

SHIPPING AND PILOTAGE.

No. 38 of 1983.

AN ACT to amend the Shipping and Pilotage Act 1967-1978.

[Assented to 22 November 1983.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the *Shipping and Pilotage Amendment Act 1983*. Short title and citation.

(2) In this Act the Shipping and Pilotage Act 1967-1978 is referred to as the principal Act. Act No. 17 of 1967 as amended by Acts Nos. 12 of 1976 and 88 of 1978.

(3) The principal Act as amended by this Act may be cited as the Shipping and Pilotage Act 1967-1983.

Commence-
ment.

2. This Act shall come into operation on such day as is fixed by proclamation.

Section 10
amended.

3. (1) Section 10 of the principal Act is amended by repealing subsection (1) and substituting the following subsection—

“ (1) Every port specified in the Schedule to this Act continues and is declared to be a port for the purposes of this Act and shall be—

(a) known by the name; and

(b) bounded by the limits,

specified in the Schedule in relation to that port. ”.

(2) All proclamations made, prior to the commencement of this section, under section 10 (2) of the principal Act are hereby revoked.

Schedule
added.

4. The principal Act is amended by adding, at the end, the following Schedule—

“

SCHEDULE. (Section 10)

BOUNDARIES OF PORTS OF WESTERN AUSTRALIA.

Albany.

All waters from King George Sound and Princess Royal Harbour lying westward of lines starting from the eastern extremity of Bald Head, and extending north-easterly to the lighthouse on Breaksea Island, and thence north-westerly to Herald Point.

Augusta.

All that portion of water bounded by lines starting at the high water mark of Flinders Bay at the southern extremity of Ledge Point and extending south-westerly to the high

water mark at the northern extremity of St. Alouarn Island; thence north-westerly to the high water mark at the northern extremity of Seal Island; thence northerly to the high water mark of Flinders Bay at the southern extremity of Point Matthew and thence generally north-easterly along that mark to the starting point.

Balla Balla.

All that portion of water situate north-westerly of the high water mark of the Indian Ocean and contained within an arc of a circle having a radius of 8 nautical miles from the intersection of the prolongation northerly of the centre-line of Walch Street (Balla Balla Townsite) with the high water mark of the Indian Ocean.

Barrow Island.

All that portion of water situate east of the high water mark of the Indian Ocean on the eastern shore of Barrow Island and contained within the arc of a circle having a radius of 7 nautical miles from the intersection of latitude $20^{\circ} 46' 50''$ S with $115^{\circ} 27' 54''$ E.

Broome.

All that portion of water bounded by lines starting from the high water mark of Roebuck Bay at the southern extremity of Fall Point and extending south to an east-west line situate 3 nautical miles south from the southern extremity of Entrance Point; thence west to a north-south line situate 3 nautical miles west from the southern extremity of Entrance Point; thence north to a point situate west of the summit of Station Hill; thence east to the high water mark of the Indian Ocean and thence generally south-westerly and generally south-easterly along that mark and generally north-easterly, generally north-westerly, again generally north-easterly and generally easterly along the high water mark of Roebuck Bay to the starting point and including all of the waters of Dampier Creek.

Bunbury.

All that portion of water below high water mark bounded by a line due north from the Casuarina Point lighthouse in position latitude $33^{\circ} 19.2'S$ longitude $115^{\circ} 37.9'E$ to the position in latitude $33^{\circ} 15'S$ longitude $115^{\circ} 37.9'E$ and thence due east to the coast in position latitude $33^{\circ} 15'S$ longitude $115^{\circ} 40.8'E$ excluding all of the waters of the Leschenault Inlet and the MacLeod Point Channel.

Carnarvon.

All that portion of water bounded by a line due west for 4 nautical miles from a point on the mainland in latitude $24^{\circ} 10'S$ and longitude $113^{\circ} 26' 45''E$ and thence in a south-southwest direction to Cape Ronsard at the north end of

Bernier Island; then by the western shores of Bernier and Dorre Islands to Cape Saint Cricq; then by a straight line to Cape Inscription at the north end of Dirk Hartog Island and by its western shore to Surf Point, thence by a straight line to Steep Point on the mainland, and from thence by the coastline to the starting point at latitude $24^{\circ} 10'S$ longitude $113^{\circ} 26' 45''E$ and including all those waters of the Carnarvon Fishing Boat Harbour inside of Mangrove Point.

