

South Australia

Harbors and Navigation Variation Regulations 2007

under the *Harbors and Navigation Act 1993*

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Part 1—Preliminary

1—Short title

These regulations may be cited as the *Harbors and Navigation Variation Regulations 2007*.

2—Commencement

These regulations come into operation on the day on which they are made.

3—Variation provisions

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

Part 2—Variation of *Harbors and Navigation Regulations 1994*

4—Variation of regulation 56—Compulsory pilotage: section 35

- (1) Regulation 56, entry related to Port Bonython—delete the entry and substitute:
Port Bonython (from the Port Pirie pilot station 2 nautical miles west of the northern light beacon on Eastern Shoal latitude 33°04.55'S, longitude 137°45.5'E)
 - (2) Regulation 56, entry related to Port Pirie—after "Shoal" insert:
latitude 33°04.55'S, longitude 137°45.5'E
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5—Insertion of regulation 151C

After regulation 151B insert:

151C—Vessels excluded from vicinity of OneSteel transshipment points in Spencer Gulf

- (1) Vessels are prohibited from entering or remaining in waters within ½ nautical mile of a prescribed vessel while the prescribed vessel is, or is about to be, engaged in loading operations at a prescribed transshipment point.
- (2) The distance referred to in subregulation (1) is to be measured from each point of the outer edge of the prescribed vessel or any anchor, buoy or other equipment deployed from the prescribed vessel.
- (3) If a vessel enters or remains in waters in contravention of this regulation, the owner and the master or operator of the vessel are each guilty of an offence (but it is a defence to a charge of such an offence brought against the owner for the owner to prove that the vessel was operated in the manner constituting the offence without the owner's consent).

Maximum penalty: \$4 000.

- (4) This regulation does not apply to vessels used in connection with the operations of prescribed vessels at the prescribed transshipment points.
- (5) In this regulation—

prescribed transshipment point means a transshipment point operated by OneSteel Manufacturing Pty Limited in Spencer Gulf at, or in the vicinity of, either of the following locations:

- (a) latitude 33°9.12'S, longitude 137°38.21'E (the ***Cape Vessel Transshipment Point***);
- (b) latitude 33°6.12'S, longitude 137°38.30'E (the ***Panamax Vessel Transshipment Point***);

prescribed vessel means—

- (a) in the case of the Cape Vessel Transshipment Point—a vessel of the class of vessels known as Cape-size vessels; or
- (b) in the case of the Panamax Vessel Transshipment Point—a vessel of the class of vessels known as Panamax-size vessels.

Note—

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

Made by the Governor's Deputy

with the advice and consent of the Executive Council
on 18 January 2007

No 1 of 2007

MTR06/045CS