



# Marine Facilities and Infrastructure Plan

March 2018

# Table of Contents

<b>1</b>	<b>INTRODUCTION .....</b>	<b>5</b>
1.1	PURPOSE .....	5
1.2	PLAN OUTCOME.....	6
1.3	PLAN STATEMENT.....	6
<b>2</b>	<b>CONTEXT.....</b>	<b>6</b>
2.1	MARINE FACILITIES AND INFRASTRUCTURE PLAN – OVERVIEW AND HISTORICAL CONTEXT.....	6
<b>3</b>	<b>SCOPE OF PLAN.....</b>	<b>7</b>
3.1	PROVISION OF PUBLIC MARINE FACILITIES AND INFRASTRUCTURE – PLAN AND GENERAL GUIDELINES.....	7
3.1.1	Provision of Public Marine Facilities and Infrastructure.....	7
3.1.2	Public Marine Facilities Boating Usage Demand - Guideline .....	8
3.1.3	Funding of State-Owned In-Water Facilities and Infrastructure - Guideline .....	8
3.1.4	Grant Funding - Guideline .....	9
3.2	COMMERCIAL AND PASSENGER TRANSPORT USAGE OF MARINE INFRASTRUCTURE - GUIDELINES.....	9
3.2.1	Funding of commercial marine infrastructure - guideline.....	9
3.2.2	Approval for Commercial Use of GCWA Owned Public Marine Facilities and Infrastructure - Guideline.....	9
3.2.3	Assessing Commercial Use of Public Marine Facilities and Infrastructure - Guideline .....	9
3.2.4	Costs for Shared Commercial/Recreational Use of GCWA Owned Public Marine Facilities and Infrastructure - Guideline .....	10
3.3	CLOSURE OR RELOCATION OF PUBLIC MARINE FACILITIES - GUIDELINE.....	10
3.4	MAINTENANCE OF PUBLIC MARINE FACILITIES - GUIDELINE.....	10
3.4.1	Maintenance Contributions for State Owned Public Marine Facilities - Guideline .....	10
3.4.2	Maintenance Contributions for Non-State Owned Marine Facilities - Guideline .....	11
3.4.3	End of Life Costs/Decommissioning/Asset Disposal - Guideline .....	11
3.5	MANAGEMENT OF PUBLIC MARINE FACILITIES - GUIDELINE .....	11
3.6	SIGNAGE AT PUBLIC MARINE FACILITIES - GUIDELINES .....	12
3.6.1	Responsibility for Signage at Public Marine Facilities .....	12
3.6.2	Signage (Owner/Manager Names) - Standard .....	12
3.6.3	Load Limit Sign for Ramps - Guideline .....	12
3.6.4	Warning and Advisory Signage - Guideline.....	13
3.6.5	Funding and Provision of New or Replacement Signage at Public Marine Facilities with Appointed Manager - Guideline .....	13
3.6.6	Signage Maintenance and Update - Guideline.....	13
3.6.7	Signage Not Directly Associated with Public Marine Facility Usage - Guideline.....	14
3.7	NAMING OF PUBLIC MARINE FACILITIES - GUIDELINES.....	14
3.8	DEVELOPMENT BY PRIVATE INTERESTS - GUIDELINE.....	14
3.9	INFRASTRUCTURE FOR COMMERCIAL/TOURISM OPERATORS AND PASSENGER TRANSPORT - GUIDELINE.....	15
3.10	BOAT LAUNCHING AND LANDING FACILITIES - GENERAL .....	15
3.10.1	Boat Launching and Landing Facilities - Guidelines.....	15
3.10.2	Boat Launching and Landing Facilities Design - Guideline .....	16
3.10.3	Design Criteria - Link .....	16
3.10.4	Technical Specifications - Link .....	16
3.10.5	Standard Drawings - Link .....	16
3.10.6	Facilities for Volunteer Marine Rescue and Coastguard - Guideline.....	16
3.11	BOAT RAMPS AND ASSOCIATED CAR-TRAILER PARKING .....	17
3.11.1	Boat Ramp Gradient - Guideline.....	17

3.11.2 Boat Ramp Length - Guideline .....	17
3.11.3 Boat Ramp Design.....	17
3.11.4 Boat Ramp Car-Trailer Parking - Guideline.....	17
3.11.5 Boat Ramp Queuing Facilities - Guideline.....	18
3.11.6 Boat Ramp Lighting and Lights - Guideline.....	18
3.11.7 Ramp Wash-Down Facilities - Guideline.....	19
3.11.8 Fish Cleaning Facilities - Guideline.....	19
<b>3.12 LANDINGS – PONTOONS, FLOATING WALKWAYS AND JETTIES - GUIDELINES.....</b>	<b>19</b>
3.12.1 Pontoons and Floating Walkways - General .....	19
3.12.2 Pontoons and Floating Walkways - Definitions .....	19
3.12.3 Provision of Pontoons and Floating Walkways - Guideline .....	19
3.12.4 Pontoon and Floating Walkway Site Suitability - Guideline.....	20
3.12.5 Provision of Fresh Water on Landings - Guideline.....	21
3.12.6 Pontoons (with Gangway Access).....	21
3.12.7 Floating Walkways.....	21
3.12.8 Use of Public Marine Facilities as Fishing Platforms.....	21
3.12.9 Jetties.....	22
<b>GLOSSARY OF TERMS.....</b>	<b>23</b>
<b>APPENDIX A – TERMS AND CONDITIONS OF APPOINTMENT .....</b>	<b>25</b>
<b>APPENDIX B – LEGISLATION EXTRACTS .....</b>	<b>28</b>
<b>DIVISION 1 MANAGEMENT .....</b>	<b>30</b>
<b>DIVISION 2 USE OF AND SAFETY AT PARTICULAR PUBLIC MARINE FACILITIES.....</b>	<b>30</b>



# 1 Introduction

The Gold Coast Waterways Authority (GCWA) was established in December 2012 by the *Gold Coast Waterways Act 2012* (GCWA Act) to strategically plan for, promote and manage the sustainable use of Gold Coast waterways

The purpose of GCWA, as defined by the GCWA Act, is to:

- deliver the best possible management of the Gold Coast waterways at reasonable cost to the community and government, while keeping government regulation to a minimum.
- plan for and facilitate the development of the Gold Coast waterways over the long term in a way that is sustainable and considers the impact of development on the environment.
- improve and maintain navigational access to the Gold Coast waterways.
- develop and improve public marine facilities relating to the Gold Coast waterways.
- promote and manage the sustainable use of the Gold Coast waterways for marine industries, tourism and recreation.

To achieve this purpose, GCWA performs functions that give effect to the GCWA Act, including:

- developing;
  - a waterways management strategy.
  - a waterways management program.
- ensuring the effective and efficient management of;
  - water traffic.
  - public marine facilities.
  - the use of Gold Coast waterways.
- performing functions conferred on GCWA under other Acts; for example;
  - *Transport Infrastructure Act 1994* (TIA).
  - *Transport Operations (Marine Pollution) Act 1995* (TOMPA).
  - *Transport Operations (Marine Safety) Act 1994* (TOMSA).
  - *Sustainable Planning Act 2009* (SPA).

