



New South Wales

Ports Corporatisation and Waterways Management Regulation 1997

under the

Ports Corporatisation and Waterways Management Act
1995

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Ports Corporatisation and Waterways Management Act 1995*.

C Scully

Minister for Ports

Explanatory note

The object of this Regulation is to provide a description of the boundaries of the commercial ports for the purposes of the marine legislation.

This Regulation comprises matters of a machinery nature.

This Regulation is made under the *Ports Corporatisation and Waterways Management Act 1995*, including section 105 (Port boundaries) and section 110 (the general regulation-making power).

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Ports Corporatisation and Waterways Management Regulation 1997

Part 1 Preliminary

1 Name of Regulation

This Regulation is the *Ports Corporatisation and Waterways Management Regulation 1997*.

2 Definition

In this Regulation:

the Act means the *Ports Corporatisation and Waterways Management Act 1995*.

3 Notes

The explanatory note, table of contents and notes in the text of this Regulation do not form part of this Regulation.

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Clause 4 Ports Corporatisation and Waterways Management Regulation 1997

Part 2 Port boundaries

Part 2 Port boundaries

4 Boundaries of ports

For the purposes of section 105 of the Act, the boundaries of a port named in Schedule 1 are as described in that Schedule beneath the name of the port concerned.

Note. Section 105 of the Act enables the regulations to describe the boundaries of any port or area of water. If the regulations do so, a reference in the marine legislation to that port or area of water is a reference to that port or area of water with boundaries as so described.

Part 3 General

5 Repeal of Ports Boundaries Regulation 1978

- (1) The *Ports Boundaries Regulation 1978* made under the *Maritime Services Act 1935* and, by operation of clause 13 (2) of Schedule 5 to the Act, taken to be a regulation made under the Act, is repealed.
- (2) Any act, matter or thing that had effect under a provision of the repealed regulation is taken to have effect under any corresponding provision of this Regulation.

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Schedule 1 Description of port boundaries

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(Clause 4)

1 Botany Bay

The waters of Botany Bay and of all bays, rivers and their tributaries connected or leading thereto bounded by mean high water mark and by, as upstream boundaries, the eastern side of the Endeavour Bridge in Cooks River and the eastern side of the Captain Cook Bridge in Georges River together with that part of the South Pacific Ocean below mean high water mark enclosed by the arc of a circle of radius 4 sea miles having as its centre the navigation light at Henry Head.

2 Clarence River (Yamba)

The waters of the main channel of the Clarence River, Iluka Bay and Yamba Channel bounded by mean high water mark and by, as upstream boundaries, the eastern side of Harwood Bridge in the main channel and, in Yamba Channel, a line drawn from the southernmost point of Freeburn Island to the easternmost point of Rabbit Island and thence produced south-westerly to the opposite shore and by, as seaward boundary, a line drawn between the eastern extremity of the northern breakwater at the entrance to the Clarence River and the eastern extremity of the southern breakwater at that entrance.

3 Newcastle Harbour

The waters of Newcastle Harbour and of all bays, rivers and their tributaries connected or leading thereto (but excluding Fullerton Cove) bounded by mean high water mark and by, as upstream boundary, the eastern side of the Hexham Bridge together with that part of the South Pacific Ocean below mean high water mark enclosed by the arc of a circle of radius 3 sea miles having as its centre the navigation light at Nobbys Head.

4 Port Kembla

The waters of Port Kembla Inner and Outer Harbours bounded by mean high water mark together with that part of the South Pacific Ocean below mean high water mark enclosed by the arc

of a circle of radius 2.5 sea miles having as its centre the navigation light on the outer extremity of the eastern breakwater at the entrance to the Outer Harbour.

5 Sydney Harbour

The waters of Sydney Harbour and of all tidal bays, rivers and their tributaries connected or leading thereto bounded by mean high water mark together with that part of the South Pacific Ocean below mean high water mark enclosed by the arc of a circle of radius 4 sea miles having as its centre the navigation light at Hornby Lighthouse.

6 Eden

The waters of Twofold Bay bounded by mean high water mark (but excluding all rivers and their tributaries connected or leading thereto) and by, as seaward boundary, a line drawn between the southernmost point of Worang Head and the northernmost point of Red Point.