

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—Variation of Schedule 5—Restricted areas

- (1) Schedule 5, clause 1, entry relating to Glenelg—delete the entry and substitute:

#### **Glenelg**

**Area 1:** the portion of the waters of Gulf St. Vincent at Glenelg bounded as follows:

- commencing at a point being the production seaward of the northern alignment of Anderson Avenue, Glenelg North, for a distance of 200 metres from the low water mark;

- then generally southerly along a line 200 metres from and parallel to the low water mark to the intersection of a line between the St. Andrews Cross navigational marker at Latitude 34°58'01.08"S, Longitude 138°30'28.92"E and the West Cardinal navigational marker at Latitude 34°58'01.08"S, Longitude 138°30'11.28"E;
- then generally easterly along that line to the St. Andrews Cross navigational marker;
- then generally southerly to the Port hand navigational marker at Latitude 34°58'28.11"S, Longitude 138°30'33.94"E;
- then generally easterly to the intersection of the low water mark on the northern breakwater;
- then generally northerly along the low water mark to the production of the northern alignment of Anderson Avenue;
- then generally westerly to the point of commencement.

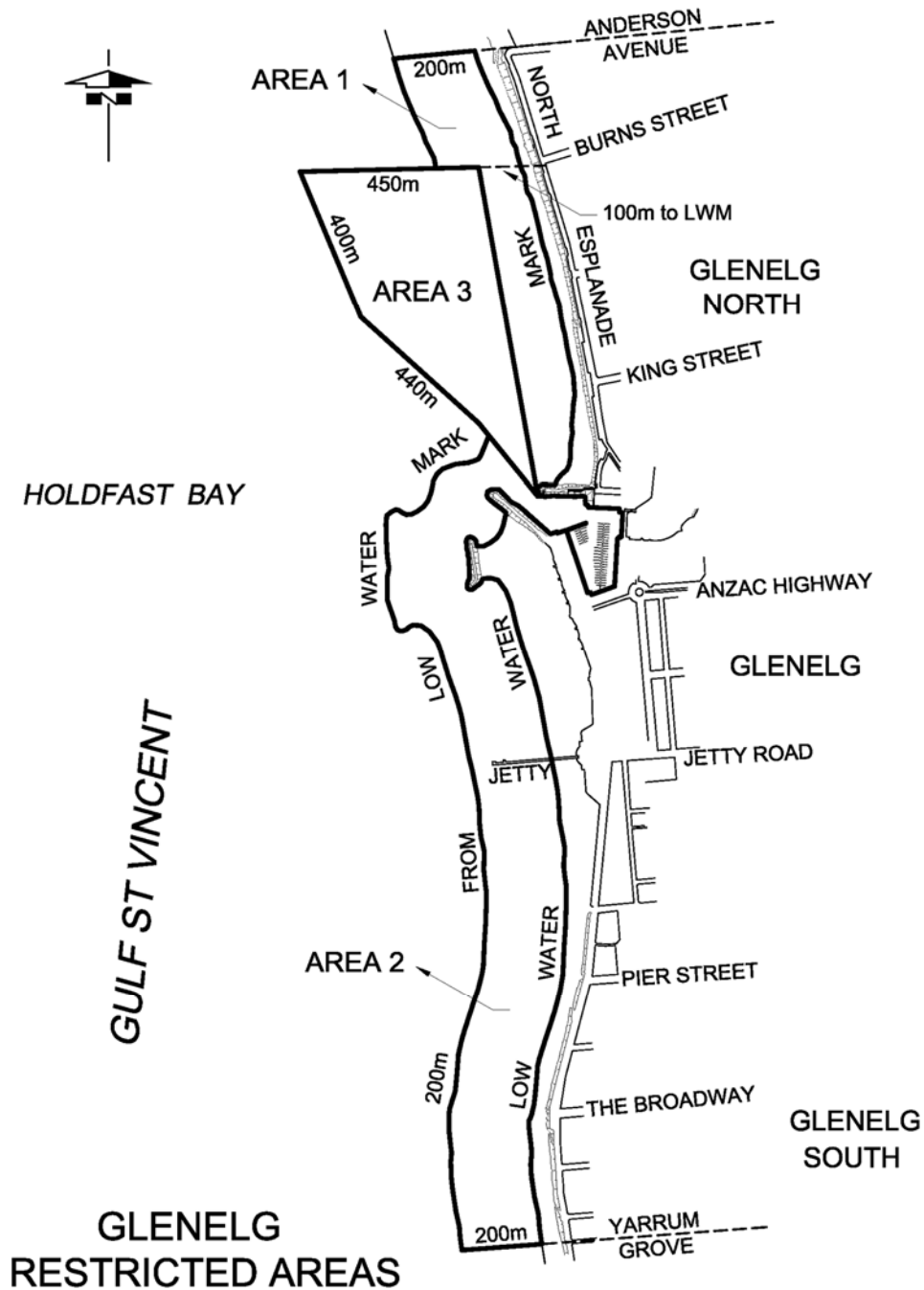
**Area 2:** the portion of the waters of Gulf St. Vincent at Glenelg bounded as follows:

