lease from the Council to a person under Division 1 of Part 12 of the *Local Government Act 1993*.

Interpretation

- 3 — In this By-law:-
- “**Act**” means the *Local Government Act 1993*;
 - “**article**” means anything that has been removed under clause 38 of the By-law and includes a vessel removed under clause 5;
 - “**authorised officer**” means an employee of the Council authorised by the Council or the General Manager for the purposes of this By-law or a police officer;
 - “**Council**” means Kingborough Council;
 - “**General Manager**” means the General Manager appointed by the Council or an employee of the Council with the written delegation of the General Manager to act on behalf of the General Manager for the purposes of this By-law;
 - “**land**” includes a marine facility;
 - “**marine facility**” includes any facility, structure or equipment owned by or under the management and control of the Council that is designed for, or used for or in relation to, the launching and mooring of vessels and any

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associated landing stage, slipway, boat launching ramp, jetty, wharf or breakwater and any curtilage to that facility, structure or equipment;

"municipal area" means the area of land under the control of the Council and defined in section 16 of the Act;

"owner" includes:-

a) in the case of a vehicle:

- i) a joint owner or part owner; or
- ii) a person who has the use of the vehicle under a hiring or a hire purchase agreement; or
- iii) a person in whose name as owner the vehicle is registered under the *Vehicle and Traffic Act 1999* or any corresponding enactment of a State or Territory of the Commonwealth; or
- iv) a person who is in charge of the vehicle at the time at which there is alleged to have been a contravention of this By-law involving the vehicle; and

b) in the case of a vessel:

- i) a joint owner or part owner; or
- ii) a person who has the use of the vessel under a hiring or a hire purchase agreement; or
- iii) a person who is in charge of the vessel at the time at which there is alleged to have been a contravention of this By-law involving the vessel;

"penalty unit" means a sum provided for under the provisions of the *Penalty Units and Other Penalties Act 1987*;

"permit" means a permit granted under Part 3 or Part 4 of this By-law;

"permit holder" means a person who has obtained a permit from the Council for any purpose under this By-law;

"road" includes a road with a constructed surface suitable for the use of vehicles and an area set aside by the Council as a parking place for vehicles;

"specified offence" means an offence against a clause specified in Column 1 of Schedule 1;

"user agreement" means an agreement entered into for the hire, lease or use of any marine facility under clause 23 of this By-law;

"vehicle" means a vehicle as defined in section 3(1) of the *Vehicle and Traffic Act 1999*;

"vessel" includes a boat, ship, craft, hovercraft, aircraft or platform and any trailer used to transport any of them; and a vehicle that is capable of use in or on water whether floating, partly submersible and whether or not self-propelled; and

PART 2 – USE OF MARINE FACILITIES

DIVISION 1 – UNIMPEDED PUBLIC ACCESS

Obstruction of a marine facility

- 4 — (1) A person must not moor or leave a vessel at a marine facility:
- (a) in a manner that obstructs another vessel coming alongside, using or leaving the marine facility; or
 - (b) in a manner which constitutes a nuisance as defined in section 199 of the *Local Government Act 1993*; or

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- (c) for a period in excess of any time limit specified on a Council-authorized sign; or
- (d) other than for so long only as is required to set down or take up passengers or goods without waiting.

Penalty: Fine not exceeding 5 penalty units and in the case of a continuing offence, a further daily penalty of 1 penalty unit

(2) A vessel that is the subject of a commercial use permit will be given priority in mooring at any marine facility over vessels that are not the subject of a commercial use permit.

(3) Mooring arrangements for vessels referred to in sub-clause (2) that are the subject of a commercial use permit may be displayed on a sign or notice located at or alongside the marine facility.

Removal of vessel

5 — (1) An authorised officer may, after giving notice as provided in clause 6, (sub-clause move or cause to be moved a vessel that is moored to or using a marine facility if the authorised officer is of the opinion that the vessel is moored to or using the marine facility in contravention of clause 4.

(2) Notwithstanding clause 5(1), where a vessel constitutes a nuisance as defined in Section 199 of the *Local Government Act 1993*, notice need not be given before removing the vessel if the General Manager is of the opinion that urgent action is required.

(3) A vessel moved under clause 5 may be moved to a place of safe anchorage.

