



Transport Operations (Marine Pollution) Act 1995

Transport Operations (Marine Pollution) Regulation 2008

Reprinted as in force on 1 July 2010

Reprint No. 1B

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This page is specific to this reprint. See previous reprints for information about earlier changes made under the Reprints Act 1992. A table of reprints is included in the endnotes.

Also see endnotes for information about—

- **when provisions commenced**
- **editorial changes made in earlier reprints.**

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Queensland

Transport Operations (Marine Pollution) Regulation 2008

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Transport Operations (Marine Pollution) Regulation 2008

[as amended by all amendments that commenced on or before 1 July 2010]

Part 1 Preliminary

1 Short title

This regulation may be cited as the *Transport Operations (Marine Pollution) Regulation 2008*.

2 Commencement

The regulation commences on 1 September 2008.

3 Definitions

The dictionary in schedule 8 defines particular words used in this regulation.

Editor's note—

See section 5 of the Act about words and expressions used in MARPOL (other than in an annex) and the Act.

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Part 2 Oil

Division 1 Purpose and interpretation

5 Purpose of pt 2

- (1) The purpose of this part is to provide for matters for part 4 of the Act.
- (2) Division 2 sets out discharges that, if made under the division, are, for section 29(1) of the Act, exempt from the operation of the discharge offences in sections 26(1) and 27(1) of the Act.

Editor's note—

See sections 26 (Discharge of oil into coastal waters prohibited), 27 (Oil residues) and 29 (Certain discharges permissible) of the Act.

- (3) Division 3 sets out matters relating to shipboard oil pollution emergency plans.
- (4) Division 4 sets out matters relating to oil record books.

6 Meaning of words and expressions in pt 2

For the application of the *Statutory Instruments Act 1992*, section 37 to words and expressions used in this part, the provisions of part 4 of the Act are the relevant provisions.

Editor's note—

See sections 24 (Definitions for part) and 25 (Words and expressions used in Annex I to MARPOL and this part) of the Act.

7 Definitions for pt 2

In this part—

gt, of a ship, means the gross tonnage of the ship calculated in the way authorised in the Tonnage Measurement Convention.

Tonnage Measurement Convention see the Commonwealth Navigation Act, section 405B.

Division 2 Exemptions

Subdivision 1 Oil tankers

8 Definition for sdiv 1

In this subdivision—

Commonwealth prescribed means prescribed under regulations made under the Commonwealth Navigation Act, section 267A.

9 Conditions for discharge of oil other than oil from machinery space bilges

If a discharge is a discharge from an oil tanker of oil, other than oil discharged as mentioned in section 10, the discharge may be made if the following conditions are satisfied—

- (a) the oil tanker is more than 50n miles from the nearest land;
- (b) the oil tanker is proceeding en route;
- (c) the instantaneous rate of discharge of oil content of the effluent that is discharged is not more than 30L/n mile;
- (d) the total quantity of oil discharged into coastal waters is not more than the total quantity allowed under the *Protection of the Sea (Prevention of Pollution from Ships) Act 1983* (Cwlth), section 9 for the oil tanker;
- (e) the oil tanker has in operation a Commonwealth prescribed oil discharge monitoring and control system and a Commonwealth prescribed slop tank arrangement.

10 Conditions for discharge of oil from particular machinery space bilges

If a discharge is a discharge from an oil tanker of oil from its machinery space bilges, other than its cargo pump room

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bilges, the discharge may be made if the following conditions are satisfied—

- (a) the oil does not include oil cargo residue;
- (b) the oil tanker is proceeding en route;
- (c) the oil content of the effluent that is discharged is less than 15 parts in 1000000 parts;
- (d) the oil tanker has in operation Commonwealth prescribed oil filtering equipment.

Subdivision 2 Particular ships of 400gt or more

11 Application of sdiv 2

This subdivision applies to a ship of 400gt or more other than ship that is an oil tanker.

12 Conditions for discharge of oil

If a discharge is a discharge of oil from the ship, the discharge may be made if the following conditions are satisfied—

- (a) the ship is proceeding en route;
- (b) the oil content of the effluent that is discharged is less than 15 parts in 1000000 parts;
- (c) the ship has in operation Commonwealth prescribed oil filtering equipment.

Division 3 Shipboard oil pollution emergency plan

13 Shipboard oil pollution emergency plan

- (1) A ship's shipboard oil pollution emergency plan (the *plan*) must be in the approved form, in the English language and include the following particulars—

-
- (a) the procedure to be followed by the ship's master, or someone else having charge of the ship, in notifying a reportable incident that is a discharge or probable discharge of oil involving the ship;

Editor's note—

See part 8 (Reporting requirements) for things that the procedure must include.

- (b) a list of the entities to be notified by persons on board if the reportable incident happens;
 - (c) the procedure to be followed for coordinating with entities notified about the reportable incident;
 - (d) the name of the person on board through whom all communications about the reportable incident are to be made;
 - (e) a detailed description of the action to be taken, immediately after the reportable incident, by persons on board to minimise or control any discharge of oil from the ship resulting from the reportable incident.
- (2) The ship's owner may apply to the general manager for an approval of the plan.
 - (3) The application must be accompanied by a fee of \$64.00 for the approval.

Division 4 Oil record book

14 Application of div 4

- (1) This division applies to—
 - (a) a ship that is an oil tanker of 150gt or more; or
 - (b) a ship, other than an oil tanker, of 150gt or more that carries oil in a portable tank with a capacity of 400L or more; or
 - (c) a ship, other than an oil tanker, of 400gt or more.

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(2) In this section—

Australian fishing vessel means a fishing vessel that is registered or entitled to be registered in Australia or in relation to which an instrument under the *Fisheries Management Act 1991* (Cwlth), section 4(2) is in force.

pleasure vessel means a vessel used wholly for recreational or sporting activities and not for hire or reward.

ship means—

- (a) a trading ship proceeding en route on an intrastate voyage; or
- (b) an Australian fishing vessel proceeding en route on a voyage other than an overseas voyage; or
- (c) a pleasure vessel.

15 Oil record book must be carried on ship or retained

- (1) The ship must carry a current oil record book that is readily available for inspection at all reasonable times.
- (2) If the ship does not carry a current oil record book as required under subsection (1), the ship's owner and master each commit an offence.

Maximum penalty—350 penalty units.

- (3) Also, the ship's owner and master must ensure any previous oil record book for the ship—
 - (a) is kept on board for 3 years from the day when the last entry was made in the book; and
 - (b) while kept as required under paragraph (a), is readily available for inspection at all reasonable times.
- (4) If the previous oil record book is not kept and readily available for inspection as required under subsection (3), the ship's owner and master each commit an offence.

Maximum penalty—350 penalty units.

16 Form of oil record book

An oil record book must comply with the requirements for an oil record book under the *Protection of the Sea (Prevention of Pollution from Ships) Act 1983* (Cwlth), section 12.

17 Entries in oil record book

- (1) If a recordable operation or recordable event is carried out or happens in or in relation to the ship, the ship's master must make an appropriate entry under subsection (2) about the operation or event in the ship's oil record book without delay.

Maximum penalty—350 penalty units.

- (2) The entry must be—
- (a) made in the English language; and
 - (b) signed by—
 - (i) if a recordable operation is carried out or happens in or in relation to the ship—the officer or other person in charge of the operation; and
 - (ii) if a recordable event is carried out or happens in or in relation to the ship—the person in control of the ship.
- (3) When a page of the ship's oil record book is completed, the ship's master must sign the page without delay.

Maximum penalty—350 penalty units.

- (4) In this section—

recordable event means a recordable event mentioned in schedule 1, part 1, section 3.

recordable operation means a recordable operation mentioned in schedule 1, part 1, section 1 or 2.

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Part 3 **Noxious liquid substances in bulk**

Division 1 **Purpose and interpretation**

18 **Purpose of pt 3**

- (1) The purpose of this part is to provide for matters for part 5 of the Act.
- (2) Division 2 sets out discharges that, if made under the division, are, for section 37(1) of the Act, exempt from the operation of the discharge offence in section 35(1) of the Act.

Editor's note—

See sections 35 (Discharge of noxious liquid substances into coastal waters prohibited) and 37 (Certain discharges permissible) of the Act.

- (3) Division 3 sets out matters relating to cargo record books.
- (4) Division 4 sets out other matters relating to ships carrying noxious liquid substances in bulk.

19 **Meaning of words and expressions in pt 3**

For the application of the *Statutory Instruments Act 1992*, section 37 to words and expressions used in this part, the provisions of part 5 of the Act are the relevant provisions.

Notes—

- 1 Bulk Chemical Code, chemical tanker, en route, International Bulk Chemical Code, liquid substances, nearest land and residue are some of the expressions defined in Annex II.
- 2 Cargo record book, carriage requirements, conditions, effluent, oil content meter, reception facility and upgrading are some of the expressions used in Annex II.

Editor's note—

See sections 33 (Definitions for part) and 34 (Words and expressions used in Annex II to MARPOL and this part) of the Act.

20 Definition for pt 3

In this part—

authorised officer includes a marine surveyor appointed or authorised by the government of a country that is a party to MARPOL for the purpose of implementing Annex II, regulation 8.

Division 2 Exemptions

Subdivision 1 Category X substances

21 Definition for sdiv 1

In this subdivision—

tank means an enclosed space formed by the permanent structure of a ship and designed for the carriage of liquid in bulk.

22 Discharge of water involving category X substances is exempt

(1) This section applies if—

- (a) a ship's tank that held a category X substance has been washed under the procedure stated in section 24; and
- (b) the resulting residues in the tank have been discharged to a reception facility until—
 - (i) the concentration of the category X substance in the effluent that is discharged to the facility is at or below the residual concentration declared for the substance under section 26; and
 - (ii) the tank is empty; and
- (c) the residue remaining in the tank has been subsequently diluted by the addition of a volume of water.

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- (2) For section 37(1) of the Act, the discharge of water containing residue mentioned in subsection (1)(c) is exempted from the operation of the discharge offence if the other conditions stated in section 31 are complied with.

23 Tank washing required for category X substances

- (1) For category X substances, a ship's tank that has been unloaded must, before the ship leaves the port of unloading, be washed under the procedure stated in section 24.

Editor's note—

The requirement under this section to tank wash is part of the exemption under section 22.

- (2) However, if the ship's master applies in the approved form, the general manager may exempt the ship from subsection (1) if the general manager is reasonably satisfied—
 - (a) the tank unloaded is to be reloaded with the same substance or another substance compatible with the substance unloaded and the tank will not be washed or ballasted before loading; or
 - (b) the tank unloaded is not to be washed or ballasted at sea and an alternative washing procedure allowed under section 25 will be carried out at another port; or
 - (c) the cargo residues will be removed by a ventilation procedure approved by the general manager and based on standards developed by IMO.
- (3) For subsection (2)(b), the general manager is taken to be reasonably satisfied that an alternative washing procedure will be carried out at another port if the ship's master—
 - (a) undertakes, in writing, to have the procedure carried out at the other port; and
 - (b) provides confirmation, in writing, from an officer or employee of the other port that the port has a reception facility available and adequate for the purpose.

24 Approved tank washing procedure

- (1) For section 23(1), the tank must be washed under the supervision of an authorised officer.
- (2) The effluent that is discharged from the tank washing must be discharged to a reception facility until the concentration of the category X substance in the discharge, as indicated by analyses of samples of the effluent taken by the authorised officer, has fallen to the residual concentration declared for the substance under section 26.
- (3) When the required residual concentration is achieved, remaining tank washings must continue to be discharged to the reception facility until the tank is empty.
- (4) The authorised officer must sign an entry in the cargo record book recording the carrying out of the procedure.

25 Alternative tank washing procedure

The general manager may approve an alternative procedure proposed by the ship's master as being equivalent to the approved procedure under section 24 (*alternative procedure*) if—

- (a) the general manager is reasonably satisfied it is impracticable to measure the concentration of the category X substance in the effluent that is discharged from the tank washing without causing undue delay to the ship; and
- (b) the ship's master applies, in the approved form, for the general manager to approve an alternative procedure; and
- (c) the general manager approves the alternative procedure; and
- (d) the tank is prewashed in accordance with a procedure approved by the general manager and based on standards developed by IMO; and
- (e) an authorised officer certifies in the cargo record book that—

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- (i) the tank, its pump and piping systems have been emptied; and
- (ii) the prewash has been carried out in accordance with the prewash procedure mentioned in paragraph (d) for the tank and substance; and
- (iii) the tank washings resulting from the prewash have been discharged to a reception facility and the tank is empty.

26 Declaration about residual concentration

For section 133(3)(c) of the Act, the residual concentration of 0.1% by weight is taken to be the residual concentration prescribed for each category X substance in Annex II, Appendix 1.

Subdivision 2 Category Y substances and category Z substances

27 Discharge of water involving category Y substances or category Z substances is exempt

- (1) This section applies if—
 - (a) a ship's tank that held a category Y substance (the *relevant substance*) or category Z substance (also the *relevant substance*)—
 - (i) is unloaded in accordance with the ship's procedures and arrangements manual; or
 - (ii) is not unloaded in accordance with the ship's procedures and arrangements manual but the ship's tank has been washed in accordance with section 28; and
 - (b) the discharge of water from the ship's tank in the wake astern of the ship does not contain more than 1 part in 1000000 parts of the substance.

-
- (2) For section 37(1) of the Act, the discharge of water containing the relevant substance is exempted from the operation of the discharge offence if the other conditions stated in section 31(c) and (d) are complied with.
 - (3) However, if a relevant ship's tank held a category Z substance and the ship's master applies in the approved form, the general manager may exempt the ship from the condition under section 31(c).
 - (4) In this section—
relevant ship means a ship is registered in Queensland and on an intrastate voyage.

28 Tank washing required for category Y substances or category Z substances

- (1) For category Y substances or category Z substances, a ship's tank that has not been unloaded in accordance with the ship's procedures and arrangements manual must, before the ship leaves the port of unloading, be prewashed under the procedure stated in section 29.

Editor's note—

The requirement under this section to tank wash is part of the exemption under section 27.

- (2) However, if the ship's master applies in the approved form, the general manager may exempt the ship from the requirements of subsection (1) if the general manager is reasonably satisfied—
 - (a) the tank unloaded is to be reloaded with the same substance or another substance compatible with the substance unloaded and the tank will not be washed or ballasted before loading; or
 - (b) the tank unloaded is not to be washed or ballasted at sea and a prewashing procedure allowed under section 30 will be carried out at another port; or

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- (c) the cargo residues will be removed by a ventilation procedure approved by the general manager and based on standards developed by IMO.

29 Approved prewash procedure

- (1) For section 28(1), the prewash procedure used must be approved by the general manager and based on standards developed by IMO and the resulting tank washings must be discharged to a reception facility at the port where the tank is prewashed.
- (2) The ship's master may apply to the general manager in the approved form for approval of the prewash procedure.

30 Prewash procedure at another port

For section 28(2)(b), the general manager is taken to be reasonably satisfied that a prewash procedure approved by the general manager and based on standards developed by IMO will be carried out at another port if the ship's master—

- (a) undertakes, in writing, to have the procedure carried out at the other port; and
- (b) provides confirmation, in writing, from an officer or employee of the other port that the port has a reception facility available and adequate for the purpose.

Subdivision 3 Other conditions applying to all discharges

31 Other conditions applying to all discharges

The other conditions for a discharge to be an exempted discharge are—

- (a) the discharge is made when the ship is proceeding en route at a speed of—
 - (i) if the ship is self-propelled—at least 7kn; or

- (ii) if the ship is not self-propelled—at least 4kn; and
- (b) the discharge is made below the water line of the ship taking into account the location of the ship's seawater intakes; and
- (c) the discharge is made when the ship is at least 12n miles from the nearest land; and
- (d) the discharge is made in water at least 25m deep.

Division 3 Cargo record book

32 Application of div 3

This division applies to a trading ship—

- (a) carrying liquid substances in bulk; and
- (b) proceeding en route on an intrastate voyage.

33 Cargo record book must be carried on ship or retained

- (1) The ship must carry a current cargo record book that is readily available for inspection at all reasonable times.
- (2) If the ship does not carry a current cargo record book as required under subsection (1), the ship's owner and master each commit an offence.

Maximum penalty—350 penalty units.

- (3) Also, the ship's owner and master must ensure any previous cargo record book for the ship—
 - (a) is kept on board for 3 years from the day when the last entry was made in the book; and
 - (b) while kept as required under paragraph (a), is readily available for inspection at all reasonable times.

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- (4) If the previous cargo record book is not kept and readily available for inspection as required under subsection (3), the ship's owner and master each commit an offence.

Maximum penalty—350 penalty units.

34 Form of cargo record book

A cargo record book must comply with the requirements for a cargo record book under the *Protection of the Sea (Prevention of Pollution from Ships) Act 1983* (Cwlth), section 23.

35 Entries in cargo record book

- (1) If a recordable operation or recordable event is carried out or happens in or in relation to the ship, the ship's master must make an appropriate entry under subsection (2) about the operation or event in the ship's cargo record book without delay.

Maximum penalty—350 penalty units.

- (2) The entry must be—
- (a) made in the English language; and
 - (b) signed by—
 - (i) if a recordable operation is carried out or happens in or in relation to the ship—the officer or other person in charge of the operation; and
 - (ii) if a recordable event is carried out or happens in or in relation to the ship—the person in control of the ship.
- (3) When a page of the ship's cargo record book is completed, the ship's master must sign the page without delay.

Maximum penalty—350 penalty units.

- (4) In this section—

recordable event means a recordable event mentioned in schedule 1, part 2, section 5.

recordable operation means a recordable operation mentioned in schedule 1, part 2, section 4.

Division 4 Other matters

36 Carriage requirements of particular ships

- (1) This section applies if—
 - (a) a change to Annex II, the International Bulk Chemical Code and Bulk Chemical Code (a *relevant amendment*) involves changes to the structure or equipment and fittings of a relevant ship due to the upgrading of the requirements for the carriage of particular noxious liquid substances; and
 - (b) the general manager considers the immediate application of the relevant amendment to the relevant ship is unreasonable or impracticable having regard to—
 - (i) the ship's design; and
 - (ii) the cargo proposed to be carried on the ship; and
 - (iii) the area proposed for the ship's operation.
- (2) If the ship's owner applies in the approved form, the general manager may, having regard to the category of the substance, exempt the relevant ship from the application of the relevant amendment by modifying or delaying for a stated period the application of the relevant amendment to the relevant ship.
- (3) However, if a relevant ship is certified to carry individually identified vegetable oils, identified by the relevant footnote in the International Bulk Chemical Code, chapter 17, the general manager may exempt the ship from the carriage requirements under Annex II, regulation 11.
- (4) In this section—

relevant footnote means the footnote in the International Bulk Chemical Code, chapter 17, about vegetable oils.

[s 37]

Note—

The International Bulk Chemical Code is published by the IMO. Schedule 2 includes the International Bulk Chemical Code, chapter 17, for information purposes only. The relevant footnote is footnote 'm'.

relevant ship, in relation to a relevant amendment, means a ship constructed before the date the relevant amendment came into force.

37 Equipment at least equivalent to Annex II equipment may be used in ship

If the ship's owner applies in the approved form, the general manager may approve the use, in a ship, of a fitting, material, appliance or apparatus (the ***equipment***) as an alternative to a fitting, material, appliance or apparatus required under Annex II (the ***Annex II equipment***) if the general manager is satisfied on reasonable grounds the equipment is at least as effective as the Annex II equipment.

Part 4 Packaged harmful substances

38 Purpose of pt 4

The purpose of this part is to provide for matters for part 6 of the Act.

39 Meaning of words and expressions in pt 4

For the application of the *Statutory Instruments Act 1992*, section 37 to words and expressions used in this part, the provisions of part 6 of the Act are the relevant provisions.

Editor's note—

See sections 40 (Definitions for part) and 41 (Words and expressions used in Annex III to MARPOL and this part) of the Act.

40 Procedures for washing leakages overboard

- (1) For section 43(b) of the Act, the procedures prescribed are the procedures provided under the IMDG Code, chapter 7.3 that are appropriate for the leakage.
- (2) In deciding what procedures are appropriate, regard must be had to the physical, chemical and biological properties of the leaked substance.
- (3) In this section—

IMDG Code means International Maritime Dangerous Goods Code as published by IMO.

Part 5 Sewage management

Division 1 Purpose and interpretation

41 Purpose of pt 5

The purpose of this part is to provide for matters for part 7 of the Act.

42 Meaning of words and expressions in pt 5

For the application of the *Statutory Instruments Act 1992*, section 37 to words and expressions used in this part, the provisions of part 7 of the Act are the relevant provisions.

Editor's note—

See sections 45 (Definitions for pt 7) and 46 (Words and expressions used in Annex IV to MARPOL and this part) of the Act.

43 Definitions for pt 5

In this part—

[s 44]

disposal facility means a facility for holding or receiving sewage for disposal.

fixed toilet, on a ship, means a toilet fixed permanently on board the ship.

macerator means a device or system that effectively reduces solid wastes in sewage into, at least, a fine slurry.