- commencing at a point being the production seaward of the northern alignment of Yarrum Grove, Glenelg South, for a distance of 200 metres from the low water mark;
- then generally northerly along a line 200 metres from and parallel to the low water mark to the Port hand navigational marker at Latitude 34°58'22.07"S, Longitude 138°30'28.30"E;
- then generally south-easterly to the Port hand navigational marker at Latitude 34°58'28.11"S, Longitude 138°30'33.94"E;
- then generally easterly to the intersection of the low water mark on the northern breakwater;
- then generally easterly, southerly and north-westerly along the low water mark around the Holdfast Shores Marina and the southern breakwater;
- then generally southerly along the low water mark to the production of the northern alignment of Yarrum Grove;
- then generally westerly to the point of commencement.

**Area 3:** the portion of the waters of Gulf St. Vincent at Glenelg bounded as follows:

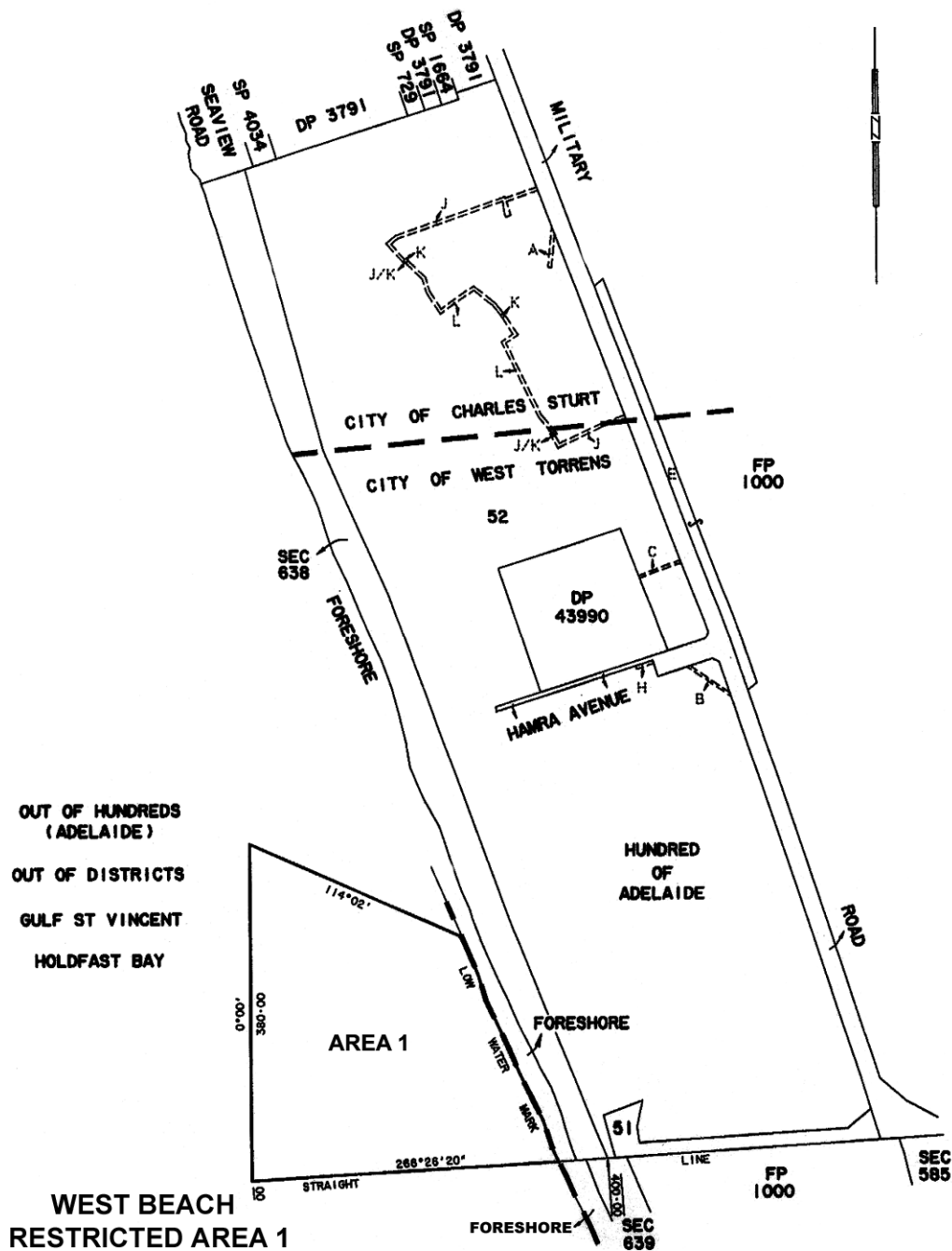
- commencing on the north approximately 150 metres from the high water mark of the coast to the St. Andrews Cross navigational marker at Latitude 34°58'01.08"S, Longitude 138°30'28.92"E and extending seaward in a westerly direction for approximately 450 metres to the West Cardinal navigational marker at Latitude 34°58'01.08"S, Longitude 138°30'11.28"E;