## 1.1 Purpose

The purpose of this plan is to provide guidance to employees and contractors of GCWA, the Chief Executive Officer of GCWA and the GCWA Board, when considering the installation of new public marine facilities and the upgrade of existing facilities. The plan also aims to inform waterways users of the considerations made with respect to the installation or upgrade of public marine facilities.

This plan aligns actions to deliver strategic outcomes, as set out in the *Gold Coast Waterways Management Strategy 2014-2023* (as updated). Specifically, the plan aims to deliver on the following strategic outcomes:

- SUSTAIN
  - 1.8 - Maintain Destinations on the Waterways.
  - 1.8.2 - Partner with the City of the Gold Coast, government agencies and the private sector to ensure waterways destinations are available and meet community expectations.
- ENHANCE
  - 2.3 - Identify and encourage the provision of new and improved waterways destinations.
  - 2.4 - Provide additional public waterways access facilities, anchorages and destinations.
- PROMOTE
  - 3.4 - Support education about safe, responsible and sustainable use of waterways.

## 1.2 Plan Outcome

This plan seeks to achieve the legislative requirements of the GCWA Act and align with the actions of the Gold Coast Waterways Management Strategy 2014-2023 (as updated). It provides guidance and outlines the considerations that GCWA will make to ensure waterways resources, processes and physical characteristics of the waterways are maintained or enhanced for the safety of waterways users.

## 1.3 Plan Statement

The GCWA is committed to providing and enhancing the marine facilities and infrastructure relating to the Gold Coast Waterways using an organisational wide approach to optimise the GCWA's ability to achieve its strategic and operational objectives and ensures that risks are assessed, and managed appropriately.

# 2 Context

## 2.1 Marine Facilities and Infrastructure Plan – Overview and Historical Context

The Queensland Government has been involved in the provision of public marine facilities and infrastructure since the early 20th century with the basic objective of encouraging recreational boating

The historical basis for the GCWA's public marine facilities and infrastructure provision derives from sections 140 and 187 of the repealed Harbours Act 1955. These repealed provisions are continued in the Transport Infrastructure Act 1994 and amplified in the Transport Infrastructure (Public Marine Facilities) Regulation 2011.

The former Department of Harbours and Marine became more active in provision of public marine facilities under an incentive scheme known as the Commonwealth Aid (Marine Works) Fund. It was supplemented from the state's Harbour Dues Fund. When federal funding ceased in 1969 the Small Craft Facilities Fund was set up. When responsibility shifted to Queensland Transport, the current Marine Infrastructure Capital and Maintenance Program was established. The program is now administered through the TMR, Infrastructure Management and Delivery Division. From December 2012 the Gold Coast Waterways Authority became responsible for public marine facilities on the Gold Coast.

State boat harbours were initially provided by the Queensland Government to foster recreational boating by providing harbours within a nominal twenty-four hour sailing distance. This was accomplished by the late-1980s as far north as Port Douglas.

The provision of marine facilities and infrastructure outside the eight state-managed state boat harbours is usually a joint undertaking between the department and a local managing authority (council or port authority). On the Gold Coast this joint undertaking is managed by the Gold Coast Waterways Authority and the City of Gold Coast since the creation of the GCWA in December 2012.

In accordance with a 2004 memorandum of understanding with the Local Government Association of Queensland, the government provides funding for in-water public marine facilities and infrastructure such as ramps, floating walkways, pontoons and dredging, and the local managing authority provides the land and land-based components, then – by appointment – the local managing authority manages the whole facility (excluding dredged channels).

Local managing authorities may provide marine facilities and infrastructure independent of the state.

## 3 Scope of Plan

### 3.1 Provision of Public Marine Facilities and Infrastructure – Plan and General Guidelines

This plan provides guidelines to deliver and maintain marine facilities and infrastructure within Gold Coast waterways.

#### 3.1.1 Provision of Public Marine Facilities and Infrastructure

The Gold Coast Waterways Authority provides public marine facilities and infrastructure to meet the needs of the recreational boating public through its Capital Works and Maintenance Program. The provision of public marine facilities and infrastructure is prioritised within available funds to ensure a fair and equitable distribution across the city. Notwithstanding special area needs, priority is given to the provision of facilities and infrastructure that provide the greatest possible benefit to the greatest numbers of the recreational boating public who are paying boat registration fees. Public marine facilities and infrastructure can include boat ramps, pontoons, floating walkways, channels, groynes, and breakwaters.

See [www.gcwa.qld.gov.au](http://www.gcwa.qld.gov.au) for more information on projects undertaken by the Gold Coast Waterways GCWA.

### 3.1.2 Public Marine Facilities Boating Usage Demand - Guideline

The GCWA conducts periodic analysis of demand for public marine facilities and infrastructure through a Demand Forecasting Study which is reviewed and updated every 10 years. This study is part of a state wide analysis. The GCWA also liaises with the City of Gold Coast when considering proposed new projects as suggested by either party and also coordinates with Council prior to the construction phase to ensure budget allocations for both entities are aligned

The GCWA recognises three levels of demand for public marine facilities:

- off-peak demand – typical weekday usage.
- average demand – taken to be demand for a facility on weekends and other busy periods.
- peak demand – demand for a facility at peak holiday periods or for special events.

The GCWA expects off-peak demand at a given facility to be met in almost all circumstances. Its program of works is aimed at satisfying average demand.

The GCWA does not cater for peak demand. This is because:

- Allocated funds are stretched meeting demand for basic marine infrastructure such as dredging, pontoons, breakwaters and boat ramps.
- Local managing authorities cannot allocate sufficient resources (land and funds) for peak demand days. Scarce foreshore land is in intense demand for other purposes, as is funding.

A 2011 demand forecasting study equated these levels of demand to an approximate percentage of the registered boat fleet likely to use boating facilities. These approximations equated to 8% usage for off-peak demand, 14% for average demand and 20% or greater for peak demand. However, these are averages and need to be adjusted (up or down) for particular areas. The updated 2016 study makes and justifies such variations on an area by area basis

### 3.1.3 Funding of State-Owned In-Water Facilities and Infrastructure - Guideline

On the Gold Coast, the GCWA Capital Works and Maintenance Program generally funds new and upgraded in water facilities and infrastructure for state ownership, with the local managing authority as the appointed on-site manager.

The management appointment of the local managing authority does not extend to dredged channels.

The GCWA provides public marine facilities and infrastructure where:

- Funds are available.
- construction is in accordance with GCWA standards.
- there is a joint undertaking between the GCWA (for the in water components) and the local managing authority (for the land based components) and

- the local managing authority has agreed to be appointed as manager of the state-owned in water components under the *Transport Infrastructure Act 1994*.

### 3.1.4 Grant Funding - Guideline

Grant funding may be provided to the local managing authority (by request or arrangement) to own, and assume on-going responsibility for, public marine facilities and infrastructure.

