



Western Australia

SHIPPING AND PILOTAGE ACT 1967

**Regulations for the Navigation of the Port of
Perth (Swan River Between the Fremantle
Railway Bridge, Perth Causeway, and Canning
Bridge)**

These regulations were repealed by the *Navigation of Port of Perth
Repeal Regulations 2004* s. 2 as at 24 Aug 2004 (see s. 2 and *Gazette*
24 Aug 2004 p. 3660).

Ceased on 24 Aug 2004

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Regulations for the Navigation of the Port of Perth (Swan River Between the Fremantle Railway Bridge, Perth Causeway, and Canning Bridge)

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the Fremantle Railway Bridge, Perth Causeway, and Canning Bridge)***

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SHIPPING AND PILOTAGE ACT 1967

**Regulations for the Navigation of the Port of
Perth (Swan River Between the Fremantle
Railway Bridge, Perth Causeway, and Canning
Bridge)**

1. Application

The following Regulations shall be enforced and observed in the Port of Perth, that is to say, in the waters of the Swan River between the Railway Bridge at Fremantle, the Causeway Bridge at Perth Water, and the Canning Bridge, hereinafter referred to as “the Port.”

2. Power of Chief Harbour Master

The Chief Harbour Master, or his Deputy, or other officer acting for such Chief Harbour Master, shall have entire control over the Port and over the navigation thereof, and shall have power to remove any boat or vessel from any berth or anchorage, and to alter the berth or anchorage of any boat or vessel whenever he may deem it necessary.

3. Master and owner responsible for compliance

In every case where, by these Regulations, any act is forbidden or required to be done in relation to any boat or vessel, the duty of performing such act, or of seeing that such act is not done or committed, shall rest upon the master and the owner of such boat or vessel, unless where otherwise expressly directed to the contrary.

4. Anchoring in fairway or channel

No boat or vessel shall be anchored in or near the middle of any fairway or channel; and any boat or vessel detained in the fairway or channel shall lie close on one side of such fairway or channel, nor shall any cable, chain, hawser, or rope be placed across any such fairway or channel without permission from the Chief Harbour Master.

5. Boats anchored in fairway to move

The master and the owner of any boat or vessel compelled by unavoidable circumstances to let go any anchor in any fairway or channel shall, as soon as possible, lift the same and place it in such a situation as not to interrupt or interfere with the free passage of other boats or vessels.

6. Meaning of “steam vessel”

In the following Regulations “**Steam vessel**” means any vessel propelled otherwise than by sails or oars.

Lights when under Way. Masthead Lights for Vessels

7. Masthead lights for vessels

Every vessel when navigating the said waters shall carry lights from sunset to sunrise as follows, that is to say: — On the starboard side, a green light so constructed as to throw an uniform and unbroken light over an arc of the horizon of ten points of the compass, so fixed as to throw the light from ahead to two points abaft the beam on the starboard side, and of such a character as to be visible on a dark night with a clear atmosphere, at a distance of at least two miles; on the port side, a red light, so constructed as to throw an uniform and unbroken light over an arc of the horizon of ten points of the compass, so fixed as to throw the light from right ahead to two points abaft the beam on the port side, and of such a character as to be visible on a dark night, with a clear atmosphere, at a distance of at least two miles. The said green and red side lights shall be

fitted with inboard screens projecting forward from the light, so as to prevent these lights from being seen across the bow, and every steam vessel shall, in addition to the lights above required, carry, from sunset to sunrise, when under way and when navigating the said waters, and at a height above the hull of such steam vessel of not less than 10 feet, a bright white light so constructed as to show an uniform and unbroken light over an arc of the horizon of 20 points of the compass, so fixed as to throw the light 10 points on each side of the vessel, viz., from right ahead to two points abaft the beam on either side, and of such a character as to be visible on a dark night with a clear atmosphere at a distance of at least two miles. Launches may carry the white light at any convenient height above the hull, and shall not be obliged to carry the side lights above mentioned, but in lieu thereof shall carry a combined lantern showing a green light and a red light from right ahead to two points abaft the beam on their respective sides. Such lantern shall be carried not less than three feet below the white light.

