

South Australia

Harbors and Navigation (Care, Control and Management—Port Pirie) Proclamation 2005

under section 18 of the *Harbors and Navigation Act 1993*

1—Short title

This proclamation may be cited as the *Harbors and Navigation (Care, Control and Management—Port Pirie) Proclamation 2005*.

2—Commencement

This proclamation comes into operation on the day on which it is made.

3—Interpretation

In this proclamation—

Act means the *Harbors and Navigation Act 1993*;

development has the meaning assigned to the term by the *Development Act 1993*;

GP means a plan relating to land deposited at the General Registry Office at Adelaide under section 31 of the *Registration of Deeds Act 1935*;

Port Pirie Marina and Fisherman's Jetty means—

- (a) the subjacent land belonging to the Minister within so much of Area A and Area B delineated on GP 79/2002 as is not within the area of the Port Pirie Regional Council; and
- (b) any structures belonging to the Minister on that subjacent land.

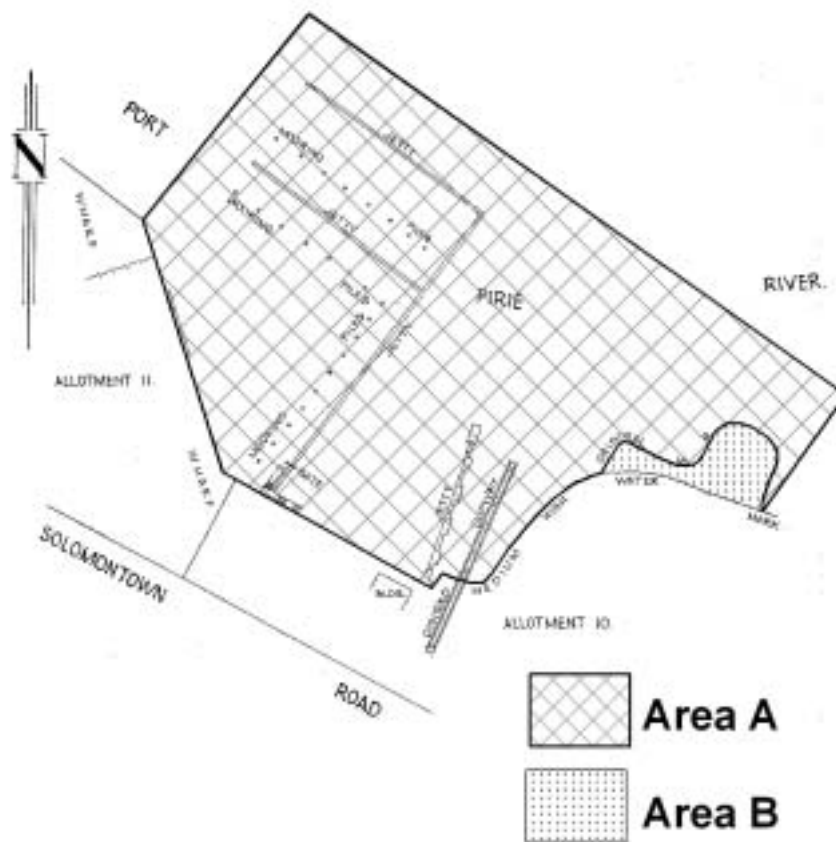
4—Care, control and management of Port Pirie Marina and Fisherman's Jetty

- (1) Pursuant to section 18(1) of the Act, Port Pirie Marina and Fisherman's Jetty are placed under the care, control and management of the Port Pirie Regional Council (the *Council*).
- (2) Pursuant to section 18(2)(a) of the Act, the following conditions are imposed in relation to the care, control and management of Port Pirie Marina and Fisherman's Jetty:
 - (a) the Council must indemnify the Minister against all claims for injury to or death of a person or loss of or damage to property occurring in connection with Port Pirie Marina and Fisherman's Jetty while they are under the care, control and management of the Council;
 - (b) the Council must maintain Port Pirie Marina and Fisherman's Jetty in accordance with an agreement entered into with the Minister;
 - (c) the Council must not undertake development of Port Pirie Marina and Fisherman's Jetty without the prior approval of the Minister;

- (d) the cost of maintenance and development of Port Pirie Marina and Fisherman's Jetty and any other costs associated with their care, control or management must be borne by the Council;
- (e) the Council must not hinder or prevent the exercise of rights or obligations under a lease or licence existing at the commencement of this proclamation in respect of Port Pirie Marina and Fisherman's Jetty.

Schedule 1—Plan of Port Pirie Marina and Fisherman's Jetty

The following plan is provided for information purposes only:



Made by the Governor

with the advice and consent of the Executive Council
on 8 December 2005

MTR05/044CS