(4) The Council may recover from the owner of the vessel the costs of any action undertaken under clause 5 and any costs incurred by the Council in moving and maintaining the vessel in the place of safe anchorage as a debt due to it.

Notice before removal

6 — (1) At least 3 days prior to moving a vessel under clause 5(1), an authorised officer must give notice to the vessel's owner stating:

- (a) that the vessel will be moved;
- (b) the reason for its removal;
- (c) the place to which it will be moved; and
- (d) that the costs associated with the removal are payable by the owner.

(2) Where a vessel is moved under clause 5(2) the authorised officer must, as soon as practicable after moving the vessel, notify the owner of the place to which the vessel has been moved.

Obstruction of access on to or on a marine facility

7 — A person must not obstruct the passage of persons, vehicles or goods on or off a marine facility.

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Penalty: Fine not exceeding 5 penalty units

Vehicles on a marine facility

8 — Unless authorised by a permit to do so, a person must not park or leave any vehicle on a marine facility, or in any way obstruct a marine facility, other than to launch a boat, to load or off-load materials or passengers, or for other similar purposes of short duration.

Penalty: Fine not exceeding 5 penalty units

Cargo and other material on a marine facility

9 — Unless authorised by a permit to do so, a person must not place or store cargo or other material on, or in such a way as to obstruct, a marine facility unless and until a vessel is alongside to receive this cargo or other material.

A person must not unload cargo or other material onto, or in such a way as to obstruct, a marine facility from a vessel until a vehicle is there to receive it.

Penalty: Fine not exceeding 5 penalty units

Repairing and maintaining vessels

10 — (1) Unless authorised by a permit to do so, a person must not carry out repairs or maintenance to a vessel while that vessel is on or adjacent to any marine facility.

Penalty: Fine not exceeding 5 penalty units

(2) Sub-clause (1) does not apply to repairs of an emergency nature that are necessary to allow the vessel to immediately depart from the marine facility.

Peaceable use of the marine facility

11 — A person must not do any act or thing which unreasonably interferes, or is likely to interfere with the peaceable use by the public of any marine facility.

Penalty: Fine not exceeding 5 penalty units

Fishing and swimming

12 — A person must not swim or fish from or near any marine facility in such a manner as to obstruct or impede vessels or vehicular or pedestrian traffic on or adjacent to the marine facility.

Penalty: Fine not exceeding 5 penalty units

DIVISION 2 – DAMAGE TO A MARINE FACILITY

Damage to marine facility

13 — (1) A person must not do any act or thing which causes, or is likely to cause, any damage or disfigurement to any marine facility.

Penalty: Fine not exceeding 10 penalty units

(2) An authorised officer may give a notice or direction to a person who has contravened sub-clause (1) requiring that person to undertake such works to repair the marine facility as the authorised officer considers necessary.

(3) If a person who has received a notice or direction under sub-clause (2) fails to comply with the notice or direction within a reasonable time, or any time provided in the notice or direction, the Council may undertake such works as are necessary to repair the marine facility and may recover the cost of doing so as a debt payable to it from the person who has contravened this clause.

Prohibition of certain vessels

14— A person must not use a marine facility with a vessel or vehicle that by reason of its size, design, the type of trade or service in which it is engaged or otherwise, may present an undue risk of damage to the marine facility.

Penalty: Fine not exceeding 10 penalty units

Unauthorised alteration of marine facility

15— (1) Unless authorised by a permit to do so, a person must not add to or alter the structure of a marine facility.

Penalty: Fine not exceeding 10 penalty units

(2) Unless authorised by a permit to do so, a person must not install cranes, fuel dispensing equipment, water lines, gas lines, electric power outlets or any other service facility on a marine facility.

Penalty: Fine not exceeding 5 penalty units

(3) An authorised officer may give a notice or direction to a person who has contravened sub-clause (1) or (2) requiring that person to undertake such works as the authorised officer considers necessary to remove or repair anything added, altered or installed in contravention of this clause.

(4) If a person who has received a notice or direction under sub-clause (3) fails to comply with the notice or direction within a reasonable time, or any time provided in the notice or direction, the Council may undertake such works as are necessary to repair or remove anything added, altered or installed and may recover the cost of doing so as a debt payable to it from the person who has contravened this clause.

Signs and advertising material

16— Unless authorised by a permit to do so, a person must not erect, exhibit, or display a notice, sign, bill, poster or advertisement on any marine facility.

