STATUTORY RULES.
1922. No. 74.

REGULATIONS UNDER THE CONTROL OF NAVAL WATERS ACT 1918.

The Governor-General, in and over the Commonwealth of Australia, acting with the advice of the Federal Executive Council, hereby make the following Regulations under the Control of Naval Waters Act 1918, to come into operation forthwith.

Dated this thirty-first day of May, 1922.

FORSTER,
Governor-General.

By His Excellency's Command,
W. MASSY GREENE,
Minister of State for Defence.

CONTROL OF NAVAL WATERS REGULATIONS.

1. These Regulations may be cited as the Control of Naval Waters Regulations.

2. In these Regulations, unless the contrary intention appears—

   "Naval Establishment" includes any Naval Dock, Dockyard, Steam Factory Yard, Victualling Yard, Arsenal or Wharf mentioned in the Schedule;

   "Naval Ships" means any ship belonging to the King's Navy, or the Navy of the Commonwealth, or any British Possession, and includes any Auxiliary of any such Navy;

   "Master," used in relation to a vessel, means the person having the command or charge of the vessel for the time being;

   "Owner" includes the agent and charterer of a vessel;

   "Vessel" includes any ship, boat, lighter, and craft, however propelled, other than a naval ship.

3. These Regulations shall not, unless the contrary intention appears, apply to any naval ships.

4. (1) The Senior Naval Officer may delegate all or any of his powers under these Regulations (except this power of delegation) so that the officer delegated powers may be exercised as fully and effectually by the delegate as by the Senior Naval Officer.

   (2) Every delegation under this regulation shall be revocable at will, but any delegation shall not prevent the exercise of any power by the Senior Naval Officer.

5. These Regulations shall apply only to the naval waters specified in the Schedule to these Regulations.

6. The master of a vessel shall not permit the vessel to lie, or be moored vessels not to impede the approach to any Commonwealth Naval Establishment.

7. The master of a vessel shall not, without permission from the Senior Naval Officer, make the vessel fast to any fort, Government moorings, buoys, breakwaters, jetties, piers, or vessels in naval waters.

C.1367. P. 9th 3d.
8. The Senior Naval Officer shall place in naval waters moorings for naval ships, mark buoys, and other aids to navigation, and such other buoys as are required for any purposes in connexion with naval or military operations from time to time as the requirements of His Majesty's Naval Service demand.

9. The master of a vessel shall not anchor or permit the vessel to be anchored or moored within 600 feet, or such distance as the Senior Naval Officer specifies, from the centre of any Government moorings, nor in such a position as to be liable to foul any naval ships at these moorings.

10. The master of a vessel which is of greater length than 35 feet over all shall not cause or permit the vessel to be anchored in or near any of the navigable channels of any naval waters, or permit the vessel to be left at any time without a ship-keeper.

11. The master of a vessel shall not cause or permit the vessel to dredge, load, or anchor within 300 feet of a Commonwealth Naval Establishment in any naval waters without permission in writing from the Senior Naval Officer.

12. The master of a vessel shall not, without permission in writing from the Senior Naval Officer, cause or permit the vessel to approach within 100 feet of any Commonwealth Naval Establishment unless proceeding to or from the establishment on duty.

13. (1) No person shall lay moorings in any naval waters except with the permission in writing of the Senior Naval Officer, and in such positions as he directs;

(2) Any moorings laid in pursuance of the foregoing sub-regulation shall on notice in writing from the Senior Naval Officer, be removed by the person who is for the time being the owner of the moorings.

14. Where, in pursuance of these Regulations, a vessel is required by the Senior Naval Officer to be removed from any position in naval waters to some other position, and the vessel is not moved accordingly, the Senior Naval Officer may remove the vessel, and the master or owner of the vessel shall pay to the Senior Naval Officer the cost of the removal.

15. The master of a vessel shall not anchor within 600 feet of the line of any electric cable laid down in naval waters, and indicated by discernible marks erected on shore.