Example of effectively reduces—

grinds, shreds or pulps

Division 2 Discharge of sewage

Subdivision 1 Discharge of sewage from ships generally

44 Nil discharge waters for untreated sewage—Act, s 47

For section 47 of the Act, the nil discharge waters for untreated sewage are the coastal waters stated in schedule 3.

45 Nil discharge waters for treated sewage—Act, s 48

For section 48 of the Act, the nil discharge waters for treated sewage are the coastal waters stated in schedule 4.

Subdivision 2 Discharge of sewage from declared ships

46 Declaration about declared ship—Act, s 49

A ship is declared to be a ship to which section 49 of the Act applies if—

- (a) the ship has a fixed toilet; and

- (b) under the *Transport Operations (Marine Safety) Regulation 2004*, the ship is registered as a class 1B, 1C, 1D, 1E or 1F ship.

47 Nil discharge waters for treated sewage or untreated sewage—Act, s 49

For section 49(3) of the Act, the nil discharge waters for treated sewage or untreated sewage from a declared ship are the coastal waters stated in schedule 5.

Division 3 Shipboard sewage management plan

48 Declaration about ship—Act, s 51

A ship is declared for section 51 of the Act if—

- (a) the ship has a fixed toilet; and
(b) under the *Transport Operations (Marine Safety) Regulation 2004*, the ship is registered as a class 1B, 1C, 1D, 1E or 1F ship.

49 Minimum requirements for shipboard sewage management plan

For section 51(4) of the Act, the minimum requirements for a shipboard sewage management plan are—

- (a) the plan must be written in the English language; and
(b) the plan must state the following particulars—
(i) the name, registration number and class of ship to which the plan applies;
(ii) the size and type of the ship;
(iii) the way the plan provides for the management of shipboard sewage and prevents the unlawful discharge of sewage from the ship;

[s 50]

- (iv) the waters, if any, where the ship may lawfully discharge sewage;
- (v) the equipment the ship is fitted with for holding or treating sewage;
- (vi) the operating and maintenance instructions for the equipment;
- (vii) how the equipment is operated to prevent the unlawful discharge of sewage into the waters where the ship is operating;
- (viii) the way the equipment is maintained and checked to ensure the equipment is in proper working order.

Division 4 Sewage disposal record book

50 Application of div 4

This division applies to a declared ship under section 49 of the Act.

51 Sewage disposal record book must be carried on board or retained

- (1) The ship must carry a current sewage disposal record book (a *sewage disposal record book*) that is readily available for inspection at all reasonable times.
- (2) If the ship does not carry a current sewage disposal record book as required under subsection (1), the ship's owner and master each commit an offence.

Maximum penalty—350 penalty units.

- (3) Also, the ship's owner and master must ensure any previous sewage disposal record book (also a *sewage disposal record book*) for the ship—
 - (a) is kept on board for 3 years from the day when the last entry was made in the book; and

- (b) while kept as required under paragraph (a), is readily available for inspection at all reasonable times.
- (4) If the previous sewage disposal record book is not kept and readily available for inspection as required under subsection (3), the ship's owner and master each commit an offence.

Maximum penalty—350 penalty units.

52 Entries in sewage disposal record book

- (1) If sewage in the ship's sewage holding device is discharged into a disposal facility, the ship's master or other person in control of the discharge must make an appropriate entry under subsection (2) about the discharge in the ship's sewage disposal record book.

Maximum penalty—350 penalty units.

- (2) The entry must—
 - (a) state the date, time, place and volume, in litres, of each discharge; and
 - (b) be made in the English language; and
 - (c) be signed by the ship's master or other person in control of the discharge.
- (3) When a page of the ship's sewage disposal record book is completed, the ship's master must sign the page without delay.

Maximum penalty—350 penalty units.

Division 5 Particular ships to be fitted with macerator

53 Ship must be fitted with macerator

- (1) This section applies if a ship—
 - (a) is in coastal waters, including the nil discharge waters for sections 47 to 49 of the Act; and

[s 54]

Note—

See schedules 3 to 5.

- (b) has a fixed toilet.
- (2) However, this section does not apply to a declared ship under section 49 of the Act that—
 - (a) operates only in nil discharge waters for section 49 of the Act; and
 - (b) discharges sewage into a disposal facility only.
- (3) The ship’s owner must ensure that—
 - (a) the ship is fitted with a macerator; and
 - (b) sewage is unable to bypass the macerator.

Maximum penalty—350 penalty units.

Example of paragraph (b)—

A discharge point must not be fitted in-line to bypass the macerator.

- (4) The ship’s master must not discharge, or allow anyone else on board to discharge, sewage from the toilet into coastal waters unless the sewage has passed through a macerator.

Maximum penalty—350 penalty units.

Division 6 Treatment systems and documents about treatment systems

54 Definitions for div 6

- (1) In this division—

analyses means analyses of the levels of sewage quality characteristics remaining in sewage after it has been treated in a treatment system for grade A treated sewage, grade B treated sewage or grade C treated sewage.

independent testing entity means an entity that—

- (a) is accredited by NATA as competent to perform analyses; and

(b) performs, in Australia, analyses.

NATA means the National Association of Testing Authorities, Australia, ABN 59 004 379 748.

system documentation, for a treatment system, means—

- (a) documentation from the treatment system's manufacturer or supplier that states—
 - (i) the treatment system's performance specifications under normal operating conditions; and
 - (ii) the following information about the independent testing entity that performed the analyses of the sewage after it has been treated in the treatment system—
 - (A) the name and address of the entity; and
 - (B) the date and the results of the entity's assessment; or
- (b) documentation equivalent to the documentation mentioned in paragraph (a).

system service manual, for a treatment system, means a manual that states the following particulars for the treatment system—

- (a) operating instructions;
 - (b) maintenance schedules and requirements;
 - (c) authorised service providers.
- (2) For subsection (1), definition *system documentation*, paragraph (b), if the ship's owner or master applies in the approved form, the general manager may approve documentation for the ship's treatment system as being equivalent to documentation from the treatment system's manufacturer or supplier.

55 Maintenance and assessment of treatment system for ships

- (1) This section applies to a ship that—

[s 55]

- (a) is operating in coastal waters; and
 - (b) is fitted with a treatment system.
- (2) The ship's owner and master must ensure the treatment system—
- (a) is maintained, at least, at the intervals and in the way required by the treatment system service manual; and
 - (b) is assessed (the *assessment*) by analysing the sewage after it has been treated in the treatment system.
- (3) If the treatment system is not maintained and assessed as required under this section, the ship's owner and master each commit an offence.

Maximum penalty—350 penalty units.

- (4) The assessment must—
- (a) be performed—
 - (i) by an independent testing entity; and
 - (ii) at the intervals stated in subsection (5) after the treatment system is fitted to the ship; and
 - (b) show that the levels of sewage quality characteristics remaining in the sewage after it has been treated in the treatment system are not more than the levels for the grade of treated sewage stated in schedule 6 for the treatment system.
- (5) For subsection (4)(a)(ii), the intervals are the following—
- (a) for a ship that is a declared ship under section 49 of the Act—
 - (i) at least annually for the first 2 years; and
 - (ii) afterwards, at least every 2 years;
 - (b) for a ship other than a declared ship under section 49 of the Act—
 - (i) at least once in the first 5 years; and
 - (ii) afterwards, at least every 2 years.

56 Documents to be kept on board ship fitted with treatment system

- (1) This section applies to a ship that—
 - (a) is operating in coastal waters; and
 - (b) is fitted with a treatment system.
- (2) The ship's owner and master must ensure the system documentation and system service manual (the *relevant documents*)—
 - (a) are kept on board; and
 - (b) while kept as required under paragraph (a), are readily available for inspection at all reasonable times.
- (3) If the relevant documents are not kept and readily available for inspection as required under subsection (2), the ship's owner and master each commit an offence.

Maximum penalty—350 penalty units.

- (4) Also, the ship's owner and master must—
 - (a) keep written service records for the treatment system; and
 - (b) ensure the service records—
 - (i) are kept on board; and
 - (ii) are readily available for inspection at all reasonable times.
- (5) If the service records are not kept and readily available as required under subsection (4), the ship's owner and master each commit an offence.

Maximum penalty—350 penalty units.

- (6) In this section—

service records, for a treatment system, means the following particulars about the maintenance or assessment of the treatment system required under section 55—

 - (a) for maintenance of the treatment system—

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- (i) the name of the authorised service provider that conducted the maintenance; and
- (ii) the date the maintenance was carried out and any significant maintenance required to the treatment system;
- (b) for an assessment of the treatment system—
 - (i) the name of the independent testing entity that conducted the assessment; and
 - (ii) the date and results of the assessment.

57 Levels of sewage quality characteristics for treated sewage

- (1) For the Act, schedule, definition *treated sewage*, the levels of sewage quality characteristics in treated sewage are stated in schedule 6.
- (2) For treated sewage to be classified as grade A treated sewage, the levels are stated in schedule 6, part 2.
- (3) For treated sewage to be classified as grade B treated sewage, the levels are stated in schedule 6, part 3.
- (4) For treated sewage to be classified as grade C treated sewage, the levels are stated in schedule 6, part 4.

58 Standard with which treatment system must conform

- (1) For the Act, schedule, definition *treatment system*, paragraph (b), the standard with which a treatment system must, at least, conform is stated in subsection (2).
- (2) The treatment system must—
 - (a) include system documentation; and
 - (b) include a comprehensive and durable system service manual; and
 - (c) have a durable label attached to it, stating the following—

-
- (i) the manufacturer's name and address;
 - (ii) the type and model number of the treatment system; and
 - (d) be installed in accordance with the manufacturer's instructions; and
 - (e) be fitted with an indicator to indicate if the treatment system is malfunctioning as defined in section 51B of the Act; and
 - (f) if sewage entering the treatment system is not macerated before it enters the treatment system—be fitted with a macerator before the treatment system's main treatment process starts to treat the sewage.

Part 6 Garbage

59 Purpose of pt 6

The purpose of this part is to provide for matters for part 8 of the Act.

60 Meaning of words and expressions in pt 6

For the application of the *Statutory Instruments Act 1992*, section 37 to words and expressions used in this part, the provisions of part 8 of the Act are the relevant provisions.

Editor's note—

See sections 53 (Definitions for part) and 54 (Words and expressions used in Annex V to MARPOL and this part) of the Act.

61 Definitions for pt 6

In this part—

food wastes means a spoiled or unspoiled victual substance generated in the normal operation of the ship, and includes

[s 62]

fruits, vegetables, dairy products, meat products, food particles and scraps.

relevant platform means a fixed or floating platform engaged in the exploration, exploitation and associated offshore processing of seabed mineral resources.

62 Exempted disposals—Act, s 57

For section 57(1) of the Act, this part sets out disposals that are exempt from the operation of the discharge offence in section 55(1) of the Act.

63 Disposal of waste other than garbage mentioned in s 64 or 65

- (1) This section applies to garbage, other than plastics and garbage mentioned in section 64 or 65.
- (2) A disposal of the garbage from a ship may be made if the disposal happens when—
 - (a) the ship is as far as practicable from the nearest land; and
 - (b) either of the following apply—
 - (i) the ship is at least 3n miles from the nearest land and before the garbage is disposed of, the garbage is passed through a grinder so that it is capable of passing through a screen with no opening greater than 25mm;
 - (ii) the ship is at least 12n miles from the nearest land; and
 - (c) the ship is not alongside, or within 500m of, a relevant platform.

64 Disposal of floating dunnage, lining or packing materials

- (1) This section applies to garbage that is dunnage, lining or packing materials that will float, but not plastics.

-
- (2) A disposal of the garbage from a ship may be made if the disposal happens when—
- (a) the ship is as far as practicable, and at least 25n miles, from the nearest land; and
 - (b) the ship is not alongside, or within 500m of, a relevant platform.

65 Disposal of food wastes

- (1) This section applies to garbage that is food wastes.
- (2) A disposal of the garbage from a ship may be made if the disposal happens when—
- (a) the ship is as far as practicable, and at least 12n miles, from the nearest land and is not alongside, or within 500m of, a relevant platform; or
 - (b) the ship is as far as practicable, and at least 3n miles, from the nearest land and before the garbage is disposed of, the garbage is passed through a grinder so that it is capable of passing through a screen with openings no greater than 25mm.

66 Disposal of food wastes for fish feeding

Despite section 65, a disposal of garbage that is food waste may be made from a ship if the disposal is of small quantities and for the specific purpose of feeding fish for fishing or tourist operations.

67 Disposal of garbage mixed with matter prohibited from discharge or jettisoning

- (1) This section applies if garbage is mixed with matter (the *contaminant*) and the discharge or jettisoning of the contaminant from a ship into coastal waters is prohibited under part 4, 5 or 6 of the Act.

[s 68]

- (2) Despite sections 63 to 66, the garbage may be disposed of only in the way the contaminant may be disposed of under this regulation.

Part 7 Transfer operations

68 Purpose of pt 7

The purpose of this part is to provide for matters for part 9 of the Act.

69 Meaning of words and expressions in pt 7

For the application of the *Statutory Instruments Act 1992*, section 37 to words and expressions used in this part, the provisions of part 9 of the Act are the relevant provisions.

Editor's note—

See sections 59 (Definitions for part) and 60 (Words and expressions used in Annex I or II to MARPOL and this part) of the Act.

70 Keeping of records

- (1) This section applies to a person to whom section 65 of the Act applies.
- (2) For section 65(2) of the Act, the following are the records the person must keep—
 - (a) if a transfer operation involves oil—the records the person is required to keep in an oil record book under part 2, division 4;
 - (b) if a transfer operation involves a noxious liquid substance—the records the person is required to keep in a cargo record book under part 3, division 3.
- (3) For section 65(3) of the Act, the person must record the happening in the following way—

- (a) if the happening is a transfer operation that involves oil—the way prescribed under section 17(2);
- (b) if the happening is a transfer operation that involves a noxious liquid substance—the way prescribed under section 35(2).

Part 8 Reporting requirements

71 Purpose of pt 8

The purpose of this part is to provide for matters for part 11 of the Act.

72 Meaning of words and expressions in pt 8

For the application of the *Statutory Instruments Act 1992*, section 37 to words and expressions used in this part, the provisions of part 11 of the Act are the relevant provisions.

73 Way to notify of reportable incidents

- (1) For section 67(2) or (3) of the Act, a reportable incident in relation to a ship may be notified to an authorised officer by communicating the reportable incident to a relevant person at—
 - (a) any of the following centres of MSQ—
 - (i) Brisbane Vessel Traffic Service Centre;
 - (ii) Cairns Vessel Traffic Service Centre;
 - (iii) Gladstone Vessel Traffic Service Centre;
 - (iv) Gold Coast;
 - (v) Hay Point Vessel Traffic Service Centre;
 - (vi) Mackay;

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- (vii) Townsville; or
 - (b) the centre at the Australian Search and Rescue, Australian Maritime Safety Authority, Canberra.
- (2) The notice must—
- (a) start with the code word ‘POLREP’; and
 - (b) include all of the following information—
 - (i) the name of the ship and its flag of registry;
 - (ii) if the ship has a call sign, the ship’s call sign;
 - (iii) the size and type of the ship;
 - (iv) the date and time of the incident;
 - (v) the ship’s position when the reportable incident happened and at the time of the notification;
 - (vi) the prevailing weather conditions when the reportable incident happened;
 - (vii) the course and speed of the ship at the time of the notification;
 - (viii) whether the ship has been damaged and, if so, the extent of the damage;
 - (ix) the type and extent of the discharge, including the type of oil or the correct technical name of the noxious liquid substance or packaged harmful substance.

- (3) In this section—

communicating means communicating by email, fax, radio, telephone or telex.

relevant person means an officer or employee of MSQ or the Australian Maritime Safety Authority.

74 Report about reportable incident

- (1) This section prescribes matters for section 67(5) of the Act in relation to a report required under section 67(4) of the Act.
- (2) The report must include the same particulars required to be included in the notice under section 73(2)(b).
- (3) The time prescribed for giving the report to an authorised officer is within 48 hours after an authorised officer asks for a report about the reportable incident.

Part 9 Insurance

Division 1 Preliminary

75 Purpose of pt 9

The purpose of this part is to provide for matters for part 11A of the Act.

Division 2 General

76 Limits applying for Act, s 67A(2)

- (1) The limits for an insurance policy required under section 67A(2) of the Act are as follows—
 - (a) for a recreational ship more than 15m but less than 35m in length overall—
 - (i) for costs mentioned in section 67A(2)(a) of the Act—\$250000; and
 - (ii) for costs mentioned in section 67A(2)(b) of the Act—\$10M;
 - (b) for a commercial ship or fishing ship more than 15m but less than 35m in length overall—

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- (i) for costs mentioned in section 67A(2)(a) of the Act—\$500000; and
 - (ii) for costs mentioned in section 67A(2)(b) of the Act—\$10M;
 - (c) for a ship 35m or more in length overall—\$10M.
- (2) In this section—

commercial ship means a commercial ship as defined under the *Transport Operations (Marine Safety) Act 1994*, section 10A.

fishing ship means a fishing ship as defined under the *Transport Operations (Marine Safety) Act 1994*, section 10A.

77 Copy of certificate of insurance etc. to be kept on board

- (1) This section applies while a ship is in coastal waters.
- (2) The ship's owner must keep on board the ship a copy of—
 - (a) the certificate of insurance for an insurance policy required under section 67A(2) of the Act for the ship; or
 - (b) another document evidencing the currency of the insurance policy.

Maximum penalty—20 penalty units.

Division 3 Exemption

78 Application for exemption under Act, s 67A(4)

- (1) A ship's owner who seeks an exemption for the ship under section 67A(4) of the Act must apply to the general manager for the exemption.
- (2) The application must be in the approved form and accompanied by the following documents—

-
- (a) written information from an accredited marine surveyor confirming the seaworthiness of the ship, including current photographs of the ship;
 - (b) an appropriate risk management plan for the ship, designed to prevent or minimise the risk of the ship discharging pollutants into coastal waters;
 - (c) written evidence of the owner's inability to reasonably obtain or keep in force an insurance policy under section 67A(2) of the Act, including an insurer's refusal to issue an insurance policy for the ship under that section stating why the policy was refused.
- (3) Without limiting subsection (2)(b), the risk management plan must state the following—
- (a) the procedures to be followed to prevent or minimise the risk of the ship discharging pollutants into coastal waters;
 - (b) the maintenance procedures to be followed to ensure that—
 - (i) the ship is in good repair and proper working order; and
 - (ii) the ship's equipment, as far as is relevant to avoiding discharging pollutants into coastal waters, is in good repair and proper working order;
 - (c) the action to be taken to prevent or minimise the discharge of a pollutant into coastal waters;
 - (d) the procedure to be followed to ensure that all crew on board the ship are familiar with the risk management plan.
- (4) The approved form must include a note stating that, under section 115 of the Act, discharge expenses in relation to a discharge or likely discharge of pollutant from a ship into coastal waters are payable to the State jointly and severally by the ship's owner and master.
- (5) In this section—

[s 79]

accredited marine surveyor means a marine surveyor accredited under the *Transport Operations (Marine Safety) Act 1994*.

Part 10 Investigation, prevention and minimisation, and enforcement

79 Purpose of pt 10

The purpose of this part is to provide for matters for part 12 of the Act.

80 Authorised officers

- (1) For section 72(1)(c) of the Act, the following persons are prescribed—
- (a) an officer or employee of the Australian Maritime Safety Authority;
 - (b) an officer or employee of the Commonwealth department with responsibility for matters relating to transport;
 - (c) an officer or employee of the Great Barrier Reef Marine Park Authority;
 - (d) an officer or employee of a marine, port or environmental authority of another State;
 - (da) an officer or employee of a port operator;
 - (e) a police officer;

Editor's note—

See the *Police Powers and Responsibilities Act 2000*, section 13(2) (Appointment of police officers as public officials for other Acts).

- (f) an employee of an entity that—

-
- (i) may be appointed under section 72(2) of the Act; and
 - (ii) has entered into an agreement with MSQ or a port authority.
- (2) In this section—

Great Barrier Reef Marine Park Authority means the Great Barrier Reef Marine Park Authority established under the *Great Barrier Reef Marine Park Act 1975* (Cwlth).

81 Taking samples of any pollutant, substance or thing in or on the ship or place

- (1) This section applies if—
- (a) as mentioned in section 81(1)(c) of the Act, an authorised officer takes a sample of any pollutant, substance or thing in or on a ship or place; and
 - (b) the sample must be delivered to an analyst for analysis.
- (2) The authorised officer must ensure the sample is delivered to the analyst for analysis as soon as practicable after it is taken.
- (3) The sample must be delivered by—
- (a) an authorised officer; or
 - (b) if it is impracticable for an authorised officer to deliver the sample—another person approved by the general manager to deliver the sample.
- (4) A record, in the approved form, must be made by each person in possession of the sample from the time it is taken until the time it is delivered to the analyst.
- (5) The approved form must include—
- (a) details of the sample and delivery; and
 - (b) the name and address of the person.