Penalty: Fine not exceeding 5 penalty units

DIVISION 3 - GENERAL AND MISCELLANEOUS PROVISIONS

Closure of marine facility

- 17 — The General Manager may close a marine facility or any part thereof if he considers it to be necessary for public safety or convenience or for the protection of the marine facility.

Entry onto marine facility when closed

- 18 — Unless authorised by a permit to do so, a person must not enter onto or use a marine facility or any part of any marine facility that is closed.

Penalty: Fine not exceeding 5 penalty units

Sale of goods, chattels or property

- 19 — Unless authorised by a permit to do so, a person must not set up a stall, or sell or offer for sale any goods, chattels, property or any thing on any marine facility.

Penalty: Fine not exceeding 5 penalty units

Leasing

- 20 — Unless authorised by a permit to do so, a person must not let or hire any goods, vessels or property or any thing on any marine facility.

Penalty: Fine not exceeding 5 penalty units

Commercial use

- 21 — Unless authorised by a permit to do so, a person must not use a marine facility for a commercial use or as a base from which to conduct a commercial business.

Penalty: Fine not exceeding 10 penalty units

Refuelling at a Marine Facility

- 22 — (1) Unless authorised by a permit to do so, a person must not refuel a vessel at a marine facility.

(2) An application for a permit to refuel a vessel at a marine facility must be accompanied by a safety management plan that addresses all areas of potential risk associated with the activity, and any risk to other public users of the marine facility.

(3) In assessing a permit to refuel a vessel at a marine facility the Council may consider whether the proposed use of the marine facility will be carried out in an environmentally sound manner.

(4) A person must not refuel a vessel at a marine facility without a permit.

Penalty: Fine not exceeding 10 penalty units

PART 3 – COMMERCIAL USE PERMITS

Applications

- 23** — (1) A person may apply to the Council for a commercial use permit.
- (2) An application for a commercial use permit is to be made in writing and, where applicable, be accompanied by the following:
- (a) the name and registration number of the vessel to which a commercial use permit is to apply; and
 - (b) a statement in writing of the type and nature of the activity proposed to be undertaken by the applicant; and
 - (c) a scaled drawing showing the location and extent of the proposed occupation or activity; and
 - (d) a safety management plan that addresses all areas of potential risk, particularly refuelling practices and any risk to other public users of the marine facility; and
 - (e) any fee payable; and
 - (f) such other information as the General Manager requires.

Grant and conditions of permit

- 24** — (1) The Council may grant or refuse to grant a commercial use permit for which an application has been made under clause 22.
- (2) The Council may grant a commercial use permit subject to such terms and conditions as the Council considers appropriate.
- (3) In assessing any application for a commercial use permit, the Council may consider:
- (a) whether the capacity of the existing marine facility and any associated land-based infrastructure is sufficient to cater for the proposed use;
 - (b) whether public access to and public use of the marine facility would be provided in a safe manner and to a reasonable and acceptable level;
 - (c) whether a preference should be given to existing users, with particular consideration of their record of satisfactory performance;
 - (d) whether there are any Crown lease or license restrictions on the use of the marine facility;
 - (e) whether the proposed use of the marine facility will be carried out in an environmentally sound manner.
- (4) A commercial use permit may be subject to the provision of appropriate insurance cover as required by the General Manager.
- (5) A commercial use permit holder must comply with the terms and conditions of a permit.

Penalty: Fine not exceeding 5 penalty units

- (6) The Council may require a person to sign a user agreement as a condition of granting a permit under this clause and, upon signing, the provisions of such a user agreement shall be incorporated with and form part of the terms and conditions of the permit.

(7) The Council may impose such terms and conditions in a user agreement as the Council considers appropriate.

Competing applications

25 — (1) If there are competing applications for a permit for the use of any marine facility, the Council may determine which application for a permit is to be granted, if any.

(2) The Council may determine that a prior or later application for a permit to use the same marine facility is to be granted in preference to any other application.

PART 4 – PERMITS GENERALLY

Applications

26 — Any application for a permit pursuant to this By-law should be made to the Council and be accompanied by the following:

- (a) a statement in writing of the type and nature of the activity proposed to be undertaken by the applicant;
- (b) a scaled drawing showing the location and extent of the proposed occupation or activity;
- (c) a safety management plan or a description of any necessary safety measures that are appropriate for the proposed activity; and
- (d) such other information as the Council may reasonably require.