Where funds are available, grants may be provided for agreed purposes such as breakwaters, channels, dredging, boat ramps, and related marine infrastructure. Grants may be for any valid reason at the GCWA's discretion and may be subject to a written agreement.

## 3.2 Commercial and Passenger Transport Usage of Marine Infrastructure - Guidelines

### 3.2.1 Funding of commercial marine infrastructure - guideline

Funding will not be provided for the provision of marine infrastructure to assist passenger transport services and other commercial operations unless there is significant projected recreational usage (generally greater than 50%) of the facility.

Where there is an element of commercial demand for a public marine facility, the following proportions of GCWA funding will apply where the GCWA agrees to own the facility:

- The commercial demand is about equal to the recreational boating demand: 50% funding through the GCWA.
- The projected commercial demand is significantly greater than the recreational boating demand: 25% funding through the GCWA.
- There is projected significant commercial demand and little or no demand by the recreational boating public: no funding through the GCWA.

### 3.2.2 Approval for Commercial Use of GCWA Owned Public Marine Facilities and Infrastructure - Guideline

In accordance with section 6 of the *Transport Infrastructure (Public Marine Facilities) Regulation 2011* an appointed manager of a public marine facility must seek written consent from the GCWA for commercial use of a public marine facility. See Appendix B.

### 3.2.3 Assessing Commercial Use of Public Marine Facilities and Infrastructure - Guideline

The GCWA will assess applications from the local managing authority for commercial use of a public marine facility on a case by case basis.

When assessing whether to allow commercial use of a new or existing facility a number of matters will be taken into consideration, including:

- operators not interfering with or hindering genuine private recreational boating usage of the facility.
- whether the facility can accommodate both commercial and recreational users.
- whether the facility is designed to take commercial vessel loads/impacts; and

- where there is mixed recreational and commercial use of a public marine facility, degree of compliance of the infrastructure with appropriate Australian Standards for commercial use.

### **3.2.4 Costs for Shared Commercial/Recreational Use of GCWA Owned Public Marine Facilities and Infrastructure - Guideline**

Where the recreational boating public and commercial or public transport interests share a facility, the costs of initial provision, maintenance, upgrade and replacement will be shared with the local managing authority on the basis of proportionality to actual or estimated usage of those three user classes. Such cost sharing and ownership/ management/ maintenance arrangements will be by written agreement.

The local managing authority will normally recover contributions at its discretion from commercial operators by charging of fees through the passing of local laws, a regulated fee or resolution of a board. A fee must not be imposed for genuine private recreational use of the in-water components of a public marine facility.

### **3.3 Closure or Relocation of Public Marine Facilities - Guideline**

GCWA does not support proposals involving the permanent closure of public marine facilities – unless the proposal also provides for the establishment or relocation of equivalent public marine facilities and supporting infrastructure to a proximate location at no cost to the GCWA.

The new proposed facilities must illustrate that it is better better than the existing in both serviceability and capacity so as to contribute to future community recreational needs.

### **3.4 Maintenance of Public Marine Facilities - Guideline**

#### **3.4.1 Maintenance Contributions for State Owned Public Marine Facilities - Guideline**

The GCWA is responsible for refunding to the appointed manager the cost associated with the structural maintenance of the in-water components of GCWA owned public marine facilities. This is on the basis that cost estimates are approved by the GCWA prior to commencement of works.

Appointed managers are responsible for funding associated with the day to day maintenance, management and operation of the facility including:

- cleaning above and below water of ramps, pontoons and floating walkways.
- removal of debris.
- removal of minor accumulation of silt, sand and mud using manual methods such as a shovel or broom, a hose or high pressure water cleaner or machinery that will not damage the boat ramp structure (see note below).
- cleanliness and readability of signage (see 2.6 for more on signage).
- concrete crack repairs (filling and sealing).

- minor ramp shoulder maintenance.
- other minor maintenance.

Note: Provided prior approval is sought, the GCWA may reimburse the cost of removal by land-based machinery of significant accumulation of silt, sand or mud that cannot be successfully addressed by other methods. The GCWA will consider special case assistance for the facility manager where regular or seasonal siltation rates at a facility are significant and beyond the normal level or maintenance works expected of the facility manager.

### **3.4.2 Maintenance Contributions for Non-State Owned Marine Facilities - Guideline**

Where there is liability for GCWA contributions to maintenance of non-state government owned marine facilities, the owner must seek concurrence from the GCWA prior to commencing the maintenance work.

Maintenance agreements will be re-negotiated in accordance with current patterns of usage from time to time.

Any prior maintenance agreement with the GCWA lapses at end of useful asset life unless agreed otherwise in writing.

### **3.4.3 End of Life Costs/Decommissioning/Asset Disposal - Guideline**

For marine facilities and infrastructure that reach end of useful asset life, the liability for replacement or decommissioning rests with the asset owner, unless negotiated otherwise in writing. If agreed by both parties, the GCWA can also dispose of assets that have reached the end of their useful asset life by transferring to another Queensland Government entity (including local managing authorities).

## **3.5 Management of Public Marine Facilities - Guideline**

The management of the in-water components of each state-owned public marine facility is vested in the local managing authority by management appointment under the *Transport Infrastructure Act 1994*.

As part of these management appointment arrangements the appointed manager is required to manage the facility and carry out or arrange maintenance. See section 460 of the *Transport Infrastructure Act 1994* (Appendix A) for maintenance responsibility.

The statutory power of the GCWA to vest the management and control of a public marine facility is found in sections 459 and 519 of the *Transport Infrastructure Act 1994*.

Management and maintenance requirements are amplified in this plan and specified in the *Transport Infrastructure Act 1994*, its *Transport Infrastructure (Public Marine Facilities) Regulation 2011* (extracts at Appendix B), and in the Authorities document Standard Terms and Conditions for the Management and Control of a Public Marine Facility (Appendix A) as amended from time to time.

Dependent on the site, regular inspections by appointed manager staff are required for operational status of the facility, attending to silt and growth removal, cleanliness, etc.

The GCWA expects the appointed manager to conduct regular technical and safety inspections of facilities under their management by suitably qualified or experienced staff, such that timely action is taken on day to day management, maintenance and structural integrity. Six-monthly inspections are recommended as a minimum, more frequently on a needs basis such as at silt-prone boat ramps. The appointed manager may request a joint inspection with a GCWA officer.

## 3.6 Signage at Public Marine Facilities - Guidelines

### 3.6.1 Responsibility for Signage at Public Marine Facilities

For state-owned public marine facilities with an appointed manager, the appointed manager is responsible for signage.

Nothing in the guidance below removes the overall responsibility from the public marine facility manager for all signage in a facility it manages.

Responsibility for signage flows from its placement on land controlled by the facility manager and from sections 460, 462 and 463 of the *Transport Infrastructure Act 1994* (Appendix B) and section 7 (d) of the *Transport Infrastructure (Public Marine Facilities) Regulation 2011* (Appendix B). These legislative requirements relate, among other things, to empowerment, liability, responsibility and management. They are supported by section 3 of the Standard Terms and Conditions for the Management and Control of a Public Marine Facility (Appendix A).