[s 82]

82 Compensation

- (1) For section 110(4) of the Act, a court must take the following matters into account when considering whether it is just to make an order for the payment of compensation for a loss or expense—
 - (a) whether the exercise of a power under part 12 of the Act was to prevent a threat to human life or damage or possible damage to the environment or property;
 - (b) whether the exercise of the power was negligent;
 - (c) whether, at the time of the exercise of the power, it was reasonably foreseeable that the person claiming compensation would be adversely affected by the exercise of the power;
 - (d) the level of knowledge possessed by an authorised officer at the time of the exercise of the power.
- (2) In this section—

exercise of a power, includes purported exercise of the power.

Part 11 Securing compliance with Act

83 Where register of division 3 undertakings must be kept

For section 117L of the Act, the place where the register of division 3 undertakings is available for public inspection is the office of the general manager.

Editor's note—

The address of the general manager's office is level 26, Mineral House, 41 George Street, Brisbane. Normal working hours are 8.30am to 4.30pm Monday to Friday.

Part 12 General

Division 1 Approvals

Subdivision 1 Interpretation

84 Definitions for div 1

In this division—

applicant means—

- (a) if a provision states that the ship's owner may apply for an approval—the ship's owner; or
- (b) if a provision states that the ship's master may apply for an approval—the ship's master.

approval means an approval or exemption that may be given by the general manager under section 13, 23, 25, 27, 28, 29, 36, 37, 54 or 78.

Subdivision 2 How approval is obtained

85 Making application

- (1) An applicant may apply to the general manager for an approval.
- (2) The application must—
 - (a) be in the approved form; and
 - (b) be supported by enough information to enable the general manager to decide the application; and
 - (c) if the application is for an approval mentioned in section 13, be accompanied by the fee prescribed in the section.

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86 General manager to decide application within relevant time

- (1) The general manager must decide an application for an approval under section 13, 36, 37, 54 or 78 within 30 days (the *relevant time*) after the application is made.
- (2) The general manager must decide an application for an approval under section 23, 25, 27, 28 or 29 without undue delay (also the *relevant time*) after the application is made.
- (3) However, if within the relevant time, the general manager has told an applicant that the application is not supported by enough information to enable the general manager to decide the application, the general manager must decide the application—
 - (a) for an approval under section 13, 36, 37, 54 or 78—within 30 days after the further information is given to the general manager; or
 - (b) for an approval under section 23, 25, 27, 28 or 29—without undue delay.

87 Notice of approval if application granted

- (1) If the general manager decides to grant an application for an approval, the general manager must give the applicant a notice, in the approved form, of the granting of the approval—
 - (a) for the approval under section 13, 36, 37, 54 or 78—within 30 days after making the decision to grant the application; or
 - (b) if the approval under section 23, 25, 27, 28 or 29—without undue delay.
- (2) The notice must include—
 - (a) details identifying the applicant and ship to which the application relates; and
 - (b) the term of the approval; and
 - (c) any condition to which the approval is subject under section 89.

88 Duration of approval

- (1) The term of an approval is the term stated in it.
- (2) However, the term of an approval given under section 13, 37 or 54 is unlimited.

89 Grant of approval on conditions

The general manager may grant an application for an approval on conditions the general manager considers reasonable and relevant.

90 Notice of refusal if application not granted

- (1) If the general manager decides to refuse an application for an approval, the general manager must give the applicant a notice, in the approved form, of the refusal—
 - (a) for a refusal under section 13, 36, 37, 54 or 78—within 30 days after making the decision to grant the application; or
 - (b) for a refusal under section 23, 25, 27, 28 or 29—without undue delay.
- (2) Without limiting subsection (1), the general manager must refuse an application for an approval under section 13 if—
 - (a) the applicant has not paid the fee payable under the section; or
 - (b) the plan does not include the matters mentioned in section 13(1).
- (3) Also, without limiting subsection (1), the general manager may refuse an application for an approval if the general manager is satisfied—
 - (a) the applicant has contravened marine pollution legislation; or
 - (b) the applicant has had another approval under the Act cancelled or suspended; or

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- (c) for an application for an exemption under section 28(2)—a discharge in a designated area from the ship to which the application relates could result if the approval is given; or
 - (d) for an application for an exemption under section 78—there is a risk of discharge of pollution into coastal waters.
- (4) The notice must state—
- (a) the reasons for the refusal; and
 - (b) that the person may apply for a review about the general manager’s decision under subdivision 4.

Subdivision 3 Amending, suspending or cancelling approvals

91 Amending, suspending or cancelling approval

- (1) The general manager may amend, suspend or cancel an approval on any of the following grounds—
- (a) if the application is for an approval under section 13, the plan no longer includes the matters mentioned in section 13(1);
 - (b) if the application is for an approval under section 54, the system documentation no longer includes the documentation the general manager approved as being equivalent to documentation from the treatment system’s manufacturer or supplier;
 - (c) the approval holder has contravened marine pollution legislation;
 - (d) the approval holder has had another approval under the Act cancelled or suspended;
 - (e) the approval holder has failed to comply with a condition of the approval;

-
- (f) the notice of approval was issued because of a document or representation that was—
 - (i) false or misleading; or
 - (ii) obtained or made in another improper way.
 - (2) In this section—
 - marine pollution legislation* means the following—
 - (a) the Act;
 - (b) a law of the Commonwealth or a State about marine pollution.

92 Procedure for amending, suspending or cancelling approval

- (1) This section applies if the general manager considers there is a ground to amend, suspend or cancel an approval (the *proposed action*).
- (2) Before taking the proposed action, the general manager must give the approval holder a written notice stating—
 - (a) the proposed action; and
 - (b) the grounds for the proposed action; and
 - (c) an outline of the facts and circumstances that are the basis of the grounds; and
 - (d) if the proposed action is suspension of the approval, the proposed suspension period; and
 - (e) that the approval holder may show, within a stated reasonable time of at least 30 days after the notice is given, why the proposed action should not be taken.
- (3) If, after considering all representations made within the stated time, the general manager still considers there is a ground to take the proposed action, the general manager may—
 - (a) if the proposed action was to amend the approval—amend the approval; or

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- (b) if the proposed action was to suspend the approval—suspend the approval for no longer than the period stated in the notice; or
 - (c) if the proposed action was to cancel the approval—amend the approval, suspend it for a period or cancel it.
- (4) The general manager must inform the approval holder of the decision by written notice.
- (5) If the general manager decides to amend, suspend or cancel the approval, the notice must state—
 - (a) the reasons for the decision; and
 - (b) that the approval holder may apply for a review about the general manager’s decision under subdivision 4.
- (6) The decision takes effect on the day the notice is given to the approval holder, or if a later day of effect is stated in the notice, the later day.

93 Procedure for urgent suspension of approval

- (1) Despite section 92, if the general manager considers it is necessary for the protection of Queensland’s marine and coastal environment, the general manager may, by written notice to an approval holder, immediately suspend the approval until the earlier of the following—
 - (a) the general manager informs the holder of the general manager’s decision after complying with section 92;
 - (b) the end of 60 days after the notice is given to the holder.
- (2) The notice must state—
 - (a) the reasons for the decision; and
 - (b) that the approval holder may apply for a review about the general manager’s decision under subdivision 4.

Division 2 Analyst's reports

96 Analyst's report

- (1) This section applies if an analyst took or received a sample of a pollutant, substance or thing.
- (2) As soon as practicable after taking or receiving the sample, the analyst must make a report stating all of the following matters—
 - (a) the name of the analyst;
 - (b) if the analyst received the sample, the name of the person from whom the sample was received;
 - (c) when the sample was taken or received;
 - (d) the way in which, or the means by which, the sample was identified when taken or received;
 - (e) if the sample was in a container when it was taken or received, a description of the container.

Division 3 Miscellaneous

96A Area prescribed for Act, schedule, definition *designated area*, paragraph (d)

For the Act, schedule, definition *designated area*, paragraph (d), the prescribed area within the Great Barrier Reef Coast Marine Park is the area mentioned in schedule 7.

97 Forms

The chief executive may approve forms for use under this regulation.

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Part 13 Transitional provision

98 Requirements about particular books

- (1) The purpose of this section is to provide for particular books kept under the expired regulation and obligations under this regulation about books.
- (2) A person may comply with any of the following requirements by carrying a book even though the first entry in chronological order, and subsequent entries, in the book are made under the expired regulation if the book has space for entries, or has entries, under this regulation—
 - (a) the requirement under section 15(1) about a current oil record book;
 - (b) the requirement under section 33(1) about a current cargo record book;
 - (c) the requirement under section 51(1) about a current sewage disposal record book.
- (3) Each of the following requirements has effect in relation to a book with entries made under the expired regulation—
 - (a) the requirement under section 15(3) about a previous oil record book;
 - (b) the requirement under section 33(3) about a previous cargo record book;
 - (c) the requirement under section 51(3) or (4) about a previous sewage disposal record book.

Example for application of this section—

On 10 September 2005, the master of a ship made, under the expired regulation, the first entry in an oil record book for the ship (**book 1**). The last entry for book 1 was made on 30 June 2007. So book 1 was relevant for the period 10 September 2005 until 30 June 2007.

On 1 July 2007, the master needed to make a new entry so the master opened another oil record book (**book 2**) and made, under the expired regulation, the first entry in book 2. This section commences on 1 September 2008 and on that day book 2 has space for more entries.

Under subsection (2), the master may continue to use book 2 until it has no more space for entries or may start a new oil record book (**book 3**) under this regulation. For this example, the master chooses to continue book 2.

Under subsection (3), the ships's owner and master must comply with each requirement under the provisions mentioned in that subsection by keeping books completed for 3 years before 1 September 2008 and making them readily available. For this example, the owner and master must keep book 1.

(3) In this section—

expired regulation means the *Transport Operations (Marine Pollution) Regulation 1995* as in force immediately before the commencement of this section.

Schedule 1 Recordable operations and recordable events

sections 17 and 35

Part 1 Entries for oil record book

1 Machinery space operations

Each of the following is a recordable operation—

- (a) a ballasting or cleaning of an oil fuel tank;
- (b) a discharge of dirty ballast or dirty cleaning water from an oil fuel tank;
- (c) a disposal of oil residues that are sludge;
- (d) a discharge overboard or another disposal of bilge water that has accumulated in any machinery space;
- (e) a bunkering of fuel or bulk lubricating oil.

2 Cargo or ballast operations

(1) Each of the following is a recordable operation—

- (a) a loading of oil cargo, including by transfer operation;
- (b) an internal transfer of oil cargo during voyage;
- (c) an unloading of oil cargo, including by transfer operation;
- (d) a ballasting of cargo tanks and dedicated clean ballast tanks;
- (e) a cleaning of cargo tanks, including crude oil washing;
- (f) a discharge of ballast except from segregated ballast tanks;
- (g) a discharge of water from slop tanks;

- (h) a closure of all applicable valves or similar devices after slop tank discharge operations;
 - (i) a closure of valves necessary for isolation of dedicated clean ballast tanks from cargo and stripping lines after slop tank discharge operations;
 - (j) a disposal of residues after an operation mentioned in paragraphs (a) to (i).
- (2) In this section—
transfer operation has the meaning given in section 59 of the Act.

3 Recordable events

Each of the following is a recordable event—

- (a) a discharge into coastal waters of oil or an oily mixture necessary for the purpose of securing the safety of a ship or saving life at sea;
- (b) a discharge into coastal waters of oil or an oily mixture resulting from damage to a ship or its equipment;
- (c) a discharge into coastal waters of an oily mixture, approved by an authorised officer, to combat specific pollution incidents to minimise the damage from pollution;
- (d) a failure of the ship's oil filtering equipment;
- (e) a discharge exempted under part 2, division 2.

Part 2 Entries for cargo record book

4 Recordable operations

Each of the following is a recordable operation—

- (a) a loading of cargo;

Schedule 1

- (b) an internal transfer of cargo;
- (c) an unloading of cargo;
- (d) a mandatory prewash in accordance with ship's procedures and arrangements manual;
- (e) a cleaning of a cargo tank other than under paragraph (d);
- (f) a ballasting of a cargo tank;
- (g) a discharge of ballast from a cargo tank;
- (h) a disposal of residues to a reception facility;
- (i) a removal of cargo residues from a tank by ventilation procedures approved by the general manager under section 23(2) or 28(2).

5 Recordable events

Each of the following is a recordable event—

- (a) a discharge into coastal waters of a noxious liquid substance necessary for the purpose of securing the safety of a ship or saving life at sea;
- (b) a discharge into coastal waters of a noxious liquid substance resulting from damage to a ship or its equipment;
- (c) a discharge into coastal waters of a noxious liquid substance, approved by an authorised officer, to combat specific pollution incidents to minimise the damage from pollution;
- (d) a discharge exempted under section 22 or 27.

Schedule 2 International Bulk Chemical Code

section 37(3), schedule 8, definitions *category X substance*, *category Y substance* and *category Z substance*

Chapter 17

Summary of minimum requirements

Mixtures of noxious liquid substances presenting pollution hazards only, and which are assessed or provisionally assessed under regulation 6.3 of MARPOL Annex II, may be carried under the requirements of the Code applicable to the appropriate position of the entry in this chapter for Noxious Liquid Substances, not otherwise specified (n.o.s.).

EXPLANATORY NOTES

Product name (<i>column a</i>)	The product name shall be used in the shipping document for any cargo offered for bulk shipments. Any additional name may be included in brackets after the product name. In some cases, the product names are not identical with the names given in previous issues of the Code.
Pollution Category (<i>column c</i>)	The letter X, Y, Z means the Pollution Category assigned to each product under MARPOL Annex II.

a	c
Alcohols (C ₁₂ –C ₁₃), primary, linear and essentially linear (n)	Y
Alcohols (C ₁₄ –C ₁₈), primary, linear and essentially linear (n)	Y

Schedule 2

a	c
Alkanes (C ₆ –C ₉)	X
<i>n</i> -Alkanes (C ₁₀ +))	Y
<i>n</i> -Alkanes (C ₁₀ +) (n)	Z
Alkaryl polyethers (C ₉ –C ₂₀) (n)	Y
Alkenyl (C ₁₁ +) amide (n)	X
Alkenyl (C ₁₆ –C ₂₀) succinic anhydride	Z
Alkyl acrylate–Vinylpyridine copolymer in toluene (n)	Y
Alkylaryl phosphate mixtures (more than 40% Diphenyl tolyl phosphate, less than 0.02% ortho-isomers)	X
Alkylated (C ₄ –C ₉) hindered phenols	Y
Alkylbenzene, alkylindane, alkylindene mixture (each C ₁₂ –C ₁₇)	Z
Alkyl benzene distillation bottoms (n)	Y
Alkylbenzene mixtures (containing at least 50% of toluene) (n)	Y
Alkyl (C ₃ –C ₄) benzenes (n)	Y
Alkyl (C ₅ –C ₈) benzenes (n)	X
Alkyl(C ₉ +)benzenes (n)	Y
Alkyl(C ₉ +)benzenes	Z
Alkyl (C ₁₁ –C ₁₇) benzene sulphonic acid (n)	Y
Alkylbenzene sulphonic acid, sodium salt solution (n)	Y
Alkyl (C ₁₂ +) dimethylamine	X
Alkyl dithiocarbamate (C ₁₉ –C ₃₅)	Y
Alkyldithiothiadiazole (C ₆ –C ₂₄)	Z
Alkyldithiothiadiazole (C ₆ –C ₂₄) (n)	Y
Alkyl ester copolymer (C ₄ –C ₂₀)	Y
Alkyl (C ₈ –C ₁₀)/(C ₁₂ –C ₁₄):(40% or less/60% or more) polyglucoside solution (55% or less)	Y
Alkyl (C ₈ –C ₁₀)/(C ₁₂ –C ₁₄):(50%/50%) polyglucoside solution (55% or less)	Y

a	c
Alkyl (C ₈ -C ₁₀)/(C ₁₂ -C ₁₄):(60% or more/40% or less) polyglucoside solution (55% or less)	Y
Alkyl (C ₇ -C ₉) nitrates (n)	Y
Alkyl(C ₇ -C ₁₁)phenol poly(4-12)ethoxylate (n)	Y
Alkyl (C ₈ -C ₄₀) phenol sulphide	Z
Alkyl (C ₈ -C ₉) phenylamine in aromatic solvents	Y
Alkyl (C ₉ -C ₁₅) phenyl propoxylate	Z
Alkyl (C ₁₂ -C ₁₄) polyglucoside solution (55% or less)	Y
Alkyl (C ₈ -C ₁₀) polyglucoside solution (65% or less)	Y
Alkyl (C ₁₀ -C ₂₀ , saturated and unsaturated) phosphite	Y
Alkyl sulphonic acid ester of phenol	Y
Allyl alcohol	Y
Allyl chloride	Y
Aluminium sulphate solution	Y
2-(2-Aminoethoxy)ethanol (n)	Z
Aminoethyldiethanolamine/ Aminoethylethanolamine solution (n)	Z
Aminoethylethanolamine	Z
N-Aminoethylpiperazine (n)	Z
2-Amino-2-methyl-1-propanol	Z
Ammonia aqueous (28% or less)	Y
Ammonium hydrogen phosphate solution	Z
Ammonium lignosulphonate solutions (n)	Z
Ammonium nitrate solution (93% or less)	Z
Ammonium polyphosphate solution	Z
Ammonium sulphate solution	Z
Ammonium sulphide solution (45% or less)	Y
Ammonium thiosulphate solution (60% or less) (n)	Z
Amyl acetate (all isomers)	Y
n-Amyl alcohol	Z
Amyl alcohol, primary	Z

Schedule 2

a	c
<i>sec</i> -Amyl alcohol	Z
<i>tert</i> -Amyl alcohol	Z
<i>tert</i> -Amyl methyl ether	X
Aniline	Y
Aryl polyolefins (C ₁₁ –C ₅₀)	Y
Aviation alkylates (C ₈ paraffins and iso-paraffins BPT 95–120°C)	X
Barium long chain (C ₁₁ –C ₅₀) alkaryl sulphonate	Y
Benzene and mixtures having 10% benzene or more (i)	Y
Benzene sulphonyl chloride (n)	Z
Benzenetricarboxylic acid, trioctyl ester	Y
Benzyl acetate	Y
Benzyl alcohol	Y
Benzyl chloride (n)	Y
Brake fluid base mix: Poly(2–8)alkylene (C ₂ –C ₃) glycols/Polyalkylene (C ₂ –C ₁₀) glycols monoalkyl (C ₁ –C ₄) ethers and their borate esters (n)	Z
Bromochloromethane	Z
Butene oligomer (n)	X
Butyl acetate (all isomers)	Y
Butyl acrylate (all isomers)	Y
<i>tert</i> -Butyl alcohol	Z
Butylamine (all isomers)	Y
Butylbenzene (all isomers)	X
Butyl benzyl phthalate	X
Butyl butyrate (all isomers)	Y
Butyl/Decyl/Cetyl/Eicosyl methacrylate mixture	Y
Butylene glycol	Z
1,2-Butylene oxide	Y
<i>n</i> -Butyl ether	Y
Butyl methacrylate	Z
<i>n</i> -Butyl propionate	Y

a	c
Butyraldehyde (all isomers)	Y
Butyric acid	Y
<i>gamma</i> -Butyrolactone	Y
Calcium carbonate slurry	Z
Calcium hydroxide slurry (n)	Z
Calcium hypochlorite solution (15% or less)	Y
Calcium hypochlorite solution (more than 15%)	X
Calcium lignosulphonate solutions (n)	Z
Calcium long-chain alkaryl sulphonate (C ₁₁ -C ₅₀) (n)	Z
Calcium long-chain alkyl (C ₅ -C ₁₀) phenate	Y
Calcium long-chain alkyl (C ₁₁ -C ₄₀) phenate	Z
Calcium long-chain alkyl (C ₁₁ -C ₄₀) phenate (n)	Y
Calcium long-chain alkyl phenate sulphide (C ₈ -C ₄₀)	Y
Calcium long-chain alkyl salicylate (C ₁₃ +) (n)	Y
Calcium nitrate/Magnesium nitrate/Potassium chloride solution (n)	Z
<i>epsilon</i> -Caprolactam (molten or aqueous solutions)	Z
Carbolic oil (n)	Y
Carbon disulphide	Y
Carbon tetrachloride	Y
Cashew nut shell oil (untreated) (n)	Y
Castor oil (n)	Y
Castor oil (containing less than 2% free fatty acids)	Y
Cetyl/Eicosyl methacrylate mixture	Y
Chlorinated paraffins (C ₁₀ -C ₁₃)	X
Chlorinated paraffins (C ₁₄ -C ₁₇) (with 50% chlorine or more, and less than 1% C ₁₃ or shorter chains) (n)	X
Chloroacetic acid (80% or less)	Y
Chlorobenzene	Y
Chloroform	Y
Chlorohydrins (crude)	Y