Dampier.

All that portion of water bounded by a line commencing at the high water mark on the coast of the mainland in longitude $116^{\circ} 36'E$ and extending eastwards along the high water mark of the coast of the mainland to the northernmost north-western extremity of Burrup Peninsula; thence north-easterly crossing the western entrance of Boat Passage to the high water mark of the westernmost south-western extremity of Dolphin Island and then along the west coast of that Island to a position in longitude $116^{\circ} 50'E$; thence north along meridian $116^{\circ} 50'E$ and along the high water marks of the coasts of Gidley, Keast and Legendre Islands west of that meridian to latitude $20^{\circ} 18.2'S$; thence in a south westerly direction to latitude $20^{\circ} 23.7'S$, longitude $116^{\circ} 36'E$; thence south along meridian $116^{\circ} 36'E$ and the high water marks of the coasts of Rosemary Island, West Lewis Island and West Intercourse Island east of that meridian to the high water mark on the coast of the mainland in longitude $116^{\circ} 36'E$.

Derby.

All that portion of water bounded by lines starting at the intersection of the prolongation south-westerly of a line joining the summit of Saddle Hill and the high water mark at the eastern extremity of Valentine Island with the high water mark of the western shore of King Sound and extending generally south-easterly, generally northerly, again generally south-easterly, again generally northerly and generally north-westerly along that mark to a line joining the summit of Saddle Hill and the high water mark at the eastern extremity of Valentine Island and thence south-westerly along that line and onwards to the starting point.

Dongara.

All that portion of water situate west of the high water mark of the Indian Ocean and contained within an arc of a circle having a radius of 0.75 nautical miles from the rear beacon (obelisk) within Port Denison Lot 155.

Emu Point Fishing Boat Harbour—Albany.

All that portion of water shown bordered red on Lands and Surveys Miscellaneous Diagram 73.

Esperance.

All that portion of water within a radius of 10 nautical miles from western entrance point of Bandy Creek.

Fremantle.

The Port of Fremantle includes Inner and Outer Harbours and the respective water area of—

- (a) *The Inner Harbour* is all that situate within the mouth of the Swan River extending from a line at the western extremity of the North and South Moles to the western alignment of the Fremantle Traffic Bridge;

and

- (b) *The Outer Harbour* is bounded by a line commencing at a point on the high water mark of the Indian Ocean at latitude $31^{\circ} 56' 22''$ S and extending west to meridian $115^{\circ} 34'E$; thence southerly to latitude $32^{\circ} 4'S$; thence south-easterly to Entrance Point Garden Island; thence along the high water mark of the northern, eastern and southern shores of that Island to South West Point; thence southerly to John Point on the mainland; thence easterly and northerly along the high water mark to the eastern extremity of the South Mole (excluding the Fremantle Fishing Boat Harbour); thence along the southern side of the South Mole to the latter's western extremity; then west north-westerly to the western extremity of the North Mole; thence along the northern side of the North Mole to the latter's eastern extremity at the high water mark of such ocean and then northerly along that mark to the starting point.

Fremantle Fishing Boat Harbour.

All that portion of water that lies within the area shown bordered red on Lands and Surveys Miscellaneous Plan 1464.

Geraldton.

The Port of Geraldton includes Inner and Outer Harbours and the respective water area of—

- (a) *The Inner Harbour* is all that situate in Champion Bay bounded by a line drawn from Gregory Street, Geraldton, along the foreshore to a point due south of the western extremity of the breakwater; thence to the western extremity of the breakwater; thence along the breakwater to the eastern extremity of the eastern breakwater; thence south-easterly to the foot of said Gregory Street, and also including the entrance channel thereto;

and

- (b) *The Outer Harbour* is all that situate in Champion Bay and Geelvink Channel below the high water mark bounded by a line drawn from Point Moore lighthouse true west to the position in longitude $114^{\circ} 30'E$; thence true north to the shore of the mainland about 2.75 nautical miles north and west of Woolawar Gully.