8. Lights when towing another vessel

A steam vessel when towing another vessel shall, in addition to her side lights, carry two bright white lights in a vertical line one over the other, not less than three feet apart, so as to distinguish her from other steam vessels. Each of these lights shall be of the same construction and character, and shall be carried in the same position as the white light which other steam vessels are required to carry.

Sailing Vessels to carry Lights if Towed

9. Sailing Vessels to carry Lights if Towed

A sailing vessel under way, or being towed, shall carry the same lights as are provided by Regulation 7 for a steam vessel under way, with the exception of the white light, which she shall never carry.

Anchor Light

10. Anchor Light

A vessel, whether a steam vessel, sailing vessel, or lighter, when at anchor, shall carry, where it can best be seen, but at a height not exceeding 20 feet above the hull, a white light in a globular lantern of not less than eight inches in diameter, and so constructed as to show a clear uniform and unbroken light visible all round the horizon at a distance of at least one mile.

Boat Lights

11. Boat Lights

- (1) Open boats, sailing boats, and lighters of more than two tons and less than 28 tons measurement, when under way, shall not be obliged to carry the coloured side lights; but every such boat and vessel shall in lieu thereof have ready at hand a lantern with a green glass on one side and a red glass on the other side, and on approaching to or being approached by another vessel, such lantern shall be exhibited in sufficient time to prevent a collision, so that the green light shall not be seen on the port side nor the red light on the starboard side.
- (2) Every rowing or sailing boat not exceeding two tons measurement navigating the river at night shall be provided with a lantern of approved design, from which shall be temporarily exhibited a white light in sufficient time to prevent collision.

Anchor Lights for Boats

12. Anchor Lights for Boats

Every yacht, fishing vessel, launch, and every open boat, when at anchor between sunset and sunrise in an unauthorised anchorage, shall exhibit a white light visible all round the horizon at a distance of at least one mile.

Stern Lights

13. Stern Lights

A vessel which is being overtaken by another shall show from her stern to such last-mentioned vessel a white light or a flare-up light.

Steering and Sailing Rules

14. Steering and Sailing Rules

When two sailing vessels are approaching one another so as to involve risk of collision, one of them shall keep out of the way of the other, as follows: —

- (a) A vessel which is running free shall keep out of the way of a vessel which is close-hauled;
- (b) A vessel which is close-hauled on the port tack shall keep out of the way of a vessel which is close-hauled on the starboard tack;
- (c) When both are running free with the wind on different sides, the vessel which has the wind on the port side shall keep out of the way of the other;
- (d) When both are running free with the wind on the same side, the vessel which is to windward shall keep out of the way of the vessel which is to leeward;
- (e) A vessel which has the wind aft shall keep out of the way of the other vessel.

15. Avoidance of end on collisions

- (1) If two vessels under steam are meeting end on, or nearly end on, so as to involve risk of collision, each shall alter her course to starboard so that each may pass on the port side of the other.
- (2) This section only applies to cases where steam vessels are meeting end on, or nearly end on, in such a manner as to involve

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risk of collision, and does not apply to two vessels which must, if both keep on their respective courses, pass clear of each other.

- (3) The only cases to which it does apply are when each of the two vessels is end on, or nearly end on, to the other; in other words, to cases in which by day each vessel sees the masts of the other in line, or nearly in line with her own, and by night, to cases in which each vessel is in such a position as to see both the side-lights of the other.
- (4) It does not apply, by day, to cases in which a vessel sees another ahead crossing her own course; or, by night, to cases where the red light of one vessel is opposed to the red light of the other, or where the green light of one vessel is opposed to the green light of the other, or where a red light without a green light or a green light without a red light is seen ahead, or where both green and red lights are seen anywhere but ahead.

16. Avoidance of side on collisions

If two vessels under steam are crossing so as to involve risk of collision, the vessel which has the other on her own starboard side shall keep out of the way of the other.

17. Avoidance of collision between steam and sailing vessels

If two vessels, one of which is a sailing vessel and the other a steam vessel, are proceeding in such directions as to involve risk of collision, the steam vessel shall keep out of the way of the sailing vessel.