Schedule 2

a	c
4-Chloro-2-methylphenoxyacetic acid, dimethylamine salt solution	Y
<i>o</i> -Chloronitrobenzene (n)	Y
1-(4-Chlorophenyl)-4,4-dimethylpentan-3-one	Y
2- or 3-Chloropropionic acid	Z
Chlorosulphonic acid	Y
<i>m</i> -Chlorotoluene	Y
<i>o</i> -Chlorotoluene	Y
<i>p</i> -Chlorotoluene	Y
Chlorotoluenes (mixed isomers)	Y
Choline chloride solutions	Z
Citric acid (70% or less)	Z
Coal tar (n)	X
Coal tar naphtha solvent (n)	Y
Coal tar pitch (molten) (n)	X
Cocoa butter (n)	Y
Coconut oil (n)	Y
Coconut oil (containing less than 5% free fatty acids)	Y
Coconut oil fatty acid (n)	Y
Coconut oil fatty acid methyl ester (n)	Y
Copper salt of long chain (C ₁₇₊) alkanolic acid (n)	Y
Corn oil (n)	Y
Corn oil (containing less than 10% free fatty acids)	Y
Cotton seed oil (n)	Y
Cotton seed oil (containing less than 12% free fatty acids)	Y
Creosote (coal tar) (n)	X
Cresols (all isomers)	Y
Cresylic acid, dephenolized	Y
Cresylic acid, sodium salt solution (n)	Y
Crotonaldehyde	Y
1,5,9-Cyclododecatriene	X
Cycloheptane	X

a	c
Cyclohexane	Y
Cyclohexanol	Y
Cyclohexanone	Z
Cyclohexanone, Cyclohexanol mixture	Y
Cyclohexyl acetate	Y
Cyclohexylamine	Y
1,3-Cyclopentadiene dimer (molten)	Y
Cyclopentane	Y
Cyclopentene	Y
<i>p</i> -Cymene	Y
Decahydronaphthalene	Y
Decanoic acid	X
Decene (n)	X
Decyl acrylate	X
Decyl alcohol (all isomers)	Y
Decyloxytetrahydrothiophene dioxide (n)	X
Diacetone alcohol	Z
Dialkyl (C ₈ –C ₉) diphenylamines	Z
Dialkyl (C ₇ –C ₁₃) phthalates	X
Dibromomethane	Y
Dibutylamine	Y
Dibutyl hydrogen phosphonate	Y
2,6-Di- <i>tert</i> -butylphenol (n)	X
Dibutyl phthalate	X
Dichlorobenzene (all isomers)	X
3,4-Dichloro-1-butene	Y
1,1-Dichloroethane (n)	Z
Dichloroethyl ether	Y
1,6-Dichlorohexane (n)	Y
2,2'-Dichloroisopropyl ether	Y
Dichloromethane (n)	Y

Schedule 2

a	c
2,4-Dichlorophenol	Y
2,4-Dichlorophenoxyacetic acid, diethanolamine salt solution (n)	Y
2,4-Dichlorophenoxyacetic acid, dimethylamine salt solution (70% or less) (n)	Y
2,4-Dichlorophenoxyacetic acid, triisopropanolamine salt solution (n)	Y
1,1-Dichloropropane	Y
1,2-Dichloropropane	Y
1,3-Dichloropropene	X
Dichloropropene/Dichloropropane mixtures	X
2,2-Dichloropropionic acid (n)	Y
Diethanolamine	Y
Diethylamine	Y
Diethylaminoethanol	Y
2,6-Diethylaniline (n)	Y
Diethylbenzene	Y
Diethylene glycol dibutyl ether (n)	Z
Diethylene glycol diethyl ether (n)	Z
Diethylene glycol phthalate (n)	Y
Diethylenetriamine	Y
Diethylenetriaminepentaacetic acid, pentasodium salt solution (n)	Z
Diethyl ether	Z
Di-(2-ethylhexyl) adipate	Y
Di-(2-ethylhexyl)phosphoric acid (n)	Y
Diethyl phthalate	Y
Diethyl sulphate	Y
Diglycidyl ether of bisphenol A (n)	X
Diglycidyl ether of bisphenol F (n)	Y
Diheptyl phthalate	Y
Di- <i>n</i> -hexyl adipate	X

a	c
Dihexyl phthalate	Y
Diisobutylamine	Y
Diisobutylene	Y
Diisobutyl ketone	Y
Diisobutyl phthalate (n)	X
Diisononyl adipate	Y
Diioctyl phthalate	Y
Diisopropanolamine	Z
Diisopropylamine	Y
Diisopropylbenzene (all isomers)	X
Diisopropylnaphthalene (n)	Y
<i>N,N</i> -Dimethylacetamide	Z
<i>N,N</i> -Dimethylacetamide solution (40% or less)	Z
Dimethyl adipate	X
Dimethylamine solution (45% or less)	Y
Dimethylamine solution (greater than 45% but not greater than 55%)	Y
Dimethylamine solution (greater than 55% but not greater than 65%)	Y
<i>N,N</i> -Dimethylcyclohexylamine	Y
Dimethyl disulphide	Y
<i>N,N</i> -Dimethyldodecylamine	X
Dimethylethanolamine	Y
Dimethylformamide	Y
Dimethyl glutarate	Y
Dimethyl hydrogen phosphite	Y
Dimethyloctanoic acid	Y
Dimethyl phthalate	Y
Dimethylpolysiloxane	Y
2,2-Dimethylpropane-1,3-diol (molten or solution) (n)	Z
2,2-Dimethylpropane-1,3-diol (molten or solution)	Z
Dimethyl succinate	Y

Schedule 2

a	c
Dinitrotoluene (molten)	X
Dinonyl phthalate (n)	Y
Dioctyl phthalate	X
1,4-Dioxane	Y
Dipentene	Y
Diphenyl	X
Diphenylamine (molten) (n)	Y
Diphenylamine, reaction product with 2,2,4-Trimethylpentene (n)	Y
Diphenylamines, alkylated (n)	Y
Diphenyl/Diphenyl ether mixtures	X
Diphenyl ether	X
Diphenyl ether/Diphenyl phenyl ether mixture	X
Diphenylmethane diisocyanate (n)	Y
Diphenylolpropane–Epichlorohydrin resins	X
Di- <i>n</i> -propylamine	Y
Dipropylene glycol	Z
Dithiocarbamate ester (C ₇ –C ₃₅)	X
Ditridecyl adipate (n)	Y
Ditridecyl phthalate (n)	Y
Diundecyl phthalate	Y
Dodecane (all isomers)	Y
<i>tert</i> -Dodecanethiol	X
Dodecene (all isomers)	X
Dodecyl alcohol	Y
Dodecylamine/Tetradecylamine mixture (n)	Y
Dodecylbenzene	Z
Dodecyl diphenyl ether disulphonate solution (n)	X
Dodecyl hydroxypropyl sulphide	X
Dodecyl methacrylate	Z
Dodecyl/Octadecyl methacrylate mixture (n)	Y
Dodecyl/Octadecyl methacrylate mixture	Z

a	c
Dodecyl/Pentadecyl methacrylate mixture	Y
Dodecylphenol	X
Dodecylxylene	Y
Drilling brines (containing zinc salts)	X
Drilling brines, including: calcium bromide solution, calcium chloride solution and sodium chloride solution	Z
Epichlorohydrin	Y
Ethanolamine	Y
2-Ethoxyethyl acetate	Y
Ethoxylated long chain (C ₁₆ +) alkyloxyalkylamine	Y
Ethoxylated long chain (C ₁₆ +) alkyloxyalkylamine (n)	Z
Ethyl acetate	Z
Ethyl acetoacetate	Z
Ethyl acrylate	Y
Ethylamine	Y
Ethylamine solutions (72% or less)	Y
Ethyl amyl ketone (n)	Y
Ethylbenzene	Y
Ethyl <i>tert</i> -butyl ether	Y
Ethyl butyrate (n)	Y
Ethylcyclohexane	Y
N-Ethylcyclohexylamine	Y
S-Ethyl dipropylthiocarbamate	Y
Ethylene chlorohydrin	Y
Ethylene cyanohydrin	Y
Ethylenediamine	Y
Ethylenediaminetetraacetic acid, tetrasodium salt solution (n)	Y
Ethylene dibromide	Y
Ethylene dichloride	Y
Ethylene glycol	Y
Ethylene glycol acetate (n)	Y

Schedule 2

a	c
Ethylene glycol butyl ether acetate	Y
Ethylene glycol diacetate	Y
Ethylene glycol methyl ether acetate (n)	Y
Ethylene glycol monoalkyl ethers	Y
Ethylene glycol phenyl ether (n)	Z
Ethylene glycol phenyl ether/Diethylene glycol phenyl ether mixture	Z
Ethylene oxide/Propylene oxide mixture with an ethylene oxide content of not more than 30% by mass	Y
Ethylene-Vinyl acetate copolymer (emulsion) (n)	Y
Ethyl 3-ethoxypropionate	Y
2-Ethylhexanoic acid	Y
2-Ethylhexyl acrylate	Y
2-Ethylhexylamine	Y
2-Ethyl-2-(hydroxymethyl)propane-1,3-diol (C ₈ -C ₁₀) ester	Y
Ethylidenenorbornene	Y
Ethyl methacrylate	Y
N-Ethylmethylallylamine	Y
Ethyl propionate (n)	Y
2-Ethyl-3-propylacrolein	Y
Ethyltoluene	Y
Fatty acid (saturated C ₁₃ +)	Y
Fatty acid methyl esters (m) (n)	Y
Fatty acids, C ₈ -C ₁₀ (n)	Y
Fatty acids, C ₁₂ + (n)	Y
Fatty acids, C ₁₆ + (n)	Y
Fatty acids, essentially linear (C ₆ -C ₁₈) 2-ethylhexyl ester	Y
Ferric chloride solutions	Y
Ferric nitrate/Nitric acid solution	Y
Fish oil (n)	Y

a	c
Fish oil (containing less than 4% free fatty acids)	Y
Fluorosilicic acid (20–30%) in water solution (n)	Y
Formaldehyde solutions (45% or less)	Y
Formamide	Y
Formic acid	Y
Furfural	Y
Furfuryl alcohol	Y
Glucitol/Glycerol blend propoxylated (containing less than 10% amines) (n)	Z
Glutaraldehyde solutions (50% or less)	Y
Glycerol monooleate (n)	Y
Glycerol propoxylated (n)	Z
Glycerol, propoxylated and ethoxylated (n)	Z
Glycerol/Sucrose blend propoxylated and ethoxylated (n)	Z
Glyceryl triacetate	Z
Glycidyl ester of C10 trialkylacetic acid	Y
Glycine, sodium salt solution	Z
Glycolic acid solution (70% or less)	Z
Glyoxal solution (40% or less)	Y
Glyoxylic acid solution (50% or less) (n)	Y
Glyphosate solution (not containing surfactant)	Y
Groundnut oil (n)	Y
Groundnut oil (containing less than 4% free fatty acids)	Y
Heptane (all isomers)	X
<i>n</i> -Heptanoic acid	Z
Heptanol (all isomers) (d)	Y
Heptene (all isomers)	Y
Heptyl acetate	Y
1-Hexadecylnaphthalene/ 1,4-Bis(hexadecyl)naphthalene mixture	Y
Hexamethylenediamine adipate (50% in water)	Z
Hexamethylenediamine (molten)	Y

Schedule 2

a	c
Hexamethylenediamine solution	Y
Hexamethylene diisocyanate	Y
Hexamethylene glycol	Z
Hexamethyleneimine	Y
Hexane (all isomers)	Y
1,6-Hexanediol, distillation overheads (n)	Y
Hexanoic acid	Y
Hexanol	Y
Hexene (all isomers)	Y
Hexyl acetate	Y
Hydrochloric acid	Z
Hydrogen peroxide solutions (over 60% but not over 70% by mass)	Y
Hydrogen peroxide solutions (over 8% but not over 60% by mass) (n)	Y
2-Hydroxyethyl acrylate	Y
N-(Hydroxyethyl)ethylenediaminetriacetic acid, trisodium salt solution	Y
2-Hydroxy-4-(methylthio)butanoic acid	Z
Illipe oil (n)	Y
Isoamyl alcohol	Z
Iso- and cyclo-alkanes (C ₁₀ -C ₁₁) (n)	Y
Iso- and cyclo-alkanes (C ₁₀ -C ₁₁)	Z
Iso- and cyclo-alkanes (C ₁₂ +) (n)	Y
Iso- and cyclo-alkanes (C ₁₂ +) (n)	Z
Isobutyl alcohol	Z
Isobutyl formate	Z
Isobutyl methacrylate	Z
Isophorone	Y
Isophoronediamine	Y
Isophorone diisocyanate	X
Isoprene	Y

a	c
Isopropanolamine	Y
Isopropyl acetate	Z
Isopropylamine	Y
Isopropylamine (70% or less) solution (n)	Y
Isopropylcyclohexane	Y
Isopropyl ether	Y
Lactic acid	Z
Lactonitrile solution (80% or less)	Y
Lard (n)	Y
Lard (containing less than 1% free fatty acids)	Y
Latex, ammonia (1% or less)-inhibited (n)	Y
Latex: Carboxylated styrene-Butadiene copolymer; Styrene-Butadiene rubber (n)	Z
Lauric acid	X
Ligninsulphonic acid, sodium salt solution (n)	Z
Linseed oil (n)	Y
Linseed oil (containing less than 2% free fatty acids)	Y
Liquid chemical wastes	X
Long-chain alkaryl polyether (C ₁₁ -C ₂₀)	Y
Long-chain alkaryl sulphonic acid (C ₁₆ -C ₆₀) (n)	Y
Long-chain alkylphenate/Phenol sulphide mixture (n)	Y
L-Lysine solution (60% or less)	Z
Magnesium chloride solution	Z
Magnesium long-chain alkaryl sulphonate (C ₁₁ -C ₅₀) (n)	Y
Magnesium long-chain alkyl salicylate (C ₁₁₊) (n)	Y
Maleic anhydride	Y
Mango kernel oil (n)	Y
Mercaptobenzothiazol, sodium salt solution	X
Mesityl oxide	Z
Metam sodium solution	X
Methacrylic acid-Alkoxypoly(alkylene oxide) methacrylate copolymer, sodium salt aqueous solution (45% or less) (n)	Z

Schedule 2

a	c
Methacrylic acid	Y
Methacrylic resin in ethylene dichloride	Y
Methacrylonitrile	Y
3-Methoxy-1-butanol	Z
3-Methoxybutyl acetate	Y
N-(2-Methoxy-1-methylethyl)-2-ethyl-6-methylchloroacetanilide	X
Methyl acetate	Z
Methyl acetoacetate	Z
Methyl acrylate	Y
Methyl alcohol	Y
Methylamine solutions (42% or less)	Y
Methylamyl acetate	Y
Methylamyl alcohols	Z
Methyl amyl ketone	Z
Methylbutenol	Y
Methyl <i>tert</i> -butyl ether	Z
Methyl butyl ketone	Y
Methylbutynol	Z
Methyl butyrate	Y
Methylcyclohexane	Y
Methylcyclopentadiene dimer	Y
Methylcyclopentadienyl manganese tricarbonyl	X
Methyl diethanolamine	Y
2-Methyl-6-ethylaniline	Y
Methyl ethyl ketone	Z
2-Methyl-5-ethylpyridine	Y
Methyl formate	Z
2-Methyl-2-hydroxy-3-butyne	Z
Methyl isobutyl ketone	Z
Methyl methacrylate	Y
3-Methyl-3-methoxybutanol	Z

a	c
Methylnaphthalene (molten)	X
2-Methyl-1,3-propanediol (n)	Z
2-Methylpyridine	Z
3-Methylpyridine	Z
4-Methylpyridine	Z
<i>N</i> -Methyl-2-pyrrolidone	Y
Methyl salicylate	Y
<i>alpha</i> -Methylstyrene	Y
3-(Methylthio)propionaldehyde	Y
3-(Methylthio)propionaldehyde (n)	Y
Molybdenum polysulfide long chain alkyl dithiocarbamide complex (n)	Y
Morpholine	Y
Motor fuel anti-knock compounds (containing lead alkyls)	X
Myrcene (n)	X
Naphthalene (molten)	X
Naphthalenesulphonic acid-Formaldehyde copolymer, sodium salt solution (n)	Z
Neodecanoic acid	Y
Nitrating acid (mixture of sulphuric and nitric acids)	Y
Nitric acid (70% and over)	Y
Nitric acid (less than 70%)	Y
Nitrilotriacetic acid, trisodium salt solution	Y
Nitrobenzene	Y
Nitroethane	Y
Nitroethane (80%)/Nitropropane (20%)	Y
Nitroethane, 1-Nitropropane (each 15% or more) mixture (n)	Y
<i>o</i> -Nitrophenol (molten)	Y
1- or 2-Nitropropane	Y
Nitropropane (60%)/Nitroethane (40%) mixture	Y
<i>o</i> - or <i>p</i> -Nitrotoluenes (n)	Y

Schedule 2

a	c
Nonane (all isomers)	X
Nonanoic acid (all isomers)	Y
Non-edible industrial grade palm oil	Y
Nonene (all isomers)	Y
Nonyl alcohol (all isomers)	Y
Nonyl methacrylate monomer	Y
Nonylphenol	X
Nonylphenol poly(4+)ethoxylate (n)	Y
Noxious liquid, NF, (1) n.o.s. (trade name . . . , contains . . .) ST1, Cat. X	X
Noxious liquid, F, (2) n.o.s. (trade name . . . , contains . . .) ST1, Cat. X	X
Noxious liquid, NF, (3) n.o.s. (trade name . . . , contains . . .) ST2, Cat. X	X
Noxious liquid, F, (4) n.o.s. (trade name . . . , contains . . .) ST2, Cat. X	X
Noxious liquid, NF, (5) n.o.s. (trade name . . . , contains . . .) ST2, Cat. Y	Y
Noxious liquid, F, (6) n.o.s. (trade name . . . , contains . . .) ST2, Cat. Y	Y
Noxious liquid, NF, (7) n.o.s. (trade name . . . , contains . . .) ST3, Cat. Y	Y
Noxious liquid, F, (8) n.o.s. (trade name . . . , contains . . .) ST3, Cat. Y	Y
Noxious liquid, NF, (9) n.o.s. (trade name . . . , contains . . .) ST3, Cat. Z	Z
Noxious liquid, F, (10) n.o.s. (trade name . . . , contains . . .) ST3, Cat. Z	Z
Octane (all isomers) (n)	X
Octanoic acid (all isomers) (n)	Y
Octanoic acid (all isomers)	Z
Octanol (all isomers)	Y
Octene (all isomers)	Y
<i>n</i> -Octyl acetate (n)	Y

a	c
Octyl aldehydes (n)	Y
Octyl aldehydes	Y
Octyl decyl adipate (n)	Y
Olefin-Alkyl ester copolymer (molecular weight 2000+)	Y
Olefin mixtures (C ₅ -C ₇) (n)	Y
Olefin mixtures (C ₅ -C ₁₅) (n)	X
Olefins (C ₁₃ +, all isomers)	Y
<i>alpha</i> -Olefins (C ₆ -C ₁₈) mixtures (n)	X
Oleic acid	Y
Oleum	Y
Oleylamine (n)	X
Olive oil (n)	Y
Olive oil (containing less than 3.3% free fatty acids)	Y
Oxygenated aliphatic hydrocarbon mixture (n)	Z
Palm acid oil (n)	Y
Palm fatty acid distillate (n)	Y
Palm kernel acid oil (n)	Y
Palm kernel oil (n)	Y
Palm kernel oil (containing less than 5% free fatty acids)	Y
Palm kernel olein (n)	Y
Palm kernel stearin (n)	Y
Palm mid fraction (n)	Y
Palm oil (n)	Y
Palm oil (containing less than 5% free fatty acids)	Y
Palm oil fatty acid methyl ester (n)	Y
Palm olein (n)	Y
Palm olein (containing less than 5% free fatty acids)	Y
Palm stearin (n)	Y
Palm stearin (containing less than 5% free fatty acids)	Y
Paraffin wax	Y
Paraldehyde	Z