### 3.6.2 Signage (Owner/Manager Names) - Standard

For public marine facilities with an appointed manager:

- The GCWA requires and will provide a sign to GCWA standards with the Queensland Government logo, GCWA logo and facility type.
- The appointed manager is required to provide a sign indicating it is the facility manager and showing contact details. This sign will normally incorporate the appointed manager's logo and will be to the appointed manager's signage standard.

Where there has been agreement between the GCWA and the local managing authority to provide signage in the style of the local authority, the local authority must ensure all the relevant information as shown in the standard Queensland Government signage (Refer to 3.6.4).

The Queensland Government has standards for signage on its buildings and infrastructure. These standards cover colours, logo, lettering size and font, etc.

Compliant drawings for public marine facility signage have been prepared by the GCWA and are available on request. They comply with relevant Australian Standards.

### 3.6.3 Load Limit Sign for Ramps - Guideline

A load limit sign for ramps is mandated by section 4(g) of the Standard Terms and Conditions for the Management and Control of a Public Marine Facility and is the responsibility of the facility manager.

Ramps have been damaged in the past by excess loading. Prosecution of offenders may be instigated by appointed managers or the GCWA.

### **3.6.4 Warning and Advisory Signage - Guideline**

At the discretion of the public marine facility manager, and based on circumstances impacting the facility, signage may be placed indicating:

- ramp may be slippery (recommended for all boat ramps).
- tide restricted ramp.
- steep drop at end of ramp.
- ramp, pontoon or floating walkway affected by cross currents.
- ramp, pontoon or floating walkway exposed to wave action in strong winds.
- steeper grade towards end of ramp.
- all boating activities have precedence over all fishing activities.
- overhead wires/lower masts (where wires pose a potential risk to users).
- ramp, pontoon or floating walkway etiquette.
- restrictions and guidance on facility usage supported by local laws, such as berthing time limit on pontoons and floating walkways, no oyster removal, no diving/jumping, etc (provisions should be supported by local laws or equivalent port provisions).
- other warning, advisory or local law signs deemed necessary.

### **3.6.5 Funding and Provision of New or Replacement Signage at Public Marine Facilities with Appointed Manager - Guideline**

For new or significantly upgraded public marine facilities, the GCWA will provide a multi-panel sign incorporating the above information as agreed with the appointed manager.

The appointed manager must ensure that wording on signage accords with its legislated responsibility and liability for all aspects of public marine facility management and operation.

The appointed manager, in accordance with its appointment powers, may replace or add to signage provided by the GCWA.

Replacement or addition of signage on the primary multi-panel facility sign may be instigated by the appointed manager at any time. Funding, along with all aspects of signage, is the responsibility of the appointed manager, however the GCWA may:

- reimburse the costs of the appointed manager, provided approval is sought in advance and the proposed signage is to GCWA standards.
- instigate and fund replacement signage by arrangement with the appointed manager.

### **3.6.6 Signage Maintenance and Update - Guideline**

The manager of a public marine facility, whether GCWA or an appointed manager, should conduct regular inspections of signage and instigate any necessary update, maintenance, replacement or removal.

A systematic annual review of signage is expected as a minimum standard of stewardship from each public marine facility manager.

Appointed managers may request a joint inspection with a GCWA officer at any time to assist with management and maintenance of facilities.

### **3.6.7 Signage Not Directly Associated with Public Marine Facility Usage - Guideline**

The GCWA considers that signage on or near public marine facilities should be limited and carefully managed, as proliferation reduces the effectiveness of essential signage and impacts visual amenity.

Signs relating to management of the facility, public safety, amenity (noise etc), environmental protection and regulatory compliance should take precedence over other signage.

Signage for entities other than the GCWA or appointed manager is at the discretion of the public marine facility manager.

The GCWA supports painting across the top of boat ramps indicating that a marine park is about to be entered.

## **3.7 Naming of Public Marine Facilities - Guidelines**

Naming of public marine facilities managed by the GCWA will be guided by the TMR's Dedication and Naming of Aids to Navigation guideline.

Naming of public marine facilities that have an appointed manager other than the GCWA (that is, council or port authority) will be an issue for the appointed manager to determine. The appointed manager should inform the GCWA of the intention and in most instances the GCWA will advise no objection.

## **3.8 Development by Private Interests - Guideline**

The GCWA encourages involvement by the private sector or other agencies in the provision of boat launching and landing facilities and associated dredged channels.

The GCWA reviews the state interest in new private developments to ensure adequate marine infrastructure - public boat launching and landing capacity in the locality, including allowance for additional future demand generated by the particular development.

The GCWA seeks to ensure the following:

- an agreement from the developer to provide any created shortfall in area boat ramp lanes, together with queuing pontoon(s) and floating walkway(s) deemed necessary, and adequate car and car-trailer parking – noting that this extra capacity may be on-site, or geographically separate, and can contribute to the community's future marine facilities needs.
- a pontoon landing for displacement craft being provided or contributed to (if required)
- new facilities and infrastructure being to the GCWA's standards

- the developer setting in place an agreement with the state or the local managing authority about ownership of the in-water facilities, and with the local managing authority about owning the land-based facilities
- unless the GCWA agrees in writing that a private-sector-provided facility will have all-tide access to the Broadwater or a landing will be accessible by deeper draught vessels, there being no commitment by the GCWA for initial access dredging or ongoing maintenance dredging

### 3.9 Infrastructure for Commercial/Tourism Operators and Passenger Transport - Guideline

The GCWA does not provide new public marine facilities or infrastructure to serve tourism, commercial operations or passenger transport except where:

- an existing facility is in legacy ownership by the GCWA or subject to an existing maintenance agreement.
- a proposed new facility's boating usage is projected to be at least 50% recreational

Prior to committing to projects involving significant commercial or passenger transport facility usage, a management agreement will be negotiated with the local managing authority regarding management, operation, and future maintenance responsibilities and funding for this facility

### 3.10 Boat Launching and Landing Facilities - General

A boat launching facility can vary from the most basic boat ramp for beach access to a major facility including a multi lane boat ramp, access road, car/trailer parking, public amenities, lighting, floating walkways, pontoons, dredged channel and aids to navigation.

#### 3.10.1 Boat Launching and Landing Facilities - Guidelines

Provision of new boat ramps and landings should be a joint undertaking between the GCWA and a local managing authority

Standard partnership funding, subject to written confirmation at project inception, is subject to:

- The GCWA funds and owns the standard in-water components of the facility (ramps, pontoons, floating walkways, breakwaters, groynes).
- The local managing authority funds and owns the car-parking, car-trailer parking, rigging and wash-down areas, above high-water-mark manoeuvring area, access road to the facility and any lighting and other land-based services and facilities.
- The local managing authority needs to have appropriate control of land above high water mark and agree to manage the total facility, to carry out day to day maintenance, and to be appointed as manager of the in-water state-owned facilities under the *Transport Infrastructure Act 1994* and its *Transport Infrastructure (Public Marine Facilities) Regulation 2011*.