18. Avoidance of collisions by steam vessels

Every steam vessel when approaching another vessel so as to involve risk of collision, shall slacken her speed and stop and reverse her engines if necessary.

19. Signals for changing course

- (1) In taking any course authorised or required by these Regulations, a steam vessel under way may indicate that course

to any other vessel which she has in sight by the following signals on her steam whistle or horn, viz, : —

One short blast to mean “I am directing my course to starboard”

Two short blasts to mean “I am directing my course to port.”

Three short blasts to mean “I am going full speed astern.”

- (2) The use of these signals is optional, but if they are used the course of the vessel must be in accordance with the signal made.

20. Overtaking

Notwithstanding anything contained in any preceding Regulation, every vessel, whether a sailing vessel or a steam vessel, overtaking any other shall keep out of the way of the overtaken vessel.

21. Vessels to keep to starboard

In narrow channels every steam vessel shall, when it is safe and practicable, keep to that side of the fairway or mid-channel which lies on the starboard side of such vessel.

22. Vessels being avoided to keep course

Where by the above Regulations one of two vessels is to keep out of the way, the other shall keep her course.

23. Special circumstances

In obeying and construing these Regulations due regard shall be had to all dangers of navigation and to any special circumstances which may render a departure from the above Regulations necessary in order to avoid immediate danger.

Ports and Harbours (Good Order) Regulations

24. Powers of officers and Police

For the purpose of seeing that all or any of these Regulations are properly carried out, the officers of the Harbour and Light Department, and the Water Police, in uniform, shall have access to any vessel at any hour of the day or night, and shall be allowed and authorised to ask any reasonable question of the master of the vessel, or of any officer thereof, and any information required shall in all cases be furnished.

25. Obstructing landing places

No vessel or any obstruction shall be fastened to or near any public steps or landing place for passengers, in such a manner as to impede free access to such public steps or landing places.

Regulations for Crawley Foreshore

26. Definition of Crawley Foreshore

In these Regulations the expression “**the said area**” means a strip of water 10 chains wide from low water mark around the foreshore of Crawley Recreation Reserve, more particularly described as follows: — The area bounded by lines starting from a point situate at low water mark at neap tides and bearing 127deg. from a peg at the Southern extremity of the Eastern boundary of Lot 793 of Swan Locations 86 and 123 (Land Titles Office Plan 2948), and extending 127deg. 0min. 10 chains; thence Easterly, North-Westerly, and Northerly by lines 10 chains below said low-water mark and parallel thereto, to the production Southward of the Western boundary of the Perth Municipal Baths; thence by said production and that boundary about 351deg. 25min. 10 chains to the aforesaid low-water mark, and thence by same to the starting point.

27. Foreshore closed to boats at night

The said area shall be closed against all boats and vessels, however propelled, from the hour of eleven o'clock p.m. of every day to the hour of eight o'clock a.m. of the next following day.

28. Boats not to be in area at night

No person shall at any time between the hours of eleven o'clock at night and eight o'clock in the next following morning enter or remain in the said area with a vessel, or a boat of any kind, or leave a vessel or a boat of any kind, or cause any such vessel or boat to be within the said area between the hours of eleven o'clock at night and eight o'clock in the next following morning.

29. Mooring or anchoring

No person shall, within the said area, moor or anchor any vessel or boat, or keep or leave moored or anchored or unattended any vessel or boat, unless such vessel or boat is and remains at least one chain below low water mark, except as hereinafter provided.

Provided that, if it is necessary to bring any boat nearer to the beach than is permitted by this Regulation, to permit the embarkation of passengers or crew, the purpose shall be effected as speedily as possible, and the boat shall be then immediately removed to and kept at a distance of at least one chain below low water mark.

30. Beaching and removing vessels

- (1) No person shall beach any vessel or any boat of any kind within the said area at any place other than a place set apart by the Chief Harbour Master for that purpose.
- (2) No person shall move, handle, or in any way interfere with a vessel or boat lawfully beached under this Regulation without the authority of the owner or person in charge thereof.