Schedule 2

a	c
Paraldehyde–Ammonia reaction product	Y
Pentachloroethane	Y
1,3-Pentadiene (n)	Y
1,3-Pentadiene	Y
Pentaethylenehexamine	X
Pentane (all isomers)	Y
Pentanoic acid	Y
<i>n</i> -Pentanoic acid (64%)/2-Methylbutyric acid (36%) mixture	Y
Pentene (all isomers)	Y
<i>n</i> -Pentyl propionate	Y
Perchloroethylene	Y
Petrolatum (n)	Y
Petrolatum	Z
Phenol	Y
1-Phenyl-1-xylylethane	Y
Phosphate esters, alkyl (C ₁₂ –C ₁₄) amine (n)	Y
Phosphoric acid	Z
Phosphorus, yellow or white	X
Phthalic anhydride (molten)	Y
<i>alpha</i> -Pinene	X
<i>beta</i> -Pinene	X
Pine oil	X
Polyacrylic acid solution (40% or less) (n)	Z
Polyalkyl (C ₁₈ –C ₂₂) acrylate in xylene (n)	Y
Polyalkyl (C ₁₈ –C ₂₂) acrylate in xylene	Y
Poly(2–8)alkylene glycol monoalkyl (C ₁ –C ₆) ether (n)	Z
Poly(2–8)alkylene glycol monoalkyl (C ₁ –C ₆) ether acetate (n)	Y
Polyalkyl (C ₁₀ –C ₂₀) methacrylate	Y

a	c
Polyalkyl (C ₁₀ –C ₁₈) methacrylate/Ethylene– Propylene copolymer mixture	Y
Polybutene (n)	Y
Polybutenyl succinimide (n)	Y
Poly(2+)cyclic aromatics	X
Polyether (molecular weight 1350+) (n)	Y
Polyethylene glycol	Z
Polyethylene glycol dimethyl ether	Z
Polyethylene polyamines (n)	Y
Polyethylene polyamines (more than 50% C ₅ –C ₂₀ paraffin oil) (n)	Y
Polyferric sulphate solution	Y
Poly(iminoethylene)-graft-N-poly(ethyleneoxy) solution (90% or less) (n)	Z
Polyisobutenamine in aliphatic (C ₁₀ –C ₁₄) solvent	Y
Polyisobutenyl anhydride adduct	Z
Poly(4+)isobutylene	Y
Polymethylene polyphenyl isocyanate (n)	Y
Polyolefin (molecular weight 300+) (n)	Y
Polyolefin amide alkeneamine (C ₁₇ +)	Y
Polyolefin amide alkeneamine borate (C ₂₈ –C ₂₅₀)	Y
Polyolefinamine (C ₂₈ –C ₂₅₀)	Y
Polyolefinamine in alkyl (C ₂ –C ₄) benzenes	Y
Polyolefinamine in aromatic solvent	Y
Polyolefin aminoester salts (molecular weight 2000+) (n)	Y
Polyolefin anhydride	Y
Polyolefin ester (C ₂₈ –C ₂₅₀)	Y
Polyolefin phenolic amine (C ₂₈ –C ₂₅₀)	Y
Polyolefin phosphorusulphide, barium derivative (C ₂₈ –C ₂₅₀)	Y
Poly(20)oxyethylene sorbitan monooleate	Y

Schedule 2

a	c
Poly(5+)propylene (n)	Y
Polypropylene glycol (n)	Z
Polypropylene glycol	Z
Polysiloxane	Y
Potassium chloride solution (n)	Z
Potassium hydroxide solution	Y
Potassium oleate	Y
Potassium thiosulphate (50% or less)	Y
<i>n</i> -Propanolamine	Y
<i>beta</i> -Propiolactone	Y
Propionaldehyde	Y
Propionic acid	Y
Propionic anhydride	Y
Propionitrile	Y
<i>n</i> -Propyl acetate	Y
<i>n</i> -Propyl alcohol	Y
<i>n</i> -Propylamine	Z
Propylbenzene (all isomers)	Y
Propylene glycol methyl ether acetate	Z
Propylene glycol monoalkyl ether	Z
Propylene glycol phenyl ether	Z
Propylene oxide	Y
Propylene tetramer	X
Propylene trimer	Y
Pyridine	Y
Pyrolysis gasoline (containing benzene) (n)	Y
Rapeseed oil (n)	Y
Rapeseed oil (low erucic acid, containing less than 4% free fatty acids)	Y
Rape seed oil fatty acid methyl esters (n)	Y
Resin oil, distilled (n)	Y
Rice bran oil (n)	Y

a	c
Rosin	Y
Safflower oil (n)	Y
Shea butter (n)	Y
Sodium alkyl (C ₁₄ –C ₁₇) sulphonates (60–65% solution) (n)	Y
Sodium aluminosilicate slurry	Z
Sodium benzoate	Z
Sodium borohydride (15% or less)/Sodium hydroxide solution	Y
Sodium carbonate solution	Z
Sodium chlorate solution (50% or less)	Z
Sodium dichromate solution (70% or less)	Y
Sodium hydrogen sulphide (6% or less)/ Sodium carbonate (3% or less) solution	Z
Sodium hydrogen sulphite solution (45% or less)	Z
Sodium hydrosulphide/Ammonium sulphide solution	Y
Sodium hydrosulphide solution (45% or less)	Z
Sodium hydroxide solution	Y
Sodium hypochlorite solution (15% or less)	Y
Sodium nitrite solution	Y
Sodium petroleum sulphonate (n)	Y
Sodium poly(4+)acrylate solutions (n)	Z
Sodium silicate solution	Y
Sodium sulphide solution (15% or less)	Y
Sodium sulphite solution (25% or less)	Y
Sodium thiocyanate solution (56% or less)	Y
Soyabean oil (n)	Y
Soyabean oil (containing less than 0.5% free fatty acids)	Y
Styrene monomer (n)	Y
Sulphohydrocarbon (C ₃ –C ₈₈) (n)	Y
Sulpholane	Y
Sulphonated polyacrylate solution (o)	Z
Sulphur (molten)	Z

Schedule 2

a	c
Sulphuric acid	Y
Sulphuric acid, spent	Y
Sulphurized fat (C ₁₄ –C ₂₀)	Z
Sulphurized polyolefinamide alkene (C ₂₈ –C ₂₅₀) amine (n)	Z
Sunflower seed oil (n)	Y
Sunflower seed oil (containing less than 7% free fatty acids)	Y
Tall oil, crude (n)	Y
Tall oil, distilled (n)	Y
Tall oil fatty acid (resin acids less than 20%) (n)	Y
Tall oil pitch (n)	Y
Tallow (n)	Y
Tallow (containing less than 15% free fatty acids)	Y
Tallow fatty acid	Y
Tetrachloroethane	Y
Tetraethylene glycol	Z
Tetraethylenepentamine	Y
Tetrahydrofuran	Z
Tetrahydronaphthalene	Y
Tetramethylbenzene (all isomers)	X
Titanium dioxide slurry	Z
Toluene	Y
Toluenediamine	Y
Toluene diisocyanate	Y
o-Toluidine	Y
Tributyl phosphate	Y
1,2,3-Trichlorobenzene (molten)	X
1,2,4-Trichlorobenzene	X
1,1,1-Trichloroethane	Y
1,1,2-Trichloroethane	Y
Trichloroethylene	Y
1,2,3-Trichloropropane	Y

a	c
1,1,2-Trichloro-1,2,2-trifluoroethane	Y
Tricresyl phosphate (containing 1% or more <i>ortho</i> -isomer)	Y
Tricresyl phosphate (containing less than 1% <i>ortho</i> -isomer) (n)	Y
Tridecane	Y
Tridecanoic acid	Y
Tridecyl acetate	Y
Tridecyl acetate (n)	Z
Triethanolamine	Z
Triethylamine	Y
Triethylbenzene	X
Triethylenetetramine	Y
Triethyl phosphate	Z
Triethyl phosphite	Z
Triisopropanolamine	Z
Triisopropylated phenyl phosphates	X
Trimethylacetic acid (n)	Y
Trimethylacetic acid	Y
Trimethylamine solution (30% or less)	Z
Trimethylbenzene (all isomers)	X
Trimethylolpropane propoxylated (n)	Z
2,2,4-Trimethyl-1,3-pentanediol diisobutyrate	Z
2,2,4-Trimethyl-1,3-pentanediol-1-isobutyrate	Y
1,3,5-Trioxane	Y
Tripropylene glycol	Z
Trixylyl phosphate	X
Tung oil (n)	Y
Tung oil (containing less than 2.5% free fatty acids)	Y
Turpentine	X
Undecanoic acid	Y
1-Undecene	X
Undecyl alcohol	X

Schedule 2

a	c
Urea/Ammonium nitrate solution	Z
Urea/Ammonium nitrate solution (containing aqua ammonia)	Z
Urea/Ammonium nitrate solution (containing less than 1% free ammonia) (n)	Z
Urea/Ammonium phosphate solution	Y
Urea solution	Z
Valeraldehyde (all isomers)	Y
Vegetable acid oils (m) (n)	Y
Vegetable fatty acid distillates (m) (n)	Y
Vegetable protein solution (hydrolysed) (o)	Z
Vinyl acetate	Y
Vinyl ethyl ether	Z
Vinylidene chloride	Y
Vinyl neodecanoate	Y
Vinyltoluene	Y
Waxes (n)	Y
Waxes	Z
White spirit, low (15–20%) aromatic (n)	Y
Xylenes	Y
Xylenes/Ethylbenzene (10% or more) mixture (n)	Y
Xylenol (n)	Y
Xylenol	Y
Zinc alkaryl dithiophosphate (C ₇ –C ₁₆)	Y
Zinc alkenyl carboxamide	Y
Zinc alkyl dithiophosphate (C ₃ –C ₁₄)	Y

- a If the product to be carried contains flammable solvents such that the flashpoint does not exceed 60°C, then special electrical systems and a flammable-vapour detector shall be provided.

-
- b Although water is suitable for extinguishing open-air fires involving chemicals to which this footnote applies, water shall not be allowed to contaminate closed tanks containing these chemicals because of the risk of hazardous gas generation.
 - c Phosphorus, yellow or white is carried above its autoignition temperature and therefore flashpoint is not appropriate. Electrical equipment requirements may be similar to those for substances with a flashpoint above 60°C.
 - d Requirements are based on those isomers having a flashpoint of 60°C, or less; some isomers have a flashpoint greater than 60°C, and therefore the requirements based on flammability would not apply to such isomers.
 - e Applies to *n*-decyl alcohol only.
 - f Dry chemical shall not be used as fire-extinguishing media.
 - g Confined spaces shall be tested for both formic acid vapours and carbon monoxide gas, a decomposition product.
 - h Applies to *p*-xylene only.
 - i For mixtures containing no other components with safety hazards and where the pollution category is Y or less.
 - j Only certain alcohol-resistant foams are effective.
 - k Requirements for Ship Type identified in *column e* might be subject to regulation 4.1.3 of Annex II of MARPOL 73/78.
 - l Applicable when the melting point is equal to or greater than 0°C.
 - m From vegetable oils specified in the IBC Code.
 - n Pending official adoption and entry into force which is expected to be 1 January 2009. Products marked with this footnote appear in List 1 of the MEPC.2 Circular. Where these are double entries, those marked with this footnote take precedence.
 - o Refer to the entry in chapter 18.

Chapter 18

List of products to which the Code does not apply

- 18.1 The following are products which have been reviewed for their safety and pollution hazards and determined not to present hazards to such an extent as to warrant application of the Code.
- 18.2 Although the products listed in this chapter fall outside the scope of the Code, the attention of Administrations is drawn to the fact that some safety precautions may be needed for their safe transportation. Accordingly, Administrations shall prescribe appropriate safety requirements.
- 18.3 Some liquid substances are identified as falling into Pollution Category Z and, therefore, subject to certain requirements of Annex II of MARPOL 73/78.
- 18.4 Liquid mixtures which are assessed or provisionally assessed under regulation 6.3 of MARPOL Annex II as falling into Pollution Category Z or OS, and which do not present safety hazards, may be carried under the appropriate entry in this chapter for “Noxious or Non-Noxious Liquid Substances, not otherwise specified (n.o.s.)”.

EXPLANATORY NOTES

- | | |
|--------------------|---|
| Product name | The product name shall be used in the shipping document for any cargo offered for bulk shipments. Any additional name may be included in brackets after the product name. In some cases, the product names are not identical with the names given in previous issues of the Code. |
| Pollution Category | The letter Z means the Pollution Category assigned to each product under Annex II of MARPOL 73/78. OS means the product was evaluated and found to fall outside Categories X, Y, or Z. |

Product name	Pollution Category
Acetone	Z
Alcoholic beverages, n.o.s.	Z
Apple juice	OS
<i>n</i> -Butyl alcohol	Z
<i>sec</i> -Butyl alcohol	Z
Calcium nitrate solutions (50% or less) (a)	Z
Clay slurry	OS
Coal slurry	OS
Diethylene glycol	Z
Ethyl alcohol	Z
Ethylene carbonate	Z
Glucose solution	OS
Glycerine	Z
Glycerol monooleate (b)	Z
Hexamethylenetetramine solutions	Z
Hexylene glycol	Z
Hydrogenated starch hydrolysate (a)	OS
Isopropyl alcohol	Z
Kaolin slurry	OS
Lecithin (a)	OS
Magnesium hydroxide slurry	Z
Maltitol solution (a)	OS
<i>N</i> -Methylglucamine solution (70% or less)	Z
Methyl propyl ketone	Z
Molasses	OS
Noxious liquid, (11) n.o.s. (trade name ..., contains ...) Cat. Z	Z
Non noxious liquid, (12) n.o.s. (trade name ..., contains ...) Cat. OS	OS
Polyaluminium chloride solution	Z
Polyglycerin, sodium salt solution (containing less than 3% sodium hydroxide) (a)	Z

Schedule 2

Potassium formate solutions	Z
Propylene carbonate	Z
Propylene glycol	Z
Sodium acetate solutions	Z
Sodium sulphate solutions	Z
Sorbitol solution (a)	OS
Sulphonated polyacrylate solution (a)	Z
Tetraethyl silicate monomer/oligomer (20% in ethanol)	Z
Triethylene glycol	Z
Vegetable protein solution (hydrolysed) (a)	OS
Water	OS

- a Pending official adoption and entry into force, which is expected to be 1 January 2009. Products marked with this footnote appear in List 1 of the MEPC.2 Circular.
- b Refer to the entry in chapter 17.

Schedule 3 Nil discharge waters for untreated sewage

section 44

- 1 prohibited discharge waters
- 2 smooth waters
- 3 if a ship has 16 or more persons on board—Hervey Bay waters, northern Moreton Bay waters and open waters
- 4 Hervey Bay waters and northern Moreton Bay waters, within 1852m of any of the following—
 - (a) aquaculture fisheries resources;
 - (b) a reef;
 - (c) the mean low water mark of the mainland
- 5 open waters—
 - (a) within 926m of a wharf or jetty other than a jetty that is a marina; or
 - (b) within 1852m of aquaculture fisheries resources; or
 - (c) if a ship has 7 to 15 persons on board—within 1852m of any of the following—
 - (i) a reef;
 - (ii) the mean low water mark of an island or the mainland

Schedule 4 Nil discharge waters for treated sewage

section 45

- 1 prohibited discharge waters
- 2 for grade B treated sewage—Hervey Bay waters, northern Moreton Bay waters, open waters and smooth waters, within 700m of any of the following—
 - (a) a person in the water;
 - (b) aquaculture fisheries resources;
 - (c) a reef
- 3 for grade C treated sewage—Hervey Bay waters, northern Moreton Bay waters, open waters and smooth waters, within 926m of any of the following—
 - (a) a person in the water;
 - (b) aquaculture fisheries resources;
 - (c) a reef

Schedule 5 Nil discharge waters for treated sewage or untreated sewage from declared ship

section 47

- 1 prohibited discharge waters
- 2 for grade B treated sewage—Hervey Bay waters, northern Moreton Bay waters, open waters and smooth waters, within 700m of any of the following—
 - (a) a person in the water;
 - (b) aquaculture fisheries resources;
 - (c) a reef
- 3 for grade C treated sewage—Hervey Bay waters, northern Moreton Bay waters, open waters and smooth waters, within 926m of any of the following—
 - (a) a person in the water;
 - (b) aquaculture fisheries resources;
 - (c) a reef
- 4 for untreated sewage—
 - (a) Hervey Bay waters, northern Moreton Bay waters smooth waters; or
 - (b) open waters within 926m of a wharf or jetty other than a jetty that is a marina; or
 - (c) open waters within 1852m of any of the following—
 - (i) aquaculture fisheries resources;
 - (ii) if a declared ship has 7 to 15 persons on board—a reef, or the mean low water mark of an island or the mainland; or
 - (d) if a declared ship has 16 or more persons on board—open waters

Schedule 6 Levels of sewage quality characteristics for treated sewage

sections 55 and 57

Part 1 Interpretation

1 Definition

In this schedule—

relevant level means—

- (a) for determining a sewage treatment system's performance specifications under normal operating conditions in relation to the levels of sewage quality characteristics remaining in sewage after it has been treated in the treatment system—the geometric mean of the results of the analyses of at least 5 samples taken in a period during which a sewage treatment system's performance is determined; or
- (b) for assessing a treatment system as required under section 55—
 - (i) if 1 sample is used for the assessment—the result of the analysis of the sample; or
 - (ii) if more than 1 sample is used for the assessment—the geometric mean of the results of the analyses of the samples taken in a period during which a sewage treatment system's performance is assessed.

2 Calculating relevant level

- (1) The result of an analysis of a sample used to calculate the relevant level of the sample (the *result*) must only be a real number.

-
- (2) If the result is 0, or below the limit of reporting for an analytical procedure, the result must be half of the value of the limit of reporting for the procedure.
- (3) In this section—
limit of reporting, for an analytical procedure, means the smallest value for the procedure that can be reported with certainty.

Part 2 Levels for grade A treated sewage

3 Thermotolerant coliforms

The relevant level of the thermotolerant coliform count of the samples of treated sewage taken during the test period must not be more than 250 thermotolerant coliforms/100mL, most probable number, as determined by a multiple tube fermentation analysis or an equivalent analytical procedure.

4 Suspended solids

The relevant level of the total suspended solids content of the samples of treated sewage taken during the test period must not be more than 50mg/L above the suspended solids content of ambient water used for flushing purposes.

5 Biochemical oxygen demand

The relevant level of the 5 day biochemical oxygen demand of the samples of treated sewage taken during the test period must not be more than 50mg/L.

Part 3 Levels for grade B treated sewage

6 Thermotolerant coliforms

The relevant level of the thermotolerant coliform count of the samples of treated sewage taken during the test period must not be more than 150 thermotolerant coliforms/100mL, most probable number, as determined by a multiple tube fermentation analysis or an equivalent analytical procedure.

7 Suspended solids

The relevant level of the total suspended solids content of the samples of treated sewage taken during the test period must not be more than 50mg/L above the suspended solids content of ambient water used for flushing purposes.

Part 4 Levels for grade C treated sewage

8 Thermotolerant coliforms

The relevant level of the thermotolerant coliform count of the samples of treated sewage taken during the test period must not be more than 150 thermotolerant coliforms/100mL, most probable number, as determined by a multiple tube fermentation analysis or an equivalent analytical procedure.

Schedule 7 **Areas within the Great Barrier Reef Coast Marine Park that are designated areas**

section 96A

Part 1 **Interpretation**

1 **Definitions**

In this schedule—

100m line, around a reef, means the line every point of which is 100m seaward from the seaward edge of the reef.

500m line, around a reef, means the line every point of which is 500m seaward from the seaward edge of the reef.

coastal 100m line—

- (a) around an island or the mainland, means the line every point of which is 100m seaward from the island, or the mainland, at low water; or
- (b) to the extent there is a fringing reef around the island or the mainland, means the line every point of which is 100m seaward from the seaward edge of the fringing reef.

coastal 500m line—

- (a) around an island, a group of islands, the mainland, a rock, or a group of rocks, means the line every point of which is 500m seaward from the island, the group of islands, the mainland, the rock or the group of rocks, at low water; or
- (b) to the extent there is a fringing reef around the island, the group of islands, the mainland, the rock or the group of rocks, means the line every point of which is 500m seaward from the edge of the fringing reef.

fringing reef, in relation to an island, a group of islands, the mainland, a rock, or a group of rocks, means a reef that adjoins, overlaps or is in close proximity to the island, the group of islands, the mainland, the rock or the group of rocks, at low water.

geodesic means a line between 2 points that follows the curvature of the earth.

H.A.T. means highest astronomical tide.

highest astronomical tide means the highest level of the tides that can be predicted to happen under average meteorological conditions and under any combination of astronomical conditions.

high water means the mean height of the highest high water at spring tide.

island 500m line, around an island, means the line every point of which is 500m seaward from the island at low water.

L.A.T. means lowest astronomical tide.

lowest astronomical tide means the lowest level of the tides that can be predicted to happen under average meteorological conditions and under any combination of astronomical conditions.

low water means the mean height of the lowest low water at spring tide.

median line, means—

- (a) in relation to 2 islands, a line that—
 - (i) starts at 1 point where the island 500m line around 1 island intersects the island 500m line around the other island; and
 - (ii) ends at the other point where the 2 island 500m lines intersect; and
 - (iii) at every point is equidistant from both islands at low water; or
- (b) in relation to 1 island and a rock or group of rocks, a line that—

-
- (i) starts at 1 point where the island 500m line around the island intersects the rock 500m line around the rock or group of rocks; and
 - (ii) ends at the other point where the island 500m line intersects the rock 500m line; and
 - (iii) at every point is equidistant from the island and the rock or group of rocks at low water; or
- (c) in relation to 2 reefs, a line that—
- (i) starts at 1 point where the 500m line around 1 reef intersects the 500m line around the other reef; and
 - (ii) ends at the other point where the 500m lines intersect; and
 - (iii) at every point is equidistant from the seaward edge of both reefs.

rock 500m line, around a rock or a group of rocks, means the line every point of which is 500m seaward from the rock, or the group of rocks, at low water.

the mainland includes a part of the mainland.