- Areas reclaimed from tidal foreshores to become part of a public marine facility such as short causeways, reclaimed manoeuvring apron and works thereon, will be negotiated for funding and construction between the GCWA and the local managing authority. Such reclaimed land immediately adjacent to the facility will become (after high water mark survey) owned by, or in trusteeship of, the local managing authority. This arrangement does not relate to the access road (and their bridges, cuttings, causeways and culverts) leading to the facility.
- Areas constructed/reclaimed for car-parking, car-trailer parking, rigging/wash-down, facilities and community use areas will be funded and owned by the local managing authority including any reclamation necessary for these areas.
- In particular circumstance the GCWA may consider a contribution to such reclamation/works. Non-standard partnership funding may be negotiated on a case by case basis, where circumstance warrants a variation from the standard principles. For instance, the GCWA may consider up to 50% funding of any reclamation component of a car-trailer-parking or rigging area.

### 3.10.2 Boat Launching and Landing Facilities Design - Guideline

The design of a boat launching or landing facility for GCWA ownership can be carried out by the local management authority, by the GCWA, or by a consultant to GCWA standards.

Design requirements for GCWA owned boat launching and landing facilities are provided in TMR standard design documents (including boat ramps, floating walkways, pontoons and car park layout drawings). They may also be specified for individual facilities in the design or tender documentation, or approved by the GCWA if from external sources.

### 3.10.3 Design Criteria - Link

<http://www.tmr.qld.gov.au/business-industry/Technical-standards-publications/Design-criteria-Marine.aspx>

### 3.10.4 Technical Specifications - Link

<http://www.tmr.qld.gov.au/business-industry/Technical-standards-publications/Specifications/2-Bridges-Marine-and-Structures.aspx>

### 3.10.5 Standard Drawings - Link

<http://www.tmr.qld.gov.au/business-industry/Technical-standards-publications/Standard-drawings-roads/Bridges-Marine-and-structures.aspx#Marine>

### 3.10.6 Facilities for Volunteer Marine Rescue and Coastguard - Guideline

In terms of meeting coastguard and volunteer marine rescue requirements, these are serviced by using purpose-built exclusive facilities funded by the coastguard or volunteer marine rescue organisation with contribution from its normal line of government support (Emergency Services).

The GCWA may take coastguard and volunteer marine rescue needs into account when designing new or upgraded facilities, however the investment should be primarily aligned with meeting the direct needs of private recreational boats.

## 3.11 Boat Ramps and Associated Car-Trailer Parking

### 3.11.1 Boat Ramp Gradient - Guideline

Boat ramps are normally provided at grades no shallower than 1 in 10 and no steeper than 1 in 8. Steeper ramps (to 1:7) may be considered on a once-off approval basis taking into consideration:

- intrusion into a creek is too great (navigational perspective) for a standard length ramp.
- ramp slipperiness at the steeper slope can be managed.
- site specific factors.

### 3.11.2 Boat Ramp Length - Guideline

In coastal waterways, where possible, boat ramps are constructed such that the ramp extends into the water to a depth not less than 0.5 metres below Lowest Astronomical Tide (LAT).

In inland waterways, where possible, boat ramps are constructed such that the ramp extends into the water to a depth not less than 0.5 metres below the anticipated lowest water level (subject to assessment of likely water level fluctuation).

### 3.11.3 Boat Ramp Design

See links at 3.10.3, 4, 5 above for GCWA design criteria, technical specifications and standard drawings.

### 3.11.4 Boat Ramp Car-Trailer Parking - Guideline

Parking and other land-based services that impact the in-water facilities are to be provided by the local managing authority to GCWA standards.

Minimum car-trailer unit parking space numbers are:

- 90 for four-lane ramps.
- 70 for three-lane ramps
- 45 for two-lane ramps
- 15 for single-lane ramps with sealed road access
- 10 for single-lane ramps with all-weather unsealed road access

There are no car-only parking bay number requirements. Local managing authorities are encouraged to provide some car-only parking bays if space is available to the Australian Standard.

The above requirements are, in some instances, less than recommended under Australian Standards. Additional car-trailer unit capacity should be provided wherever possible. This is particularly the case for high use, multi-lane facilities.

Boat launching facilities are to include:

- a defined, off street, all-weather manoeuvring and car-trailer parking area to GCWA standards.

- all-weather access from the street, road, car-trailer park and manoeuvring area to the top of the ramp
- toilets and tap water for boat ramps of three lanes or more

At the local managing authority discretion, the access road surface should be sealed except for minor single-lane ramps. Such minor single-lane ramps should have an all-weather access to the ramp.

The criteria in this section are provided by TMR and may be used as a contractual or deed of agreement pre-requisite for funding approval. They are not applicable to marine facilities owned by entities other than the GCWA.

The criteria are not usually applied retrospectively at existing facilities. However, an upgrade in capacity at a facility will usually require a commensurate increase in parking capacity.

### **3.11.5 Boat Ramp Queuing Facilities - Guideline**

Queuing facilities may consist of a natural or constructed beach, extra lane, floating walkway or pontoon.

To aid boat launching and recovery, at least one queuing facility is required at all ramps except low-use single-lane boat ramps, where the ramp itself serves as the queuing facility.

Where site conditions preclude construction of a queuing beach or other queuing facility, and usage level warrants, an extra lane may be considered to serve this purpose.

A queuing beach, on publicly-owned foreshore, should where possible extend ten metres or more to each side of the boat ramp.

When site conditions permit, queuing beaches will be included in the configuration of boat launching facilities regardless of whether a pontoon or floating walkway is also provided. This recognises the popularity and amenity of beaches.

### **3.11.6 Boat Ramp Lighting and Lights - Guideline**

On newly constructed or upgraded boat ramps reflectors and/or line marking may be included in the design – to provide guidance to vessels approaching in minimum light and to indicate desirable lane separation and facilitate multiple simultaneous launchings or recoveries.

Public marine facility managers may install reflectors and/or line marking at existing boat ramps at their discretion. The GCWA may, if given prior notice and an estimate, reimburse the cost of installing reflectors.

Where required by a harbour master as part of the approvals process, a navigation light may be provided at the boat ramp.

Public marine facility managers may provide flood or other fixed lighting as part of the land-based facilities. Any land-side lighting provided by the GCWA at or after initial construction is deemed to be owned and maintained by the facility manager – unless subject to contract defects provisions.

Where appropriate, AS1158.3.1-2005 Lighting for roads and public spaces will be complied with.

### 3.11.7 Ramp Wash-Down Facilities - Guideline

Wash down facilities are supplied by and at the discretion of the public marine facility manager.

If provided, the wash down bay and water will need to be incorporated into the car-trailer park configuration. To limit water wastage at large facilities the facility manager may choose to limit (by signage) wash-down to cleaning salt water off trailers and their braking systems.

### 3.11.8 Fish Cleaning Facilities - Guideline

The GCWA does not usually provide fish cleaning facilities at state-owned public marine facilities as they have the potential to create operational, health and safety issues.