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- (3) The Chief Harbour Master, or any person acting with his authority may, in his discretion, remove any vessel or boat from the said area wherever placed, or require the owner or person in charge of the vessel or boat to remove the same from the said area.
- (4) Any person being the owner or in charge of a vessel or boat within the said area, shall remove the vessel or boat from the area, or from one place to another within the said area, if and when required to do so by the Chief Harbour Master or any person acting with his authority.

31. Abandoned vessels

Any boat which may be beached at a place not set apart for the purpose, or which may be drifting, or sunk, or in the opinion of the Chief Harbour Master or his employee or agent, has been abandoned, may be taken into his possession and/or removed to such place as he may think fit, and sold or otherwise disposed of at his discretion, without redress to the owner for any loss or inconvenience to which he may be subjected thereby.

32. Swimming area

- (1) Notwithstanding the provisions of any other Regulation, the area described hereunder shall be reserved for bathing and swimming: —

An area South-Eastward of Crawley Bay Tearooms, more particularly described as follows: — That portion of the Port of Perth bounded by lines starting from a point situated at low water mark on a line bearing about 78deg. from the most Easterly corner of the building known as the Crawley Bay Tearooms and extending on said bearing 78deg. to a point situated North of the most Northerly of a line of posts situated approximately 150 links below low water mark; thence South to said post and South-Easterly passing along said line of posts for a distance of 1,300 links; thence bearing about 205deg. about

150 links to low water mark, and thence by said low water mark North-Westerly about 1,700 links to the starting point.

- (2) No person shall take any vessel or boat within the area reserved by this Regulation for bathing and swimming, or suffer or permit any vessel or boat to remain within such area.

33. Non-swimming area

- (1) Subject to the provisions of Regulations numbered 27 to 31, the area described hereunder shall be reserved for the use of boats: —

An area North-Westward of Crawley Bay Tearooms, more particularly described as follows: — That portion of the Port of Perth bounded by lines starting from a point situated at low water mark on a line bearing about 78deg. from the North-East corner of the building known as the Crawley Bay Tearooms and extending on the said bearing of 78deg. for a distance of about 150 links; thence Northerly about 800 links parallel to and approximately 150 links below low water mark; thence Westerly about 150 links below low water mark; thence Westerly about 150 links to said low water mark, and along the latter Southerly about 800 links to the starting point.

- (2) No person shall bathe or swim within the area reserved by this Regulation for the use of boats.

34. Point Walter Beach

No boat shall be moored or anchored or kept or left moored or anchored or unattended opposite to or near that part of the Point Walter Beach which extends from the Point Walter Jetty in a South-Easterly direction to a line being the prolongation of the Eastern wall of the Bathing Sheds, unless such boat, anchor, and moorings are and remain at least one chain below low water mark.

35. Embarking and disembarking

If it be necessary to bring any boat nearer to the said beach than is mentioned in the preceding Regulation, for the purpose of passengers or any of the crew embarking or disembarking, the purpose shall be effected as speedily as possible, and the boat shall then be immediately removed to and kept at a distance of at least one chain below low water mark.

36. Causeway

No boat shall be moored or anchored or kept or left moored or anchored within 700 feet downstream of the Causeway.

37. Embarking and disembarking

If it be necessary to bring any boat nearer to the said Causeway than is mentioned in the preceding Regulation, for the purpose of passengers or any of the crew embarking or disembarking, the purpose shall be effected as speedily as possible, and the boat shall then be immediately removed to a distance of over 700 feet downstream from the said Causeway.

38. Beached or grounded vessels

No vessel shall be beached or grounded without permission being first had and obtained from the Chief Harbour Master, and any such vessel which shall take the ground, or be stranded as aforesaid from accident or stress of weather or any other cause, shall be removed by the owner when called upon to do so by the Chief Harbour Master.

39. Mooring of coastal vessels

The Chief Harbour Master may, whenever it appears necessary to such Chief Harbour Master, appoint the place of moorage or anchorage of all coasting vessels, cargo and other boats, and from time to time, when necessary, may direct the removal of any such coasting vessel, cargo, or other boat therefrom to such other place of moorage or anchorage.

