

South Australia

## **Harbors and Navigation Variation Regulations 2012**

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 2012*.

#### **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 2009***

#### **4—Substitution of regulation 197**

Regulation 197—delete the regulation and substitute:

##### **197—Vessels excluded from vicinity of transshipment points in Spencer Gulf**

- (1) Vessels are prohibited from entering or remaining in waters within 0.5 nautical miles of a vessel (the *loading vessel*) while the loading vessel is, or is about to be, engaged in loading operations at TP1, TP2 or TP3.

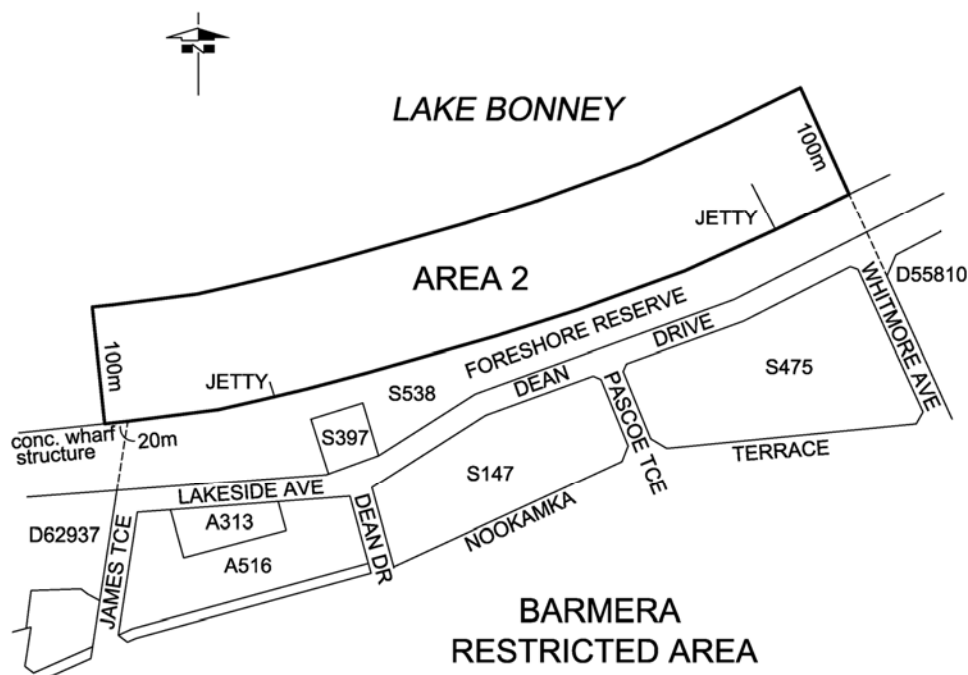
- (2) The distance referred to in subregulation (1) is to be measured from each point of the outer edge of the loading vessel or any anchor, buoy or other equipment deployed from the loading vessel.
- (3) If a vessel enters or remains in waters in contravention of this regulation, the owner and the master 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: \$5 000.  
Expiation fee: \$315.
- (4) This regulation does not apply to vessels used in connection with the operations of loading vessels at TP1, TP2 or TP3.
- (5) In this regulation—  
*TP1* means a transhipment point in Spencer Gulf at, or in the vicinity of, latitude 33°06'12"S, longitude 137°38'30"E;  
*TP2* means a transhipment point in Spencer Gulf at, or in the vicinity of, latitude 33°09'12"S, longitude 137°38'21"E;  
*TP3* means a transhipment point in Spencer Gulf at, or in the vicinity of, latitude 33°10'12"S, longitude 137°37'12"E.

## **5—Variation of Schedule 5—Restricted areas**

Schedule 5, entry relating to Lake Bonney (Barmera)—delete the description and plan relating to Area 2 and substitute:

**Area 2:** the portion of Lake Bonney bounded as follows:

- on the north by a line 100 m from, and parallel to, the edge of the water;
- on the east by the prolongation north-westerly of the north-eastern boundary of Whitmore Avenue;
- on the south by the edge of the water;
- on the west by a straight line from the eastern end of the concrete wharf (approximately 20 m west of the prolongation northerly of the western boundary of James Terrace) and at right angles to the edge of the water.