The GCWA generally discourages fish cleaning at public marine facilities as disposal of fish waste into the waterways can attract dangerous marine species, which can create an increased risk to boat ramp users. Land-based vermin, birds and insects can be attracted creating visual, hygiene and odour concerns.

## 3.12 Landings – pontoons, Floating Walkways and Jetties - Guidelines

### 3.12.1 pontoons and Floating Walkways - General

See later sections for specific guidelines on pontoons (3.12.6), floating walkways (3.12.7) and jetties (3.12.9).

### 3.12.2 pontoons and Floating Walkways - Definitions

**Pontoon** – means a gangway-access pontoon, not being a floating walkway. The primary purposes for pontoons include:

- vessels (including deeper draught vessels) berthing for a limited time to pick up or set down passengers or stores.
- access by tenders to shore from larger vessels and leaving tenders for longer periods (such that they do not interfere with the primary berthing face(s)).
- as a queuing facility for boat ramps.

**Floating walkway** – means a multi-modular facility located on and extending from a concrete ramp and not requiring a gangway or access span. Floating walkways are primarily to service trailer-borne craft at public boat ramps as queuing facilities during launching and recovery.

### 3.12.3 Provision of pontoons and Floating Walkways - Guideline

The GCWA may provide public pontoons and floating walkways to meet the needs of the recreational boating public.

The GCWA recognises the utility, popularity and improved safety offered by pontoons and floating walkways and will install them more often as funds allow.

Pontoons or floating walkways will be considered where:

- funds are available

- the site is suitable in terms of current, storm wave action, vessel wash, and shelter
- a higher level of service is warranted, such as at high-use or multi-lane boat ramps, or to service the needs of deeper-draught vessels and their tenders
- a significant safety issue exists.

Gangway-access pontoons can be designed to cope with higher wave climates than floating walkways.

The GCWA generally provides pontoons and floating walkways on the basis of best long term value for money for public investment and the closest approach to 25 years or greater design life, with minimised maintenance and mid-life refurbishment costs.

The GCWA has divided potential sites for pontoons and floating walkways into three categories:

- those that are permanently sheltered from both significant wind waves and large boat washes, such as in marinas and small enclosed harbours.
- those that are sheltered from significant wind waves and large boat washes, but are subjected to strong cross currents, flood loadings and potential debris loadings, such as in rivers and estuarine systems.
- those that are in exposed locations and experience significant storm wave action either directly or by wave/swell refraction such as in open inlets/estuaries, and on exposed coastlines.

Desired durability is the same for all three categories. However sites exposed to greater wave or wash action will require significantly more robust structures, higher stability performance, potentially greater freeboard to cope with wave action, heavier duty working parts, and extra consideration given to pile intervals.

GCWA design criteria, technical specifications and standard drawings are provided by links at 3.10 above.

GCWA also funds other pontoon structures to provide waterways access for kayaks and other passive watercraft.

#### **3.12.4 Pontoon and Floating Walkway Site Suitability - Guideline**

A wave study will be conducted, or be required to be conducted, if there is any doubt about the site's suitability in relation to the proposed pontoon or floating walkway design, its robustness, or potential durability.

In waterways liable to floods, the GCWA may consider the risk too high for any floating structure. Compensating issues which may allow pontoons or floating walkways to be constructed in such waterways include:

- preference for gangway-access pontoons over floating walkways in more difficult site conditions.
- robustness and history of the particular commercial products being considered for installation.

- consideration of the proximity to the waterway mouth and thus the limitation on potential flood height.
- the ability of the pontoon or floating walkway to sink or float free (restrained by chain or wire).

### 3.12.5 Provision of Fresh Water on Landings - Guideline

Water outlets will usually be provided with some form of access restriction, such as key operation or a spring-loaded valve.

### 3.12.6 Pontoons (with Gangway Access)

The GCWA may provide pontoons (with gangway access) at boat launching facilities or as pickup/set-down landings to meet the needs of the recreational boating public. They will be considered for prioritisation alongside other public marine facility and infrastructure demand.

The GCWA seeks to maximise compliance with national disabled access guidelines wherever possible for gangway-access pontoons.

### 3.12.7 Floating Walkways

The GCWA may provide floating walkways (as queuing facilities during boat launching and recovery) to service trailer-borne craft at public boat ramps.

Floating walkways will normally be constructed onto either:

- a new or existing boat ramp.
- a new purpose-built widened section joining an existing boat ramp at the same slope as the ramp.

The width of the ramp for a floating walkway may:

- for a new ramp, match the floating walkway width.
- for a new ramp, have a full lane width assigned to it.
- use up one lane of an existing ramp.

### 3.12.8 Use of Public Marine Facilities as Fishing Platforms

Boat ramps, floating walkways and pontoons are often used as fishing platforms by the public. The use of public marine facilities as fishing platforms provides an extra but secondary benefit to the public.

Use of boat ramps, floating walkways and pontoons as fishing platforms is at the discretion of the appointed manager. Boating use of boat ramps, floating walkways and pontoons always takes priority over fishing. Appropriate signage and compliance activities should be implemented as required by the facility manager (see section 3.6 on signage). Such signage should preferably be directed at self-regulation by users.

The GCWA encourages secondary use of public marine facilities as fishing platforms where appropriate, to maximise recreational benefits to the public.

In circumstances where compliance officers are available and congestion occurs frequently, signage may be erected by the facility manager prohibiting fishing.

### 3.12.9 Jetties

The construction of new jetties (including replacement jetties) for recreational boating usage does not rate a high priority for funding unless there are particular circumstances at the site – such as exposure to significant wave action.

Unless extraordinary circumstances exist, the GCWA will not fund construction of new jetties.

Pontoons and floating walkways are of greater utility and more popular with the recreational boating public than old style jetties, even ones with multiple landings to cope with tidal variation.

The GCWA will continue to maintain existing legacy-owned jetties, will seek to transfer those used primarily for non-recreational boating purposes to other entities, and to gradually decommission jetties as they reach the end of their useful asset lives.

# Glossary of Terms

<b>All-tide</b>	that a vessel can be realistically launched into or retrieved from the waterway at the site for 100% of the tidal range
<b>GCWA</b>	Gold Coast Waterways GCWA
<b>Dredging</b>	removal of seabed material by mechanical means to provide greater water depth
<b>Floating walkway</b>	multi-modular facility located on and extending from a concrete ramp and not requiring a gangway or access span
<b>Land-side</b>	refers to infrastructure constructed above high water mark
<b>Local managing authority</b>	local Council (City of Gold Coast)
<b>Local law</b>	includes laws passed by councils and valid orders issued by port authorities
<b>Material</b>	the geotechnical strata of the seabed being excavated by the dredge
<b>Marine infrastructure, public marine infrastructure, public marine facilities, marine infrastructure, public marine infrastructure and similar terms</b>	<p>are used as the context requires, having their ordinary English meaning. Depending on context, such terms may include facilities and infrastructure not owned by the GCWA, and may also include infrastructure such as dredged channels, breakwaters and revetments.</p> <p>Not all public marine facilities (in the general sense of the term) are associated with the GCWA. Some public marine facilities are owned by councils, by inland impoundment managers, by other government GCWAs, by resorts, by port authorities, and by clubs and other private entities. Not all boating or public marine infrastructure consists of boating facilities – for example dredged channels, breakwaters, and revetments.</p>
<b>Near all-tide</b>	a vessel can be realistically launched into or retrieved from the waterway at the site for at least 80% of the tidal range
<b>Part-tide</b>	a vessel can be realistically launched into or retrieved from the waterway at the site for at least 50% of the tidal range
<b>Pontoon means</b>	a gangway-access pontoon (and not a floating walkway)
<b>Public marine facility</b>	<p>defined in the Transport Infrastructure Act 1994 and means public marine transport infrastructure, including:</p> <ul style="list-style-type: none"> <li>land or waters associated with the infrastructure that are affected by its use</li> <li>land or waters specified for the infrastructure under a regulation made with the objective of clarifying what are the land or waters associated with the infrastructure that are affected by its use. Examples: an area of land and</li> </ul>