Note—

See also the *Survey and Mapping Infrastructure Act 2003*, section 60 (References to features forming part of an administrative area boundary) for other rules of interpretation for working out boundaries mentioned in this schedule.

2 References to latitudes and longitudes

The latitudes and longitudes used to describe an area mentioned in this schedule are worked out using the Geocentric Datum of Australia 1994, commonly called ‘GDA94’, notified in the Commonwealth Government Gazette No. GN 35 on 6 September 1995, at page 3369.

3 References to H.A.T., high water etc.

- (1) A reference in this schedule to the mainland, an island or another natural feature at H.A.T., high water, L.A.T., or low water is a reference to the line that represents H.A.T., high

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water, L.A.T., or low water adjacent to the mainland, the island or the natural feature.

Examples of natural features—

bay, creek, inlet, river, rock

- (2) A reference to the bank of a creek, inlet or river is a reference to the line that—
 - (a) runs along the outer limit of the defined channel of the creek, inlet or river; and
 - (b) follows the upper limit of the land in the channel that is covered by the waters of the creek, inlet or river—
 - (i) for a reference to the bank at H.A.T.—at H.A.T.; or
 - (ii) for a reference to the bank at high water—at high water; or
 - (iii) for a reference to the bank at L.A.T.—at L.A.T.; or
 - (iv) for a reference to the bank at low water—at low water.

4 References to bracketed island or reef numbers

- (1) In this schedule, a reference to a bracketed island number after a description of an island, or a bracketed reef number after a description of a reef, is included to provide additional information for identifying the island or reef.

- (2) In this section—

island number means the word ‘island’ followed by a sequence of numbers separated by a dash.

reef number means the word ‘reef’ followed by—

- (a) a sequence of numbers separated by a dash; or
- (b) a sequence of numbers separated by a dash and a letter in lower case.

Part 2 **Areas that are designated areas**

Division 1 **Areas within the Mackay/Capricorn Management Area**

5 **Part of Rodds Bay Segment**

The area within the following boundary—

- from where latitude 24°00.528' south intersects the mainland at low water

Note—

Latitude 24°00.528' south intersects the mainland at low water near Spit End.

- then south-westerly along the geodesic that passes through the following points to where the geodesic intersects the coastal 500m line around the mainland at Rodds Peninsula—
 - where the mainland at low water intersects latitude 24°00.528' south
 - where latitude 24°01.818' south intersects Hummock Hill Island at low water
- then generally northerly, north-easterly, easterly and south-easterly along the coastal 500m line around the mainland at Rodds Peninsula to where it intersects longitude 151°43.063' east
- then south along longitude 151°43.063' east to where it intersects the mainland at high water

Note—

Longitude 151°43.063' east intersects the mainland at high water on Rodds Peninsula.

- then generally north-westerly, westerly and southerly along the mainland at high water to where it intersects latitude 24°00.528' south

Note—

The mainland at high water intersects latitude 24°00.528' south near Spit End.

- then west along latitude 24°00.528' south to where it intersects the mainland at low water.

6 Parts of Keppel Bay Segment

The following areas—

- (a) the area within the following boundary—
- from the most western point where North Keppel Island at H.A.T. intersects latitude 23°04.662' south
 - then west along latitude 23°04.662' south to where it intersects the coastal 500m line around North Keppel Island
 - then generally south-easterly along the coastal 500m line around North Keppel Island to where it intersects latitude 23°04.992' south
 - then east along latitude 23°04.992' south to where it intersects North Keppel Island at H.A.T.
 - then generally north-westerly along North Keppel Island at H.A.T. to the most western point where it intersects latitude 23°04.662' south;
- (b) the area within the following boundary—
- from the most western point where Great Keppel Island at H.A.T. intersects latitude 23°10.698' south
 - then west along latitude 23°10.698' to where it intersects the coastal 500m line around Great Keppel Island
 - then generally southerly along the coastal 500m line around Great Keppel Island to where it intersects latitude 23°11.340' south

-
- then east along latitude 23°11.340' south to where it intersects Great Keppel Island at H.A.T.
 - then generally northerly along Great Keppel Island at H.A.T. to the most western point where it intersects latitude 23°10.698' south;
- (c) the area that is landward of the coastal 500m line around Egg Rock;
- (d) the area within the following boundary—
- from the eastern point of the median line between Middle Island and Miall Island
 - then generally south-westerly along the median line between Middle Island and Miall Island to the western point of the line
 - then generally southerly, south-easterly, easterly and north-easterly along the island 500m line around Middle Island to the western point of the median line between Middle Island and Passage Rocks
 - then generally north-easterly along the median line between Middle Island and Passage Rocks to the eastern point of the line
 - then generally north-westerly along the island 500m line around Middle Island to the eastern point of the median line between Middle Island and Miall Island;
- (e) the area within the following boundary—
- from the most northern point of Halfway Island at low water
 - then north along the longitude that passes through the most northern point of Halfway Island at low water to where the longitude intersects the southern point of the median line between Great Keppel Island and Halfway Island

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- then generally north-easterly along the median line between Great Keppel Island and Halfway Island to the northern point of the line
 - then generally south-easterly and southerly along the island 500m line around Halfway Island to where it intersects the latitude that passes through the most southern point of Halfway Island at high water
 - then west along the latitude that passes through the most southern point of Halfway Island at high water to the most southern point of Halfway Island at high water
 - then northerly along a geodesic to the most southern point of Halfway Island at H.A.T.
 - then generally north-easterly and northerly along the eastern side of Halfway Island at H.A.T. to the most northern point of the Island at H.A.T.
 - then northerly along a geodesic to the most northern point of Halfway Island at low water;
- (f) the area within the following boundary—
- from the most western point of the island 500m line around Peak Island
 - then generally northerly along the island 500m line around Peak Island to the southern point of the median line between Peak Island and Split Rock
 - then generally north-easterly along the median line between Peak Island and Split Rock to the northern point of the line
 - then generally south-easterly and southerly along the island 500m line around Peak Island to the north-eastern point of the median line between Peak Island and Arch Rock
 - then generally south-westerly along the median line between Peak Island and Arch Rock to the south-western point of the line

- then generally north-westerly along the island 500m line around Peak Island to the most western point of the line.

7 Parts of Broad Sound Segment

The following areas—

(a) the area within the following boundary—

- from the most southern point of the 500m line around Ethel Sand Shoal (reef 21-357)

Note—

The most southern point of the 500m line around Ethel Sand Shoal (reef 21-357) is at approximately latitude 21°51.174' south, longitude 149°44.556' east.

- then north-westerly and north-easterly along the 500m line around Ethel Sand Shoal (reef 21-357) to its most eastern point
- then south-easterly along a geodesic to the most eastern point of the coastal 500m line around George Island
- then generally south-westerly along the coastal 500m line around George Island to its most southern point
- then south-westerly along a geodesic to the most southern point of the coastal 500m line around Calliope Island
- then westerly along a geodesic to the most southern point of the 500m line around Ethel Sand Shoal (reef 21-357);

(b) the area within the following boundary—

- from the most southern point of Leicester Island at low water
- then northerly along a geodesic to the most southern point of Leicester Island at H.A.T.

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- then north-easterly and northerly along the eastern side of Leicester Island at H.A.T. to its most northern point
- then northerly along a geodesic to the most northern point of Leicester Island at low water
- then east along the latitude that passes through the most northern point of Leicester Island at low water to the most western point where the latitude intersects Townshend Island at H.A.T.
- then generally southerly, easterly, south-westerly, north-easterly and southerly along Townshend Island at H.A.T. to where it intersects the latitude that passes through the most southern point of the coastal 500m line around Marquis Island
- then west along the latitude that passes through the most southern point of the coastal 500m line around Marquis Island to the most southern point where the latitude intersects the coastal 500m line around Marquis Island
- then generally westerly and northerly along the coastal 500m line around Marquis Island to its most western point
- then north-westerly along a geodesic to the most southern point of Leicester Island at low water.

8 Parts of Cumberland Islands Segment

The following areas—

- (a) the area that is landward of the coastal 500m line around Penrith Island;
- (b) the area within the following boundary—
 - from where latitude 20°46.824' south intersects the western side of Carlisle Island at low water
 - then east along latitude 20°46.824' south to the most western point where it intersects Carlisle Island at H.A.T.

-
- then generally easterly along Carlisle Island at H.A.T. to where it intersects longitude $149^{\circ}17.994'$ east on the southern side of the island
 - then south along longitude $149^{\circ}17.994'$ east to where it intersects the southern side of Carlisle Island at low water
 - then westerly along a geodesic to where latitude $20^{\circ}48.150'$ south intersects the eastern side of Brampton Island at low water
 - then south along latitude $20^{\circ}48.150'$ south to where it intersects the eastern side of Brampton Island at H.A.T.
 - then generally westerly along Brampton Island at H.A.T. to where it intersects longitude $149^{\circ}15.672'$ east
 - then north along longitude $149^{\circ}15.672'$ east to where it intersects the northern side of Brampton Island at low water
 - then north-easterly along a geodesic to where latitude $20^{\circ}46.824'$ south intersects the western side of Carlisle Island at low water;
- (c) the area within the following boundary—
- from the most northern point of the coastal 500m line around Scawfell Island
 - then generally south-easterly, southerly, southwesterly, westerly and north-westerly along the coastal 500m line around Scawfell Island to its most western point
 - then east along the latitude that passes through the most western point of the coastal 500m line around Scawfell Island to where the latitude intersects Scawfell Island at H.A.T.
 - then generally south-easterly, north-easterly, southeasterly, north-easterly, northerly and north-westerly along Scawfell Island at H.A.T. to its most northern point

- then northerly along a geodesic to the most northern point of the coastal 500m line around Scawfell Island.

9 Parts of Capricorn-Bunker Segment

The following areas—

- (a) the area within the following boundary—
 - from the most northern point where the 500m line around Wistari Reef intersects the 500m line around Heron Island Reef
 - then easterly along the 500m line around Heron Island Reef to where it intersects the 500m line around Sykes Reef
 - then generally easterly along the 500m line around Sykes Reef to where it intersects longitude 152°00.054' east
 - then south along longitude 152°00.054' east to the most southern point where it intersects the 500m line around Sykes Reef
 - then westerly along the 500m around Sykes Reef to where it intersects the 500m line around Heron Island Reef
 - then westerly along the 500m line around Heron Island Reef to the most southern point where it intersects the 500m line around Wistari Reef
 - then generally south-westerly, north-westerly and north-easterly along the 500m line around Wistari Reef to the most northern point where it intersects the 500m line around Heron Island Reef;
- (b) the area landward of the 500m line around Lady Elliot Island Reef;
- (c) the area within the following boundary—

-
- from the most northern point where longitude 151°46.638' east intersects the 100m line around Brew Shoal Reef
 - then generally north-easterly along the 100m line around Brew Shoal Reef to where it intersects the longitude that passes through the most eastern point of Tryon Island at high water
 - then south along the longitude that passes through the most eastern point of Tryon Island at high water to where it intersects the most eastern point of Tryon Island at high water
 - then westerly along a geodesic to the most eastern point of Tryon Island at H.A.T.
 - then generally south-westerly along Tryon Island at H.A.T. to where it intersects longitude 151°46.638' east
 - then north along longitude 151°46.638' east to the most northern point where it intersects the 100m line around Brew Shoal Reef;
- (d) the area within the following boundary—
- from the most southern point where the 100m line around Brew Shoal Reef intersects longitude 151°46.638' east
 - then north along longitude 151°46.638' east to where it intersects Tryon Island at H.A.T.
 - then generally north-easterly along Tryon Island at H.A.T. to its most eastern point
 - then easterly along a geodesic to the most eastern point of Tryon Island at high water
 - then south along the longitude that passes through the most eastern point of Tryon Island at high water to where it intersects the 100m line around Brew Shoal Reef

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- then generally south-westerly along the 100m line around Brew Shoal Reef to the most southern point where it intersects longitude 151°46.638' east;
- (e) the area within the following boundary—
- from the most northern point where longitude 151°42.402' east intersects the 100m line around North West Reef
 - then generally easterly along the 100m line around North West Reef to where it intersects the longitude that passes through the most eastern point of North West Island at high water
 - then south along the longitude that passes through the most eastern point of North West Island at high water to the most eastern point of North West Island at high water
 - then westerly along a geodesic to the most eastern point of North West Island at H.A.T.
 - then generally north-westerly and westerly along North West Island at H.A.T. to where it intersects longitude 151°42.402' east
 - then north along longitude 151°42.402' east to the most northern point where it intersects the 100m line around North West Reef;
- (f) the area within the following boundary—
- from the most southern point where the 100m line around North West Reef intersects longitude 151°42.402' east
 - then north along longitude 151°42.402' east to where it intersects North West Island at H.A.T.
 - then generally north-easterly along North West Island at H.A.T. to its most eastern point
 - then easterly along a geodesic to the most eastern point of North West Island at high water
 - then south along the longitude that passes through the most eastern point of North West Island at high

-
- water to where the longitude intersects the 100m line around North West Reef
- then generally north-westerly along the 100m line around North West Reef to the most southern point where the line intersects longitude 151°42.402' east;
- (g) the area within the following boundary—
- from the most northern point where longitude 151°43.512' east intersects the 100m line around Masthead Island Reef
 - then generally south-easterly along the 100m line around Masthead Island Reef to where it intersects the longitude that passes through the most eastern point of Masthead Island at high water
 - then south along the longitude that passes through the most eastern point of Masthead Island at high water to the most eastern point of Masthead Island at high water
 - then westerly along a geodesic to the most eastern point of Masthead Island at H.A.T.
 - then generally westerly along Masthead Island at H.A.T. to where it intersects longitude 151°43.512' east
 - then north along longitude 151°43.512' east to the most northern point where it intersects the 100m line around Masthead Island Reef;
- (h) the area within the following boundary—
- from the most southern point where the 100m line around Masthead Island Reef intersects longitude 151°43.512' east
 - then north along longitude 151°43.512' east to where it intersects Masthead Island at H.A.T.
 - then generally easterly along Masthead Island at H.A.T. to its most eastern point

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- then easterly along a geodesic to the most eastern point of Masthead Island at high water
 - then south along the longitude that passes through the most eastern point of Masthead Island at high water to where the longitude intersects the 100m line around Masthead Island Reef
 - then generally westerly along the 100m line around Masthead Island Reef to the most southern point where it intersects longitude 151°43.512' east;
- (i) the area within the following boundary—
- from the most northern point where Lady Musgrave Island at H.A.T. intersects longitude 152°23.604' east
 - then north along longitude 152°23.604' east to where it intersects the 100m line around Lady Musgrave Island Reef
 - then generally north-easterly along the 100m line around Lady Musgrave Island Reef to where it intersects longitude 152°24.552' east

Note—

Longitude 152°24.552' east approximately passes through the most northern point of the seaward edge of the part of Lady Musgrave Island Reef that is on the southern side of the main entrance channel to Lady Musgrave Island.

- then south-easterly along a geodesic to latitude 23°53.628' south, longitude 152°24.780' east
- then south-westerly along a geodesic to the most eastern point of Lady Musgrave Island at high water
- then westerly along a geodesic to the most eastern point of Lady Musgrave Island at H.A.T.
- then generally northerly, north-westerly and southwesterly along Lady Musgrave Island at H.A.T. to the most northern point where it intersects longitude 152°23.604' east;

-
- (j) the area landward of the 500m line around Llewellyn Reef;
 - (k) the area landward of the 500m line around One Tree Island Reef;
 - (l) the area landward of the 500m line around Wreck Island Reef.

Division 2 Areas within the Townsville/Whitsunday Management Area

10 Parts of Whitsundays Segment

The following areas—

- (a) the area within the following boundary—
 - from the most northern point where longitude 148°57.664' east intersects Hook Island at low water
 - then westerly along a geodesic to the most northern point where longitude 148°55.364' east intersects Hook Island at low water
 - then south along longitude 148°55.364' east to where it intersects Hook Island at H.A.T.
 - then generally south-easterly, southerly, northeasterly and easterly along Hook Island at H.A.T. to the most northern point where it intersects longitude 148°57.664' east
 - then north along longitude 148°57.664' east to the most northern point where it intersects Hook Island at low water;
- (b) the area landward of the coastal 100m line around Border Island;
- (c) the area within the following boundary—

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- from the most northern point of the coastal 100m line around Haslewood Island
 - then southerly along the coastal 100m line around Haslewood Island to the most northern point where it intersects the coastal 100m line around Lupton Island
 - then southerly along the coastal 100m line around Lupton Island to the most southern point where it intersects the coastal 100m line around Haslewood Island
 - then generally southerly along the coastal 100m line around Haslewood Island to its most southern point
 - then north along the longitude that passes through the most southern point of the coastal 100m line around Haslewood Island to where the longitude intersects Haslewood Island at H.A.T.
 - then generally northerly along Haslewood Island at H.A.T. to its most northern point
 - then northerly along a geodesic to the most northern point of the coastal 100m line around Haslewood Island;
- (d) the area within the following boundary—
- from the most eastern point where latitude 20°25.896' south intersects the mainland at low water
 - then north-easterly along a geodesic to the most southern point of the coastal 100m line around Calf Island
 - then generally north-easterly, northerly and northwesterly along the coastal 100m line around Calf Island to the most eastern point where it intersects the coastal 100m line around Cow Island
 - then generally northerly, north-westerly and westerly along the coastal 100m line around Cow

Island to where it intersects the mainland at low water

- then generally southerly along the mainland at low water to the most eastern point where it intersects latitude 20°25.896' south;
- (e) the area within the following boundary—
- from the most northern point of the coastal 500m line around Eshelby Island
 - then generally south-westerly and southerly along the coastal 500m line around Eshelby Island to the most western point where it intersects the coastal 500m line around the unnamed island (island 20-013) just south of Eshelby Island

Note—

The most western point where the coastal 500m line around Eshelby Island intersects the coastal 500m line around the unnamed island (20-013) just south of Eshelby Island is at approximately latitude 20°01.344' south, longitude 148°37.314' east.

- then generally south-westerly, southerly, easterly and northerly along the coastal 500m line around the unnamed island (island 20-013) just south of Eshelby Island to the most eastern point where it intersects the coastal 500m line around Eshelby Island
- then generally northerly and north-westerly along the coastal 500m line around Eshelby Island to its most northern point.

11 Part of Bowling Green Bay Segment

The area within the following boundary—

- from where the mainland at high water intersects latitude 19°15.300' south near Cape Woorra
- then east along latitude 19°15.300' south to where it intersects the coastal 500m line around the mainland

- then generally south-easterly and westerly along the coastal 500m line around the mainland to where it intersects latitude 19°16.902' south
- then west along latitude 19°16.902' south to where it intersects the mainland at high water
- then generally easterly and north-westerly along the mainland at high water to where it intersects latitude 19°15.300' south near Cape Woorá.

12 Parts of Halifax Bay and Magnetic Island Segment

The following areas—

- (a) the part of Balding Bay that is south of the following line—
 - from where longitude 146°52.302' east intersects Magnetic Island at high water on the eastern side of the bay
 - then north-westerly along a geodesic to where longitude 146°51.522' east intersects Magnetic Island at high water on the western side of the bay;
- (b) the part of Geoffrey Bay that is north of the following line—
 - from where longitude 146°52.332' east intersects Magnetic Island at high water on the eastern side of the bay
 - then south-westerly along a geodesic to where longitude 146°52.224' east intersects Magnetic Island at high water on the western side of the bay;
- (c) the area within the following boundary—
 - from the most northern point where Magnetic Island at low water intersects longitude 146°49.002' east
 - then south along longitude 146°49.002' east to where it intersects Magnetic Island at H.A.T.

- then generally easterly and north-easterly along Magnetic Island at H.A.T. to the most northern point where it intersects longitude 146°49.974' east
- then north along longitude 146°49.974' east to where it intersects Magnetic Island at low water
- then south-westerly along a geodesic to the most northern point where Magnetic Island at low water intersects longitude 146°49.002' east.