## 6—Variation of Schedule 10—Speed restrictions in certain waters

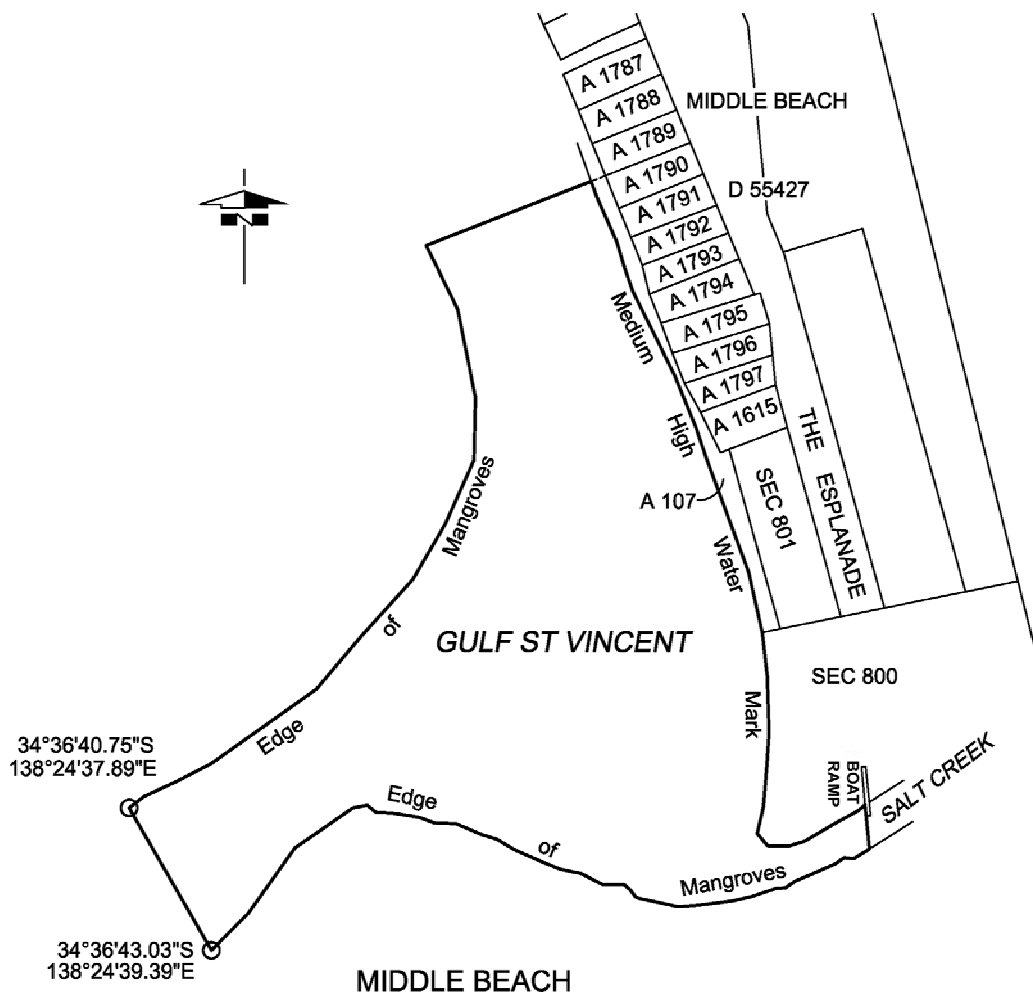
Schedule 10, clause 2—after paragraph (ca) insert:

### (cb) Middle Beach

The portion of the waters of Gulf St. Vincent bounded as follows:

- commencing at a point being the intersection of the medium high water mark and the prolongation generally westerly of the northern boundary of Allotment 1790 in Deposited Plan No 55427;
- then generally westerly along that prolongation to the intersection with the edge of mangroves;
- then generally southerly and westerly along the edge of mangroves to a point at 34°36'40.75"S, 138°24'37.89"E in WGS84 coordinates;
- then generally south-easterly along a straight line to a point at 34°36'43.03"S, 138°24'39.39"E in WGS84 coordinates on the edge of mangroves;
- then generally easterly along the edge of mangroves to the intersection of the prolongation generally southerly of the western edge of the Middle Beach boat ramp;

- then generally northerly along the prolongation of the western edge of the boat ramp and along the western edge of the boat ramp to the intersection with the medium high water mark;
- then generally westerly and northerly along the medium high water mark to the point of commencement.



**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**

with the advice and consent of the Executive Council  
on 13 December 2012

No 263 of 2012

MTR/12/063