Factors to be considered when granting a permit

27 — In deciding whether or not to grant a permit pursuant to this Part the Council may have regard to the following:

- (a) the potential for damage to Council infrastructure
- (b) public amenity and safety;
- (c) public access in the area;
- (d) the maintenance of public order in the area;
- (e) the potential for environmental impact;
- (f) the movement of traffic in the area;
- (g) the manner of any proposed advertising;
- (h) the nature, size, shape, extent and location of any proposed road furniture;
- (i) the availability of suitable parking for motor vehicles in the area;
- (j) representations made by a police officer;
- (k) any other relevant matters.

Conditions of permit or approval

- 28 — A permit or approval issued under this By-law may be subject to such conditions as the Council considers appropriate

Compliance with terms and conditions

- 29 — The holder of a permit issued under this By-law must comply with the terms and conditions thereof.

Penalty: Fine not exceeding 5 penalty units

Grant and conditions of permit

- 30 — (1) A permit or user agreement may require the permit holder or hirer to obtain insurance cover as directed by the Council.
- (2) The Council may require a person to sign a user agreement in place of granting a permit under this clause.
- (3) The Council may impose such terms and conditions in a user agreement as the Council determines.
- (4) A hirer is to comply with the terms and conditions in a user agreement.

Penalty: Fine not exceeding 5 penalty units.

Permits generally

- 31 — Every permit granted pursuant to this By-law is to:
- (a) be in writing and may be in the form of a letter;
 - (b) bear the date on which it was issued;
 - (c) include such terms and conditions as the Council may consider necessary;
 - (d) remain in force for the period for which it was issued, unless it is cancelled or surrendered;
 - (e) be carried by the permit holder at all times while undertaking the activity approved under the permit;
 - (f) be surrendered to the Council if it is cancelled or suspended or when it is due for renewal.

Cancellation and suspension of permits

- 32 — (1) The Council may cancel or suspend a permit if a permit holder fails to comply with or offends against this By-law or any condition of a permit.
- (2) The Council may cancel or suspend a permit if the permit holder is:
- (a) convicted of any offence involving dishonesty; or
 - (b) convicted of any offence involving a breach of public order.
- (3) To cancel or suspend a permit, the Council is to serve a notice on the permit holder stating that the permit is cancelled or suspended and the reason for that cancellation or suspension.
- (4) Cancellation or suspension of any permit is effective from the day the notice is served on the permit holder or the date specified in the notice, whichever is the later.

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(5) The Council may cancel or suspend a permit if this is required due to the exercise or intended exercise of any local government functions, powers, rights or duties by the Council.

(6) Notwithstanding, sub-clauses (3) and (4), the Council may cancel or suspend a permit by any communication conveyed to the permit holder by any means including notice by radio or television in emergency situations or in a situation considered appropriate by the Council.

Production of the permit

33 — A permit holder must produce the permit immediately when requested to do so by an authorised officer.

Penalty: Fine not exceeding 5 penalty units

Assignment of permit

34 — A permit must not be assigned to any person except with the written consent of the General Manager.

PART 5 - ENFORCEMENT

Ban

35 — (1) The General Manager may by notice ban a person who he reasonably believes is offending or has offended against this By-law from entering on or using a specified marine facility for such period of time as the General Manager determines.

(2) A person who has been banned from entering on or using a specified marine facility under sub-clause (1) must not enter upon or use that marine facility during the period for which the ban applies.

Penalty: Fine not exceeding 10 penalty units

(3) The General Manager may at any time withdraw a ban made under sub-clause (1).

Supply of name and address

36 — (1) An authorised officer may require a person to give his or her name and address if the authorised officer reasonably believes that the person is offending or has offended against this By-law.

(2) A person who fails or refuses to comply with a request to give his or her name and/or address is guilty of an offence.

Penalty: Fine not exceeding 5 penalty units.

Abuse or obstruction of an authorised officer

37 — A person must not:

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- (a) threaten, intimidate or use abusive language to an authorised officer in or on land owned by or under the control of the Council while the officer is acting in the course of his or her duties; or
- (b) assault, resist or obstruct an authorised officer in the execution of his or her duty.

Penalty: Fine not exceeding 10 penalty units.