40. Obstructing fairways or channels

Any person who shall moor or anchor, or shall wilfully or by culpable negligence ground, sink, or set adrift in any of the fair channels or passages of the Port any substance or article liable to obstruct the passage of boats or crafts by coming in contact with them shall, on conviction thereof, forfeit any sum not exceeding Twenty pounds.

41. Sunken vessels to be removed

If the owner or some person on behalf of the owner of any vessel sunk, stranded, or run on shore in any part of the Port shall not weigh, raise, or otherwise remove such vessel within ten days next after the same shall have been so sunk, stranded, or run on shore, the Chief Harbour Master may take and use all necessary ways and means for clearing the Port of such vessel.

42. Chief Harbour Master may remove wrecks

The Chief Harbour Master may remove any wreck or any other substance which impedes, or tends to impede, the navigation of the Port, or access thereto, or which shall be a nuisance or inconvenience in or to the Port; and the expense of such removal shall be repaid by the owner of such wreck or other substance to such Chief Harbour Master, or, in default of payment thereof on demand, the said Chief Harbour Master may recover the same as a penalty.

43. Cutting moorings prohibited

Every person other than the Chief Harbour Master who shall wilfully let go, cut, break, or destroy the moorings or fastenings of any vessel lying in the Port at or near a wharf shall, for every such offence, be liable to a penalty not exceeding Five pounds, in addition to any liability he may incur by proceedings at the suit of or for the benefit of any person damnified thereby.

44. Damaging buoys etc.

Any person who shall wilfully injure or remove any buoy, beacon, or sea-mark used for the convenience of navigation or security of shipping, shall be liable to a penalty of Fifty pounds.

45. Tying things to buyos

Any person who shall, without permission from the Chief Harbour Master, make fast any vessel or any other article to any such buoy, beacon, or sea-mark as aforesaid shall be liable to a penalty of ten pounds.

46. Interfering with life saving gear

No person shall improperly interfere with any life-saving gear, life-buoy, or other apparatus placed within the Port for the purpose of saving life from drowning.

47. Throwing of rubbish

Any person who throws, or causes to be thrown out of any vessel into the navigable part of the Port below high water mark, any sand ballast, stone, or rubbish, or who shall remove or take away from any bank of the same above high-water mark, not being private property, any sand, ballast, or stone without having first obtained the consent of the Chief Harbour Master shall, on conviction for every such offence, forfeit any sum not less than Ten shillings nor more than Five pounds.

48. Swimming in navigable channels

No person shall bathe or swim within the navigable channel of the Port between Rocky Bay and the Railway Bridge, Fremantle.

49. Boat races

On the occasion of any boat race or regatta, or on any occasion when crowds assemble, no vessel shall pass over the Port so as to obstruct, impede, or interfere with the boat race or regatta, or

to endanger the safety of persons assembling in the Port, or prevent the maintenance of order thereon.

50. Bridges

No steam vessel shall be permitted to pass through any bridge with more than one laden lighter or barge in tow at a time.

51. Speed of passenger steamers

The speed of passenger steamers in the Port shall not exceed five knots when passing to and fro between the notice "Slow" in Rock Bay and North Fremantle Road Bridge, also when navigating the Narrows Channel and the channel leading to Barrack Street jetties.

52. Mooring at public bridges, etc.

No person shall moor, fasten, or take any vessel or boat alongside any public bridge, jetty, pier, wharf, landing-place or buoy in the Port, or cause or permit any vessel or boat to be so moored, fastened, or taken unless the owner of such vessel or boat shall have first obtained from the Chief Harbour Master permission in writing to make use of such public bridge, jetty, pier, wharf, landing-place, or buoy.

Motor Boats

53. Motor Boats

All outboard motor boats shall have a distinguishing number painted in large size on both sides of the boat.

54. Speed

No boat propelled by mechanical power shall be driven at a rate of speed exceeding five miles per hour when travelling: —

- (a) in water with a less depth than ten (10) feet;
 - (b) within 200 feet of any wharf, jetty, or diving platform;
- or

(c) in the vicinity of persons swimming,
without the written permission of the Chief Harbour Master.