	<p>waters, specified under a regulation, that constitutes a boat harbour; and: breakwaters, jetties, landings, mooring piles, pontoons, car parks and land or waters affected by the use of the infrastructure.</p> <p>Outside this policy and the Act, the term public marine facility has its ordinary English meaning – particularly for infrastructure not owned by the GCWA.</p>
--	---

# Appendix A – Terms and Conditions of Appointment

## Standard Terms and Conditions for Management and Control of a Public Marine Facility

1. These Terms and Conditions shall be read in conjunction with the requirements of the *Transport Infrastructure Act 1994* and the *Transport Infrastructure (Public Marine Facilities) Regulation 2011* as amended from time to time. Where any difference or doubt arises, the Act and Regulation will prevail.

Definitions:

**(a) public marine facility** means public marine transport infrastructure

**(b) public marine transport infrastructure** means state-owned or state-controlled transport infrastructure relating to Queensland waters, other than port or miscellaneous transport infrastructure

2. Attention is drawn to the requirements, as amended from time to time, of:

a) *Transport Infrastructure Act 1994* (the Act)

459 – Appointment of manager of public marine facility

460 – Manager’s responsibility for maintenance and injuries

462 – Management by local government (local laws)

463 – Management by port authority

519 – Transitional – Appointment as manager under the Act applies where management of facility was vested by Order in Council prior to the Act

b) *Transport Infrastructure (Public Marine Facilities) Regulation 2011* (the Regulation)

Division 1 – Management

5 – Manager appointed

6 – Condition of appointment

7 – Manager’s responsibilities for managing public marine facility

Division 2 – Use of, and safety at, certain public marine facilities

8 – Application of Division 2 (applies only to boat ramps and landings)

9 – Using boat ramp or landing – penalties for misuse – load limits and signage

3. The Authority (i.e. council or port authority) shall:

a) manage, control, supervise and administer the public marine facility

b) maintain the public marine facility (see the Act, Section 460 (1) and the Regulation, Section 7)

c) meet the costs of:

1) management, control, supervision and administration of the public marine facility

- 2) maintenance of the public marine facility subject to clause 7 of these Terms and Conditions (see Regulation, Section 7(1)(d)
  - 3) maintenance of signage associated with the facility.
4. The authority shall (under the head of power provided by the Act, Section 462 or 463) make local laws for the management and control of the public marine facility, and the conduct of persons thereon, which local laws shall require (but not be limited to requiring) that:
- a) If a boat ramp, it shall be available at all times for use by the public without charge for launching and retrieving of trailer-borne private recreational vessels;
  - b) If a landing, it shall be available at all times for use by the public without charge for the embarking and disembarking operations of private recreational vessels. The maximum staying time shall be determined and displayed on or near the landing;
  - c) If a landing, and it provides a queuing facility for an associated boat ramp, it shall be available at all times for use by the public for launching and retrieving trailer-borne private recreational vessels at the associated boat ramp;
  - d) A boat ramp or landing shall not be used for any other purpose except with the express permission of the Authority obtained beforehand. In particular, boat ramps and landings shall not be used by cranes without prior permission or above prescribed load limits;
  - e) The local laws shall refer to (and may extend) the acts prohibited under the Regulation, Sections 8 and 9 (Use of, and safety at, certain public marine facilities);
  - f) The manager shall determine whether a landing is to be accessible by vehicles and shall pass a local law to that effect and display the ban or maximum load by notice on or near the landing in accordance with the Regulation, Section 9(9) (Use of, and safety at, certain public marine facilities); and
  - g) The manager shall erect a sign stating the maximum load to be applied to a boat ramp. The maximum load shall be in accordance with the Regulation, Section 9(7) (Use of, and safety at, certain public marine facilities).
5. The Authority may (and is hereby authorised to) enter into agreements with third parties for the non-exclusive use of the public marine facility for commercial or other purposes, provided that:
- a) If the public marine facility is a boat ramp the Authority shall not enter into an agreement for, or otherwise authorise or permit the use of the boat ramp for the loading or unloading of barges or for the taking on or discharge of cargo;
  - b) The Authority shall not enter into an agreement for the non-private usage of any public marine facility unless the approval in writing of the Director-General, GCWA of the agreement and its terms, conditions and duration is first obtained;
  - c) The said Director-General shall not approve the entering into of an agreement if, in his opinion, the entering into of the agreement would unreasonably impede or disturb the use of the public marine facility by the recreational boating public; and

- d) The Authority may, as part of any such agreement with third parties, issue licences and charge fees. A portion of such fees may, as part of the GCWA approval conditions, be set aside for structural maintenance or eventual facility replacement.
- 6. The local laws made in accordance with clause 4 of these Terms and Conditions may provide for the imposition of fees for parking in a parking area provided by the Authority for use in conjunction with the public marine facility.
- 7. The Authority shall be entitled to claim and receive from the GCWA reimbursement of the cost to the Authority of maintenance of the public marine facility, provided that:
  - a) the expenditure was incurred while local laws made in accordance with clause 4 of these Terms and Conditions were in force;
  - b) the prior approval of the GCWA was obtained in relation to that expenditure;
  - c) the maintenance was of a structural nature necessary to repair or prolong the life of the public marine facility or to render it safe and effective for its purpose.  
Note: Reimbursable maintenance on the public marine facility does not include cleaning, the removal of silt, debris or algal growth or the operational cost associated with lighting or water supply;
  - d) the Authority has certified that the expenditure was actually incurred in relation only to the maintenance of the public marine facility and that no other claim has been made in respect of that expenditure; and
  - e) the proportion of the maintenance cost incurred by the Authority which shall be reimbursed by the GCWA shall be as agreed in writing between the Authority and the GCWA.