Arrest

38. A police officer may arrest a person who is on land owned by, or under the control of, the Council and whom the police officer reasonably believes is offending against this By-law.

Enforcement and removal of articles

- 39 — (1) An authorised officer may:
- (a) refuse to admit a person to any land owned by, or under the control of, the Council whom the authorised officer reasonably believes is offending or has offended against this By-law;
 - (b) direct any person to leave any land owned by, or under the control of, the Council whom the authorised officer reasonably believes is offending or has offended against this By-law;
 - (c) remove anything which is on any land owned by, or under the control of, the Council without the approval of the Council;
 - (d) remove any person from any land owned by, or under the control of the Council whom the authorised officer reasonably believes is offending against this By-law.
- (2) A person who fails to comply with a direction under sub-clause (1)(b) is guilty of an offence.

Penalty: Fine not exceeding 5 penalty units

Removed articles

- 40 — (1) If an article is not claimed by the owner or a person on behalf of the owner within 48 hours following its removal under this Part, the General Manager is to give notice to the owner of the article.
- (2) A notice under sub-clause (1) is to give the following details:
- (a) a description of the article and any distinguishing features of it;
 - (b) the place from which it was removed;
 - (c) the date on which it was removed;
 - (d) the place from which the article may be claimed;
 - (e) the fees, costs and charges payable in respect of the removal, maintenance and storage of the article;
 - (f) that if not claimed within 14 days that the article may be disposed of by the Council.
- (3) If the owner of the removed article cannot be ascertained or found, and if the General Manager is of the opinion that the value of the article warrants the cost of advertising, the General Manager is to publish on at least one

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occasion a notice containing the particulars specified in sub-clause (2) in a newspaper circulating in the municipal area.

Fees, costs and charges

- 41 —** (1) The owner of an article is liable to pay:
- (a) any fees, costs and charges specified in a notice under this Part; and
 - (b) any further fees, costs and charges incurred in the storage and further maintenance of an article removed under this Part.
- (2) Any unpaid fees, costs and charges are a debt due to the Council and may be recovered by the Council in a court of competent jurisdiction.
- (3) The Council may retain an article until any fees, costs and charges specified in a notice are paid.

Disposal of unclaimed articles

- 42 —** (1) The Council may dispose of an article if:
- (a) the article is not claimed within 14 days of the issue of a notice given under this Part; or
 - (b) any fees, costs and charges specified in a notice under this Part have not been paid within 14 days of that notice.
- (2) An article may be disposed of under sub-clause (1):
- (a) by tender or public auction following notification in a local newspaper circulating in the municipal area; or
 - (b) in such manner as the General Manager determines if:
 - (i) the General Manager has a reasonable belief that the article has a value that does not warrant the costs of a tender or a public auction; or
 - (ii) no tender is received or no bid is made at a public auction.
- (3) If an article is disposed of under this clause the General Manager must notify the owner of the article as soon as possible if the owner can be ascertained or found by reasonable enquiries.
- (4) If the owner of the article so requests, then the proceeds obtained from the disposal or sale of the article must be paid to the owner, less any fees that are due to the Council, advertising costs, and any other costs incurred by the Council in the removal and disposal of the article.

Article required for prosecution

- 43 —** (1) Where an article is required by the Council for the prosecution of an offence under this By-law, the article is to be released to the owner following the completion of the prosecution proceedings and on payment of any relevant fees, costs and charges unless otherwise directed by a court.
- (2) The Council may, in accordance with clause 41, dispose of an article required under sub-clause 42(1) which is not claimed by the owner or in relation to which fees, costs and charges have not been paid, within 30 days of the completion of court proceedings.

PART 6 – NOTICES AND DIRECTIONS

Notices and directions generally

- 44** — (1) A notice given under this By-law is to be given in writing, which may be in the form of a letter, and is to be given in accordance with section 29AB(1)(a) of the *Acts Interpretation Act 1931*.
- (2) A direction given under this By-law may be given verbally or in writing and may be in the form of a letter.
- (3) A notice or direction given under this By-law may be subject to such conditions and requirements and allow such period for action as the General Manager or authorised officer may determine.
- (4) Unless otherwise specified in a notice or direction, a person to whom a notice or direction is given is to comply with the notice or direction at the cost of that person.
- (5) A notice or direction given under this By-law requiring a person to carry out or undertake action or work may direct that the action or work be in or of such materials, carried out within the periods, and carried out in the manner the Council or an employee or agent of the Council directs, or be done only by a person with a specified appropriate qualification.
- (6) The Council may require the person carrying out the work to pay the Council, or enter into a bond for payment to the Council of an amount it thinks fit to provide security against costs which it may incur as a result of the execution of the work.