16. Should at any time the anchor of any vessel hook any Government moorings, electric cables, or moorings of buoys in naval waters, the master of the vessel shall not unhook the anchor, but shall forthwith give notice of the occurrence to the Senior Naval Officer, and shall comply with the directions of the Senior Naval Officer as to the method of clearing the moorings or cables.

17. If, owing to the crowded state of the channel in naval waters, it is necessary for two or more naval ships proceeding in company to claim the right of way, upon four blasts of the siren of one of the naval ships being sounded in quick succession, other vessels shall keep clear of the naval ships.

18. (1) The master of any vessel navigating in naval waters shall—

(a) Keep as far as practicable to the side of the fairway or mid-channel which lies on the starboard side of his vessel; and
(b) In meeting or passing another vessel, have due regard to the
rules for preventing collision, and to the tide, and the respective
positions of the vessels.

(2) Sailing vessels navigating in naval waters shall be kept under control.

19. Except where otherwise provided or directed by, or under these
Regulations, all vessels in naval waters shall comply with the rule laid down
from time to time for the prevention of collisions at sea.

20. When any fleet or squadron of naval ships is assembled in naval waters,
no vessel shall pass through the lines of such fleet or squadron, except in
such directions as are notified by the Senior Naval Officer by due notice issued,
posted, or otherwise promulgated.

21. The master of every vessel in naval waters shall have both cables
clear in readiness to pay out if required.

22. (1) The master of every vessel at anchor in naval waters shall at all
times have a sufficient number of men available to perform any services
required for the safety of his vessel.

(2) The master of every vessel lying in naval waters shall have at least
one man on watch on deck by day and by night.

23. Every vessel lying in naval waters shall have proper fire appliances
fitted and ready at all times for use.

24. The master of any vessel in naval waters shall not, without the
permission of the Senior Naval Officer, cause or permit any pitch, tar, resin,
saltpetre, grease, tallow, oil, or other combustible matter to be boiled or
heated on board the vessel, provided that this regulation shall not apply to
the boiling or heating of oil for ship’s machinery or ordinary lighting purposes.

25. The master of any vessel in naval waters or any other person shall
not cause or permit any ballast, stones, sand, earth, clay, refuse, ashes, timber, carcasses, rubbish, dust, or filth of any description, or refuse from
any quarry, mine or pit, or any other material, to be unladen, cast, or allowed
to fall into, or placed in such a position as to be washed into any naval
waters, except in such places as are directed by the Senior Naval Officer.

26. The master of a vessel shall not cause or permit the vessel to be
drawn, towed, or cleaned, in naval waters, except with the permission
of, and in the place and manner directed by, the Senior Naval Officer.

27. The owner of any vessel which is sunk, stranded, or run on shore
within the limits of any naval waters, shall, upon being so required by the
Senior Naval Officer, remove such vessel within such time as is specified by
the Senior Naval Officer.

28. (1) The Senior Naval Officer may from time to time issue such
speed of
vessels as
navigating
in naval waters
may be
prescribed.

(2) Any directions in pursuance of the foregoing sub-regulation shall
be issued, posted, or otherwise promulgated by the Senior Naval Officer.

29. (1) No gun, firearm or air-gun shall be discharged over naval waters
within the limits of naval waters.

(2) The foregoing sub-regulation shall not apply to Naval or Military
Forces, or to the Police Force of the Commonwealth or of any State engaged
within the limits of naval waters.

30. (1) The master of any vessel carrying explosives, oil of vitriol,
petroleum, or any other goods of a dangerous nature, shall not bring the vessel
into naval waters without first obtaining permission in writing from the
Senior Naval Officer.
(2) Any permission granted under this regulation may be granted for such period, and be accompanied by such conditions as to berthing, and the discharge of cargo or otherwise, as the Senior Naval Officer thinks fit, and the failure of the master to comply with any such conditions shall be deemed to be a breach of this regulation.

(3) The Senior Naval Officer may at any time cancel any permission granted under this regulation.