Maud Landing.

All that portion of water bounded by lines starting at the high water mark of the Indian Ocean at the western extremity of Point Maud and extending west 3 nautical miles; thence north 9 nautical miles; thence east to the high water mark of the Indian Ocean and thence generally south-westerly along that mark to the starting point.

Onslow.

All that portion of water bounded by lines starting from the high water mark of the Indian Ocean at the northern extremity of Entrance Point and extending north-westerly to the high water mark of the Indian Ocean at the southern extremity of Ashburton Island; thence north-easterly to the high water mark of the Indian Ocean at the southern extremity of Direction Island; thence south-easterly to the high water mark of the Indian Ocean at the eastern extremity of Coolgra Point and thence generally westerly along that mark to the starting point but including all the waters of those rivers and creeks abutting the area.

Perth.

All that portion of water bounded by lines starting at the intersection of the high water mark of the right bank of the Swan River with the south-western side of the north-western section of the Causeway and extending south-easterly along that side to the highwater mark of Heirisson Island; thence generally south-westerly, generally south-easterly and generally north-easterly along that mark to the south-western side of the south-eastern section of the Causeway; thence south-easterly along that side to the high water mark of the left bank of the Swan River; thence generally south-westerly, generally north-westerly and generally southerly downwards along that mark and generally southerly upwards along the high water mark of the right bank of the Canning River to the north-western side of Canning Bridge; thence south-westerly along that side to the high water mark of the left bank of the Canning River; thence generally north-westerly downwards along that mark and generally westerly, generally south-westerly, generally north-westerly, again generally south-westerly, again generally north-westerly and again generally south-westerly downwards along the high water mark of the left bank of the Swan River to the western side of Fremantle

Bridge (Traffic); thence northerly along that side to the high water mark of the right bank of the Swan River; thence generally north-easterly, generally south-easterly, again generally north-easterly, again generally south-easterly, generally easterly and again generally south-easterly upwards along that mark to the starting point.

Point Cloates.

All that portion of water situate west of the high water mark of the Indian Ocean and contained within an arc of a circle having a radius of 12 nautical miles from the intersection of latitude $22^{\circ} 35'S$ and longitude $113^{\circ} 41'E$.

Port Hedland.

All that portion of water within a radius of 10 nautical miles of Hunt Point, at the entrance of Port Hedland.

Port Walcott.

All that portion of water bounded by a line starting from the north end of Dolphin Island running to the north end of Delambre Island then in a 081° direction to a position in latitude $20^{\circ} 21.5'S$ longitude $117^{\circ} 31.5'E$ and then due south to meet the high water mark on the shore, then following the high water mark of the shoreline generally in a westerly and northerly direction to Sloping Point; thence generally westerly to the northernmost north-western extremity of Burrup Peninsula; thence north-easterly crossing the western entrance of Boat Passage to the high water mark at the westernmost south-western extremity of Dolphin Island and thence generally easterly and generally north-easterly along the shoreline of that Island to the starting point.

Wyndham.

All the waters of Cambridge Gulf seaward of high water mark situate southerly from a line starting from the high water mark at the southern extremity of Cape Dussejour and extending easterly to Trigonometrical Station SO34 on Lacrosse Island and thence south-easterly to the high water mark at the northern extremity of Cape Domett.

Yampi Sound.

All that portion of water bounded by lines starting at the intersection of latitude $16^{\circ} 13' 13''S$; with longitude $123^{\circ} 32' 32''E$ and extending north 10 nautical miles; thence east 15 nautical miles; thence south to the high water mark of the Indian Ocean; thence generally north-westerly, generally westerly and generally southerly along that mark to latitude $16^{\circ} 13' 13''S$ and thence west to the starting point, including all the waters of abutting bays and creeks flowing into the area. ".