13 Part of Hinchinbrook Segment

The area within the following boundary—

- from the most northern point of the coastal 500m line around North Island
- then southerly along the coastal 500m line around North Island on its eastern side to where it intersects the coastal 500m line around Tween Island
- then southerly along the coastal 500m line around Tween Island to where it intersects the coastal 500m line around Middle Island
- then southerly along the coastal 500m line around Middle Island to where it intersects the coastal 500m line around South Island
- then southerly, westerly and northerly along the coastal 500m line around the South Island to where it intersects the coastal 500m line around Middle Island on its western side
- then northerly along the coastal 500m line around Middle Island to where it intersects the coastal 500m line around Tween Island
- then northerly along the coastal 500m line around Tween Island to where it intersects the coastal 500m line around North Island
- then northerly along the coastal 500m line around North Island to its most northern point.

14 Part of Palm Islands Segment

The area within the following boundary—

- from the most western point where latitude 18°36.900' south intersects Orpheus Island at H.A.T.
- then generally northerly, easterly, southerly and south-westerly along Orpheus Island at H.A.T. to its most southern point
- then south along the longitude that passes through the most southern point of Orpheus Island at H.A.T. to where the longitude intersects the coastal 500m line around Orpheus Island
- then generally north-easterly, northerly, westerly and southerly along the coastal 500m line around Orpheus Island to the most western point where it intersects latitude 18°36.900' south
- then east along latitude 18°36.900' south to the most western point where it intersects Orpheus Island at H.A.T.

Division 3 Areas within the Cairns/Cooktown Management Area

15 Parts of Mulgrave-Johnstone Segment

The following areas—

- (a) the area landward of the 500m line around Green Island Reef (reef 16-049);
- (b) the area within the following boundary—
 - from the northern point of the median line between South Barnard Islands Reef (reef 17-046) and King Reef (reef 17-048)
 - then generally south-easterly along the median line between South Barnard Islands Reef (reef 17-046) and King Reef (reef 17-048) to the southern point of the line

- then generally easterly, north-easterly, northerly, westerly, south-westerly and southerly along the 500m line around South Barnard Islands Reef to the northern point of the median line between South Barnard Islands Reef (reef 17-046) and King Reef (reef 17-048);
- (c) the area landward of the seaward edge of the following—
 - the unnamed reef that is around Normanby Island and Mable Island
 - Grange Rock Reef (reef 17-012a);
- (d) the part of Mourilyan Creek that is between the following—
 - latitude 17°38.802' south
 - latitude 17°40.908' south;
- (e) the parts of Maria Creek and North Maria Creek that are—
 - (i) upstream of the eastern boundary of Maria Creek National Park; or
 - (ii) downstream of the most western boundary of Maria Creek National Park.

Note—

The most western point of Maria Creek National Park is on the southern bank of North Maria Creek. Maria Creek National Park is shown as lot 1445 on plan NPW191. See the *Nature Conservation (Protected Areas) Regulation 1994*, schedule 2 (National Parks).

16 Trinity Inlet Segment

- (1) The following areas, but not including the areas mentioned in subsection (2)—
 - (a) the Trinity Inlet fish habitat area;
 - (b) the area that is known as Ellie Point sand reserve and has the following boundary—

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- from latitude 16°51.909' south, longitude 145°46.065' east

Note—

Latitude, 16°51.909' south, longitude 145°46.065' east is on the right bank of the Barron River.

- then easterly along a geodesic to the most northern point of False Cape at L.A.T.

Note—

The most northern point of False Cape at L.A.T. is on the western side of Trinity Inlet.

- then south along the mainland at L.A.T. to where it intersects the latitude that passes through the most eastern point of Ellie Point
- then west along the latitude that passes through the most eastern point of Ellie Point to the most eastern point of Ellie Point
- then north-westerly to the south-eastern corner of lot 51 on plan NR3159
- then north-westerly along the eastern boundary of lot 51 on plan NR3159 to latitude 16°51.909' south, longitude 145°46.065' east;

(c) the following lots—

- lots 1 to 4 on plan C19823
- lot 92 on plan NR3051
- lot 146 on SP129134
- lot 151 on plan NR4172.

(2) The following areas are excluded from the designated area described in subsection (1)—

- the area within 10m either side of the centre-line of the vehicular track that crosses lot 151 on plan NR4172
- the area within 10m either side of the centre-line of the vehicular track from Airport Avenue to the sand stockpile area on lot 1 on RP736304

- the sand stockpile area on lot 1 on RP736304.
- (3) In this section—
- Trinity Inlet fish habitat area*** means the Trinity Inlet fish habitat area—
- (a) declared under the *Fisheries Regulation 2008*; and
 - (b) as it was on 1 April 2008.

Note—

The Trinity Inlet fish habitat area as it was on 1 April 2008 is shown on plan FHA-003 (Revision 2). See the *Fisheries Regulation 2008*, schedule 3, part 2, entry for Trinity Inlet.

17 Parts of Marlin Coast Segment

The following areas—

- (a) the parts of Barron River and Redden Creek within the following boundary—
 - from the most eastern point of the right bank at the mouth of the Barron River at H.A.T.
 - then upstream along the right bank of the Barron River to a point that is 50m downstream from the Cook Highway Bridge
 - then westerly across the Barron River to the left bank of the river
 - then downstream along the left bank of the Barron River to the left bank of Redden Creek
 - then downstream along the left bank of Redden Creek to the mouth of the creek
 - then south across Redden Creek to the right bank of the creek
 - then upstream along the right bank of Redden Creek to where it intersects the left bank of the Barron River
 - then downstream along the left bank of the Barron River to the mouth of the river

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- then south-easterly across the Barron River to the most eastern point of the right bank at the mouth of the river at H.A.T.;
- (b) the part of Barr Creek within the following boundary—
- from the most north-eastern corner of lot 72 on RP714006
- Note—*
- The most north-eastern corner of lot 72 on RP714006 is on the right bank at the mouth of Barr Creek.
- then south-westerly along the northern boundary of lot 72 on RP714006 to where it meets the north-western boundary of lot 2 on SP147290
 - then south-westerly along the north-western boundary of lot 2 on SP147290 to where it meets the eastern boundary of lot 49 on plan N157300
 - then southerly along the eastern boundary of lot 49 on plan N157300 to where it meets the eastern boundary of lot 15 on plan USL9633
 - then southerly along the eastern boundary of lot 15 on plan USL9633 to where it meets the south-eastern boundary of lot 147 on plan NR4789
 - then south-westerly and northerly along the south-western boundary of lot 147 on plan NR4789 to where it meets the western boundary of lot 15 on plan USL9633
 - then northerly along the western boundary of lot 15 on plan USL9633 to where it meets the left bank of Barr Creek at H.A.T.
 - then north-westerly along the left bank of Barr Creek to the mouth of the creek at H.A.T.
 - then southerly across the mouth of Barr Creek to the most north-eastern corner of lot 72 on RP714006;
- (c) the parts of Yorkeys Creek and Richters Creek within the following boundary—

-
- from where the north-eastern corner of lot 105 on AP7001 intersects the mainland at H.A.T.
 - then generally southerly along the seaward boundary of lot 105 on AP7001 to the south-eastern corner of the lot
 - then southerly along the mainland at H.A.T. to where it intersects the right bank at the mouth of Richters Creek
 - then upstream along the right bank of Richters Creek to where it meets the south-western corner of lot 121 on plan NR840892
 - then easterly along the southern boundary of lot 121 on plan NR840892 to where it meets the north-western corner of lot 235 on plan NR5479
 - then south-easterly along the western boundary of lot 235 on plan NR5479 to where it meets the south-western side of Acacia Street at Holloways Beach
 - then generally southerly along the south-western side of Acacia Street at Holloways to where it intersects the western side of Poinsettia Street at Holloways Beach
 - then southerly along the western side of Poinsettia Street at Holloways Beach to where it intersects the western side of Casuarina Street at Holloways Beach
 - then southerly along the western side of Casuarina Street at Holloways Beach to where it meets the south-eastern corner of lot 1 on plan USL9604
 - then westerly and northerly along the boundary of lot 1 on plan USL9604 to where the western boundary of the lot meets the western boundary of lot 120 on CP857579
 - then generally westerly along the northern boundary of lot 120 on CP857579 to where it

meets the eastern boundary of lot 115 on plan NR3359

- then southerly and westerly along the boundary of lot 115 on plan NR3359 to where the southern boundary of the lot meets the right bank of Thomatis Creek
- then north-easterly across Thomatis Creek to where the left bank of the creek meets the most southern corner of lot 16 on plan USL9940
- then north-westerly and easterly along the boundary of lot 16 on plan USL9940 to where the northern boundary of the lot meets the right bank of Richters Creek
- then northerly across Richters Creek to the left bank of the creek
- then downstream along the left bank of Richters Creek to where it meets the northern boundary of lot 12 on plan USL9940
- then easterly along the northern boundary of lot 12 on plan USL9940 to where it meets the left bank of Richters Creek
- then north-easterly along the left bank of Richters Creek to where it meets the most southern corner of lot 139 on plan NR3818
- then north along the western boundary of lot 139 on plan NR3818 to where it meets the south-western corner of lot 105 on AP7001
- then northerly along the western boundary of lot 105 on AP7001 to where it meets the north-western corner of lot 106 on SP137305
- then north-easterly along the southern boundary of lot 106 on SP137305 to where it meets the eastern boundary of lot 105 on AP7001
- then south-easterly and north-easterly along lot 105 on AP7001 to where the north-eastern corner of the lot intersects the mainland at H.A.T.;

(d) the part of Half Moon Creek within the following boundary—

- from the north-eastern corner of lot 50 on plan USL9567

Note—

The north-eastern corner of lot 50 on plan USL9567 is on the right bank at the mouth of Half Moon Creek.

- then southerly along the eastern boundary of lot 50 on plan USL9567 to where it meets the north-eastern corner of lot 34 on SP11364
- then southerly and easterly along the eastern boundary of lot 34 on SP113641 to where it meets the north-eastern corner of lot 3 on plan USL9661
- then southerly along the eastern boundary of lot 3 on plan USL9661 to where it meets the most northern corner of lot 187 on plan NR6708
- then southerly along the eastern boundary of lot 187 on plan NR6708 to where it meets the eastern boundary of lot 3 on plan USL9661
- then southerly and westerly along the boundary of lot 3 on plan USL9661 to where the western boundary of the lot meets the eastern boundary of lot 188 on plan NR6708
- then south-westerly along the eastern boundary of lot 188 on plan NR6708 to where it meets the southern boundary of lot 3 on plan USL9661
- then westerly and northerly along the boundary of lot 3 on plan USL9661 to where the western boundary of the lot meets the south-eastern corner of lot 2 on plan USL9661
- then westerly and northerly along the boundary of lot 2 on plan USL9661 to where the northern boundary of the lot meets the most western corner of lot 27 on plan USL9569
- then northerly and south-easterly along the boundary of lot 27 on plan USL9569 to where the

northern boundary of the lot meets the left bank of Half Moon Creek

- then downstream along the left bank of Half Moon Creek to the mouth of the creek
- then across the mouth of Half Moon Creek to where the mouth meets the north-eastern corner of lot 50 on plan USL9567.

Note—

The north-eastern corner of lot 50 on plan USL9567 is on the right bank at the mouth of Half Moon Creek.

18 Parts of Wonga Beach Segment

The following areas—

- (a) the part of Saltwater Creek within the following boundary—
- from the south-eastern corner of lot 5 on SP159909
 - then generally westerly along the southern boundary of lot 5 on SP159909 to where it meets the right bank of Coop Creek
 - then northerly across Coop Creek to where the left bank of the creek meets the southern boundary of lot 6 on SP159909
 - then westerly and northerly along the boundary of lot 6 on SP159909 to where the northern boundary of the lot meets the western boundary of lot 6 on plan SR412
 - then southerly and easterly along the boundary of lot 6 on plan SR412 to where the southern boundary of the lot meets the south-eastern corner of lot 6 on RP712142
 - then northerly along the eastern boundary of lot 6 on RP712142 to where it intersects the anabranch of Saltwater Creek on the right bank of the creek

-
- then north across the anabranch of Saltwater Creek to the left bank of the creek
 - then downstream along the left bank of Saltwater Creek to where it meets the western boundary of lot 1 on plan USL8767
 - then easterly along the northern boundary of lot 1 on plan USL8767 to where it meets the northern boundary of lot 1 on plan USL8764
 - then westerly along the northern boundary of lot 1 on plan USL8764 to where it intersects longitude 145°24.565' east
 - then north along longitude 145°24.565' east to where it intersects the southern boundary of lot 42 on plan SR6
 - then east and north along the eastern boundary of lot 42 on plan SR6 to the north-eastern corner of the lot
 - then east along the latitude that passes through the north-eastern corner of lot 42 on plan SR6 to where the latitude intersects the mainland at H.A.T.
 - then southerly along the mainland at H.A.T. to where it intersects the left bank at the mouth of Saltwater Creek
 - then southerly across Saltwater Creek to the right bank at the mouth of the creek at H.A.T.
 - then southerly along the mainland at H.A.T. to where it intersects the south-eastern corner of lot 5 on SP159909;
- (b) the part of the Mossman River within the following boundary—
- from the north-eastern corner of lot 5 on plan USL8735

Note—

The north-eastern corner of lot 5 on plan USL8735 is on the right bank at the mouth of the Mossman River at H.A.T.

- then upstream along the right bank of the Mossman River to where it meets the north-western corner of lot 5 on plan USL8735
- then generally southerly along lot 5 on plan USL8735 to where it meets the north-western corner of lot 1 on plan C9641
- then southerly along the western boundaries of lots 1, 3, 4, 5, 6, 7, 8 and 9 on plan C9641 to the south-western corner of lot 9 on plan C9641
- then southerly along a geodesic to the north-eastern corner of lot 1 on RP720137
- then south-westerly along the northern boundary of lot 1 on RP720137 to where it meets the north-eastern corner of lot 11 on RP709171
- then south-westerly along the northern boundary of lot 11 on RP709171 to where it meets the most north-eastern corner of lot 12 on RP709171
- then south-westerly along the northern boundary of lot 12 on RP709171 to the north-western corner of the lot
- then westerly along a geodesic to the most north-eastern corner of lot 265 on plan N15783
- then generally westerly along the northern boundary of lot 265 on plan N15783 to the south-western corner of the lot
- then southerly along a geodesic to the north-eastern corner of lot 1 on plan RL1156

Note—

The north-eastern corner of lot 1 on plan RL1156 meets the south-western corner of lot 4 on plan T4371.

-
- then westerly along the northern boundary of lot 1 on plan RL1156 to the north-western corner of the lot
 - then westerly across the Mossman River to the south-eastern corner of lot 5 on RP711228

Note—

The most south-eastern corner of lot 5 on RP711228 is on the left bank of the Mossman River.

- then northerly along the eastern boundary of lot 5 on RP711228 to where it meets the southern boundary of lot 7 on RP715390
- then easterly and north-easterly along the boundary of lot 7 on RP715390 to where the eastern boundary of the lot meets the south-western corner of lot 3 on AP8350
- then northerly along the eastern boundary of lot 7 on RP715390 to where it meets the south-western corner of lot 275 on plan SR794
- then generally north-easterly along the eastern boundary of lot 275 on plan SR794 to where it meets lot 1 on AP8350
- then generally northerly, westerly, northerly, easterly, southerly and easterly along the boundary of lot 1 on AP8350 to where it meets the south-western corner of lot 382 on plan SR864
- then easterly along the southern boundary of lot 382 on plan SR864 to where it meets the left bank of the Mossman River at H.A.T.
- then downstream along the left bank of the Mossman River at H.A.T. to the mouth of the river at H.A.T.
- then south across the mouth of the Mossman River to the north-eastern corner of lot 5 on plan USL8735.

19 Parts of Daintree Segment

The following areas—

(a) the area landward of the 500m line around Low Islets Reef (reef 16-028);

(b) the area within the following boundary—

- from where latitude 15°45.870' south intersects the mainland at H.A.T.

Note—

Latitude 15°45.870' south intersects the mainland at H.A.T. near Obree Point.

- then generally southerly, easterly, south-easterly and southerly along the mainland at H.A.T. to where it intersects latitude 15°50.862' south

Note—

The mainland at H.A.T. intersects latitude 15°50.862' south near the northern bank of Fritz Creek.

- then east along latitude 15°50.862' south to where it intersects the coastal 500m line around the mainland
- then generally northerly, north-westerly, westerly and northerly along the coastal 500m line around the mainland to where it intersects latitude 15°45.870' south
- then west along latitude 15°45.870' south to where it intersects the mainland at H.A.T.;

(c) the area within the following boundary—

- from where latitude 16°04.902' south intersects the mainland at H.A.T.

Note—

Latitude 16°04.902' south intersects the mainland at H.A.T. just south of Cape Tribulation.

- then generally northerly and north-westerly along the mainland at H.A.T. to where it intersects longitude 145°22.788' east

- then north along longitude 145°22.788' east to where it intersects the coastal 500m line around the mainland
 - then generally southerly along the coastal 500m line around the mainland to the most eastern point where it intersects latitude 16°04.902' south
 - then west along latitude 16°04.902' south to where it intersects the mainland at H.A.T.;
- (d) the part of the Daintree River that is south of latitude 16°17.496' south.

20 Parts of Starcke Segment

The following areas—

- (a) the area landward of the 500m line around Decapolis Reef (reef 14-131);
- (b) the area within the following boundary—
- from the most western point of the 500m line around Pethebridge Islets Reef (reef 14-122b)
 - then north-westerly along the geodesic that passes through the following points—
 - the most western point of the 500m line around Pethebridge Islets Reef (reef 14-122b)
 - the most eastern point of Marched Point at low water
 to where the geodesic intersects the geodesic that passes through the following points—
 - latitude 14°18.179' south, longitude 145°39.064' east
 - latitude 14°39.906' south, longitude 144°56.565' east
 - then south-westerly along the geodesic that passes through the following points to where the geodesic intersects the mainland at low water—

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- latitude 14°18.179' south, longitude 145°39.064' east
 - latitude 14°39.906' south, longitude 144°56.565' east
 - then generally south-easterly along the mainland at low water to where it intersects latitude 14°44.196' south
 - then east along latitude 14°44.196' south to where it intersects the coastal 100m line around the mainland
 - then generally south-easterly and easterly along the coastal 100m line around the mainland to where it intersects the geodesic that passes through the following points—
 - the most northern point on Lookout Point at low water
 - the most western point of the 500m line around Pethebridge Islets Reef (reef 14-112b)
 - then north-westerly along that geodesic to the most western point of the 500m line around Pethebridge Islets Reef (reef 14-122b);
- (c) the area within the following boundary—
- from the most eastern point of Lizard Island at high water
- Note—*
- The most eastern point of Lizard Island is at Lizard Head.
- then easterly along a geodesic to the most eastern point of Lizard Island at low water
 - then south-easterly along the geodesic that passes through the following points to where the geodesic intersects the coastal 500m line around Lizard Island—
 - the most eastern point of Lizard Island at low water

-
- latitude 14°41.328' south, longitude 145°28.518' east
 - then generally south-westerly along the coastal 500m line around Lizard Island to where it intersects the latitude that passes through the most southern point of South Island at low water

Note—

The most southern point of South Island is at the south-eastern end of the Island.

- then west along the latitude that passes through the most southern point of South Island at low water to the most southern point of South Island at low water
- then north-westerly along a geodesic to the most southern point of South Island at high water
- then generally north-easterly, northerly, westerly, south-westerly and southerly along South Island at high water to its most western point
- then westerly along a geodesic to the most western point of South Island at low water
- then north-westerly along a geodesic to the most southern point of Palfrey Island at low water
- then northerly along a geodesic to the most southern point of Palfrey Island at high water
- then generally easterly, north-easterly, northerly, north-westerly, westerly and south-westerly along Palfrey Island at high water to its most western point
- then westerly along a geodesic to the most western point of Palfrey Island at low water
- then northerly along a geodesic to the most western point of Lizard Island at low water

Note—

The most western point of Lizard Island is at South Bay Point.

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- then easterly along a geodesic to the most western point of Lizard Island at high water
 - then generally south-easterly, southerly, easterly, north-easterly, easterly and south-easterly along Lizard Island at high water to its most eastern point;
- (d) the area within the following boundary—
- from the most western point where latitude 14°38.988' south intersects Lizard Island at high water
 - then generally southerly, south-easterly and south-westerly along Lizard Island at high water to its most western point

Note—

The most western point of Lizard Island is adjacent to Chinamans Ridge.

