

South Australia

# Harbors and Navigation Variation Regulations 2014

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 2014*.

### 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

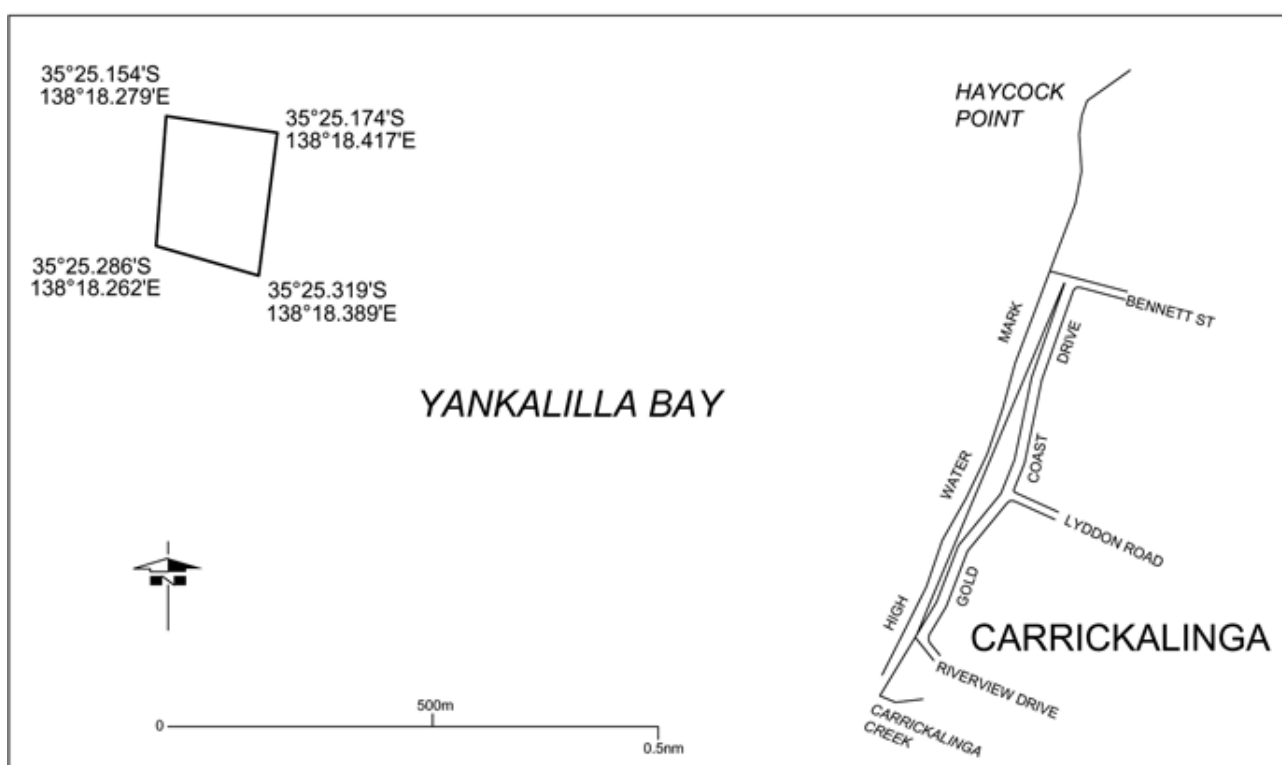
- (1) Schedule 5 clause 1—after the entry relating to Whyalla insert:

#### **Yankalilla Bay**

The portion of the waters of Yankalilla Bay at Carrickalinga bounded as follows:

- on the north by a straight line drawn in a generally easterly direction from Latitude 35°25.154'S, Longitude 138°18.279'E and extending approximately 200 m to Latitude 35°25.174'S, Longitude 138°18.417'E;

- on the east by a straight line drawn in a generally southerly direction from Latitude 35°25.174'S, Longitude 138°18.417'E and extending approximately 200 m to Latitude 35°25.319'S, Longitude 138°18.389'E;
- on the south by a straight line drawn in a generally west-north-westerly direction from Latitude 35°25.319'S, Longitude 138°18.389'E and extending approximately 200 m to Latitude 35°25.286'S, Longitude 138°18.262'E;
- on the west by a straight line drawn in a generally northerly direction from Latitude 35°25.286'S, Longitude 138°18.262'E and extending approximately 200 m to Latitude 35°25.154'S, Longitude 138°18.279'E.



(2) Schedule 5 clause 3, table—after the entry relating to Whyalla Areas 4 and 5 insert:

Yankalilla Bay	Controls 1, 4, 6, 12 and 13	
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(3) Schedule 5—after clause 7 insert:

**8—Non-application of controls to certain vessels in Yankalilla Bay**

- (1) The controls set out in the table in clause 3 in relation to Yankalilla Bay do not apply in relation to a person or vessel in the specified waters—
  - (a) for a purpose connected with the removal, salvage or maintenance of the prescribed structure; or

- (b) performing official duties or functions relating to public health or safety, or the environment, arising out of the presence of the prescribed structure in the specified waters.
- (2) In this clause—
- prescribed structure* means the greenWAVE energy convertor (however described) that is, on the commencement of this clause, located within the restricted area in Yankalilla Bay.

### **9—Expiry of certain provisions relating to Yankalilla Bay**

- (1) The following provisions of this Schedule will expire on the prescribed day:
- (a) the entry in clause 1 relating to Yankalilla Bay;
  - (b) the entry in the table in clause 3 relating to Yankalilla Bay;
  - (c) clause 8;
  - (d) this clause.
- (2) In this clause—
- prescribed day* means the day fixed by the Minister by notice in the Gazette as the prescribed day.

**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 18 September 2014

No 241 of 2014

MTR/14/029