55. Boats to keep to safe speed

Notwithstanding anything hereinbefore contained, no boat shall at any time be propelled at such a speed as to endanger, by its wash or otherwise, the safety of any person, structure, or other boat.

56. Silencer to be fitted

Every boat propelled by mechanical power shall be fitted by its owner with an effective silencer or other device for the purpose of preventing offensive noise from the machinery.

57. Boats emitting smoke or vapour

No person shall operate a motor boat which emits smoke or vapour to such an extent as to cause danger or annoyance to the public, unless caused by a temporary derangement.

58. Person in charge to be competent

- (1) No person shall take charge of a motor boat unless he possesses a knowledge of the rules of the road relating to navigation and of the principles of internal combustion engines.
- (2) No person under the age of 18 years shall take charge of any motor boat.

59. Fees

- (1) A charge, in accordance with the following scale, shall be paid by the owner of every vessel or boat for a permit to moor, fasten, or take such vessel or boat alongside any public bridge, jetty, pier, wharf, landing place, or buoy in the Port. Such charge shall be paid before a permit is issued: —
 - (a) Vessels or boats licensed to carry passengers: — 1s. 0d. per head per annum for each passenger the vessel or boat

is licensed to carry; provided the charge shall not exceed £20 per annum for any one vessel or boat.

- (b) Other vessels or boats: — 17 feet in length and under — 5s. per annum; over 17 feet and under 28 feet — 10s. per annum; 28 feet and over £1 per annum.
- (2) The above measurements shall be taken from the forepart of the stem under the bowsprit to the aft side of the head of the stern post.

60. Use of Government wharfs

The owner of any vessel or boat licensed to carry passengers may be permitted to use a Government wharf or jetty as a permanent berth for such boat or vessel, where accommodation is available, on payment of a charge in accordance with the following scale in addition to the charge payable under the preceding regulation; provided that it shall at all times be in the discretion of the Chief Harbour Master or his officers to decide if any and what accommodation is to be allowed: —

Vessels licensed to carry over 200 passengers — 10s. per week.

Vessels licensed to carry 200 passengers or under — 5s. per week.

61. Wharfage dues

The owners of all vessels shall pay as wharfage dues the sum of 9d. (ninepence) per ton, except where special licenses have been issued, on all cargo landed and shipped on any of the wharves and jetties of the Port; provided that any cargo landed or shipped from one part of the Port to any other shall pay wharfage dues one way only.

62. Boats licensed by Fremantle Boat Licensing Board

Every vessel holding a license issued by the Fremantle Boat Licensing Board, under “The *Boat Licensing Act 1878*,” shall be subject to these Regulations whenever the same can be applied

to such vessels, as well as those under which the license is issued.

63. Application of general port regulations

The Port Regulations as proclaimed and in force from time to time for Ports other than the Ports of Bunbury, Fremantle, and Perth, shall, insofar as the same are not inconsistent with these Regulations and can be applied thereto, apply to the Port.

64. General penalty

Any person who by any act or omission fails in any respect to observe, perform, or comply with any provision or requirement of any of the foregoing Regulations shall be guilty of an offence against these Regulations, and, where no particular penalty is prescribed by these Regulations, shall on conviction be liable to a penalty not exceeding Twenty pounds.

Regulations for the Navigation of the Port of Perth (Swan River Between the Fremantle Railway Bridge, Perth Causeway, and Canning Bridge)

Notes

- ^{1.} This is a compilation of the *Regulations for the Navigation of the Port of Perth (Swan River between the Fremantle Railway Bridge, Perth Causeway, and Canning Bridge)* and includes the amendments referred to in the following Table.

Compilation table

Citation	Gazettal	Commencement
<i>Regulations for the Navigation of the Port of Perth (Swan River between the Fremantle Railway Bridge, Perth Causeway, and Canning Bridge)</i>	21 Sep 1934 pp.1441-4	21 Sep 1934
These regulations were repealed by the <i>Navigation of Port of Perth Repeal Regulations 2004 s. 2</i> as at 24 Aug 2004 (see s. 2 and <i>Gazette 24 Aug 2004 p. 3660</i>)		