- then north-westerly along a geodesic to the most western point Lizard Island at low water
- then north-westerly along the geodesic that passes through the following points to where the geodesic intersects the seaward edge of Lizard Island Reef (reef 14-115a)—
 - the most western point Lizard Island at low water
 - latitude 14°39.738' south, longitude 145°26.604' east
- then generally northerly along the seaward edge of Lizard Island Reef (reef 14-115a) to the most western point where it intersects latitude 14°38.988' south
- then east along latitude 14°39.077' south to the most western point where it intersects Lizard Island at high water;

-
- (e) the area within the following boundary—
- from the most southern point of the 500m line around Turtle Reef (reef 14-119b)
 - then generally north-westerly, northerly and north-easterly along the 500m line around Turtle Reef (reef 14-119b) to its most northern point
 - then north-easterly along a geodesic to the most northern point of the 500m line around Turtle Reef (reef 14-120e)
 - then generally south-easterly along the 500m line around Turtle Reef (reef 14-120e) to its most eastern point
 - then southerly along a geodesic to the most eastern point of the 500m line around Turtle Reef (reef 14-120i)
 - then generally south-westerly along the 500m line around Turtle Reef (reef 14-120i) to its most southern point
 - then north-westerly along a geodesic to the most southern point of the 500m line around Turtle Reef (reef 14-120a)
 - then north-westerly along a geodesic to the most southern point of the 500m line around Turtle Reef (reef 14-119b);
- (f) the area landward of the 500m line around Eyrie Reef (reef 14-118);
- (g) the area landward of the coastal 500m line around Nymph Island;
- (h) the area landward of the coastal 500m line around South Direction Island;
- (i) the area landward of the coastal 500m line around Rocky Islets;
- (j) the area landward of the coastal 500m line around Three Islands;

(k) the area within the following boundary—

- from the most western point of Lizard Island at low water

Note—

The most western point of Lizard Island is at South Bay Point.

- then west along the latitude that passes through the most western point of Lizard Island at low water to the most western point where the longitude intersects the coastal 500m line around Lizard Island
- then generally southerly, south-easterly, easterly and north-easterly along the coastal 500m line around Lizard Island to the most eastern point where it intersects the latitude that passes through the most southern point of South Island at low water

Note—

The most southern point of South Island is on the south-eastern end of the Island.

- then west along the latitude that passes through the most southern point of South Island at low water to the most southern point of South Island at low water
- then north-westerly along a geodesic to the most southern point of the South Island at high water
- then generally westerly and north-westerly along South Island at high water to its most western point
- then westerly along a geodesic to the most western point of South Island at low water
- then north-westerly along a geodesic to the most southern point of Palfrey Island at low water
- then northerly along a geodesic to the most southern point of Palfrey Island at high water

- then generally westerly, north-westerly and northerly along Palfrey Island at high water to its most western point
- then westerly along a geodesic to the most western point of Palfrey Island at low water
- then northerly along a geodesic to the most western point Lizard Island at low water.

Schedule 8 Dictionary

section 3

100m line, for schedule 7, see schedule 7, section 1.

500m line, for schedule 7, see schedule 7, section 1.

Administration, for schedule 2, means the general manager.

analyses, for part 5, division 6, see section 54.

Annex I means Annex I to MARPOL.

Annex II means Annex II to MARPOL.

Annex V means Annex V to MARPOL.

applicant, for part 12, division 1, see section 84.

approval, for part 12, division 1, see section 84.

aquaculture fisheries resources see the *Fisheries Act 1994*, schedule.

authorised officer, for part 3, see section 20.

Editor's note—

See also the schedule to the Act.

category X substance—

- (a) generally, means a noxious liquid substance—
 - (i) in pollution category X under the provisions of the International Bulk Chemical Code, chapters 17 and 18, included in schedule 2; or
 - (ii) categorised as a category X substance under the guidelines for the categorisation of noxious liquid substances in Annex II, Appendix I; or
 - (iii) re-categorised as a category X substance under section 34A of the Act; and
- (b) for part 3, division 2, subdivision 1—includes a mixture containing a category X substance.

category Y substance—

- (a) generally, means a noxious liquid substance—
 - (i) in pollution category Y under the provisions of the International Bulk Chemical Code, chapters 17 and 18, included in schedule 2; or
 - (ii) means categorised as a category Y substance under the guidelines for the categorisation of noxious liquid substances in Annex II, Appendix I; or
 - (iii) means re-categorised as a category Y substance under section 34A of the Act; and
- (b) for part 3, division 2, subdivision 2—includes a mixture containing a category Y substance.

category Z substance—

- (a) generally, means a noxious liquid substance—
 - (i) in pollution category Z under the provisions of the International Bulk Chemical Code, chapters 17 and 18, included in schedule 2; or
 - (ii) categorised as a category Z substance under the guidelines for the categorisation of noxious liquid substances in Annex II, Appendix I; or
 - (iii) re-categorised as a category Z substance under section 34A of the Act; and
- (b) for part 3, division 2, subdivision 2—includes a mixture containing a category Z substance.

coastal 100m line, for schedule 7, see schedule 7, section 1.

coastal 500m line, for schedule 7, see schedule 7, section 1.

Code, for schedule 2, means the International Bulk Chemical Code.

Commonwealth prescribed, for part 2, division 2, subdivision 1, see section 8.

disposal facility, for part 5, see section 43.

fishing vessel means a vessel used, or intended to be used, for catching fish, seals, walrus, whales or other living resources

of the sea or seabed for profit or reward, but does not include a vessel—

- (a) engaged in harvesting or transporting algae or aquatic plants; or
- (b) that is primarily a carrier or mother ship.

fixed toilet, for part 5, see section 43.

food wastes, for part 6, see section 61.

fringing reef, for schedule 7, see schedule 7, section 1.

geodesic, for schedule 7, see schedule 7, section 1.

grade A treated sewage means treated sewage that may be classified as grade A treated sewage as mentioned in section 57(2).

grade B treated sewage means treated sewage that may be classified as grade B treated sewage as mentioned in section 57(3).

grade C treated sewage means treated sewage that may be classified as grade C treated sewage as mentioned in section 57(4).

gt, of a ship, for part 2, see section 7.

H.A.T., for schedule 7, see schedule 7, section 1.

Hervey Bay waters means the waters of Hervey Bay, other than prohibited discharge waters, within a boundary drawn—

- from Burrum Point on the mainland to the Fairway Beacon, Hervey Bay
- to Rooney Point, Fraser Island
- along the western shore of Fraser Island to latitude 25°22.90' south
- to latitude 25°24.90' south, longitude 152°58.06' east
- due west to the mainland at latitude 25°24.90' south.

highest astronomical tide, for schedule 7, see schedule 7, section 1.

high water, for schedule 7, see schedule 7, section 1.

IBC Code, for schedule 2, means the International Bulk Chemical Code.

independent testing entity, for part 5, division 6, see section 54.

island 500m line, for schedule 7, see schedule 7, section 1.

L.A.T., for schedule 7, see schedule 7, section 1.

levels of sewage quality characteristics see schedule 6.

lowest astronomical tide, for schedule 7, see schedule 7, section 1.

low water, for schedule 7, see schedule 7, section 1.

macerator, for part 5, see section 43.

median line, for schedule 7, see schedule 7, section 1.

mother ship means a ship proceeding on the main ocean leg of a voyage attended by smaller ships.

NATA, for part 5, division 6, see section 54.

northern Moreton Bay waters means the waters of Moreton Bay, other than prohibited discharge waters, within a boundary drawn—

- from latitude 27°06' south on the mainland to South Point, Bribie Island
- along the southern shore of Bribie Island to Skirmish Point
- to Comboyuro Point, Moreton Island
- along the western shore of Moreton Island to Reeders Point
- to Amity Point, North Stradbroke Island
- to Cleveland Point on the mainland.

open waters means coastal waters, other than Hervey Bay waters, northern Moreton Bay waters, prohibited discharge waters and smooth waters.

recreational ship means a recreational ship as defined under the *Transport Operations (Marine Safety) Act 1994*, section 10A.

reef includes the following—

- (a) bommie fields;
- (b) moats;
- (c) ramparts;
- (d) reef slopes;
- (e) underwater and intertidal rocky areas.

relevant level, for schedule 6, see schedule 6, section 1.

relevant platform, for part 6, see section 61.

reportable incident see section 67(1) of the Act.

rock 500m line, for schedule 7, see schedule 7, section 1.

sewage disposal record book see section 51.

smooth waters means the waters defined as *smooth waters* under the *Transport Operations (Marine Safety) Regulation 2004*, schedule 15, but not including—

- (a) the waters described in schedule 12 of that regulation that are within 0.5n miles from land; and
- (b) prohibited discharge waters.

system documentation, for part 5, division 6, see section 54.

system service manual, for part 5, division 6, see section 54.

system's performance specifications include a statement of the levels of sewage quality characteristics remaining in sewage after it has been treated in the system.

tank, for part 3, division 2, subdivision 1, see section 21.

the mainland, for schedule 7, see schedule 7, section 1.

Tonnage Measurement Convention, for part 2, see section 7.

trading ship—

- (a) means a ship, other than a Commonwealth ship under the Commonwealth Navigation Act or a fishing vessel,

that is used for or in connection with any business or commercial activity; and

- (b) includes a vessel that is used wholly or principally for—
 - (i) the carriage of passengers or cargo for hire or reward; or
 - (ii) the provision of services to ships or shipping whether for reward or otherwise.

Endnotes

1 Index to endnotes

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2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 1 July 2010. Future amendments of the Transport Operations (Marine Pollution) Regulation 2008 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

3 Key

Key to abbreviations in list of legislation and annotations

Key	Explanation	Key	Explanation
AIA	= Acts Interpretation Act 1954	(prev)	= previously
amd	= amended	proc	= proclamation
amdt	= amendment	prov	= provision
ch	= chapter	pt	= part
def	= definition	pubd	= published
div	= division	R[X]	= Reprint No. [X]
exp	= expires/expired	RA	= Reprints Act 1992
gaz	= gazette	reloc	= relocated
hdg	= heading	renum	= renumbered
ins	= inserted	rep	= repealed
lap	= lapsed	(retro)	= retrospectively
notfd	= notified	rv	= revised edition
num	= numbered	s	= section
o in c	= order in council	sch	= schedule
om	= omitted	sdiv	= subdivision
orig	= original	SIA	= Statutory Instruments Act 1992
p	= page	SIR	= Statutory Instruments Regulation 2002
para	= paragraph	SL	= subordinate legislation
prec	= preceding	sub	= substituted
pres	= present	unnum	= unnumbered
prev	= previous		

4 Table of reprints

Reprints are issued for both future and past effective dates. For the most up-to-date table of reprints, see the reprint with the latest effective date.

If a reprint number includes a letter of the alphabet, the reprint was released in unauthorised, electronic form only.

Reprint No.	Amendments included	Effective	Notes
0A	none	1 September 2008	
0B	2008 SL No. 344	1 March 2009	
0C	—	2 March 2009	provs exp 1 March 2009
0D	2009 SL No. 64	1 July 2009	
0E	2009 Act No. 24	1 December 2009	
1	2010 Act No. 13	1 April 2010	
1A	2010 Act No. 19	23 May 2010	
1B	2010 SL No. 100	1 July 2010	

5 Tables in earlier reprints

Name of table	Reprint No.
Corrected minor errors	1

6 List of legislation

Transport Operations (Marine Pollution) Regulation 2008 SL No. 254

made by the Governor in Council on 7 August 2008

notfd gaz 8 August 2008 pp 2108–9

ss 1–2 commenced on date of notification

remaining provisions commenced 1 September 2008 (see s 2)

exp 1 September 2018 (see SIA s 54)

Notes—(1) The expiry date may have changed since this reprint was published. See the latest reprint of the SIR for any change.

(2) A regulatory impact statement and explanatory note were prepared.

amending legislation—

Marine Parks and Other Legislation Amendment Regulation (No. 1) 2008 SL No. 344 pts 1, 5

notfd gaz 20 October 2008 pp 973–4

ss 1–2 commenced on date of notification

remaining provisions commenced 1 March 2009 (see s 2)

Note—An explanatory note was prepared.

Transport Legislation (Fees) Amendment Regulation (No. 1) 2009 SL No. 64 pts 1, 8

notfd gaz 22 May 2009 pp 331–3

ss 1–2 commenced on date of notification

remaining provisions commenced 1 July 2009 (see s 2)

Queensland Civil and Administrative Tribunal (Jurisdiction Provisions) Amendment Act 2009 No. 24 ss 1–2, ch 13 pt 10

date of assent 26 June 2009

ss 1–2 commenced on date of assent

remaining provisions commenced 1 December 2009 (2009 SL No. 252)

Transport and Other Legislation Amendment Act 2010 No. 13 ss 1, 2(2)(c)–(d), ch 4 pt 3, s 95 sch pt 1

date of assent 1 April 2010

ss 1–2 commenced on date of assent

remaining provisions commenced on date of assent (see s 2(2)(c)–(d))

Transport and Other Legislation Amendment Act (No. 2) 2010 No. 19 s 1, ch 2 pt 22

date of assent 23 May 2010

commenced on date of assent

Transport Legislation (Fees) Amendment Regulation (No. 1) 2010 SL No. 100 ss 1, 2(1), pt 8

notfd gaz 28 May 2010 pp 290–92

ss 1–2 commenced on date of notification

remaining provisions commenced 1 July 2010 (see s 2(1))

7 List of annotations

Definitions

s 3 amd 2010 Act No. 13 s 95 sch pt 1

MARPOL

s 4 om 2010 Act No. 13 s 96

Meaning of words and expressions in pt 2

s 6 amd 2010 Act No. 13 s 97

Conditions for discharge of oil other than oil from machinery space bilges

s 9 amd 2010 Act No. 13 s 98

Conditions for discharge of oil from particular machinery space bilges

s 10 amd 2010 Act No. 13 s 95 sch pt 1

Conditions for discharge of oil

s 12 amd 2010 Act No. 13 s 95 sch pt 1

Shipboard oil pollution emergency plan

s 13 amd 2009 SL No. 64 s 16; 2010 SL No. 100 s 17

Oil record book must be carried on ship or retained

s 15 amd 2010 Act No. 13 s 95 sch pt 1

Form of oil record book

s 16 amd 2010 Act No. 13 s 99

Entries in oil record book

s 17 amd 2010 Act No. 13 s 95 sch pt 1

Tank washing required for category X substances

s 23 amd 2010 Act No. 13 s 95 sch pt 1

Approved tank washing procedure

s 24 amd 2010 Act No. 13 s 95 sch pt 1

Alternative tank washing procedure

s 25 amd 2010 Act No. 13 s 95 sch pt 1

Discharge of water involving category Y substances or category Z substances is exempt

s 27 amd 2010 Act No. 13 s 95 sch pt 1

Tank washing required for category Y substances or category Z substances

s 28 amd 2010 Act No. 13 s 95 sch pt 1

Endnotes

Approved prewash procedure

s 29 amd 2010 Act No. 13 s 95 sch pt 1

Prewash procedure at another port

s 30 amd 2010 Act No. 13 s 95 sch pt 1

Other conditions applying to all discharges

s 31 amd 2010 Act No. 13 s 95 sch pt 1

Cargo record book must be carried on ship or retained

s 33 amd 2010 Act No. 13 s 95 sch pt 1

Form of cargo record book

s 34 amd 2010 Act No. 13 s 100

Entries in cargo record book

s 35 amd 2010 Act No. 13 s 95 sch pt 1

Carriage requirements of particular ships

s 36 amd 2010 Act No. 13 s 95 sch pt 1

Equipment at least equivalent to Annex II equipment may be used in ship

s 37 amd 2010 Act No. 13 s 95 sch pt 1

Procedures for washing leakages overboard

s 40 amd 2010 Act No. 13 s 95 sch pt 1

Nil discharge waters for untreated sewage—Act, s 47

s 44 amd 2010 Act No. 13 s 101

Nil discharge waters for treated sewage—Act, s 48

s 45 amd 2010 Act No. 13 s 95 sch pt 1

Nil discharge waters for treated sewage or untreated sewage—Act, s 49

s 47 amd 2010 Act No. 13 s 102

Ship must be fitted with macerator

s 53 amd 2010 Act No. 13 s 103

Maintenance and assessment of treatment system for ships

s 55 amd 2010 Act No. 13 s 95 sch pt 1

Meaning of words and expressions in pt 6

s 60 amd 2010 Act No. 13 s 95 sch pt 1

Disposal of waste other than garbage mentioned in s 64 or 65

s 63 amd 2010 Act No. 13 s 95 sch pt 1

Disposal of floating dunnage, lining or packing materials

s 64 amd 2010 Act No. 13 s 95 sch pt 1

Disposal of food wastes

s 65 amd 2010 Act No. 13 s 95 sch pt 1

Disposal of food wastes for fish feeding

s 66 amd 2010 Act No. 13 s 95 sch pt 1

Disposal of garbage mixed with matter prohibited from discharge or jettisoning
s 67 amd 2010 Act No. 13 s 95 sch pt 1

Authorised officers
s 80 amd 2010 Act No. 19 s 144

PART 12—GENERAL

Division 1—Approvals

Subdivision 4—Review of and appeals against particular decisions
sdiv 4 (ss 94–95) om 2009 Act No. 24 s 1754

Division 2—Analyst’s reports
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Division 3—Miscellaneous
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Area prescribed for Act, schedule, definition “designated area”, paragraph (d)
s 96A ins 2010 Act No. 13 s 105

Application of s 53 for 6 months after commencement
s 99 exp 1 March 2009 (see s 99(4))

Application of s 56 for 6 months after commencement
s 100 exp 1 March 2009 (see s 100(3))

SCHEDULE 1—RECORDABLE OPERATIONS AND RECORDABLE EVENTS
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SCHEDULE 2—INTERNATIONAL BULK CHEMICAL CODE
sch hdg amd 2010 Act No. 13 s 95 sch pt 1
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SCHEDULE 3—NIL DISCHARGE WATERS FOR UNTREATED SEWAGE
(prev sch 4) amd 2010 Act No. 13 s 107
renum 2010 Act No. 13 s 111

SCHEDULE 4—NIL DISCHARGE WATERS FOR TREATED SEWAGE
(prev sch 5) renum 2010 Act No. 13 s 111

**SCHEDULE 5—NIL DISCHARGE WATERS FOR TREATED SEWAGE OR
UNTREATED SEWAGE FROM DECLARED SHIP**
(prev sch 6) amd 2010 Act No. 13 s 108
renum 2010 Act No. 13 s 111

**SCHEDULE 6—LEVELS OF SEWAGE QUALITY CHARACTERISTICS FOR
TREATED SEWAGE**
(prev sch 7) renum 2010 Act No. 13 s 111

**SCHEDULE 7—AREAS WITHIN THE GREAT BARRIER REEF COAST
MARINE PARK THAT ARE DESIGNATED AREAS**
sch hdg amd 2010 Act No. 13 s 109
sch 7 (prev sch 8) renum 2010 Act No. 13 s 111

SCHEDULE 8—DICTIONARY

- sch 8** (prev sch 9) renum 2010 Act No. 13 s 111
- def “**100m line**” amd 2010 Act No. 13 s 95 sch pt 1
- def “**500m line**” amd 2010 Act No. 13 s 95 sch pt 1
- def “**Administration**” amd 2010 Act No. 13 s 95 sch pt 1
- def “**Annex I**” amd 2010 Act No. 13 s 95 sch pt 1
- def “**Annex II**” amd 2010 Act No. 13 s 95 sch pt 1
- def “**Annex V**” amd 2010 Act No. 13 s 95 sch pt 1
- def “**boat harbour**” om 2010 Act No. 13 s 110
- def “**canal**” om 2010 Act No.13 s 110
- def “**category X substance**” amd 2010 Act No. 13 s 95 sch pt 1
- def “**category Y substance**” amd 2010 Act No. 13 s 95 sch pt 1
- def “**category Z substance**” amd 2010 Act No. 13 s 95 sch pt 1
- def “**coastal 100m line**” amd 2010 Act No. 13 s 95 sch pt 1
- def “**coastal 500m line**” amd 2010 Act No. 13 s 95 sch pt 1
- def “**Code**” amd 2010 Act No. 13 s 95 sch pt 1
- def “**designated area**” amd 2008 SL No. 344 s 12
om 2010 Act No. 13 s 110
- def “**fringing reef**” amd 2010 Act No. 13 s 95 sch pt 1
- def “**geodesic**” amd 2010 Act No. 13 s 95 sch pt 1
- def “**Great Barrier Reef Coast Marine Park**” om 2010 Act No. 13 s 110
- def “**H.A.T.**” amd 2010 Act No. 13 s 95 sch pt 1
- def “**highest astronomical tide**” amd 2010 Act No. 13 s 95 sch pt 1
- def “**high water**” amd 2010 Act No. 13 s 95 sch pt 1
- def “**IBC Code**” amd 2010 Act No. 13 s 95 sch pt 1
- def “**island 500m line**” amd 2010 Act No. 13 s 95 sch pt 1
- def “**L.A.T.**” amd 2010 Act No. 13 s 95 sch pt 1
- def “**levels of sewage quality characteristics**” amd 2010 Act No. 13 s 95 sch
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- def “**marina**” om 2010 Act No. 13 s 110
- def “**median line**” amd 2010 Act No. 13 s 95 sch pt 1
- def “**prohibited discharge waters**” om 2010 Act No. 13 s 110
- def “**relevant level**” amd 2010 Act No. 13 s 95 sch pt 1
- def “**rock 500m line**” amd 2010 Act No. 13 s 95 sch pt 1
- def “**the mainland**” amd 2010 Act No. 13 s 95 sch pt 1