(4) In any proceedings against a master of a vessel in respect of a breach of this regulation, it shall not be a defence that the goods in respect of which the offence was committed were marked with a false description or were loaded or carried without the knowledge of the master.

31. The master of any vessel carrying, loading, or unloading any explosives or other goods of a dangerous nature shall, while in naval waters, exhibit at the mast-head a large red flag or burgee between sunrise and sunset, and a red light, visible in clear weather for at least two miles, between sunset and sunrise.

32. No person shall, without permission in writing from the Minister for Defence, construct any factory or store for explosives, oil, or other inflammable material within five miles of the limits of a dockyard, or within two miles of the limits of any defined naval waters.

33. (1) Whenever it is necessary for mining or gunnery operations, or experiments, or other naval purposes to reserve any area in naval waters for such operations or purposes, due notice shall be issued, posted, or otherwise promulgated by the Senior Naval Officer.

(2) No vessel shall anchor within or pass through any area in respect of which notice has been given in pursuance of the foregoing sub-regulation, unless compelled to do so by stress of weather, or to avoid accident.

(3) No person shall pass through or remain in any area in respect of which notice has been given in pursuance of sub-regulation (1) hereof, except by permission of, and under such conditions as are from time to time specified by the officer in charge of the operations.

34. (1) The Senior Naval Officer may, by notice in writing, prohibit the erection of any jetty, wharf, building or structure, in or on the fore-shore of any naval waters.

(2) Any person to whom notice has been given under the foregoing sub-regulation who erects in or near the fore-shore of any naval waters any structure prohibited by the notice, shall be guilty of an offence against these Regulations, and shall remove any such structure, or should he fail to do so, it may be removed by the Senior Naval Officer and the person who constructed it, or caused it to be constructed, shall pay to the Senior Naval Officer the cost of such removal.

35. The master of any vessel in naval waters shall do the utmost in his power to facilitate the search or examination of the vessel by the Senior Naval Officer or by a person or persons acting on his behalf.

36. The master of any vessel or any other person who contravenes these Regulations, or refuses, or fails to comply with any provision of these Regulations, or any notice or direction given by the Senior Naval Officer, or other competent authority, shall be guilty of an offence against these Regulations.

Penalty: £100, or imprisonment for six months.
SCHEDULE.

The waters more particularly described in the following Schedule are naval waters within the meaning of the Control of Naval Waters Act 1918, by the reason of the existence thereof of a Naval Establishment or other naval property.

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COCKBURN SOUND.

(Including Fremantle) Western Australia.

Limits of dockyard port—-

On the North.—By a line joining Position A (Bottleneck high light, bearing 310° dist. 3.9 miles) and Position B (Bottleneck high light, bearing 283° dist. 5 miles). Also the line joining Position B and Position C (Woodman's Point light, bearing 137°, dist. 5.3 miles). Also by a line joining Position C and Position D (Woodman's Point light, bearing 126°, dist. 4 miles). Also by a line joining Position D and Position E (Woodman's Point light, bearing 102°, dist. 1.5 miles).

On the East.—By the high water line of the State of Western Australia.

On the South.—By a line joining Mersey Point and Position F (Mersey Point, bearing 50°, dist. 4.4 miles).

On the West.—By a line joining Position F and Position A.

(Chart No. 1058, Fremantle Island to Warriena Sound.)

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PORT PHILLIP.

Victoria.

NAVAL ESTABLISHMENTS.

Naval Depot, Swan Island.

Naval Depot, Osborne House.

Waters in the vicinity of Swan Island—-

On the North.—By a line from the northermost extremity of Swan Island (Position A) in a direction 101° to black buoy (Position B).

On the East.—By a line from Position B in a direction 193° to Swan Spit Buoy (Position C).

On the South.—By a line from Position C in a direction 272° to high water mark of the State of Victoria (Position D).

On the West.—By a line from Position D in a direction 12° to high water mark of the State of Victoria (Position E).

(Chart No. 2747.)

Waters in Corio Bay : Limits of Man-o-War Anchorage.