- on the west by a straight line drawn in a generally southerly direction from Latitude 34°58'01.08"S, Longitude 138°30'11.28"E, to the West Cardinal navigational marker at Latitude 34°58'13.14"S, Longitude 138°30'16.92"E, then south-easterly to the Port hand navigational marker at Latitude 34°58'22.07"S, Longitude 138°30'28.30"E;
- then continuing from Latitude 34°58'22.07"S, Longitude 138°30'28.30"E in a south-easterly direction to the Port hand navigational marker at Latitude 34°58'28.11"S, Longitude 138°30'33.94"E;
- on the east by a straight line drawn in a generally northerly direction and approximately parallel to the shore from Latitude 34°58'28.11"S, Longitude 138°30'33.94"E to the point of commencement at the St. Andrews Cross navigational marker at Latitude 34°58'01.08"S, Longitude 138°30'28.92"E.



- (2) Schedule 5, clause 1, entry relating to West Beach—delete the entry and substitute:  
**West Beach**

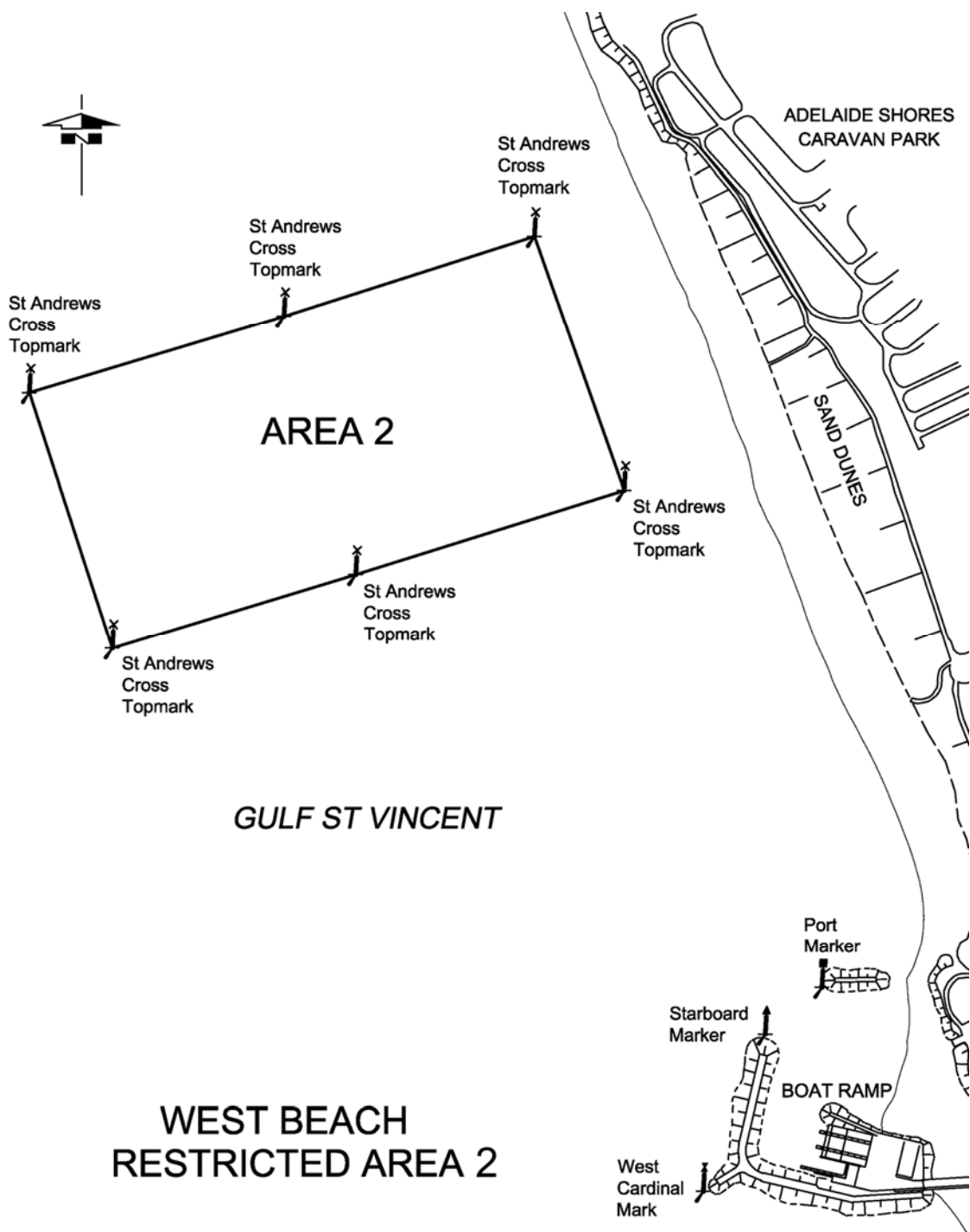
**Area 1:** the portion of the waters of Gulf St. Vincent at West Beach described as "Area 1" on the plan below:



**Area 2:** the portion of the waters of Gulf St. Vincent at West Beach bounded as follows:

- commencing on the north approximately 140 metres from the high water mark of the coast to the St. Andrews Cross navigational marker at Latitude 34°57'01.08"S, Longitude 138°30'04.76"E and extending seaward in a westerly direction for approximately 500 metres to the St Andrews Cross navigational marker at Latitude 34°57'05.44"S, Longitude 138°29'46.13"E;

- on the west by a straight line drawn in a generally southerly direction from Latitude  $34^{\circ}57'05.44''\text{S}$ , Longitude  $138^{\circ}29'46.13''\text{E}$  to the St. Andrews Cross navigational marker at Latitude  $34^{\circ}57'13.24''\text{S}$ , Longitude  $138^{\circ}29'48.93''\text{E}$ ;
- on the south by a straight line drawn in a generally easterly direction from Latitude  $34^{\circ}57'13.24''\text{S}$ , Longitude  $138^{\circ}29'48.93''\text{E}$  to the St Andrews Cross navigational marker at Latitude  $34^{\circ}57'08.84''\text{S}$ , Longitude  $138^{\circ}30'07.81''\text{E}$ ;
- on the east from Latitude  $34^{\circ}57'08.84''\text{S}$ , Longitude  $138^{\circ}30'07.81''\text{E}$  and parallel to the high water mark to the point of commencement at the St. Andrews Cross navigational marker at Latitude  $34^{\circ}57'01.08''\text{S}$ , Longitude  $138^{\circ}30'04.76''\text{E}$ .



(3) Schedule 5, clause 3—delete the entry relating to Glenelg and substitute:

Glenelg Area 1	Controls 3 and 5
Glenelg Area 2	Controls 3 and 5
Glenelg Area 3	Controls 1, 4 and 9

(4) Schedule 5, clause 3—delete the entry relating to West Beach and substitute:

West Beach Area 1	Controls 4 and 6
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West Beach Area 2            Controls 1, 4 and 9

(5) Schedule 5—after clause 4 insert:

**4A—Non-application of controls to certain vessels in Glenelg Area 3 and West Beach Area 2**

The controls set out in the table in clause 3 in relation to Glenelg Area 3 and West Beach Area 2 do not apply in relation to the following vessels in the specified waters:

- (a) canoes, kayaks, surf skis, rowboats or other human-powered vessels;
- (b) vessels used for channel dredging;
- (c) survey vessels used by the Department of Environment and Natural Resources.

**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 24 May 2012

No 43 of 2012

MTR/12/005