# Appendix B – Legislation Extracts

## Transport Infrastructure Act 1994

### Chapter 15 - Public marine transport infrastructure

#### Part 1 Public marine facilities

#### 459 Appointment of manager of public marine facility

- (1) The Governor-in-Council may, by regulation, appoint a person (the manager) to manage a public marine facility. Examples of persons who may be appointed: a local government, a port authority, the chief executive or the person who is for the time being the manager of a resort.
- (2) The appointment may only be made if the person consents to the appointment.
- (3) The appointment may be on conditions stated under the regulation, including the payment of a fee to the chief executive for moorings in the facility.
- (4) Under a regulation, a condition may be changed if the manager consents to the change.
- (5) However, the consent of the manager is not required to change the fee payable under a regulation to the chief executive for moorings in the facility.
- (6) Subsection (3) does not limit the power to impose, under a regulation, fees for moorings in a public marine facility, whether or not a manager has been appointed to manage the facility.

#### 460 Manager's responsibility for maintenance and injuries, etc

- (1) The manager is responsible for maintaining the public marine facility in good condition to a standard appropriate to its use.
- (2) The facility is taken, for the purposes of all adverse civil proceedings in relation to death, injury, damage or loss, to be solely owned, occupied and under the management, control and responsibility of the manager.
- (3) However, subsection (2) does not apply to the extent any death, injury, damage or loss is attributable to a structural defect in the facility unless:
  - (a) the defect is attributable to the manager's failure to:
    - (i) properly construct, extend or alter the facility in accordance with a sanction under a provision continuing to have effect under repealed section 236; or
    - (ii) properly maintain the facility; or
  - (b) the defect or its continuation is attributable to a contravention by the manager of the conditions of the manager's appointment.

#### 462 Management by local government

If a local government is the manager of a public marine facility, the local government:

- (a) has, for the facility, all the functions, powers and obligations of a local government under the Local Government Act 2009; and
- (b) may make local laws and do anything it considers necessary or convenient for the facility's effective and efficient management.

#### **463 Management by port authority**

- (1) If a port authority is the manager of a public marine facility, the port authority:
  - (a) has, for the facility, all the functions, powers and obligations of a port authority under chapter 8(b) may exercise its powers, and do anything it considers necessary or convenient for the facility's effective and efficient management.

#### **519 Transitional—wharf or other harbour work**

- (1) This section applies if management and control of a wharf or other harbour work was vested in a person under the repealed Harbours Act 1955, section 140 immediately before the commencement of this section.
- (2) From the commencement, the person is taken to be appointed under section 459 as the manager of the public marine facility constituted by the harbour work (the facility).
- (3) A provision of a by-law under the Local Government Act 1936, or local law, about the facility that was in force immediately before the commencement continues in force from the commencement until the manager makes a local law under section 462 that replaces, or is inconsistent with, the provision.
- (4) A resolution of the board of a port authority about the facility that was in force immediately before the commencement continues in force from the commencement until the port authority takes action under section 463 that replaces, or is inconsistent with, the resolution.
- (5) Despite subsections (3) and (4), an amount that immediately before the commencement was fixed under section 140(4A) of the repealed Harbours Act 1955 in relation to the facility continues to be fixed from the commencement until a fee is imposed, under section 466 for the facility for any matter.
- (6) A right, permit or licence granted under any of the following by-laws that was in force immediately before the commencement, is taken from the commencement to be an approval granted by the chief executive as manager of the facility:
  - *Bowen Harbour By-law 1977, by-laws 1, 2, 9 and 10*
  - *Mooloolaba Boat Harbour By-law 1976*
  - *Roslyn Bay Boat Harbour By-law 1980*
  - *Snapper Creek and Urangan Boat Harbours By-law 1976*

#### **[Transport Infrastructure \(Public Marine Facilities\) Regulation 2011](#)**

## Division 1 Management

### 5 Manager appointed

An entity mentioned in schedule 1 is the manager of the public marine facility stated opposite the entity in the schedule.

### 6 Condition of appointment

The appointment of a manager is on condition that the manager allow the public marine facility for which the manager is appointed to be used only:

- (a) for a genuine, private, recreational boating purpose; or
- (b) for a commercial purpose with-
  - (i) the manager's written approval; and
  - (ii) the written consent of the chief executive.

### 7 Manager's responsibilities for managing public marine facility

- (1) The responsibilities of a manager in managing a public marine facility include:
  - (a) replacing buoy moorings, pile moorings and dinghy racks in the facility
  - (b) maintaining roads, parking areas, amenities and gardens in the facility
  - (c) maintenance dredging in the facility other than dredging of channels to landings and boat ramps
  - (d) all other aspects of managing the facility, including funding of maintenance unless otherwise agreed to by the chief executive.
- (2) The responsibilities do not include replacing a public marine facility that is:
  - (a) a boat ramp
  - (b) a breakwater
  - (c) a landing
  - (d) a navigational aid
  - (e) a revetment

## Division 2 Use of and safety at particular public marine facilities

### 8 Application of Division 2

This division applies only to a public marine facility that is a boat ramp or landing.

## 9 Using Boat Ramp or Landing

- (1) A person must not drive or stand a vehicle on a boat ramp other than to launch or retrieve a ship.

Maximum penalty—20 penalty units.

- (2) A person launching or retrieving a ship at a boat ramp must do so as quickly as is reasonably possible.

Maximum penalty—20 penalty units.

- (3) A person must not obstruct another person's use of a boat ramp or landing.

Maximum penalty—20 penalty units.

- (4) A person must not anchor, moor or place a ship in the water around a boat ramp or landing if it is likely to obstruct another person's use of the boat ramp or landing.

Maximum penalty—20 penalty units.

- (5) A person must not carry out maintenance or repairs to a ship on a boat ramp.

Maximum penalty—20 penalty units.

- (6) A person must not carry out maintenance or repairs to a ship in the water around a boat ramp or landing, unless the person has a reasonable excuse.

Maximum penalty—20 penalty units.

- (7) A person must not take or drive a vehicle on to a boat ramp if the mass of the vehicle and its load, if any, together with any trailer that the vehicle is towing and its load, if any, is more than-

(a) 5t

(b) if the manager of the boat ramp erects on or near the ramp a notice approved by the chief executive and displaying a greater mass—the greater mass.

Maximum penalty—20 penalty units.

- (8) A person must not take or drive a vehicle on to a landing.

Maximum penalty—20 penalty units.

- (9) However, a person does not contravene subsection (8) if:

(a) the manager of the landing erects on or near the landing a notice that:

(i) is approved by the chief executive

(ii) authorises the taking or driving of a vehicle on to the landing for the purpose mentioned in paragraph (b)

(iii) states the maximum mass of the vehicle and its load, if any, together with any trailer that the vehicle is towing and its load, if any, that may be taken or driven on to the landing

(b) the vehicle is taken or driven on the landing only to take goods or passengers to, or pick up goods or passengers from, a ship moored at the landing.

(10) A person must not take or drive on to a boat ramp or landing a vehicle, other than a vehicle that moves on wheels fitted with pneumatic or rubber tyres.

Maximum penalty for subsection (10)—20 penalty units.



## Contact

40-44 Seaworld Drive

Main Beach Qld 4217

P: 07 5539 7350

[mail@gcwa.qld.gov.au](mailto:mail@gcwa.qld.gov.au)