Non compliance with notice or direction

- 45** — (1) A person to whom a notice or direction has been given under this By-law must comply with that notice or direction within the time period specified in the notice or direction.

Penalty: Fine not exceeding 10 penalty units

- (2) The Council may undertake any work required to be carried out in a notice or direction given pursuant to this By-law if the person to whom a notice or direction is given fails to comply with the notice or the direction within the time specified in the notice or direction.

PART 7 - INFRINGEMENT NOTICES

Infringement Notices

- 46** — (1) In this clause –
“specified offence” means an offence against a clause specified in Column 1 of Schedule 1.
- (2) An infringement notice may be issued in respect of a specified offence and the monetary penalty set out adjacent to the offence in Column 3 of

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Schedule 1 is the penalty payable under the infringement notice for that offence.

(3) Payment of the monetary penalty set out in an infringement notice must be made to the Council.

(4) The monetary penalty set out in an infringement notice must be paid within 28 days of the service of the infringement notice, after which time the infringement notice may be referred to the Director, Monetary Penalties Enforcement Service.

(5) The General Manager or an authorised officer may:

- (a) issue an infringement notice to a person who the General Manager or authorised officer believes on reasonable grounds has committed a specified offence; and
- (b) issue a single infringement notice in respect of more than one specified offence.

(6) The *Monetary Penalties Enforcement Act 2005* applies to an infringement notice issued under this By-law.

Debt due

- 47 — All monies payable to the Council under this By-law are a debt due to the Council and recoverable at law.

Offences

- 48 — A person who contravenes or fails to comply with a provision of this By-law is guilty of an offence and is liable on conviction to a penalty as specified in this By-law in respect of such an offence.
- 49 — In addition to a penalty imposed in relation to a failure to comply with or a contravention of this By-law, an expense incurred by the Council in consequence of that failure or contravention is recoverable by the Council as a debt payable by the person so failing to comply or contravening.

SCHEDULE 1

INFRINGEMENT NOTICE OFFENCES

Column 1 CLAUSE	Column 2 OFFENCE GENERAL DESCRIPTION OF OFFENCE	Column 3 INFRINGEMENT NOTICE PENALTY Penalty Units
4(1)	Obstruction of a marine facility	1
7	Obstruction of access on to a marine facility	1
8	Vehicles on a marine facility	1
9	Cargo and other material on a marine facility	1
10(1)	Repairing and maintaining vessels	1
11	Peaceable use of a marine facility	1
12	Fishing in a manner that obstructs others	1
13(1)	Damage of a marine facility	2
14	Prohibition of certain vessels that are likely to cause damage	2
15(1)	Unauthorised alteration of marine facility	2
15(2)	Installation of unauthorised equipment to a marine facility	1
16	Erection of signs and advertising material	1
18	Entry on to marine facility when closed	1
19	Sale of goods on a marine facility	1
20	Hiring of goods or vessels from a marine facility	1
21	Regular commercial use of a marine facility	2
22	Refuelling without a permit	2
24(5)	Permit holder to comply with terms and conditions of permit	1
29	Compliance with terms and conditions of permit	1
30(3)	Compliance with terms and conditions of user agreement	1
33	Permit holder to produce copy of permit	1
35(2)	Banned person must not enter on to marine facility	2
36(2)	Person must supply name and address to authorised officer	1
37	Obstruction of an authorised officer	2
39(2)	Removal of articles	1
45(1)	Non-compliance with notice or direction	2

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Certified as being in accordance with the law by:

Penelope Ikedife

Penelope Ikedife, Legal Practitioner

Dated this 29th day of March, 2011 at Hobart

Certified as being made in accordance with the Local Government Act 1993:

Paul West

Paul West, General Manager

Dated this 29th day of March 2011 at Hobart

The Common Seal of Kingborough Council was hereunto affixed in the presence of:

Graham Gray
..... Mayor / COUNCILLOR

..... Deputy Mayor.

Paul West
..... General Manager.