On the North.—By a line joining Position A (Hutton Wharf light, bearing 196°, dist. 1 mile) and Position B (Hutton Wharf light, bearing 221°, dist. 1½ miles).

On the East.—By a line joining Position B, and Position C (Hutton Wharf light, 253°, dist. 0.3 miles).

On the South.—By a line joining Position C and the end of Naval Jetty.

On the West.—By the high water line of the State of Victoria.

(Chart No. 2731, Geelong Harbour.)

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PORT WESTERN.

Victoria.

NAVAL ESTABLISHMENT.

Flinders Naval Depot.

Limits of Naval Port—-

On the North.—By a line drawn 90° (true) from Stony Point.

On the South.—By a line joining Sandy Point and Tortoise Head.

On the East.—The meridian of 146° 16' East.

On the West.—By the high water line of Port Western, in the State of Victoria.

(Chart No. 1797, Port Western.)
PORT JACKSON.
New South Wales.

NAVAL ESTABLISHMENTS.

Naval Reserve (Lyne Park), Rose Bay.
Garden Island.
Fort Denison.
Kirribilli Point (Admiralty House).
Cockatoo Island.
Spectacle Island.
Royal Edward Victualling Yard (Darling Harbour).
Naval Reserve Depot, Bushcutter Bay.
Tresco, Elizabeth Bay.
Narrington Magazine.

Limits of Man-o-War Anchorage—

On the North.—By a line drawn from the north extreme of Fort Macquarie, passing half a cable south of Fort Denison, passing through the north-east extreme of Garden Island to Position A (Garden Island Flag Staff, bearing 272°, dist. 3,220 feet).

On the South.—From the southern extreme of Garden Island to Position B (Garden Island Flag Staff, bearing 319°, dist. 3,050 feet) and a line of bearing 273° drawn from southern extreme Garden Island to the high water mark of Sydney Domain.

On the East.—By a line joining Position A and Position B.

On the West.—By the high water mark in Farna Cove, Sydney, in the State of New South Wales.

(Chart No. 1069, Port Jackson.)

Limits of Anchorage off Cockatoo Island—

On the North.—By a line joining Position D (Cockatoo Island northern extreme, bearing 270°, dist. 3 cables), and the north extreme of Cockatoo Island; also by a line joining Position E (north extreme of Cockatoo Island, bearing 109°, dist. 4 cables), and the north extreme of Cockatoo Island.

On the West.—By a line joining Position E and the western extreme of Spectacle Island; also by a line joining west extreme of Spectacle Island and Position F (west extreme Spectacle Island, bearing 308°, dist. 1.75 cables).

On the South.—By a line joining Position F and Position G (south-east extreme of Cockatoo Island, bearing 322°, dist. 2 cables).

On the East.—By a line joining Position G and Position H (south-east extreme of Cockatoo Island, bearing 286°, dist. 2 cables); also by a line joining Position H and Position I.

(Chart No. 1069, Port Jackson.)

Limits of Submarine Mining Ground, Rose Bay—

On the North.—By a line joining Point Piper and Hermit Point.

On the East, South, and West.—By the high water mark of Rose Bay, Port Jackson, in the State of New South Wales.

Limits of Royal Edward Victualling Yard (Darling Harbour)—

Space of water the length of the Royal Edward Victualling Yard and a width of 100 feet to this frontage.
JERVIS BAY.
New South Wales.
NAVAL ESTABLISHMENT.

Royal Australian Naval College (Captain's Point).

Limits of Naval Port:

On the East.—By a line drawn from Longnose Point, passing through Bowen Island to Governor Head.

On the South, West, and North.—By the high-waterline of Jervis Bay, in the State of New South Wales.

The following areas to be reserved for merchant shipping:

Southern Portion of Bay.—That part of Darling-road enclosed by meridian 150° 40' E., and parallel 35° 6' 50'' S.

Western Portion of Bay.—Waters enclosed by meridian 150° 43' 30'' E. 
(Chart No. 567, Jervis Bay.)